



LAKE COUNTY/CITY AREA PLANNING COUNCIL

Lisa Davey-Bates, Executive Director
www.lakeapc.org

525 South Main Street, Ukiah, CA 95482
Administration: Suite G ~ 707-234-3314
Planning: Suite B ~ 707-263-7799

EXECUTIVE COMMITTEE AGENDA

DATE: Wednesday, September 13, 2023
TIME: 11:00 a.m. (or once the Lake Transit Authority Meeting Adjourns)
PLACE: Clearlake Senior Center – (Auxiliary Room)
3245 Bowers Road
Clearlake, California

-
1. Call to Order/Roll Call
 2. Approval of March 27, 2023 Minutes
 3. Discussion of Upcoming Request for Proposals (RFP) process of Professional Services for Administrative and Planning Services beyond September 30, 2024
 4. Discussion and Possible Recommendation to amend the Local Transportation Fund (LTF) Fund Reserve
 5. Discussion of RuralREN (Regional Energy Network)
 6. Public Input on any item under the jurisdiction of this agency, but which is not otherwise on the above agenda
 7. Reports/Information
 8. Adjourn Meeting

AMERICANS WITH DISABILITIES ACT (ADA) REQUESTS

To request disability-related modifications or accommodations for accessible locations or meeting materials in alternative formats (as allowed under Section 12132 of the ADA) please contact the Lake County/City Area Planning Council office at (707) 234-3314, at least 72 hours before the meeting.

POSTED: September 7, 2023



LAKE COUNTY/CITY AREA PLANNING COUNCIL

Lisa Davey-Bates, Executive Director
www.lakeapc.org

525 South Main Street, Ukiah, CA 95482
Administration: Suite G ~ 707-234-3314
Planning: Suite B ~ 707-263-7799

EXECUTIVE COMMITTEE (DRAFT) MEETING MINUTES

Wednesday, March 2, 2022

Location: Audioconference (in response to “Shelter-in-Place” directive)

Present

Stacey Mattina, City Council Member, City of Lakeport
Russell Perdock, City Council Member, City of Clearlake

Absent

Moke Simon, Supervisor, County of Lake

Also Present

Lisa Davey-Bates, Executive Director, Admin. Staff – Lake APC
Nephele Barrett, Planning Staff – Lake APC
Alexis Pedrotti, Admin. Staff - Lake APC
Charlene Parker, Admin. Staff - Lake APC

1. Call to Order/Roll Call

The meeting was called to order at 9:02 am. Members present: Mattina, Perdock – Absent: Simon.

2. Approval of April 2, 2021 Minutes

Director Mattina made a motion to approve the April 4, 2021 Draft Meeting Minutes, as presented. The motion was seconded by Director Perdock. Ayes (2)-Directors Mattina, Perdock; Noes (0); Abstain (0); Absent (1)-Director Simon.

3. Approval of January 21, 2022 Minutes

Director Perdock made a motion to approve the January 21, 2022 Draft Meeting Minutes, as presented. The motion was seconded by Director Mattina. Ayes (2)-Directors Mattina, Perdock; Noes (0); Abstain (0); Absent (1)-Director Simon.

4. Discussion and Recommendation of Contract Options between Lake Area Planning Council and Davey-Bates Consulting for Administrative Services and Dow & Associates for Planning Services

Lisa Davey-Bates stated that a staff report was included in the packet for review and discussion. Lisa provided background of the original contract procurement and a brief history leading up to the current contract. Lisa noted that staffing for the Lake Area Planning Council (APC) was previously provided through a single contract, but the administrative and planning functions were separated in 2014. At that time, a competitive procurement process was followed which included separate Requests for Proposals for the administration and planning functions which currently are provided through contracts with private consulting firms, Davey-Bates Consulting and Dow & Associates. The original contract period was five years and allowed up to five one-year extensions.

Currently, both contractors are fulfilling their third, one-year contract extension, which will expire on September 30, 2022. A recommendation from the Executive Committee is to the Lake Area Planning Council is encouraged early in the year to allow sufficient time for the potential of new Request for Proposals (RFP) process if needed. If the option to extend both contracts was the preferred option, the fourth extension period would begin on October 1, 2022, and go through September 30, 2023.

Lisa Davey-Bates explained that as part of the staff report, both contractors included one-year extensions, outlining the contract base amounts based on the 11.5% insurance increase. She noted that the annual CPI increase would also apply to both contracts, but Davey-Bates and Dow & Associates were seeking a 4% CPI increase, although the actual annual CPI increase was 4.2%.

Lisa thought Nephele Barrett may have something to add to the report, but she stated that she did not have anything at that point and welcomed questions.

Director Mattina stated that she was surprised that the CPI increase was only 4.2% and said she was fine with supporting the full 4.2% CPI increase to both contracts.

Director Perdock agreed and stated that he would recommend the full 4.2% increase to the full Lake APC Board.

The Executive Committee provided positive comments about the consistency and quality of work performed by both contractors and agreed that the 4.2% CPI increase was reasonable. After a brief discussion, members of the Executive Committee felt comfortable to move forward with additional one-year extensions on both contracts. Lisa and Nephele thanked the committee members for their ongoing support.

Director Mattina made a motion to recommend to extend the existing contracts between the Lake County/ City Area Planning Council and Davey-Bates Consulting and Dow & Associates for a period of one-year with the 4.2% CPI increase. The motion was seconded by Director Perdock and carried unanimously. Ayes (2)-Directors Mattina, Perdock; Noes (0); Abstain (0); Absent (1)-Director Simon.

5. Discussion and Recommended Approval of the FY 2022/23 Local Transportation Fund (LTF) Estimate

Alexis Pedrotti reported that this time of year the administrative staff begins the development of the upcoming fiscal year budget. As part of that process, and in accordance with the Transportation Development Act (TDA), the County Auditor's office is responsible for providing the Regional Transportation Planning Agency (RTPA) the Local Transportation Fund (LTF) estimate, derived from ¼ cent of sales tax revenues. Lake APC staff has requested estimates from the County Auditor's office, but without success, so staff developed a process similar to the one used by the Mendocino County auditor's office. Alexis explained that because of the unusual and unpredictable circumstances related to COVID, there was not an increase to the LTF estimate in FY 2019/20, which resulted in a larger increase for the FY 2021/22 LTF estimate. At that time LTF Reserve funds were also accrued.

Based on the same formula, the 2022/2023 LTF estimate suggested a 6.83% or \$12,526 increase, bringing the total LTF estimate to \$1,846,566, but after careful consideration of the ongoing financial instability of our funding sources, staff is proposing a reduction to this year's LTF Fund Estimate to \$1,700.00. Alexis noted that if revenues continue to come in at a higher-than-expected rate an adjustment can be considered mid-year.

Typically, staff would present the LTF Estimate and Draft Budget together at the May Lake APC Board of Directors Meeting, however, staff felt it was important to discuss the proposed recommendation in greater detail with the Executive Committee, prior to presenting the draft budget. Alexis noted she will begin drafting the budget, including LTF allocations for Administration, Bike and Pedestrian (2%) purposes, the Consolidated Transportation Service Authority (5%), Overall Work Program, Reserve (5%) and Transit based on the Executive Committee's recommendation for the LTF estimate.

Director Perdock questioned with the inflation increase were we being conservative enough. Lisa agreed and explained that staff recommends \$1.7 million because there is a balance to consider because the estimate defines allocations for Transit, the Consolidated Transportation Service Authority (CTSA) and the bike and ped account.

The group discussed the LTF estimate and agreed with the recommendation of \$1,700,000 Fund Estimate.

Director Mattina recommended moving forward with the development of the FY 2022/23 Draft Budget with a LTF Estimate of \$1,700,000, knowing that an amendment can occur if higher than expected revenues materialize. The motion was seconded by Director Perdock and carried unanimously. Ayes (2)-Directors Mattina, Perdock; Noes (0); Abstain (0); Absent (1)-Director Simon.

6. Public Input on any item under the jurisdiction of this agency, but which is not otherwise on the above agenda

None

7. Reports/Information

Director Perdock asked about the funding shortfall for the Lake Links program.

Lisa replied that there is a shortfall of funding for the Out-of-County Non-Emergency Medical Transportation (NEMT) and Pay-Your-Pal grant programs.

The group discussed multiple ideas for NEMT funding including a volunteer driver program, COVID funds, 5310 grant program, and partnerships.

8. ADJOURNMENT

The meeting was adjourned at 9:32 a.m.

Respectfully Submitted,

DRAFT

Charlene Parker
Administrative Associate



LAKE COUNTY/CITY AREA PLANNING COUNCIL

STAFF REPORT

TITLE: Request for Proposals and Procurement Process for Continued Comprehensive Staffing Services

DATE PREPARED: 4/4/19
MEETING DATE: 4/10/19

SUBMITTED BY: Lisa Davey-Bates, Executive Director

BACKGROUND:

All staffing for the Lake Area Planning Council is provided through contracts with private consulting firms. Previously provided through a single contract, the administrative and planning functions were separated in 2014. In 2014, a competitive procurement process was followed which included separate Requests for Proposals for the administration and planning functions. The RFPs indicated an initial contract period of five years, with up to five one-year extensions. Only one proposal was received for each of the RFPs—from Davey-Bates Consulting for administration and Dow & Associates for planning, and contracts were awarded to the two companies, consistent with the terms identified in the RFP.

The current contract period will end on September 30th of next year, and additional extensions are not allowable within the parameters of the existing staffing contracts. Although nearly one year remains, it is necessary to consider options for future services at this time since the process could be lengthy.

As you know, Davey-Bates Consulting and Dow & Associates will likely submit proposals for administrative and planning services, and therefore cannot be a part of the development and procurement of future staffing services for the Lake APC.

Ultimately, the Lake APC Board of Directors has the option of deciding how to proceed. One option, which was chosen in the previous consultant selection process, would be to select another agency within Lake County to conduct the RFP and procurement process. Another might be to hire an outside agency or firm to perform such duties.

Lake APC staff had a brief and informal discussion with staff of Regional Analysis and Planning Services (RAPS), a non-profit organization related to the Association of Monterey Bay Area Governments, who are interested in conducting the process for a minimal fee. They have extensive experience with carrying out such processes. If the Executive Committee determines that is the preferred option, RAPS would like to meet with the Executive Committee soon to determine whether or not both parties are interested in moving forward with the full Request for Proposal and Procurement process. If not, other options would be considered at that time.

ACTION REQUIRED: Select a preferred approach for continued administrative and planning staffing services beyond September 30, 2024.

ALTERNATIVES: None identified.

RECOMMENDATION: Consider options for continued staffing services and propose next steps in the RFP and Procurement process.



LAKE COUNTY/CITY AREA PLANNING COUNCIL STAFF REPORT

TITLE: LTF Reserve Policy Amendment

DATE PREPARED: 09/07/23

MEETING DATE: 09/13/23

SUBMITTED BY: Lisa Davey-Bates, Executive Director

BACKGROUND: The Transportation Development Act (TDA), established in 1971, provides funding for transit and non-transit purposes that comply with Regional Transportation Plans. The TDA provides two funding sources: 1) Local Transportation Funds (LTF), which is derived from a ¼ cent of the general sales tax collected statewide; and 2) State Transit Assistance (STA) fund, which is derived from the statewide tax on diesel fuel. LTF funds are allocated in a specific priority: Administration, planning and programming, pedestrian and bicycle projects, Consolidated Transportation Service Agency activities, and public transportation (Article 4).

LTF revenues fluctuate from year to year, depending on the economy and taxes on diesel fuel. According to TDA Regulations, the Lake County Auditor-Controller is supposed to provide the Lake APC with an estimate of LTF apportionments by February 1st each year. Since this does not occur, Lake APC staff implemented an internal methodology to establish the LTF estimate for the purpose of developing preliminary budgets and advising eligible claimants of the anticipated funding for the following year. For several years LTF revenues have exceeded estimates set through the established method, resulting in a substantial amount of LTF funding in the Executive Director's Reserve account.

In June 2019, the Lake APC Board of Directors adopted an LTF Policy which established an official LTF Reserve Fund, with an initial balance of \$300,000 and an allowable additional 5% of the County Auditor's official LTF estimate for the next fiscal year if revenues exceeded the estimate. A cap of \$750,000 was also set, stating that surplus funds would be available for apportionment and allocation in the following fiscal year.

There are many reasons to sustain an LTF reserve such as spikes in fuel costs, unanticipated recessions, cash flow issues on reimbursable grant programs and contractor invoices, unmet transit needs, and transit capital needs. The existing LTF Reserve account carries a balance of \$640,240, which is getting close to the established \$750,000 threshold. Meanwhile, revenues have consistently come in much higher than the LTF fund estimate each year, resulting in a balance in the Executive Director's Account of nearly \$1.25 million. As such, it is my suggestion that the Executive Committee discuss and consider two things: 1) increasing the LTF Reserve balance threshold from \$750,000 to \$1.5 million, and 2) recommending a one-time transfer of \$500,000 from the Executive Director's Account, above and beyond the allowable annual amount, because of circumstances that have been occurring with regard to cost increases, inflation and supply chain issues. In the near term, those issues are expected to affect the costs that were assumed for the construction of the transit hub, and new buses that are much needed to replace the aging fleet.

ACTION REQUIRED: None.

ALTERNATIVES: None.

RECOMMENDATION: 1) Review, discuss, and recommend increasing the LTF Reserve threshold from \$750,000 to \$1.5m, and 2) allow for a one-time additional transfer of \$500,000 to the LTF Reserve from the Executive Director's account to prepare for the "extreme and unusual circumstances" that may warrant the utilization of such reserves in the future.

POLICY STATEMENT
Lake Area Planning Council
Local Transportation Fund (LTF) Reserve

A Local Transportation Fund (LTF) reserve account is allowed under the Transportation Development Act (TDA) as long as the correct procedures are followed in administering the fund, as set forth in Sections 6655.1 and 6655.5 of the Act.

Lake Area Planning Council (APC) has determined that a Local Transportation Fund (LTF) reserve shall be established and maintained. The fund shall be named "LTF Reserve."

The reserve shall be administered as follows:

TDA Compliance. APC shall administer the LTF Reserve according to all applicable sections of the Transportation Development Act, including Sections 6655.1 and 6655.5 (attached).

Reserve Balance. The initial balance shall be established at \$300,000 (+/-). In subsequent years, five percent of the County Auditor's official LTF estimate for the next fiscal year, rounded to the nearest thousand will be allocated to the LTF Reserve. In the event that five percent of the Auditor's estimate is lower than the current year's budgeted reserve and no expenditures from the reserve were required, the minimum LTF Reserve balance shall remain at the current year's amount. The balance shall be evaluated annually when the prior year's fiscal audits are completed, the Auditor's estimate is known, and before the new budget is adopted.

When the fund balance exceeds \$750,000 (the amount established under this policy), the surplus amount "shall be carried over and be available for apportionment and allocation in the following fiscal year," according to TDA Section 6655.5. Funds carried over shall be added to the County Auditor's estimate for allocation according to APC's established priorities for LTF allocations. All eligible claimants shall be notified of the area apportionments according to TDA Section 6655.1.

Deposits. The audited balance of any revenues to the Local Transportation Fund for the fiscal year in excess of all monies allocated shall be deposited to the LTF Reserve annually.

Eligible Withdrawals and Uses. LTF Reserve funds shall be used for transit services provided by Lake Transit Authority (LTA) that have been funded by APC through the annual transit claim process, when 1) actual LTF revenues fall short of LTF budget allocations, or 2) extreme or unusual circumstances warrant an additional allocation.

Procedure for Claims. LTF Reserve funds may be expended by one of three methods:

1) *Revenues Short of Allocation:* After a report by the County Auditor to the Lake Board annually in June, and upon the Board's review and concurrence, the Executive Director may instruct the County Auditor to make a funds transfer to LTA if actual revenues fall short of APC's budget allocation for transit operations at fiscal year end.

2) *Additional Allocation:* LTA may submit a written request to APC, justifying and documenting the need for additional funds to ensure continuance of existing funded transit services, for the Board's consideration at a regular APC meeting.

3) *Additional Capital Allocation:* LTA may submit a written request to APC, justifying and documenting the need for additional capital funds to maintain or improve transit services, for the Board's consideration at a regular APC meeting.

Local Transportation Fund (LTF) Reserve
Attachment to Policy Statement

The following sections of the Transportation Development Act (TDA) apply to this policy:

6655.1. UNALLOCATED APPORTIONMENTS RETAINED IN FUND.

The transportation planning agency may allocate to claimants in an area an amount less than the apportionment of the area. However, the amount of the apportionment which is not allocated shall be retained in the local transportation fund for later allocation only to claimants in the same area on such terms and conditions as the transportation planning agency may determine.

6655.5. REVISED DETERMINATION OF APPORTIONMENTS.

The transportation planning agency may, at any time before the close of the fiscal year, issue a revised determination of apportionments based on a revised or updated estimate furnished by the county auditor pursuant to Section 6620. The transportation planning agency may, at any time, request a revised or updated estimate from the county auditor.

Any revenues to the fund for the fiscal year in excess of all moneys allocated, reserved, or retained in the fund as unallocated apportionments pursuant to Section 6655.1 shall be carried over and be available for apportionment and allocation in the following fiscal year.

The transportation planning agency may, at any time before the conveyance of initial allocation instructions pursuant to Section 6659, issue a revised determination of apportionments based on a revised determination of populations.