

**CITY COUNCIL**

**Meeting Date: March 20, 2007**

**DATE OF PREPARATION: January, 2007**

**TO: William Way, City Manager**

**FROM: Terry G. Hicks, Assistant City Manager**

**SUBJECT: Public Hearing – Unmet Transit Needs**

\*\*\*\*\*

**FACTS:** Each year the Kern Council of Governments requires all agencies intending to file claims to use Transportation Development Act funds for street and road projects to hold a public hearing to identify any unmet needs within California City. Based on public comment the City Council must make a finding regarding such needs.

The requirement concerning unmet needs is said needs must be reasonable needs. Three categories define unmet needs as unreasonable:

- (a) Unreasonable to meet due to financial or operational considerations.**
- (b) Reasonable, yet no funding exists.**
- (c) Reasonable, not for a current program, but for a future program.**

By making a finding that no unmet transit needs exist, any unused TDA monies (after expenditures on transportation ) may be claimed and expended on streets.

**RECOMMENDATION: Conduct public hearing and adopt attached resolution.**

**SOURCE OF FUNDING: Not applicable**

**ENVIRONMENTAL ACTION: Not applicable**

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY DETERMINING THAT CALIFORNIA CITY HAS NO UNMET TRANSIT NEEDS THAT CANNOT REASONABLY BE MET BY THE EXISTING SYSTEM**

**WHEREAS**, Title 21 of the California Administrative Code Section 6658 implementing the Transportation Development Act requires the Kern Council of Governments (Kern COG) to find the City has no unmet transit needs that cannot reasonably be met prior to approving the City's use of Transportation Development Act monies for street and road projects; and

**WHEREAS**, in addition to annually holding its own public hearing (as required by Transportation Development Act regulations) Kern COG requires all agencies intending to file claims to use Transportation Development Act funds for street and road projects to hold a public hearing to identify transit needs within their respective jurisdictions; and

**WHEREAS**, on March 20, 2007, the Council held a duly noticed public hearing at which all persons desiring to comment on transit needs were given the opportunity to address, and were heard by, the Council; and

**WHEREAS**, the Council has responded to comments received at the public hearing and concluded there are no unmet transit needs that cannot reasonably be met within the City of California City; and

**NOW, THEREFORE**, the City of California City resolves the following:

1. The facts recited herein above are true and this Council has jurisdiction to consider and make determinations in the matters herein mentioned.
2. Based on comments received from the public, this Council hereby determines there are no unmet transit needs that cannot reasonably be met within the City.
3. The City Clerk shall forward a copy of the Resolution to the Kern Council of Governments.

**PASSED, APPROVED AND ADOPTED** on March 20, 2007

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Mayor

ATTEST:

---

City Clerk

(SEAL)