



**October 5, 2020**

**To:** Executive Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Measure M2 Senior Mobility Program Temporary Guideline Exceptions

### **Overview**

The Measure M2 Senior Mobility Program provides funding to eligible jurisdictions to provide transit services that best meet the needs of their senior communities. Due to the impacts of the coronavirus pandemic, some jurisdictions have suspended operation of their Senior Mobility Program, and some have modified their services to continue to meet the needs of their senior communities in different ways, such as providing home-delivered meals in lieu of transporting the seniors to their nutrition programs. Staff recommends temporary exceptions to the Senior Mobility Program Guidelines to assist local jurisdictions in continuing to meet the needs of their senior communities through these unprecedented times. Board of Directors' approval of the proposed temporary guideline modifications is requested.

### **Recommendations**

- A. Approve a temporary exception of the Senior Mobility Program guideline requirements related to service guidelines and service plan amendments, allowing agencies to use funds to provide the delivery of meals to seniors who had previously used city-provided transportation to travel to nutrition programs, from March 4, 2020 until Governor Newsom lifts the State of Emergency.
- B. Approve a temporary exception to the Senior Mobility Program guideline requirement related to funding distribution to suspend and hold allocations in reserve for agencies with suspended services until the State of Emergency is lifted or transportation services resume, whichever happens first.

***Background***

The Measure M2 (M2) Project U – Senior Mobility Program (SMP) provides funding to support local, community-based transportation services for seniors. Originally established in 2001, using limited state funding for bus operations, M2 Project U SMP funding was established to continue and expand the existing program. A formula funding allocation was established for all Orange County participating cities and eligible agencies based upon their senior population as determined from the most recent census. One percent of M2 net revenue is used to fund the SMP. Consistent with prior Board actions, there are currently three non-profit agencies included in the SMP. These non-profits are funded with non-M2 local funds but are managed according to the M2 SMP Guidelines to promote consistency. Participating cities and eligible non-profit agencies (collectively referred to as “agencies”) must provide a minimum 20 percent local match of the total annual program expenditures.

To ensure compliance with the M2 Ordinance No. 3 (M2 Ordinance), the SMP Funding and Policy Guidelines (Guidelines) were established and approved by the Orange County Transportation Authority (OCTA) Board of Directors (Board) on February 14, 2011. The Guidelines (Attachment A) are updated as needed, with the latest revision adopted by the Board on November 26, 2018. On May 22, 2020, the Board approved a temporary suspension to the competitive procurement requirement in Section 6.0 of the Guidelines to provide relief after a transportation company ceased providing services in Orange County on short notice, affecting several SMPs’ ability to contract for replacement providers.

The SMP is a vital connection for seniors to travel to medical appointments, grocery shopping, and senior center nutrition programs. Without the SMP, many seniors would have more limited transportation options.

***Discussion***

On March 4, 2020, Governor Newsom proclaimed a State of Emergency to exist in California as a result of the threat of the coronavirus (COVID-19). As Orange County residents heeded public health directives, transit ridership experienced a sharp decline. Community programs for seniors have also been impacted because the senior population is considered to be particularly vulnerable to COVID-19. At its core, the intent of this M2 element is to provide transportation services for seniors, but the services have been altered or suspended due to the current State of Emergency.

In compliance with Governor Newsom's Executive Order, agencies have closed their senior centers. Some agencies have modified their SMP service to deliver meals to seniors, as they are unable to attend nutrition programs at the senior center. In particular, Section 6.0 of the Guidelines details the types of senior transportation trips that are eligible for funding through the SMP. Section 7.0 of the Guidelines also requires that each agency formally adopt a service plan and amend the service plan if there are any revisions. Staff recommends a temporary exception to the Guidelines to allow meal delivery in lieu of transportation to the senior center, and to accept a letter from the city manager or the non-profit official representative outlining the temporary use of SMP funds for meal delivery until Governor Newsom lifts the State of Emergency.

In addition, the M2 Ordinance requires that M2 net revenues be expended within three years of receipt. OCTA may grant an extension to the three-year limit, but an extension shall not be granted beyond a total of five years from the date of allocation. To provide relief to agencies that have suspended their SMP services, staff recommends that OCTA suspend distribution of SMP funds to agencies with suspended services and to hold the funds in reserve for the agencies with suspended services until Governor Newsom lifts the State of Emergency or when the agency notifies OCTA that they have reinitiated SMP services, whichever occurs first. This change will temporarily modify Section 4.0 of the Guidelines. OCTA will send letters to agencies with suspended services to notify them of fund distribution suspension. To release the reserved funds, the agency will be required to send a letter from the city manager or the non-profit official representative to notify OCTA of service resumption. OCTA will send the reserve balance to the agency within 14 days. The three-year expenditure timely-use of funds will be based on when the funds were released to the agency. If SMP services do not resume within 30 days of Governor Newsom lifting the State of Emergency, the reserved funds will be returned to the program and distributed to the Fare Stabilization Program per the Board-approved Guidelines.

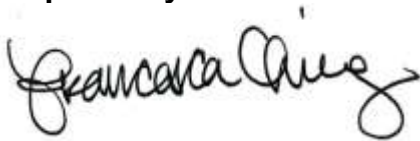
### ***Summary***

To provide flexibility and relief to agencies during the coronavirus pandemic, staff recommends the Board authorize the Chief Executive Officer to grant temporary exceptions to the Guidelines until Governor Newsom lifts the State of Emergency. The exceptions will allow for meal delivery to seniors who are unable to attend nutrition programs at senior centers and preserve SMP funds for agencies.

***Attachment***

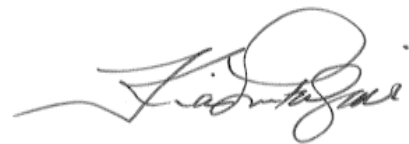
- A. Senior Mobility Program, Project U Funding and Policy Guidelines

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