



179 Cross Street, Suite A
San Luis Obispo, CA 93401
(805) 781-4472 Fax (805) 781-1291
www.slorta.org

Summary of Public Comment for April 8, 2020 Meeting

The public comments below were submitted in response to RTA Resolution 2020-18 considered on April 1, 2020. The resolution declared a fiscal emergency for the agency, enabling the implementation of emergency service reductions, delegating to the Executive Director and/or his designates authority to take action to expend RTA resources and make expenditures, and provide purchasing authority to the Executive Director and/or his designee up to \$250,000 to respond to the COVID-19 pandemic.

These comments were received via emails to RTA staff before 3:00 PM on April 7th, and will be reviewed by the RTA Board on Wednesday, April 8th during a specially scheduled public meeting. The comments below are verbatim from the participating members of the public.

A. "Hello!!

Thank you to the RTA staff for putting my written comments before the RTA Board, and for the thoughtful response thereto. I will be working on a few more substantive comments over the weekend, but wanted to make a comment now on Friday afternoon, while people are still "at work" (whatever anyone's geography might be), on a logistical issue that relates to Wednesday's meetings and that may require some advance planning.

I see that the RTA Board will be convening a special meeting at 8:30, to be followed by the Executive Committee remaining on duty for an Executive Committee meeting at 10:00. Normally, the meetings of the full board are live streamed, and recorded for the archives, while meetings of the Executive Committee are not. Both bodies are under the Brown Act, and both are normally open to public attendance and participation. Now, the public has no physical access to either. Under the circumstances, I am hoping it is possible for the Executive Committee meeting to also be live streamed and recorded for the archives, since this would be the ONLY way for the public to gain access thereto. I know the current contract with AGP does not cover the Executive Committee, but I also know that these are extraordinary times and lots of agreements are being bent in various ways to accommodate the unusual circumstances.

Giving the public access to the Executive Committee meeting is particularly important because they will be the first body to get a look at the proposed RTA Budget for '20-'21.

The Regional Transit Authority is a Joint Powers Agency serving residents and visitors of:

Arroyo Grande Atascadero Grover Beach Morro Bay Paso Robles Pismo Beach San Luis Obispo and The County of San Luis Obispo

Since it has been decided to enact this budget on the normal timetable, with the understanding that it will serve as a foundation for possible modifications as circumstances are better understood, it will be important for the public to hear the thinking of staff and of the members of the Executive Committee as they undertake this initial review. This is particularly true due to the cancellation of the RTAC meeting (possibly to be made up by a special RTAC meeting in May or June); members of RTAC, like other members of the public, will have a chance to individually review and comment on the proposed budget, and could be better positioned to do so effectively after knowing how the discussions went at the Executive Committee.

Would it, then, be possible for the members of the Executive Committee to stay wherever they are during the Board meeting, and be live-streamed and recorded for archiving as they move into the ensuing Executive Committee meeting?"

Submitted on Friday, April 3, 2020 by Mr. Eric Greening

B. "Hello!

Thank you for your sincere attempts to provide avenues, however seat-of-the-pants, for the public to continue to participate in RTA Board's conduct of the public's business relative to the lifeline public service provided by the RTA!

Thank you, also, for responding to my comments asking for a slowdown in the process of constructing the '20-'21 budget so that this budget can be crafted and approved when we might have somewhat more information on which to base projections about future needs and resources. The response indicates that the budget that will be before the RTA Board on May 6th is anticipated to face modifications as circumstances warrant.

In the meantime, we are in the midst of a crisis in which major departures from the adopted '19-'20 budget are occurring. On April 1st, your board declared a Fiscal Emergency, and activated the process laid out in Public Resources Code 21080.32 giving the Executive Director authority to take actions that would normally require Board approval, including service cuts in addition to the considerable cuts already in effect, which, as it happens, were also made without Board action or any public process, and with very little public notice.

PRC 21080.32 mandates a second public hearing within 30 days. Although the law does not explicitly so state, a reasonable interpretation of this law would be to assume that during the period intervening between the two hearings, specific information could be

developed for the public to react to in an informed way: what level of service reduction is mandated by the emergency circumstances, and what specific proposals--perhaps a range of them--might be put forward to see which among them would be least disruptive to the public. The originally scheduled date of April 29th would allow for such a process, or, in the event that staff were too consumed by the demands of the emergency to develop and propagate that specific information, at least the public would have time to be mobilized to respond to the vague general threat of service cuts, and come forward with thoughts about what cuts might be acceptable or unworkable. Given the additional time constraint on the public that, with virtual meetings, comments need to be made BEFORE rather than AT the meeting, a meeting that happens later rather than sooner would seem to be warranted for multiple reasons.

The only reason given for abandoning the April 29th date is was speculation that attaching it to the already scheduled April 8th meeting of the Executive Committee would be a convenience. The public can't even verify that this is so, given that the April 1st Board meeting adjourned messily, before members could be polled on their availability for that date. In any event, given that Board members and staff are mostly likely to be home on whatever date is chosen, the alleged convenience of the radically changed and seriously premature date of April 8th is a weak argument of denying the public time to be informed and mobilized about what is at stake. I very strongly urge cancellation of the April 8th hearing and return to the April 29th date for the required public hearing.

An additional advantage of the April 29th date is that we may have a better view of the level of financial constraints ahead, perhaps a sense of whether social distancing constraints can be expected or not expected to ease, as well as a better view of the timing and amount of federal stimulus money which might provide some level of budgetary relief.

Since, as an elder, I am personally staying home except for walks, and averse to the possible viral risk of riding the bus at this time, I have not been able to check whether information is available to riders about this premature public hearing. Setting it for April 29th would give the public far more opportunity to learn about it, and perhaps even, if staff had the time to craft them, to see specific proposals for what future service cuts might look like. If there is no information about this hearing on the buses, or if it is only visible for a couple of days, most of the public will be uninformed about this opportunity.

For these reasons, I would prefer not to have to get specific about what cuts might or might not be acceptable at this time, and would prefer being able to address the issue more thoroughly on April 29th, but in the event that my advice on the timing of your meeting is not taken, and the much more responsible date of April 29th is not restored, let me share a few thoughts that might guide decisions.

1. Since driver numbers were low compared to full staffing in times when the full schedule was being run, loss of perhaps half of drivers' service hours might not have resulted in the level of furloughing that would have been imposed if the cuts were made from full staffing, but any further cuts would deeply affect this loyal, helpful, and skillful labor force. It seems better to retain all the treasured employees we can, rather than to deplete an exemplary labor force and then try to rebuild it later.
2. Running Saturday service plus weekday expresses, while a significant cut from service levels in more normal times, does have the virtue of retaining something not too remote from the original span of service. Given the low ridership and waived fares, it is acceptable under present circumstances if it can be fiscally maintained as a placeholder for recovery in hoped-for better times.
3. No further reductions should be made without providing the Board and the public with specific BUDGETARY reasoning. Low ridership in and of itself should not be used to justify further cuts. Normally, it would be a justification, but one way that present circumstances are vastly abnormal is the need for social distancing. Buses with low ridership are the only ones safe to ride, as passengers can distribute themselves as far from each other as space allows. If the RTA can afford to run these buses, it should, even if in more normal times they would seem too inefficient to warrant continuance.
4. In the event that there are FISCAL reasons that further cuts must be made, no day of the week should be sacrificed; at least bare bones service should be available every day. If resources demand significant further reductions, the last resort should be Sunday service seven days a week, with ONE weekday express run morning and afternoon on Routes 9 and 10, to provide an earlier morning option for those who must get to work in SLO and an earlier return option therefrom. Route 12 could be reduced to 4-hour headways to match the other lines. A cut to this level of service is not something I would welcome, but it is the barest bare minimum baseline from which credible ultimate recovery could be built. Anything less than that would feel like abandonment of the core mission and the core transit-dependent ridership.

Again, although I am sharing these thoughts in time for consideration on April 8th, I believe the spirit of Public Resources Code 21080.32 is better served by the original plan

to hold a public hearing on April 29th, and the purported (but apparently uninvestigated) greater convenience of April 8th for Board members is not a sufficient reason for holding a hearing which is vastly premature given the need for more concerted outreach to transit users to make it genuinely responsive and meaningful.

I wish the best of health to the RTA Board and the entire RTA staff, and look forward to a future time when we can focus not on emergency response, but on rebuilding service in a rebuilding economy! Many thanks, and STAY WELL!!”

Submitted on Sunday, April 5, 2020 by Mr. Eric Greening

C. “Hello!

I don't believe I have working Skype; if I should manage to somehow find or get it at a time of no physical shopping for non-essentials, would the Executive Committee be open to that format? My understanding is that the intention is for SLOSPAN to livestream the meeting of the full board, although that didn't work for me (and a number of other users) last Wednesday. I was later able to replay the April 1st meeting from the archives.

Speaking of this Wednesday, the 8th, I do believe it was and is a huge mistake to have rescheduled the proposed April 29th public hearing to review the emergency declaration (and its consequences) to the breathtakingly early date of April 8th, given the impossibility of doing the public outreach that would seem to align with the spirit as well as the letter of Public Resources Code 21080.32. The only reason given for this drastic shift was speculation that the earlier date would be more convenient for Board members, three of whom would already be meeting as the Executive Committee. As you heard at the ragged conclusion of the April 1st board meeting, this is untested speculation; board members were hanging up before Fred Strong could poll them on their availability for the 8th--or, in comparison, if he would have asked, the 29th. In any event, alleged convenience for board members can't be a compelling factor when, on either the 8th or the 29th, most of them would likely be at home, regardless, and participating in the meeting from home. What SHOULD be a compelling factor is notifying the affected public, those who use the buses with much less frequency than usual, of the final opportunity to comment. I sent a letter stating my objections to the April 8th date, as well as substantive thoughts on what conditions would or would not warrant further service reductions and what level of reductions would constitute the bare minimum from which any credible recovery plan could be launched, to info@slorta.org and Chelsea will be, or is, distributing it to you and to the board members. It is probably too long to be orally read into the record, but I would hope all decision-makers will have read it before the morning of the 8th.

What I hope happens on the 8th is that the board members simply continue the hearing until the 29th, and direct (if they have to--hopefully you'd do it anyway) the placement

of information about the April 29th hearing on the buses and at whatever other sites you would normally notify the public of an upcoming hearing. I suspect most of the affected public won't know about the passage of an April 8th last chance to comment until that date is past.

Whatever the outcome of my request, the most important thing is for everyone in the RTA family to STAY WELL!!”

Submitted on Monday, April 6, 2020 by Mr. Eric Greening

- D. “Hello!! Thanks to a prompt response to my previous comments that I received this morning from Geoff Straw, I have a few further thoughts to share, He reassured me that further cuts would only be made if the health crisis invaded the staff to the extent that sufficient people to maintain the present reduced schedule could not be mustered. We seem to be in full agreement that productivity concerns do not warrant service cuts at a time when low productivity is a health necessity for staff and passengers, as it allows for needed social distancing. Productivity can again become relevant in that hoped-for time when social distancing ceases to be a necessity, to guide the recovery of service to a higher level when ridership warrants. Straw clarified that the subject of the hearing was not specific further service cuts (no specific further cuts are currently proposed) but the emergency declaration itself. In other words, the public does not need access to a specific service reduction plan on which to comment. While I now understand this, I also recognize that, since the declaration gives the Executive Director the authority to make cuts that would otherwise require a specific public process, In other words, speaking to the declaration includes speaking to the service changes that could be implemented as a consequence of the declaration, and it is completely within the scope of the hearing for members of the public to comment on service changes we would find acceptable or otherwise. For this reason, I continue to consider the service-level-related points #1 through #4 in my previous correspondence to be completely relevant to the subject of the hearing and they are appropriately in the record. My thanks again to everyone involved with the RTA for navigating unmapped territory in perilous weather. I look forward to continued engagement as the situation develops, and as it, hopefully, moves into a recovery phase!”

Submitted on Monday, April 6, 2020 by Mr. Eric Greening

- E. “Hello!

Thank you for the advice on accessing Skype, and for clarifying that you have no current intention of making further service cuts unless you simply don't have the people to staff the present schedule. It is to be hoped that the fare waivers and rear entry provisions protect drivers, and would hope anyone using a wheelchair and needing to board from the front would also be wearing a mask!

Thank you for also clarifying that the move from April 29th was originated by board members not available on that date. I still fail to see the justification for moving the meeting three whole weeks earlier; surely some date later in April could be found that would be workable for Board members and that would allow time to get word out to the riders and general public. It would be my hope that the Board uses its time on April 8th to discuss and come to consensus on such a date, so that genuine outreach can be conducted and a meaningful public hearing can be held that takes into account the comments from members of the public who will inevitably be bypassed if their final chance is April 8th, but who would likely be reached if genuine outreach had time to happen. This should, of course, include posting of the chosen date and time, and information on how to participate in the public hearing, on all the buses. I understand the point that the subject of the hearing is the emergency declaration, not specific service cuts, but we need to be mindful that, under that declaration, service cuts could be made without the usual public process, meaning that the hearing on the declaration itself is the only hearing the public might have on what any given commenter's bottom line on such cuts might be.

If I am reading your response correctly, you recognize that in this extraordinary time of social distancing, what would normally be bemoaned as "low productivity" of scheduled runs is a health necessity, so that "unproductive" service needs to be maintained if at all possible as a lifeline for those who need it now that most "choice" riders are using their own vehicles. We thus appear to be in total agreement about that. As stated in my previous comments, I find the current level of service acceptable under the current conditions, and hope it can be maintained until, let us hope, the ridership and the resources both allow us to journey on a path to system recovery!

One thing I would ask, if the April 8th Board meeting is not livestreamed through SLOSPAN, is that, somehow a recording, at least an audio recording, be made available in the archives on the SLORTA website, so that the public has its customary access to RTA Board meetings, and so that everything said and done by board members is on a public record accessible to the public.

Thanks for all you and the whole remarkable RTA family are doing to get us through these extraordinary times! STAY WELL!!

Submitted on Monday, April 6, 2020 by Mr. Eric Greening

F. "To Whom It May Concern;

Please reschedule the proposed SLORTA hearing on proposed service cutbacks to its originally scheduled date of April 29, 2020, if not later. The opportunity of interested citizens to contribute to the development of public policy and budgeting proposals and to the decision-making process by means of the public hearing process has been severely constrained during the coronavirus emergency declaration by Governor Newsome.

What remains of the public participation component of all government hearings is essentially just a rubber stamp. If the SLORTA board truly believes in the value of public participation, then it needs to create a fair, equitable, and easily accessible process which allows real-time participation by the public during the virtual hearing process. The hearing process under the current emergency order is a technological embarrassment and should not be allowed to stand in for a legal public hearing. Hearings are governed by law. If they cannot be conducted under the applicable legal standards (Brown Act, Bagley-Keene Act), then they must be delayed until such time that an accessible real-time process has been fully vetted and enacted by SLORTA. Thank you for your concern for enabling meaningful public access to the SLORTA governing process.”

Submitted on Monday, April 6, 2020 by Mr. Russell Hodin

G. “Hello all;

Reading the agenda for the April 8, 2020 special meeting, it is unclear to me what will be discussed and/or decided at this meeting. The overarching topic appears to be simply logging public comment about the COVID-19 Fiscal Emergency. However, in the discussion regarding Mr. Greening’s input, the topic of the FY2020-21 budget is raised. I have comments about both topics.

RE: The COVID-19 Fiscal Emergency budget. If I read this correctly, extra money has apparently been allocated to deal with this crisis. Yet what I see happening is a fairly drastic cut to route service.

I certainly understand that ridership will be down during this time of shelter-in-place, and work-from-home. But reducing the number of daily trips to weekend service schedules exacerbates the very real issue of trying to support and maintain social distancing. There are those who still do need to use rapid transit in spite of the current mandates, and those folks will be effectively crowded into the far-fewer trips now being offered. This is contrary to common sense. When we want to create social distancing opportunities, we should NOT be reducing the number of trips per day.

The extra emergency allocation could be used to further subsidize the ‘regular daily schedule’ trips, knowing that those buses will be running with very few passengers.

RE: FY2020-21. I, like Mr. Greening, have a very real concern that the annual budget will be based upon ridership numbers that do not accurately reflect what we hope will be a return to some sort of normalcy after we’re past this pandemic.

I, like Mr. Greening, am a staunch supporter of public transit. We need to be growing public transit, not diminishing it. Under any pretext.

You use phrases like “using the best information available at the time” to set a budget. And you note that once a budget has been set, that budget “can and should be amended when circumstances substantially change.” I agree.

The very real issue in May will be setting an adequate fiscal budget to operate in the absence of the pandemic, and make those adjustments mentioned IF we find ourselves continuing to live with the virus for some months to come.

That might be more than my allocated three minutes. Apologies! Thank you, as always, for providing an opportunity to comment. Thank you, also, for the work you do.”

Submitted on Monday, April 6, 2020 by Mr. David Arndt