



RTA BOARD AGENDA

Wednesday, May 4, 2022 at 9:00 AM
BOARD OF SUPERVISORS' CHAMBERS
COUNTY GOVERNMENT CENTER
1055 Monterey Street, San Luis Obispo, California 93401

The *AGENDA* is available/posted at: <http://www.slorta.org>

President: Ed Waage

Vice President: Debbie Arnold

Board Members:

John Peschong (First District – SLO County)
Bruce Gibson (Second District – SLO County)
Dawn Ortiz-Legg (Third District – SLO County)
Lynn Compton (Fourth District – SLO County)
Debbie Arnold (Fifth District – SLO County)
Jimmy Paulding (Arroyo Grande)

Heather Moreno (Atascadero)
Karen Bright (Grover Beach)
John Headding (Morro Bay)
Fred Strong (Paso Robles)
Ed Waage (Pismo Beach)
Andy Pease (San Luis Obispo)

Individuals wishing accessibility accommodations at this meeting under the Americans with Disabilities Act (ADA) may request such accommodations to aid hearing, visual, or mobility impairment (including Limited English Proficiency [LEP]) by contacting the RTA offices at 805-541-2228 x4833. Please note that 48 hours advance notice will be necessary to honor a request.

FLAG SALUTE

CALL MEETING TO ORDER, ROLL CALL

PUBLIC COMMENT: The Board reserves this portion of the agenda for members of the public to address the San Luis Obispo Regional Transit Authority Board on any items not on the agenda and within the jurisdiction of the Board. Comments are limited to three minutes per speaker. The Board will listen to all communication, but in compliance with the Brown Act, will not take any action on items that are not on the agenda.

CLOSED SESSION ITEMS:

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov. Code § 54956.9(d)(2)

Number of cases: One

Facts and circumstances exposing the RTA to litigation are threats of litigation made representatives of LTC/SLO, LTD. L.P., a California limited partnership concerning alleged damage to the RTA's former premises at 179 Cross Street, San Luis Obispo. E-mails documenting these threats are available for inspection at the RTA offices or upon request.

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code § 54957.6)

Agency designated representatives: Geoff Straw, Executive Director

Employee organization: Teamsters Local Union No. 986

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code § 54957(b))

Title: Executive Director

A. CONSENT AGENDA:

- A-1 Executive Committee Meeting Minutes of February 9, 2022 (Information)
- A-2 RTA Board Meeting Minutes of March 2, 2022 (Approve)
- A-3 Update RTA Title VI Policy (Approve)
- A-4 Strategic Business Plan Results (Receive)
- A-5 Procurement of Two Battery-Electric Buses & Declaration of Surplus (Approve) -
Amended
- A-6 Parts Clerk Job Description (Approve)
- A-7 Agreement for County Auditor/Controller Services (Approve)
- A-8 Employment Agreement with Executive Director (Approve)
- A-9 Contract Renewal - AGP Video Production of Board Meetings (Approve)
- A-10 End COVID-19 Financial Emergency Declaration (Approve)
- A-11 Draft Executive Committee Meeting Minutes of April 6, 2022 (Information)

B. INFORMATION AGENDA:

- B-1 Executive Director's Report (Receive)
- B-2 Bus Maintenance Facility (BMF) Progress and Change Order Update (Receive)

C. ACTION AGENDA:

- C-1 Fiscal Year 2022-23 Operating and Capital Budget (Approve)

D. PUBLIC HEARING:

- D-1 Seek Public Input on Temporary Fare-Free Service for 90 Days (Approve)

E. BOARD MEMBER COMMENTS

Next regularly-scheduled RTA Board meeting on July 13, 2022



San Luis Obispo Regional Transit Authority
 Executive Committee Meeting
 Minutes 02/09/2022
 A-1

Members Present: Debbie Arnold, District 5 Supervisor, **Vice President**
 John Peschong, District 1 Supervisor
 Ed Waage, City of Pismo Beach, **President**

Members Absent: None

Staff Present: Geoff Straw, Executive Director
 Tania Arnold, Deputy Director and CFO
 Shelby Walker, Administrative Assistant
 Ben Dore, County Counsel
 Sarah Woolsey, SLOCOG

Call to Order and Roll Call: Vice Preside Ed Waage called the meeting to order at 10:00 AM and roll call was taken. A quorum was present.

Public Comment: Mr. Eric Greening stated that he is very grateful for the compensation that the bus operators have been receiving. The compensation helps with retention and is allowing services to be maintained.

1. Consent Items

A-1 Executive Committee Meeting Minutes of December 08, 2021 (Approve)

Board Secretary Shelby Walker noted a correction to the minutes.

Board Member John Peschong made a motion to approve consent agenda item A-1 with the correction and **Vice President Debbie Arnold** seconded the motion. The motion passed unanimously via roll call vote.

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD	X		
JOHN PESCHONG	X		
ED WAAGE	X		

2. Information Items

B-1 Executive Director's Report (Verbal, Receive)

Mr. Geoff Straw stated that staff is working on the decommissioning of the Cross Street location. We have not had to cut any services yet due to Bus Operator vacancies. In regards to staffing, we currently have five full-time and seven part-time Bus Operator positions open as well as one Utility worker position. Staff will be conducting second round interviews for the open Accounting Technician position.

We issued purchase orders in April 2020 for three small low-floor buses for use on SoCo Transit Routes 27/28, and two large cutaways for RTA Route 15 / Nipomo DAR services, and have not received shipping advice yet. Maintenance staff is stretching the life of the buses being replaced until we get the new buses. Staff is also working on a purchase order for two battery-electric buses.

COVID mask mandate being lifted does not include transit. RTA will be following the TSA requirement through March 18. Staff is planning the SRTP advertising for the summer, it will be done in a joint effort with the City of San Luis Obispo.

Board Member Peschong supports a ribbon-cutting ceremony. A lot of effort was put into making the building happen and it should be recognized. It is wonderful to drive on the freeway and see the facility. **Vice President Arnold** said she agrees that a ribbon-cutting should happen even it is just at a local level. **President Waage** if the COVID case numbers are declining, it should be okay to have it.

Public Comment: None

Vice President Waage stated that the committee will receive and file item B-1.

B-2 Bus Maintenance Facility Progress Update (Verbal, Receive)

Mr. Straw stated that the facility is fully operational but staff is working with our project partners on some of the punch-list items. TIFIA requirements and deadlines were met, and the construction came in under budget. He mentioned that one of the punch-list items is the delay of the electric bus chargers as well as the electric chargers for employee vehicles. The furniture is expected to arrive towards the end of February. He mentioned that the RTA is working with the City of San Luis Obispo on the Elks Lane realignment project.

Public Comment: None

President Waage asked if it would be possible to get the numbers on cost savings for being in the facility. **Ms. Arnold** said it is about \$200,000 per year in savings for the RTA and about a million less in TIFIA funds were used than we had originally planned.

3. Action Items

C-1 Fiscal Year 2022-23 Budget Assumptions (Approve)

Ms. Arnold stated that the report outlines staff's recommended budget assumptions for the RTA's Fiscal Year 2022-23 operating and capital budget. The RTA is again developing a two-year operating budget and five-year capital budget. As in past years, only the first year would be financially-constrained, while the out-years should be considered advisory. She went over some of the key issues that are being addressed in the budget. The budget will address the operational and financial impacts of the COVID-19 pandemic, both internally and in support of the communities in which the RTA operates. Impacts include

liability costs, staff recruitment and retention, particularly in the Bus Operator classification, and continuing to focus on containment of Runabout costs. There will be continued efforts to implement Zero Emission Bus technologies. She mentioned that STA funding will be higher than in the past few years. RTA will continue to maximize all other funding sources before determining the need for LTF. Some of the LTF funding will be used to pay off the TIFIA loan. Fuel costs continue to be volatile; this also impacts ridership and fare revenues.

She then read the mission statement of RTA as it is important to remember when developing the budget. She went over the objectives and revenue impacts. Staff is working on maintaining service levels and hours of service that meet the standards of productivity and demand of RTA Fixed-Route and Runabout core services. Continue to monitor the results and impacts on ridership and fare based on the overall regular fare structure. FTA Sections 5307, 5311 and 5339 operating funding and capital funding for FY22-23 will be presented in the same format as indicated in the most recent budget amendment. Detailed miles/hours and span of service for each RTA core Fixed-Route and for Runabout will be provided with the draft budget. Due to changes in self-insured retention requirements, and now that consolidation has been completed, staff is reviewing and will provide recommendations regarding the RTA reserve policy during FY22-23 and will seek Board input.

She stated that the RTA will work with SLOCOG staff and other transit providers to evaluate efficiencies in the provision of service throughout the county. Staff will use the 2018-20 RTA Strategic Business Plan as well as the 2016 Short Range Transit Plan to evaluate potential efficiencies, and with Board concurrence, implement efficiencies. Additionally, the RTA will work with our transit agency partners to kick off a Short-Range Transit Plan to update the recently expired 2016 plan as well as address the requirements of the ICT Rollout Plan. Transit agencies across the country are highly impacted by the COVID-19 pandemic, which is impacting staffing, ridership and farebox revenues. As a result, the State of California has suspended farebox recovery ratio requirements through the end of FY22-23.

We will continue to evaluate options and provide analysis on the 5-year capital improvement program and methods to fund these needs. Staff is applying for grant funds as they become available.

She went over some of expense impacts. She stated with fuel prices continuing to be extremely volatile; diesel fuel will be budgeted at \$4.30 per gallon. Should prices decrease staff will address the change in a budget amendment. Insurance expenses are part of the impact. Workers compensation premiums through the PRISM are projected to increase. Although the number of RTA losses based on mileage has been lower than the statewide pool average, the RTA did experience a large claim in February 2019 that is impacting current and future premiums for a four-year period. Property insurance will increase due now owning the facility at 253 Elks Lane and due to the significant losses in the property insurance market, namely the wildfires in California. For budget-making purposes, staff is assuming a 6% annual increase for healthcare costs for each of the next two fiscal years. This is to help with a paid Family Leave program. Staff believes that this estimate is reasonable based on historical price increases.

For the staffing expenses, we are looking to do some realignments but the number of FY22-23 budgeted full-time equivalent positions will remain the same as in FY21-22. If that were to change, we would bring it back to the Board for approval. An annual inflationary wage adjustment based on the December 2020 to December 2021 of 6.6% will be implemented in July 2022. The Operations Supervisor classification CPI increase adjustment would be implemented in January 2023, to coincide with any Bus Operator wage scale adjustments. Employees within the salary range for their position will be eligible for a step

merit increase subject to performance assessments and budgetary authority. The current 4-year CBA expired on December 31, 2021, and a one year extension was negotiated through December 31, 2022. Staff fully understands the fiscal impacts that the pandemic has had on our agency and its member jurisdictions, and we will seek the Union's assistance in helping us emerge in a fiscally responsible manner.

She concluded her report by going over the proposed budget calendar.

President Waage asked if we pay property taxes. **Mr. Straw** stated that no, we do not.

Public Comment: None

Vice President Arnold made a motion to approve agenda item C-1 and **Board Member Peschong** seconded the motion. The motion passed unanimously via roll call vote as follows:

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD	X		
JOHN PESCHONG	X		
ED WAAGE	X		

4. **Mr. Straw** went over the agenda for the March 2, 2022 Board meeting agenda.

Public Comment:

Ms. Sarah Woolsey asked if the meeting will be in-person or virtual. **Mr. Straw** stated that is something this committee should discuss. **Board Member Peschong** said that the County will most likely be going back to in-person meetings. Further discussion ensued.

President Waage suggested that we have the next meeting via Zoom and see how the fellow Board members and staff feel about going to in-person.

5. **Adjournment**

The meeting was adjourned at 10:53 AM.

Next RTA Executive Committee Meeting: **April 13, 2022**

Respectfully Submitted,

Acknowledged by,

Shelby Walker
Administrative Assistant

Ed Waage
RTA Board President 2022

DRAFT
SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
BOARD MEETING MINUTES OF MARCH 2, 2022
A-2

BOARD MEMBERS PRESENT:

DEBBIE ARNOLD, FIFTH DISTRICT, COUNTY OF SAN LUIS OBISPO (Vice President)
BRUCE GIBSON, SECOND DISTRICT, COUNTY OF SAN LUIS OBISPO
LYNN COMPTON, FOURTH DISTRICT, COUNTY OF SAN LUIS OBISPO
JOHN HEADDING, CITY OF MORRO BAY
HEATHER MORENO, CITY OF ATASCADERO
KAREN BRIGHT, CITY OF GROVER BEACH
JIMMY PAULDING, CITY OF ARROYO GRANDE
ANDY PEASE, CITY OF SAN LUIS OBISPO
FRED STRONG, CITY OF PASO ROBLES
ED WAAGE, CITY OF PISMO BEACH (President)

BOARD MEMBERS ABSENT:

DAWN ORTIZ-LEGG, THIRD DISTRICT, COUNTY OF SAN LUIS OBISPO
JOHN PESCHONG, FIRST DISTRICT, COUNTY OF SAN LUIS OBISPO (Past President)

STAFF PRESENT:

GEOFF STRAW, EXECUTIVE DIRECTOR
TANIA ARNOLD, CFO/DEPUTY DIRECTOR
JON ANSOLABEHHERE, SAN LUIS OBISPO COUNTY COUNSEL
SHELBY WALKER, ADMINISTRATIVE ASSISTANT

CALL MEETING TO ORDER, ROLL CALL: President Ed Waage called the meeting to order at 9:01 AM and roll call was taken. There was a quorum present.

TELECONFERENCED PUBLIC MEETINGS: Mr. Jon Ansolabehere stated that in light of Governor Newsom's Executive Order N-29-20, which suspends certain Brown Act requirements for public meetings, expiring on September 30, 2021 the Board will need to adopt findings for AB 361 allowing the Board to meet via teleconference. The findings being that the imminent risk of being public the Board has found the need to hold meeting via teleconference.

Public Comment: None

Board Member Fred Strong made a motion to approve the resolution, and **Board Member John Headding** seconded the motion. The motion passed unanimously via roll call vote as follows:

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD (Vice President)	X		
LYNN COMPTON	X		
BRUCE GIBSON	X		
DAWN ORTIZ-LEGG			X
JOHN PESCHONG (Past President)			X
JOHN HEADDING	X		
KAREN BRIGHT	X		
JIMMY PAULDING	X		
ANDY PEASE	X		
HEATHER MORENO	X		
FRED STRONG	X		
ED WAAGE (President)	X		

PUBLIC COMMENT:

Mr. Eric Greening stated he continues to be grateful for the hard working Bus Operators who are in a time where there isn't a lot of drivers available. Dispatchers should give the Bus Operators a heads up reminder to be extra careful on the roads due to the possibility of rain. He looks forward to seeing everyone at the ribbon cutting ceremony.

A. CONSENT AGENDA:

- A-1 Executive Committee Meeting Minutes of December 8, 2021 (Information)
- A-2 Joint SLOCOG and RTA Board Meeting Minutes of January 5, 2022 (Approve)
- A-3 RTA Board Meeting Minutes of January 5, 2022 (Approve)
- A-4 Authorize Executive Director to Submit Application for Transit and Intercity Rail Capital Program (TIRCP) Grant Program Funds (Approve)
- A-5 Authorize Executive Director to procure remaining furniture, fixtures and equipment for new bus maintenance facility (Approve)
- A-6 Authorize Transfer of Surplus Bus to Cuesta College Automotive Department (Approve)
- A-7 Participate in Summer Youth Ride Free Program (Approve)
- A-8 Authorize Purchase Order for Wi-Fi Services on Fixed-Route Buses (Approve)

Public Comment: None

Board Member Strong made a motion to approve the consent agenda, and **Board Member Lynn Compton** seconded the motion. The motion passed unanimously via roll call vote as follows:

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD (Vice President)	X		
LYNN COMPTON	X		
BRUCE GIBSON	X		
DAWN ORTIZ-LEGG			X
JOHN PESCHONG (Past President)			X
JOHN HEADDING	X		
KAREN BRIGHT	X		
JIMMY PAULDING	X		
ANDY PEASE	X		
HEATHER MORENO	X		
FRED STRONG	X		
ED WAAGE (President)	X		

B. INFORMATION AGENDA:

B-1 Executive Director’s Report (Receive)

Mr. Geoff Straw stated that the Ribbon Cutting event has been rescheduled to Friday March 18 at 11:00 AM. Invitations were issued via Evite and asked the Board members to please RSVP. The event also coincides with Bus Driver Appreciation Day.

Since the November 3rd Board meeting, 15 additional employees tested positive for COVID-19 and that brings the total 29 cases. There have been no service reductions yet. TSA mandates that face masks continue to be required on public transit vehicles and inside transportation hubs through March 18, 2022. Staff continues to participate on the SLO County Vaccination Task Force.

Staff is continuing to recruit for Bus Operators. We still have a large number of unfilled bids. We had 3 new hires while 3 Bus Operators separated, including the death of long-time Bus Operator Mr. Rod Pappas. Staff is still working to fill Utility position. The new Accounting Technician starts on March 7, 2022. Congratulated Ms. Cassandra Johnson for being selected by her peers as the Employee of the Quarter.

We are working with the Cuesta College Automotive Technology Department on training opportunities. This provides training on heavy-duty vehicles and possibly zero-emission vehicle technologies in the future. You will see in the Consent agenda that we are seeking the Board’s authority to transfer a decommissioned bus to Cuesta. We continue to wait for shipping advice for five replacement vehicles, including 3 low-floor mid-size buses and 2 standard mid-size cutaway vans.

Marketing is currently focused on COVID-19 communications. We have implemented a new Google ads campaign for Bus Operator recruitment. We have new office hours for our administrative office, which are Monday – Friday 8:00 AM – 12:30 PM and 1:30 PM – 4:00 PM or by appointment outside of those times.

He went over the financial results for first 7 months of FY21-22. RTA fixed-route ridership increased 27.6% over last year and Runabout ridership increased 27.7%. The past five years of ridership and productivity trends are provided in graphs beginning on page B-1-7. Our Farebox Recovery Ratio is

improving for both fixed-route and Runabout services. Operating costs are below budget at 49.8% of budget through 58.3% of the budget year. Largest line-items are labor and fuel costs.

Public Comment:

Mr. Greening said that relative to the pandemic moving to an endemic, there can be changes made. He suggested that events should be held outdoors as much as possible. In regards to meetings being in-person or virtual, it would be nice for people to have an option that makes them comfortable.

President Waage stated that is hard to lose someone like Mr. Rod Pappas and thanked Mr. Straw for holding everything together.

President Waage received and filed item B-1 on behalf of the Board.

B-2 Bus Maintenance Facility (BMF) Progress and Change Order Update (Receive)

Mr. Straw stated that construction is about 98% complete. The project will be completed about \$1.5 million under budget for the TIFIA loan. Staff is currently dealing with supply chain issues, which is affecting the install of the electric vehicle and bus rechargers, as well as some punch list of repairs and corrections. One item that still needs to be resolved is the future Elks Lane, but that will be discussed in Agenda Item C-2.

Public Comment:

Board Member Heather Moreno commends staff on the how smoothly this project has gone.

Mr. Greening said he looks forward to seeing the facility and the staff at the ribbon cutting.

President Waage received and filed item B-2 on behalf of the Board.

C. ACTION AGENDA:

C-1 Fiscal Year 2022-23 Budget Assumptions (Approve)

Ms. Tania Arnold stated that the report outlines staff's recommended budget assumptions for the RTA's Fiscal Year 2021-22 operating and capital budget, as well as the first step in the development of our operating budget and operating program for FY 2022-2023. The RTA is again developing a two-year operating budget and five-year capital budget. As in past years, only the first year would be financially-constrained, while the out-years should be considered advisory. She went over some of the key issues that are being addressed in the budget. The budget will address the operational and financial impacts of the COVID-19 pandemic, both internally and in support of the communities in which the RTA operates. Impacts include liability costs, address staffing and retention, particularly in the Bus Operator classification, continuing to focus on containment of Runabout costs. There will be continued efforts to implement Zero Emission Bus technologies. She mentioned that STA funding will be higher than in the past few years. RTA will continue to maximize all other funding sources prior to determining the need for LTF. Some of the LTF funding will be used to pay off the TIFIA loan. Fuel costs continue to be volatile; this also impacts ridership and fare revenues.

She went over the objectives and revenue impacts. Staff is working on maintaining service levels and hours of service that meet the standards of productivity and demand of RTA fixed-route and Runabout core services. We continue to monitor the results and impacts on ridership and fares based on the overall regular fare structure. FTA Sections 5307, 5311 and 5339 operating funding and capital funding for FY22-23 will be presented in the same format as indicated in the most recent RTA budget amendment. Detailed miles/hours and span of service for each RTA core fixed-route and for Runabout will be provided with the draft budget. Due to changes in self-insured retention requirements, and now

that SoCo Transit consolidation has been completed, staff is reviewing and will provide recommendations regarding the RTA reserve policy during FY22-23 and will seek Board input.

She stated that the RTA will work with SLOCOG staff and other transit providers to evaluate efficiencies in the provision of service throughout the county. Staff will use the 2018-20 RTA Strategic Business Plan as well as the 2016 Short Range Transit Plan to evaluate potential efficiencies, and with Board concurrence, implement efficiencies. Additionally, the RTA will work with our transit agency partners to kick off a Short Range Transit Plan to update the recently expired 2016 plan as well as address the requirements of the ICT Rollout Plan. Transit agencies across the country are highly impacted by the COVID-19 pandemic, which is impacting ridership and farebox revenues. As a result, the State of California has suspended farebox recovery ratio requirements through the end of FY22-23.

We will continue to evaluate options and provide analysis on the 5-year capital improvement program and methods to fund these needs. Staff is applying for grant funds as they become available.

She went over some of expense impacts. She stated with fuel prices continuing to be extremely volatile, diesel fuel will be budgeted at \$4.30 per gallon. Should prices decrease staff will address the change in a budget amendment. Insurance expenses are part of the impact. Workers compensation premiums through the PRISM are projected to increase. Although the number of RTA losses based on mileage has been lower than the statewide CalTIP pool average, the RTA did experience a large claim in February 2019 that is impacting current and future premiums for a four year period. Property insurance will increase due to now owning the facility at 253 Elks Lane and due to the significant losses in the property insurance market, namely the wildfires in California. For budget-making purposes, staff is assuming a 6% annual increase for healthcare costs for each of the next two fiscal years. This is to help implement a proposed new paid family leave program. Staff believes that this estimate is reasonable based on historical price increases.

For the staffing expenses, we are looking to do some realignments, but the number of FY22-23 budgeted full-time equivalent positions will remain the same as in FY21-22. If that were to change, we would bring it back to the Board for approval. An annual inflationary wage adjustment based on the December 2020 to December 2021 of 6.6% will be implemented in July 2022. The Operations Supervisor classification CPI increase adjustment would be implemented in January 2023, to coincide with any Bus Operator wage scale adjustments. Employees within the salary range for their position will be eligible for a step merit increase subject to performance assessments and budgetary authority. The current 4-year CBA expired on December 31, 2021, and a one year extension was negotiated through December 31, 2022. Staff fully understands the fiscal impacts that the pandemic has had on our agency and its member jurisdictions, and we will seek the Union's assistance in helping us emerge in a fiscally responsible manner.

Public Comment: **Mr. Greening** commended staff on an excellent report. In regards to employee compensation, he assumes the Bus Operators are getting overtime and that can be expensive. He encouraged the Board to approve. **Mr. Straw** stated that overtime cost are accounted for in the operations budget. The part-time Bus Operators have been helping out.

Board Member Jimmy Paulding made a motion to approve agenda item C-1, and **Board Member Strong** seconded the motion. The motion passed unanimously via roll call vote as follows:

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD (Vice President)	X		
LYNN COMPTON	X		
BRUCE GIBSON	X		
DAWN ORTIZ-LEGG			X
JOHN PESCHONG (Past President)			X
JOHN HEADDING	X		
KAREN BRIGHT	X		
JIMMY PAULDING	X		
ANDY PEASE	X		
HEATHER MORENO	X		
FRED STRONG	X		
ED WAAGE (President)	X		

C-2 Authorize Executive Director to Negotiate a Public Improvement Fee Agreement with the City of San Luis Obispo (Approve)

Mr. Straw stated that the realignment of Elks Lane is required for Prado Overpass project and conditioned as part of RTA BMF project. The final design calls for “sweeping curve” and the RTA constructed interim “T-intersection” due to future property acquisition needs. The cost estimates differ between the RTA and City of San Luis Obispo. The RTA’s Feb-2021 engineer’s cost estimate was \$136,985 and the City of San Luis Obispo’s January 2022 estimate is \$351,182. Staff is working with the City to reach a final agreement on the cost.

Public Comment: **Mr. Greening** stated that sweeping intersections can be a safety issue. A T-intersection would be a safer option. **Mr. Michael Horn** from the City of San Luis Obispo stated that the city is in support of this item. Staff has been working closely with the RTA. He went over some details on the safety for the intersection.

Board Member Headding made a motion to approve agenda item C-1, and **Board Member Strong** seconded the motion. The motion passed unanimously via roll call vote as follows:

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD (Vice President)	X		
LYNN COMPTON	X		
BRUCE GIBSON	X		
DAWN ORTIZ-LEGG			X
JOHN PESCHONG (Past President)			X
JOHN HEADDING	X		
KAREN BRIGHT	X		
JIMMY PAULDING	X		
ANDY PEASE	X		
HEATHER MORENO	X		
FRED STRONG	X		
ED WAAGE (President)	X		

C-3 Future Meetings – In Person or Virtual (Verbal Report)

Mr. Straw stated the SLOCOG Board will have the opportunity to go to back to in-person Board meetings beginning with the April meeting. RTA staff wanted to discuss with the Board their opinions on transitioning back to in-person, virtual, or hybrid for the May Board meeting. Board members gave their opinions on what will be best for both the Board and the public. It was determined that the next Board meeting will be done as a hybrid style: all Board members will be in-person and the public will have the option to participate via in-person or virtually.

No vote necessary for this agenda item.

D. CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code, § 54956.8.) It is the intention of the RTA Board to meet in closed session to have a conference with its Real Property Negotiator, Geoff Straw, concerning the following:

- a. Property Description: 179 Cross Street, City of San Luis Obispo.
- b. Parties with Whom Negotiating: LTC/SLO, LTD. L.P., a California limited partnership.
- c. Instructions to Negotiator: Price, Terms and Conditions

Mr. Ansolabehere stated there will not be a closed session but we will still take public comment on the item.

Public Comment: None

Board Member Comments: None

The meeting was adjourned at 10:27 AM.

Next regularly-scheduled RTA Board meeting is May 4, 2022

Respectfully Submitted,

Acknowledged by,

Shelby Walker, Administrative Assistant

Ed Waage, RTA President 2022

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SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM: A-3

TOPIC: Update RTA Title VI Policy

PRESENTED BY: Tania Arnold

STAFF RECOMMENDATION: Approve the Updated Title VI Policy Statement and Plan

BACKGROUND/DISCUSSION:

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The RTA Title VI Policy was originally adopted by the RTA Board in September 2010. In order to maintain compliance with current Federal Transit Administration (FTA) regulations, there are various revisions and updates that are currently needed.

The Title VI regulations are found in FTA Circular 4702.1.B. Attached is a clean version, as well as a red-lined version to more easily track changes from documents previously adopted.

Staff Recommendation

Approve the updated Title VI Policy Statement and Plan as presented, including ratification of the Resolution in Appendix J.

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253 Elks Lane
San Luis Obispo, CA 93401
(805) 541-2228 Fax (805) 781-1291
www.slorta.org

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

TITLE VI PLAN

ADOPTED: (pending May 4, 2022)

AUGUST 1, 2022 – JULY 31, 2024

Contact Information:

Tania Arnold
Deputy Director/Chief Financial Officer
Office: 805.541-2228 x4397
tarnold@slorta.org

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

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TITLE VI PLAN

I. PLAN STATEMENT

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The San Luis Obispo Regional Transit Authority (RTA) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

This plan was developed to guide the RTA in its administration and management of Title VI-related activities.

**Title VI Coordinator Contact information:
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
San Luis Obispo, California 93401**

II. TITLE VI INFORMATION DISSEMINATION

Title VI information posters is prominently and publicly displayed in the RTA facility and on their revenue vehicles (a copy is in Appendix I). The name of the Title VI coordinator is available on the RTA website, at www.slorta.org. Additional information relating to nondiscrimination obligation can be obtained from the RTA Title VI Coordinator.

Title VI information is disseminated to the RTA employees annually via the Employee Education form (see Appendix A) in payroll envelopes. This form reminds employees of the RTA's policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees are informed of the provisions of Title VI, and the RTA's expectations to perform their duties accordingly.

All employees have been provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix B).

III. SUBCONTRACTS AND VENDORS

All subcontractors and vendors who receive payments from the RTA where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. RECORD KEEPING

The Title VI Coordinator has maintained permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the RTA's Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations if any.

V. TITLE VI COMPLAINT PROCEDURES

How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant.

The Title VI Complaint Form (see Appendix C, and also on the RTA Civil Rights website: <http://www.slorta.org/about-rta/civil-rights-information/>) may be used to submit the complaint information. The complaint may be filed in writing with the RTA at the following address:

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
San Luis Obispo, California 93401**

NOTE: The RTA encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 30 days from the alleged date of discrimination. This form is also available on the RTA website.

What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by the RTA will be directly addressed by the RTA. The RTA shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the RTA shall make every effort to address all complaints in an expeditious and thorough manner.

1. A letter of acknowledging receipt of complaint will be mailed within thirty (30) days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.
2. The RTA will advise the US Department of Transportation within thirty (30) days of receipt of the allegations. The following information will be included in the notification:
 - a. Name, address and phone number of the complainant
 - b. Names(s) and address(es) of the alleged discriminating official(s)
 - c. Basis of the complaint (i.e. race, color or national origin)
 - d. Date when the alleged discrimination took place
 - e. Date when complaint was received by the RTA
 - f. A statement of the complaint
 - g. Other agencies (state, local or federal) where the complaint has been filed
 - h. An explanation of the planned investigative process that the RTA plans to take to resolve the issue in the complaint
3. Within forty-five (45) days of the receipt of the complaint, the Title VI Coordinator will conduct an investigation of the allegation and, based on the information obtained, will offer a recommendation for action in a report to the Executive Director. The complaint should be resolved in an informal way when possible and which will be recorded in the summarized report of the findings.
4. Within sixty (60) days of the receipt of the complaint, the Title VI Coordinator will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from the RTA, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within sixty (60) working days of receipt of such complaints, if not sooner. A copy of the final written response will be provided to the US Department of Transportation.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

**Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590**

What is the tracking system?

The RTA's Title VI Coordinator will maintain a Complaint Intake Log for all Title VI complaints received establishing the race, color, or national origin or protected class of the complainant; the identity of the recipient; the nature of the complaint; the date of the investigation, lawsuit, or complaint; a summary of the allegations; the status of the investigation, lawsuit or complaint; and actions taken in response to the investigation, lawsuit or complaint. This log will be maintained electronically in accordance with FTA guidance at the RTA offices and will be available for review.

VI. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

The RTA has developed a Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to RTA services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. This plan has detail procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan RTA's determined the extent of obligation to provide LEP services, the RTA has undertaken the U.S. Department of Transportation four factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons eligible in the RTA service area who maybe served or likely to encounter an RTA program, activity, or service;
2. The frequency with which LEP individuals come in contact with an RTA service;
3. The nature and importance of the program, activity or service provided by the RTA to the LEP population; and
4. The resources available to RTA and overall costs to provide LEP assistance. See Appendix K for the LEP Plan.

Vital documents, as defined by the Federal Transit Administration (FTA), and are considered vital by the RTA, are those documents that provide access to essential services and include but are not limited to schedules, ride guides and public hearing notices. The Title VI complaint form and notice of a person's rights under Title VI are also considered vital documents. All vital documents translated into Spanish will be available via the RTA's website, by mail, or in person at the RTA's office.

VII. COMMUNITY OUTREACH/PUBLIC PARTICIPATION PLAN

As a recipient of Federal transportation funding from the FTA, the RTA is required to develop a Public Participation Plan (PPP) in accordance with 49 U.S.C Section 5307. The RTA, in collaboration with the San Luis Obispo Council of Governments (SLOCOG), informs the public of service changes and other important activities which pertain to the RTA's service through a specific dissemination process. The following outlines the strategies and procedures that the RTA uses to encourage and include public participation in its decision-making process.

The RTA holds public meetings bi-monthly. At these meetings the public is welcome to attend and share in discussion with a variety of Community Outreach discussions. Additionally, the RTA works with the other transit agencies in the service area and other stakeholder organizations to review and discuss the planning and have involvement in the decision making process. The RTA from time to time have do on-board survey hand-outs to customers for their feedback about a variety of issues.

Public Hearing and Comment Period for Fare Increase or Major Service Change

The RTA shall maintain an open and participative process including the consideration of public comment before any fare increase or major service change. The RTA has a policy and procedure for public comment regarding fare or service changes which is included in Appendix H.

Public Noticing Requirements

Public notices shall inform the public of proposed actions which initiated the public comment process, how comments will be received, and, if applicable, the locations, dates, and times of scheduled public hearings or workshops. Prior to any public hearing or comment period, a public notice will be prepared and sent to the local media. At a minimum, this legal notice will be published in the local newspaper of general circulation. The RTA will also post a copy of the public notice, along with dates and times of any public hearing or workshop, on the RTA's public website. In addition, notices may be posted on any bus or transit facility to further inform the public of an opportunity to participate in any fare increase or major service change decision making process. Transit riders of routes proposed for adjustment will be further notified of the public comment process by an appropriate combination of on-vehicle flyers, posters, pamphlets, electronic rider alerts, e-mails, and other available means as determined by staff for each scenario.

Scheduling Public Hearing or Workshop Locations and Times

As funding allows, transit service adjustments that have system-wide implications may require multiple public meeting times and locations in order to maximize convenience to riders that are affected. To the greatest extent possible, public meetings will be scheduled at locations in proximity to the area(s) affected by the proposed adjustments, and in proximity to regular bus routes. All facilities utilized for public workshop will be accessible to persons with disabilities. All major service changes and fare adjustments shall be adopted at a public hearing of the RTA Board.

When proposed service adjustments will affect only a limited area, efforts will be made to schedule the meeting at a location near the affected area. Meetings will be scheduled to begin at a convenient time, usually midday and/or early evenings.

Procedure for Conducting Public Workshops

Comment forms will be offered to attendees at any public hearing or workshop to register their presence and desire to speak, or as an alternate method of providing their written comments. Public workshops will begin with a welcome and introduction of staff present. The purpose, proceedings, and proposed actions which necessitated the public hearings will be explained for clarification. When the explanation of proposed actions is completed, the public will be invited

to offer their comments. All persons wishing to comment will have the opportunity to do so. This offering will precede the close of the public workshop.

Documentation of Public Hearings

Official records of the RTA's public workshops on fare increases, major service changes, or any unmet transit needs will be generated and presented to the Board of the RTA and SLOCOG at a regularly scheduled meeting. Records of all public comments will be maintained on file.

Addressing Public Comments Received

All comments, received either in writing or verbally during a public hearing, workshop, or comment period, or as otherwise conveyed to the RTA prior to an established date for the Board's decision regarding any proposed major service change or fare increase, will be entered into the public record of the comment process. Staff will evaluate and analyze all relevant comments received to see whether they are reasonable to meet.

Outreach to Engage Minority and Limited English Proficient Populations

The RTA will continue assessing the language needs of citizens in its service area. To the greatest extent possible, to elicit public participation from minority and Limited English Proficient (LEP) populations, the RTA will engage in the following outreach activities:

- Schedule meetings at times and locations that are convenient and accessible for minority and LEP communities
- Employ different meeting sizes and formats
- Coordinate with the community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities
- Consider radio, television, or newspaper ads on stations and in publications that serve LEP populations
- Provide opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

Summary of Outreach Efforts Made Since Last Title VI Program Submission

Below is a summary of specific outreach efforts made in the last three years (since the last Title VI Program submission):

- January 2020 – Public Hearing on South County Transit Short Range Transit Plan
- February 2020 – participate in SLOCOG Public Hearing: Unmet Transit Needs
- March 2020 - Customer perception survey completed with over 500 responses
- April 2020 – Public Hearing to declare COVID-19 Fiscal Emergency
- April 2020 – Public Hearing with the San Luis Obispo County Board of Supervisors for the RTA incurring indebtedness for the purposes of financing the new bus maintenance facility
- February 2021 – participate in SLOCOG Public Hearing: Unmet Transit Needs
- February 2022 – participate in SLOCOG Public Hearing: Unmet Transit Needs
- Ongoing - Annual Budget Public Hearings

The RTA submits to the California Department of Transportation and Federal Transit Administration annually an application for funding. The application requests funding for both capital and operating assistance. Part of the annual application is a public notice, which includes a 30-day public comment period.

The RTA relies upon the SLOCOG, the Metropolitan Planning Organization (MPO) to meet the public participation requirements for the Federal Transportation (FTA) Program of Projects (POP).

VIII. ACTIVE INVESTIGATION, LAWSUIT OR COMPLAINT

The RTA has had no active investigations, lawsuits or complaints alleging discrimination on the basis of race, color or national origin.

IX. SUBRECIPIENTS MONITORING

Primary recipients shall ensure subrecipients are complying with Title VI. Subrecipient Title VI program shall be submitted every three years in line with the primary recipient's program. Subrecipients will also submit annual complaint logs to primary recipient which will be kept in an electronic storage device for further review by FTA as necessary.

Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding, in order to assist the primary recipient in its compliance efforts, on a schedule to be determined by the primary recipient. In the event an entity receives funds from more than one primary recipient, the subrecipient shall submit Title VI Programs to all primary recipients from which it receives funds. Chapters III, IV, V, and VI and appendices detail the specific information that shall be included in Title VI Programs, based on recipient characteristics.

The RTA recognizes the need to monitor their subrecipients' compliance with the FTA circular. The RTA does pass funding to a subrecipient, the City of Atascadero. This relationship necessitates compliance monitoring, which is conducted annually and noted on the subrecipient site visit monitoring form. The City of Atascadero Title VI program was adopted in 2019.

Subrecipient Assistance and Monitoring

The RTA conducts the following subrecipient procedures and protocols to facilitate subrecipient compliance with C4702.1B:

The Grants department will notify subrecipient management of applicable policies and procedures and provide instructions and timelines for how the RTA staff will monitor subrecipients' Title VI compliance in accordance with the FTA circular. The procedures state that the RTA staff will provide any assistance requested to assist subrecipient's full implementation of their program by:

- notifying the subrecipients of their responsibilities;

- offering resources and information as needed, and provide technical assistance as requested, to support subrecipient's development of a Title VI program, including staff support from the RTA;
- checking in monthly until the subrecipient's Title VI program is adopted by their governing body; and
- conducting annual compliance checks to verify subrecipient's compliance with their Title VI program.

X. BOARD DEMOGRAPHICS

RTA Board of Directors is all elected members. Therefore, this does not apply.

XI. EQUITY ANALYSIS FOR BUILDING SITE

The RTA current bus maintenance facility located at 253 Elks Lane, San Luis Obispo, CA 93401 and during the planning process, the RTA completed the Equity Analysis which was adopted by the RTA Board on July 10, 2019 which included a public hearing. See Appendix L for the full analysis.

The Executive Summary of that Equity Analysis states:

Prior to constructing new facilities, recipients of federal transportation funding must consider how the location of a proposed facility may impact the affected minority and low-income community. While the impacts of constructing and operating a facility need to be environmentally analyzed for potential impacts, the selection of the site location must also be scrutinized to ensure that the site was selected in a non-discriminatory manner.

As required by Title VI of Civil Rights Act of 1964, the RTA has conducted a Fixed Facility Equity Analysis intended to ensure that the location of the planned new Bus Maintenance Facility was selected without regard to race, color, or national origin. In addition, as required under Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, staff has completed a parallel review to ensure minority and low-income populations are not disproportionately affected by the selection of the preferred site.

Along with data and studies undertaken as part of the environmental review process, the RTA has determined that the selection of the proposed Bus Maintenance Facility site at 253 Elks Lane in San Luis Obispo would not result in a disparate impact to minority or low-income populations.

XII. RESOLUTION APPROVING TITLE VI PLAN

A copy of this resolution can be found in Appendix J of this Plan.

XIII. SERVICE STANDARDS

Vehicle Load Standards

RTA uses a standard of 1.5 ratio as the maximum vehicle load on a peak trip. The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are 36 passengers for a 15' mini-bus, 55 passengers for low-floor 40-foot buses, and 63 passengers for standard 40-foot buses. The exact maximum passenger capacity may be affected by specific manufacturer's recommendations which may be different for certain vehicle types. Demand Response (DR) does not have load standard but we try to maximize boarding to increase efficiencies.

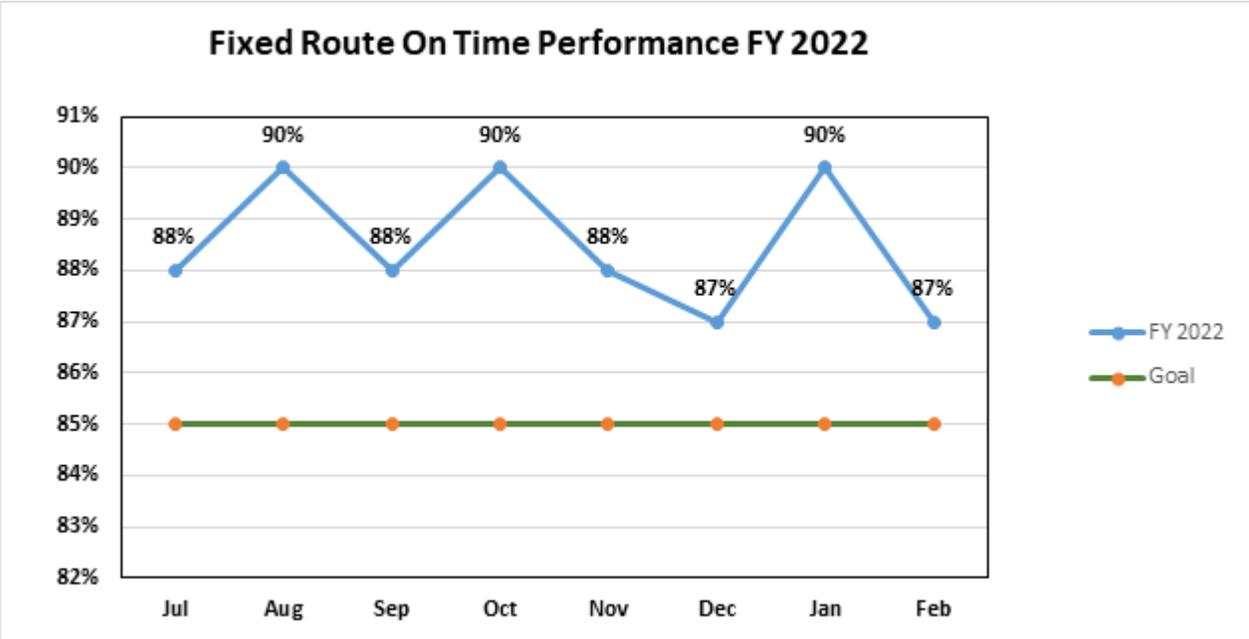
Vehicle Headway Standards

Service operates on regional trunk lines every 60 minutes (more frequently during peak a.m. and p.m. commute times) from early morning to late in the evening, five days a week, with the exception of the less populated North Coast Route #15. On weekends, service operates 5 times per day on Saturdays and 3 times per day on Sundays, throughout RTA's system. DR service does not allow any passenger to be on a vehicle in a single trip more than two hours. The dispatch software parameter is set to flag dispatchers if a trip is close to or will exceed two hours.

Scheduling involves the consideration of a number of factors including: ridership productivity, transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to the Regional Transportation Plan, relationship to major transportation developments, land use connectivity, and transportation demand management.

On-Time Performance Standards

Fixed route service is considered on-time if at no point the bus is six or more minutes late. With the introduction of the ITS system in 2016, early departures are now being included in the metric. In addition, every published time-point is now being considered, which gave a more realistic and accurate numbers. The result of the increased accuracy is a decline in the performance metric, not necessarily in the overall service quality. The goal is now 85% or greater set by RTA's Strategy Business Plan (SBP) after gaining more reliable information from the ITS system. RTA has met its goal of 85% and will look at adjusting the SBP to 90% in an effort to work at continuing to improving the timeliness of its service.



RTA continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

DR service is considered on-time if the van arrives within 30 minutes of the appointed pick-up time. The goal is 95% or greater, and Runabout has surpassed this goal in each month of FY 22, achieving an overall OTP result of 98.4%. Staff will continue to monitor Runabout’s OTP to ensure we continue to achieve this strong result.

Service Availability Standards

RTA try to distribute transit service so that 100% of all regional fixed route service are within a 3/4 mile walk of intercity bus transfer points.

XIII. SERVICE POLICIES

Vehicle Assignment Policy

Fixed Route bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned 15-foot buses rather than the 35, 40 or 45-foot buses. Some routes requiring tight turns on narrow streets are operated with 35-foot rather than 40 or 45-foot buses. All fixed route buses are equipped with air conditioning, next stop LCD screens, automated stop announcement systems and CAD/AVL systems.

DR bus assignment take into account the characteristics of the pick-up and drop-off location for each client and whether the clients have a mobility device or not. The DR service is provide in two types of vehicle; Low Floor Minivans and Ford F250 Cutaways.

Transit Amenities Policy

Installation of transit amenities along bus routes are based on the number of passenger boardings at stops and stations along those routes. DR service does not have transit amenities but an assessment is done and reported to dispatch if there are any safety issue when we pick up or drop-off passenger. These issues are then inputted in our dispatch system and is noted on each drivers manifest the service that location.

XV. RTA DOES MEET THE REMAINING CRITERIAS

Demographic and service profile maps and charts

Demographic ridership and travel patterns, collected by surveys

Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis

A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy

Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

Appendix A Employee Annual Education Form

Title VI Policy

No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of the RTA are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to the Deputy Director/Chief Financial Officer who is the Title VI Coordinator.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

Appendix B Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the San Luis Obispo Regional Transit Authority's Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Your signature

Print your name

Date

Appendix C TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint and sent it to:

Provide address here

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____ (home) _____ (cell) _____ (work)

Person discriminated against: _____

Address of person discriminated against: _____

City, State, Zip Code: _____

Please indicate why you believe the discrimination occurred:

_____ Race

_____ Color

_____ National Origin

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

Please describe the circumstances as you saw it: _____

Please list any and all witnesses' names and phone numbers:

Have you previously filed a Title VI complaint with this agency?

Yes No

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court _____

State Court _____

State Agency _____

Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone: _____

Please attach any documents you have which support the allegation. Then date and sign this form and send to the Title VI Coordinator at:

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
San Luis Obispo, California 93401**

Your signature

Date

Print your name

Appendix D Sample Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe
1234 Main St.
San Luis Obispo, California 93401

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the San Luis Obispo Regional Transit Authority alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning _____, or write to me at this address.

Sincerely,

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
San Luis Obispo, California 93401**

Appendix E Sample Letter Notifying Complainant that the Complaint Is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
San Luis Obispo, California 93401

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the San Luis Obispo Regional Transit Authority alleging Title VI violation has been investigated. (An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. *(If a hearing is requested, the following sentence may be appropriate.)* You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
San Luis Obispo, California 93401**

Appendix F Sample Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
San Luis Obispo, California 93401

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the San Luis Obispo Regional Transit Authority (RTA) alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The RTA has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from the RTA, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor - TCR 1200 New Jersey Ave., SE Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
San Luis Obispo, California 93401**

Appendix G Samples of Narrative to be included in Posters to be Displayed in Revenue Vehicles and Facilities

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The San Luis Obispo Regional Transit Authority is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. **If you feel you are being denied participation in or being denied benefits of the transit services provided by the San Luis Obispo Regional Transit Authority, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at:**

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
San Luis Obispo, California 93401**

For more information, visit our website at www.slorta.org or contact the Title VI Coordinator at (805) 781-4833.

Appendix H **POLICY AND PROCEDURES FOR PUBLIC COMMENT REGARDING FARE OR SERVICE CHANGES**

ORIGINALLY ADOPTED: September 8, 2012

REVISION DATE: March 7, 2018

The San Luis Obispo Regional Transit Authority (RTA) recognizes the importance of considering public input prior to implementing changes to fares and/or service levels. The RTA hereby establishes procedures through which public input shall be solicited and considered. These procedures comply with Federal Transit Administration (FTA) regulations for federally supported transit projects. The RTA transit system is supported in part through funds available through the FTA.

Staff would begin the process of proposing changes by working with City Manager(s) and/or County Public Works officials in affected jurisdictions to identify problems, to develop alternatives, and to ultimately determine the optimal solution(s). This is particularly important in cases where fixed route buses would travel along corridors not currently served or where bus stop changes are being proposed.

The RTA requires solicitation of public comment for the following types of fare or major service changes:

Fare Changes: Any fare increase or decrease is considered a major change and requires solicitation and consideration of public comments.

Fixed Route Service Changes: A change in fixed route transit service is considered a major change if any of the following pertain to the change:

Major Service Restructuring or Realignment: Significant restructuring or realignment of service would include changes to routes that affect at least 25% of the existing route mileage, or relocation or elimination of the existing timed transfer points. Installation of a new bus stop or elimination of existing bus stop is not considered a major service restructuring or realignment.

Major Service Reduction: A major service reduction includes an increase in service headways, decrease in daily operating hours or span of service, or reduction in service days.

ADA Paratransit (Runabout) Service Changes: A change in Runabout service is considered a major change if any of the following pertain to the change:

Service Reduction: A major service reduction is defined as any reduction in span of service (operating hours), reduction in days on which service is available, or reduction in the area served by Runabout.

Service Availability: A major change in service availability is defined as the introduction of revised eligibility criteria for access to the service or introduction of significant changes in procedures for service participation (e.g., introduction of a more rigorous application process).

In all cases defined above, the RTA shall adhere to the following procedures to solicit public input:

- Begin the process of proposing changes by working with City Manager(s) and/or County Public Works officials in affected jurisdictions to determine the optimal solution(s). This is particularly important in cases where fixed route buses would travel along corridors not currently served or where bus stop changes are being proposed.
- Schedule informational meetings to solicit public comment at the Transit Centers during busy boarding times (preferable to busy departure times) and talk to fixed route riders. Staff will include informational materials available for take-away if relevant.
- Inform fixed route riders about upcoming changes on LCD screens on-board the buses, on social media and company website, as well as at top (30) bus stops with email and phone options for feedback. Where appropriate staff will include an online survey for more guided questions and opportunities for analysis.
- Post announcements on fixed route buses and Runabout vans in both English and Spanish.
- Inform group ticket purchasers of changes via phone discussions, including Department of Social Services, school district offices, senior centers, Chamber of Commerce.
- Inform other transit agencies (Morro Bay, SLO Transit, Atascadero, SMAT).
- Schedule a public hearing by the RTA Board of Directors.
- Publish an advertisement in a newspaper or print addition with general local distribution (SLO Tribune, New Times) announcing the public hearing no less than five (5) days prior to the date of the meeting.
- Post announcements of the public hearing in all RTA fixed route or Runabout vehicles at least five (5) days prior to the date of the meeting.
- Present proposed changes at City Councils in affected areas of the County. Present at the County Board of Supervisors as applicable.
- Send letter to Runabout riders who used the service in the previous six months if the change would affect these riders.

- If a fare change is proposed, staff would include information on the “Purchase Passes” section of the RTA webpage.
- Receive and document comments via telephone, email, US mail, text or delivered in person.
- Report in summary format all information received in the public comment process to the RTA Board of Directors as part of the hearing process.

Appendix I Title VI Public Poster

Posters are in all vehicles and the administrative office. They are printed on ledger sized paper (11" x 17") for most locations.

Title VI Policy:



Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

San Luis Obispo Regional Transit Authority (RTA) respects civil rights and operates its programs and services without regard to race, color or national origin. RTA is committed to complying with Title VI requirements in all of its programs and services. For more information on the Title VI transit obligations, contact RTA as listed below:

Making a Title VI Complaint

Any person who believes he/she has been subjected to discrimination in the delivery of or access to public transportation services on the basis of race, color, or national origin, may file a complaint with the San Luis Obispo Regional Transit Authority. Such complaint must be filed in writing with RTA no later than 30 days after the alleged discrimination. For information on how to file a complaint, contact RTA as listed below:

CFO/Deputy Director San Luis Obispo Regional Transit Authority
253 Elks Lane, San Luis Obispo, California 93401 (805) 781-4833

Póliza del Título VI:



Derechos Civiles del Acta de estados de 1964, ninguna persona en los Estados Unidos podrá ser excluida de participar en programas que reciben asistencia financiera Federal, o negar beneficios o ser sujetos a discriminación por causa de raza, color, o origen nacional.

El sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA) respeta los derechos civiles y administra sus programas y servicios sin consideración a raza, color o origen nacional. El sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA) está comprometido a cumplir en todos sus programas con los requisitos del Título VI.

Para más información de las obligaciones de Tránsito del Título VI comuníquese con el sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA) de acuerdo a la información siguiente:

Para presentar una queja del Título VI:

Qualquier persona que cree que ha sido discriminada en el servicio de o acceso a los servicios de transportación pública a base de raza, color o origen nacional, puede presentar una queja con el sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA). Dicha queja puede ser presentada por escrito con RTA a no más tardar de 30 días después de la supuesta discriminación. Para información como presentar una queja, comuníquese con RTA a la información siguiente:

CFO/Deputy Director, San Luis Obispo Regional Transit Authority
253 Elks Lane, San Luis Obispo, California 93401, 805-781-4833

**Appendix J RESOLUTION ADOPTING A TITLE VI POLICY
STATEMENT AND PLAN**

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

RESOLUTION NO. 22-_____

WHEREAS, The San Luis Obispo Regional Transit Authority (RTA) was formed to provide public transportation to all of the citizens of San Luis Obispo County; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

WHEREAS, RTA commits to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any RTA program or activity regardless of the funding source; and

WHEREAS, RTA as the administrative agent for the City of Paso Robles, City of Atascadero, and City of Arroyo Grande and Grover Beach (South County Transit) receives Federal transportation funding;

WHEREAS, RTA receives Federal funding from other agencies that also have Title VI requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the San Luis Obispo Regional Transit Authority approves the proposed Title VI Policy Statement and Plan in order to meet Title VI and attendant federal requirements. The Deputy Director and CFO, in her capacity, will serve as the Title VI Coordinator and is authorized to revise and update the plan as necessary.

Upon motion of Director _____, seconded by Director _____, and on the following roll call, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby passed and adopted by the San Luis Obispo Regional Transit Authority of San Luis Obispo County, State of California, at a regular meeting of said Board of Directors held on the 4th day of May 2022.

Resolution No. 22-_____

Edward Waage
President of the RTA Board

ATTEST:

Geoff Straw
Executive Director

APPROVED AS TO FORM AND LEGAL EFFECT:

By: _____
Jon Ansolabehere
RTA Counsel

Dated: _____
(Original signature in BLUE ink)

Appendix K

Limited English Proficiency (LEP) Plan Revised 5-1-19

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address San Luis Obispo Regional Transit Authority's (RTA) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

Plan Summary

RTA has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by RTA. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, RTA undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a RTA program, activity or service.
2. The frequency with which LEP persons comes in contact with RTA programs, activities or services.
3. The nature and importance of programs, activities or services provided by RTA to the LEP population.
4. The resources available to RTA and overall cost to provide LEP assistance.

A summary of the results of the RTA four-factor analysis is in the following section.

Four-Factor Analysis

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a RTA program, activity or service.

RTA staff reviewed the 2010-2015 America Community Survey Report and determined that 47,780 persons in San Luis Obispo County [18.2% of the population] speak a language other

than English. Of this number, 10,271 persons [4%] have limited English proficiency; that is, they speak English “not well” or “not at all.”

In San Luis Obispo County, of those persons with limited English proficiency, 9,473 speak Spanish or Spanish Creole, 487 speak Asian and Pacific Island languages, and 174 speak other Indo-European languages.

2. The frequency with which LEP persons come in contact with RTA programs, activities or services.

RTA assessed the frequency with which staff and drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries and surveying vehicle operators for requests for interpreters and translated documents. To date, the most frequent contact between LEP persons are with dispatchers. Translated documents have included postings on the buses, relating to fares and transit rules written in Spanish. All schedules and ride guides are also written in Spanish.

3. The nature and importance of programs, activities or services provided by RTA to the LEP population.

The largest proportion of LEP individuals in the RTA service area speaks Spanish. Three concentrated areas have been identified in San Luis Obispo County. The City of Paso Robles and City of Atascadero has 9.8% of adult speakers who speak English less than very well. The City of San Luis Obispo has 5.5% of adult speakers who speak English less than very well. And the City of Nipomo has 11.4% of adult speakers who speak English less than very well. Services provided by RTA that are most likely to encounter LEP individuals are the fixed route system which serves the general public and the demand-response (Dial-A-Ride) system which serves primarily senior and disabled persons.

4. The resources available to RTA and overall cost to provide LEP assistance.

RTA assessed its available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost on an as needed basis, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that RTA could partner with for outreach and translation efforts. The amount of staff and vehicle operating training that might be needed was also considered. Based on the four-factor analysis, RTA developed its LEP Plan as outlined in the following section.

Limited English Proficiency (LEP) Plan Outline

How RTA staff may identify a LEP person who needs language assistance:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive at RTA sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
3. Have Census Bureau Language Identification Flashcards available at RTA meetings. This will assist RTA in identifying language assistance needs for future events and meetings.
4. Have Census Bureau Language Identification Flashcards on all transit vehicles to assist vehicle operators in identifying specific language assistance needs of passengers. If such individuals are encountered; vehicle operators will be instructed to try to obtain contact information to give to RTA's management for follow-up.
5. Vehicle operators and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners, will be surveyed annually on their experience concerning any contacts with LEP persons during the previous year.

Language Assistance Measures

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which RTA staff responds to LEP persons, whether in person, by telephone or in writing.

- RTA will provide Hispanic Education and Outreach Programs which will continue to provide vital information to LEP groups on RTA programs and services;
- Network with local human service organizations that provide services to LEP individuals and seek opportunities to provide information on RTA programs and services;
- Provide a bilingual Community Outreach Coordinator at community events, public hearings and Board of Director meetings. Placement of statements in notices and publications that interpreter services are available for these meetings, with 48 hours advance notice per Brown Act;
- Survey bus drivers and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners, bi-annually on their experience concerning any contacts with LEP persons during the previous year;

- Provide Language Identification Flashcards onboard the RTA fleet, in Road Supervisor vehicles and at transit systems administrative offices;
- Post the RTA Title VI Policy and LEP Plan on the agency website, www.slorta.org;
- Provide group travel training to LEP persons with the assistance of bilingual staff;
- Include language “Spanish a plus” on bus driver recruitment flyers and onboard recruitment posters;
- When an interpreter is needed for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers. A list of volunteers will need to be developed.

Staff Training

The following training will be provided to RTA staff:

1. Information on the RTA Title VI Procedures and LEP responsibilities
2. Description of language assistance services offered to the public
3. Use of Language Identification Flashcards
4. Documentation of language assistance requests
5. How to handle a potential Title VI/LEP complaint?

Outreach Techniques

When staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters may be available as needed.

Monitoring and Updating the LEP Plan

RTA will update the LEP as required by U.S. DOT. At minimum, the plan will be reviewed and updated when data from the 2019 America Community Survey Report is available, or when it is clear that higher concentrations of LEP individuals are present in the RTA service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed?
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether local language assistance programs have been effective and sufficient to meet the need
- Determine whether RTA’s financial resources are sufficient to fund language assistance resources needed
- Determine whether RTA has fully complied with the goals of this LEP Plan

- Determine whether complaints have been received concerning RTA’s failure to meet the needs of LEP individuals

Dissemination of the RTA LEP Plan

A link to the RTA LEP Plan and the Title VI Procedures is included on the RTA website at www.slorta.org .

Any person or agency with internet access will be able to access and download the plan from the RTA website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which RTA will provide, if feasible. Questions or comments regarding the LEP Plan may be submitted to the San Luis Obispo Regional Transit Authority, Title VI Coordinator:

San Luis Obispo Regional Transit Authority
253 Elks Lane
San Luis Obispo, CA 93401
Phone: 805-781-4833
Fax: 805-781-1291
Email: tarnold@slorta.org (Title VI Coordinator)

Appendix L **Equity Analysis for Planned New Bus Maintenance Facility Adopted July 10, 2019**

I. Executive Summary

Prior to constructing new facilities, recipients of federal transportation funding must consider how the location of a proposed facility may impact the affected minority and low-income community. While the impacts of constructing and operating a facility need to be environmentally analyzed for potential impacts, the selection of the site location must also be scrutinized to ensure that the site was selected in a non-discriminatory manner.

As required by Title VI of Civil Rights Act of 1964, the RTA has conducted a Fixed Facility Equity Analysis intended to ensure that the location of the planned new Bus Maintenance Facility was selected without regard to race, color, or national origin. In addition, as required under Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, staff has completed a parallel review to ensure minority and low-income populations are not disproportionately affected by the selection of the preferred site.

Along with data and studies undertaken as part of the environmental review process, the RTA has determined that the selection of the proposed Bus Maintenance Facility site at 253 Elks Lane in San Luis Obispo would not result in a disparate impact to minority or low-income populations.

II. Background

TITLE VI AND ENVIRONMENTAL JUSTICE REQUIREMENTS

Under Title VI of the Civil Rights Act of 1964, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. As a recipient of federal funds, the RTA is required to conduct a Fixed Facility Equity Analysis, highlighted in both the federal Title VI guidance¹ and under Title 49 of the Code of Federal Regulation² that is intended to ensure that the location is selected without regard to race, color, or national origin. This analysis must also “give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result.”

In addition, Executive Order 12898³ *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* requires DOT recipients to undertake analyses to ensure adverse impacts do not disproportionately impact minority and low-income

¹ FTA Circular C4702.1B

² Title 49 CFR Section 21.9(b)(3) and Appendix C, Section (3) (iv)

³ FTA Circular 4703.1

communities. It should be stressed that disproportionately high and adverse effects, not population size, are the bases for environmental justice. While the minority or low-income population in an area may be small, this does not eliminate the possibility of a disproportionately high and adverse effect of a proposed action. Although we present population size in a latter part of this report, the environmental reviews completed to identify and address impacts/mitigations under the California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) are an important element of this evaluation.

POLICIES

The RTA has developed policies and procedures to satisfy all requirements established by federal guidance under FTA Circulars C4702.1B and 4703.1. The RTA's policies were established so that no person would be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by the RTA. The policies also provide for meaningful access to programs for persons with Limited English Proficiency (LEP). The RTA provides public notice of its policy to uphold and assure full compliance with Title VI on their agency website (<https://www.slorta.org/about-rta/civil-rights-information/#title>).

Information regarding the RTA's Title VI policies and the procedures for filing civil rights complaints are provided in English and Spanish.

PROJECT CONTEXT

The RTA is a Joint Powers Authority created by a Joint Powers Agreement with the County of San Luis Obispo, and the Cities of Arroyo Grande, Atascadero, Paso Robles, Grover Beach, Morro Bay, Pismo Beach, and San Luis Obispo. Pursuant to section 6500 et seq. of the California Government Code, a Joint Powers Authority is established when two or more public agencies by agreement jointly exercise any power common to the contracting agencies. The purpose of the Joint Powers Agreement is to enable the RTA to exercise the common powers of the member agencies to own, operate, and administer a county-wide public transportation system within the boundaries and over the territory within the jurisdiction of the Joint Powers Authority. Specifically, the RTA manages regional fixed route and paratransit services throughout San Luis Obispo County and is contracted by the County of San Luis Obispo and the City of Paso Robles to operate and provide services in the unincorporated areas and the Paso Express fixed route and Paso Robles Dial-A-Ride services. Five fixed-route services run throughout the region from as far north as San Miguel and San Simeon to as far south as Orcutt in Santa Barbara County.

In January 2015, the RTA completed the *Siting Analysis Report*, which provided a summary of the RTA's need for a long-term transit administration, operations, and maintenance facility. The report was intended to inform the RTA Board of Directors and the public, and for the RTA Board of Directors to provide RTA staff with direction, regarding the next steps to develop the project. The *Siting Analysis Report* includes a review of the RTA operations and system needs, and a brief review of several alternative sites considered for the facility.

As described in the *Siting Analysis Report* presented to the RTA Board of Directors at its January 7, 2015 meeting, the RTA has determined that the existing transit administration, operations, and maintenance facility in the City of San Luis Obispo will not support expansions in regional transit service and is inadequate to support existing services efficiently. The existing facility does not contain enough bus maintenance bays, sufficient storage space for batteries and tires, or any potential expansion space. The existing facility is also located at 179 Cross Street, several miles from the downtown San Luis Obispo transit center located at corner of Palm Street and Osos Street, resulting in increased travel costs and poor customer service (Refer to Figure 3). As detailed on page B-2-8 and explained in the *Siting Analysis Report*, RTA staff determined the necessary size (in square feet) of each functional area for the maintenance facility using the *Transit Garage Planning Guidelines* model (SG Associates, Inc. 1987). This information was then presented to the RTA Property Subcommittee, which was comprised of two elected Board of Directors members and supported by RTA staff and technical staff members from the City of San Luis Obispo.

SITE SELECTION CONSIDERATIONS

As detailed in the *Siting Analysis Report*, the site selected for development of a permanent operating base for the RTA should meet several criteria. The site should:

- Be located reasonably close to the points at which fixed route buses begin and end revenue service.
- Be large enough to support development of required facilities (about 6.0 acres gross area).
- Be reasonably level, so that extensive grading is not required.
- Have provision of communications, water, electric and sewer service, or access to same.
- Be free of hazardous wastes or be capable of remediation at low cost.
- Be in an area of compatible land uses (preferably industrial or commercial).

The first criterion – location with respect to the start and end points of revenue service – is necessary to minimize non-revenue (“deadhead”) vehicle-miles and vehicle-hours. It should be noted that deadhead operating costs occur daily for the life of the facility. Excess deadhead costs can become large over time and can affect the ability to provide service. The RTA route operations now and projected in the future are concentrated in the San Luis Obispo area, while park-outs will be provided in Paso Robles, Arroyo Grande and Cambria to meet local transportation needs. A facility site within or immediately adjacent to the San Luis Obispo urbanized area is therefore necessary, in order to minimize deadhead costs.

There are a number of factors indicating that the appropriate site is located in the southern portion of San Luis Obispo, or to the west of San Luis Obispo along State Route 1, for the following reasons:

- All of the parcels within or adjacent to the City of San Luis Obispo that are zoned Office, Service-Commercial or Manufacturing are located to the south, relatively close to the Airport.
- A parcel along State Route 1 between San Luis Obispo and Morro Bay might also be largely compatible with surrounding uses.
- While property costs tend to be lower the further one travels from San Luis Obispo city limits, deadhead costs would increase the further a facility is located from the downtown transit center located at Osos/Palm.
- In addition, travel time reliability also tends to decline the further one travels to/from downtown San Luis Obispo. This has been quantitatively demonstrated in the SLOCOG 2014 US-101 Mobility Study.

For these reasons, the search of potential sites was confined to southern/southeastern San Luis Obispo and to land near the County Corporation Yard at Kansas Street / State Route 1.

Potential Sites Examined

A list of potential sites to be examined was developed by RTA staff and reviewed by the RTA Property Subcommittee. The Subcommittee was originally formed during development of the *2006 SLOCOG Moving Toward the Efficiencies of Synergy: Operating Plan and Financial Analysis for a Coordinated Transit Maintenance and Dispatch Facility* report. The Subcommittee continued to meet when it became clear that the RTA's current 2.7 acre leased site at 179 Cross Street in San Luis Obispo would not meet long-term needs of the region.

A total of twelve sites were originally identified by the Subcommittee, and these candidate sites were then reviewed with local real estate professionals and Public Works staff from the city and county. The following eight sites in the City of San Luis Obispo were found to be potentially adequate for current service levels but too small for future planned service levels:

- | | | | |
|----|---------------------------------------|----|---|
| 1. | 2950 Broad Street (3.3 acres) | 5. | 4100 Vachell Street (2.6 acres) |
| 2. | 3450 Broad Street (3.5 acres) | 6. | 2923 & 3021 So. Higuera St. (2.7 acres) |
| 3. | 2885 South Higuera Street (2.9 acres) | 7. | Orcutt St. at Duncan St. (3.2 acres) |
| 4. | 284 South Higuera Street (2.9 acres) | 8. | 201 Bridge Street (3.4 acres) |

Based on those evaluations, the twelve original sites were narrowed down to four sites. All of the remaining four sites currently have proper zoning of either Public Facility, Manufacturing, or

Office. Only the Prado site is located in an identified 100-year floodplain. The four sites can be described as:

1. Kansas at State Route 1 in unincorporated San Luis Obispo County (6 acres)
2. 125 Venture Drive in the City of San Luis Obispo (9.3 acres)
3. 4880 Broad Street in the City of San Luis Obispo (5.7 acres)
4. 40 Prado Road in the City of San Luis Obispo (10 acres) – more recently referred to as 253 Elks Lane

Based on a number of factors presented in the *Site Consideration for a RTA Long-Term Garage Facility* document presented to the RTA Board of Directors in January 2015, the 40 Prado Road site was determined to be the most centrally located and economically feasible option that had the fewest impacts on residential areas and vulnerable populations. This document further explains the reasoning for selecting 40 Prado as the preferred site as it relates to impacts to minority and low-income occupants.

PUBLIC PROCESS ON SITE SELECTION

Before taking the site selection to the public, it was necessary to ensure that the site would be available, cost effective, and eligible to receive grant funds or loans for development. As a result, conducting aspects of the site development such as seeking funding, consulting with local planning agencies regarding the ability to construct on the site, and considering the impacts to minority and low-income communities has delayed engaging the public-at-large until it was clear that the site should be further considered. Along with the analysis of adverse impacts to minority residents and businesses, as well as low-income populations, the public engagement process set the stage for environmental clearance.

ENVIRONMENTAL CLEARANCE TIMELINE AND/OR ACTIVITIES

The preferred site at 40 Prado is associated with an Initial Study Mitigated Negative Declaration (IS/MND) report that was certified by the RTA Board of Directors in September 2017. Additional technical studies are currently being undertaken to document conditions and related data that has changed since the date the original IS/MND was certified, resulting in reduced impacts. More specifically, the RTA has reduced the building size and eliminated two core functions originally identified in the IS/MND (on-site liquid fueling and automated bus wash system). As such, the IS/MND is currently undergoing amendments that will be incorporated into amended state (CEQA) and federal (NEPA) environmental review documents in summer 2019.

III. Project Description

The September 2017 IS/MND report envisioned construction of an approximately 45,000 square-foot, two-story combined administration headquarters and bus maintenance building on the eastern portion of the approximately 6.5 acre project site. However, after further master

planning and preliminary engineering efforts, in March 2019 the building has been reduced from two stories to one, equating to roughly 29,000 square feet. As such, all three functions – administration, bus operations and maintenance – will all be located on one floor, and will include maintenance bays, large- and small-parts storage, clean-room workspace (for high-tech components servicing), offices, a conference room, and employee restrooms, showers, and lockers. The remainder of the project site would be developed for outdoor circulation, storage, servicing, and inspection. The proposed on-site parking would accommodate approximately 67 public transit buses and vans as well as 84 employee and visitor vehicles. In total the developed area proposed for the project remains approximately 4.2 acres. The remaining 2.3 acres is anticipated to be used for the future Prado Road overpass and Elks Lane re-alignment. Construction of the project would require development of the proposed building to withstand a 100-year flood level event.

PREFERRED SITE LOCATION

As described in the September 2017 IS/MND report, the project site is a 6.5-acre parcel (Assessor's Parcel Number [APN] 053-041-071), located at 253 Elks Lane adjacent to the intersection of Elks Lane and Prado Road, in the City of San Luis Obispo, California. The site is regionally accessible from United States Highway 101 (U.S. 101) which runs in the north-south direction, parallel to Elks Lane, west of the site. The project site is within the floodplain of San Luis Obispo Creek located to the east of the site.

The site is currently occupied by a small U-Haul facility, including a building and parking lot, in the southwest corner of the site. The remainder of the property is vacant with scattered ruderal vegetation and most recently used as a leased employee parking/carpool/vanpool center for a distant multi-year construction project. Thus, most of the site was graded and paved for a parking and transportation use. One high-voltage electric power transmission tower is located near the center of the site.

The project site parcel is designated Office in the City of San Luis Obispo General Plan Land Use Element. The site is also located within the General Plan's Sunset Drive-In Theater/Prado Road Area Special Focus Area. According to the City's Zoning Map, the project site is zoned Office with a Planned Development overlay (O-PD). The project site is also located in the San Luis Obispo County Regional Airport Land Use Plan Safety Area S-1b, which has been substituted by City overrule for the requirements of the Airport Overlay Zone which are outlined in Chapter 17.57 of the City's Zoning Regulations (Zoning Regulations Section 17.22.010.B).

Existing uses surrounding the site include the following:

West: Elks Lane and U.S. 101, which run in the north-south direction parallel to Elks Lane, are located to the west of the project site. The U.S. 101 northbound on-ramp from Prado Road is located near the southwest corner of the site and runs parallel to the western boundary of the site connecting Prado Road to U.S. 101. Beyond U.S. 101 are a variety of commercial uses zoned Commercial Retail with a Planned Development overlay (C-R-PD).

North: The Sunset Drive-In Theater is located north of the project site with a mobile home park and the San Luis Cemetery (also known as the International Order of Odd Fellows and Lawn Cemeteries) beyond. This area has a General Plan designation of Community Commercial and is zoned Community-Commercial with a Special Focus overlay (C-C-SF).

East: To the east of the project site is the recently completed Community Action Partnership of San Luis Obispo (CAPSLO) Homeless Services Center. Next to this lot is a storage yard with three existing structures. Two residential structures are located at the east end of the storage yard. A bus stop is planned for the area adjacent to the CAPSLO Homeless Services Center to be served primarily by the municipal transit operator (SLO Transit). The area is zoned Office with a Special Focus overlay (O-SF).

South: The City of San Luis Obispo's corporation yard, which includes the Water Reclamation and Resources Facility (WRRF), is located across Prado Road, directly south of the project site, in the Public Facility (PF) zone. The SLO Transit (local fixed route system) bus maintenance facility is also located within the City's corporation yard. The U.S. 101 northbound off-ramp to Prado Road extends from U.S. 101 in the north-south direction parallel to western boundary of the City's corporation yard property.

IV. Site Selection Process

The RTA closely followed its Environmental Evaluation Policy to complete the CEQA IS/MND Report. The Policy was adopted by the RTA Board of Directors at its May 4, 2016 meeting. While the Policy primarily focuses on environmental reviews required under CEQA, it also provides direction to staff when developing environmental reviews required under the National Environmental Protection Act (NEPA), including requests for Categorical Exclusions (CE) such as the one submitted to the Federal Transit Administration for the Bus Maintenance Facility on September 7, 2017. The Policy identifies public outreach and agency coordination steps, including coordinating input through the State Clearinghouse agency outreach process, County Clerk notification responsibilities, and other outreach requirements.

A draft copy of the CE request and of the draft CEQA IS/MND Report were presented to the RTA Board at its July 12, 2017 meeting. At that meeting, the RTA Board directed staff to open the minimum 30-day public comment period, and to schedule a September 6, 2017 public hearing to consider certifying the CEQA Mitigated Negative Declaration finding. The RTA published notice of the public hearing in The Tribune newspaper on August 23, 2017; this publication has the highest circulation in the county. Working with SLO City Planning Department officials, we sent notification of the public hearing via postcards to persons living within 1,000 feet of the property. Finally, notice of the public hearing was posted at the project site, on our website and on the LCD information screens inside each RTA bus. The State Clearinghouse assigned our project SCH number 2017071040, and the public comment period was officially recognized from July 20, 2017 through August 18, 2017. As detailed in an August 21, 2017 letter from Scott

Morgan, Director of the State Clearinghouse, no comments were submitted by any of the responding agencies through the State Clearinghouse process.

The RTA Board conducted a public hearing on September 6, 2107. Staff provided a summary of public agency and citizen input received, as well as a list of slight language and graphics revisions that were included in the final CEQA IS/MND Report. No persons provided oral or written testimony during the Public Hearing. The RTA Board of Directors voted 11 to 0 in favor of:

1. Certifying the CEQA finding,
2. Authorizing the RTA Executive Director to submit the NEPA Categorical Exclusion request letter, and
3. Authorizing the RTA Executive Director to solicit proposals for design/engineering services for the RTA Bus Maintenance Facility Project.

The RTA publicized the final/amended CEQA IS/MND Report with the County Clerk for 30 days, which completed our CEQA obligations per State law. The County Clerk notice also referenced the fact that the final CEQA Report is posted on our website.

SITE SELECTION GOALS AND RESULTS

In January 2015, the RTA Board accepted the *Siting Analysis Report*, which included evaluations of site functionality, site efficiency and site development. The RTA then competitively procured Environmental Planning Services in February 2016, led by a team from Rincon Consultants to develop the CEQA and NEPA reports. Over the ensuing 15 months, the RTA worked with our consultants, public agency representatives and adjoining neighbors to evaluate any potential impacts of the proposed project. In particular, we worked closely with City of SLO, SLO County Air Pollution Control District, County Regional Airport, and Tribal representatives. A total of fifteen mitigation measures were identified to avoid impacts during preconstruction (four measures), construction (ten measures) and post-construction/operations (one measure). None of the impacts of the new facility would result in avoidable discriminatory impacts based on race, color, or national origin, nor disproportionate impacts on low-income populations.

The goals below include the evaluative measures within each CEQA category. The 40 Prado location (Census Tract Block Group 111.03-2) was selected as the preferred site based on how well it performed against the goals developed by the Property Subcommittee and presented in the *Siting Analysis Report*; the other three alternative site were evaluated but ultimately rejected.

V. Analysis of Adverse Impacts & Effects on Minority and Low-Income Populations

As referenced in the September 2017 IS/MND, the preferred 40 Prado location has been analyzed for impacts in the following 18 areas required under CEQA:

1. Aesthetics
2. Agricultural & Forest Resources
3. Air Quality
4. Biological Resources
5. Cultural Resources
6. Geology & Soils
7. Greenhouse Gas Emissions
8. Hazards & Hazardous Materials
9. Hydrology & Water Quality
10. Land Use Planning
11. Mineral Resources
12. Noise
13. Population & Housing
14. Public Services
15. Transportation
16. Tribal Cultural Resources
17. Utility & Service Systems
18. Mandatory Findings of Significance

In addition, the RTA conducted a parallel evaluation of impacts as they relate to areas covered under NEPA. Following certification of the IS/MND, the RTA submitted a request for a Categorical Exclusion (CE) to the FTA Region 9 office on September 7, 2017. The FTA provided a concurrence letter on September 29, 2017. The CE letter details the analysis of potential impacts in the following 16 areas required under NEPA:

1. Metropolitan Planning & Air Quality Conformity
2. Land Use & Zoning
3. Traffic & Parking Impacts
4. Carbon Monoxide, PM2.5 and PM10 Hot Spots
5. Historic & Cultural Resource Impacts
6. Noise & Vibration Impacts
7. Acquisitions & Relocations
8. Hazardous Materials
9. Community Disruption & Environmental Justice Analysis
10. Use of 4(f) Resources
11. Impacts on Wetlands
12. Floodplain Impacts
13. Impacts on Water Quality, Navigable Waterways, and Coastal Zones
14. Impacts on Ecologically-Sensitive Areas & Endangered Species
15. Impacts on Safety & Security
16. Impacts Caused by Construction

The conclusion under both CEQA and NEPA analyses is that the proposed project will have a less-than-significant impact that would cause substantial adverse effects on human beings, either directly or indirectly. The IS/MND commits the RTA to implement a range of Preconstruction, Construction, and Post-Construction/Operations mitigations to ensure any

adverse impacts are addressed. Although some construction noise and vibration may occur during daylight hours, overall impacts associated with operation of the project on the site would remain similar to current conditions and consistent with the planned use at the site.

For the purposes of environmental justice analysis, federal agencies are required to identify whether a proposed project will possibly have disproportionately high and adverse effects on minority or low-income populations within the proposed project vicinity. The proposed project vicinity, or the affected environment for the environmental justice analysis, consists of the proposed project site and adjacent census blocks. For the purposes on this analysis, an impact is considered to be significant and require mitigation if it would result in any of the following:

Impact 1. Substantially affect employment, industry, or commerce, including requiring the displacement of businesses or farms;

Impact 2. Substantially affect property values or the local tax base;

Impact 3. Substantially, disproportionately affect minority, low-income, elderly, disabled, transit-dependent, or other specific interest group(s); or

Impact 4. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Based on all four of these impact areas, the proposed project will not result in any adverse socioeconomic and environmental justice effects. Additionally, the proposed project would have a beneficial effect to the minority communities in the project vicinity by providing additional employment opportunities.

METHODOLOGY AND DATA USE

Although the project is deemed to have no significant adverse impact to the environment, it is important to further determine if any of the less-than-significant impacts identified in the IS/MND report would disproportionately impact minority or low-income populations near the preferred site. To determine the presence of minority and low-income populations near the four alternative sites, we compiled information at both the 2010 U.S. Census block group level and the 2017 American Community Survey census tract level. A **block group** is a cluster of census blocks, and generally have populations between 600 and 3,000 people; a **census tract** is a cluster of block groups with populations generally between 1,500 and 8,000 people. However, if too few sample cases are reported at the block group level, then that data is not available. This was the case when attempting to evaluate populations living below poverty at the block group level. So all of the data presented for the four alternative sites reflects census tract information; we also present statewide, county and city data for comparison.

Using mapping software, a 1000-foot buffer was drawn around each alternative site that was considered to determine each potentially impacted census tract. Residents falling within the buffer were included for analysis. While 1000-feet may appear to be a fairly large area, it

represents a conservative approach to analysis, as it identifies potential impact areas that may be greater than actually would be impacted. The reader will remember that postcards were sent to all persons living within 1,000 feet during the IS/MND public comment period. No input was received from persons identifying as low-income, although we worked directly with Tribal interests to identify how to mitigate cultural resources that might be discovered during ground-disturbing activities. No other input was received from communities identifying as a minority population.

As shown in Table 2 below, the population in poverty in the census tract that includes the preferred site at 40 Prado (15.6%) is well below the entire City of San Luis Obispo (32.4%), although it is slightly higher than the countywide proportion (13.8%). The proportion is roughly the same as the statewide average (15.1%).

The minority population percentages of three of the four alternative site locations are higher than either the City or the County of San Luis Obispo as a whole, although the proportion of all four sites are well below the statewide average.

Table 1: Poverty and Minority Populations Near Potential Sites				
Location	Population in Poverty	Poverty Percentage	Minority Population	Minority Percentage
<i>Preferred Site: 40 Prado</i> (Census Tract 113.02)	436	15.6%	407	27.9%
Alt Sites 1 & 2: 125 Venture Dr & 4880 Broad (Census Tract 115.03)	400	11.0%	340	15.3%
Alt Site 3: Kansas @ SR-1 (Census Tract 115.04)	38	5.2%	395	29.8%
City of San Luis Obispo	14,899	32.4%	7,180	15.3%
County of San Luis Obispo	36,420	13.8%	39,535	14.1%
State of California	5,773,408	15.1%	15,375,605	39.4%

Source: 2013-2017 American Community Survey 5-Year Estimates

To get a better understanding of minority communities in the area that includes the preferred 40 Prado site, staff evaluated race at the much more detailed 2010 Census block group level. We discovered a relatively high proportion of Hispanic or Latino residents live near the preferred 40 Prado site: 23.0% in Census Tract 111.03 Block Group 2. In comparison, 14.7% of City residents and 20.8% of County resident reported their race as Hispanic or Latino. The statewide average is much higher at 37.6%. Staff mailed a copy of this analysis to the Promotores Collaborative on June 27, 2019 and invited representatives to provide comments in writing or in-person at the July 10th public hearing.

VI. Conclusions

In accordance with both federal and state environmental law and federal guidance, the RTA has conducted focused environmental impact evaluations for the proposed Bus Maintenance Facility Project. This has included both technical studies and analyses associated with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), as well as a qualitative site selection evaluation and public review that is required by Title VI of the Civil Rights Act of 1964.

Based upon the analyses conducted, the proposed project would not result in significant impacts to the environment. Additionally, based on the qualitative site selection evaluation and public review of the proposed sites, the site was chosen without regard to race, color or national origin, nor are low-income communities disproportionately impacted.



179 Cross Street, Suite A253 Elks Lane
San Luis Obispo, CA 93401
(805) ~~781-4472541-2228~~ Fax (805) 781-1291
www.slorta.org

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

TITLE VI PLAN

ADOPTED: ~~November 6, 2019~~ (pending May 4, 2022)

AUGUST 1, 2019~~22~~ – JULY 31, 2021~~4~~

Contact Information:

Tania Arnold
Deputy Director/Chief Financial Officer
Office: 805.781.4397 541-2228 x4397
tarnold@slorta.org

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

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TITLE VI PLAN

I. PLAN STATEMENT

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The San Luis Obispo Regional Transit Authority (RTA) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

This plan was developed to guide the RTA in its administration and management of Title VI-related activities.

Title VI Coordinator Contact information:
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
[179 Cross Street, Suite A253 Elks Lane](#)
San Luis Obispo, California 93401

II. TITLE VI INFORMATION DISSEMINATION

Title VI information posters is prominently and publicly displayed in the RTA facility and on their revenue vehicles (a copy is in Appendix I). The name of the Title VI coordinator is available on the RTA website, at www.slorta.org . Additional information relating to nondiscrimination obligation can be obtained from the RTA Title VI Coordinator.

Title VI information is disseminated to the RTA employees annually via the Employee Education form (see Appendix A) in payroll envelopes. This form reminds employees of the RTA's policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees are informed of the provisions of Title VI, and the RTA's expectations to perform their duties accordingly.

All employees have been provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix B).

III. SUBCONTRACTS AND VENDORS

All subcontractors and vendors who receive payments from the RTA where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. RECORD KEEPING

The Title VI Coordinator has maintained permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the RTA's Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations if any.

V. TITLE VI COMPLAINT PROCEDURES

How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant.

The Title VI Complaint Form (see Appendix C, and also on the RTA Civil Rights website: <http://www.slorta.org/about-rta/civil-rights-information/>) may be used to submit the complaint information. The complaint may be filed in writing with the RTA at the following address:

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
~~179 Cross Street, Suite A253 Elks Lane~~
San Luis Obispo, California 93401**

NOTE: The RTA encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 30 days from the alleged date of discrimination. This form is also available on the RTA website.

What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by the RTA will be directly addressed by the RTA. The RTA shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the RTA shall make every effort to address all complaints in an expeditious and thorough manner.

1. A letter of acknowledging receipt of complaint will be mailed within thirty (30) days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.
2. The RTA will advise the US Department of Transportation within thirty (30) days of receipt of the allegations. The following information will be included in the notification:
 - a. Name, address and phone number of the complainant
 - b. Names(s) and address(es) of the alleged discriminating official(s)
 - c. Basis of the complaint (i.e. race, color or national origin)
 - d. Date when the alleged discrimination took place
 - e. Date when complaint was received by the RTA
 - f. A statement of the complaint
 - g. Other agencies (state, local or federal) where the complaint has been filed
 - h. An explanation of the planned investigative process that the RTA plans to take to resolve the issue in the complaint
3. Within forty-five (45) days of the receipt of the complaint, the Title VI Coordinator will conduct an investigation of the allegation and, based on the information obtained, will offer a recommendation for action in a report to the Executive Director. The complaint should be resolved in an informal way when possible and which will be recorded in the summarized report of the findings.
4. Within sixty (60) days of the receipt of the complaint, the Title VI Coordinator will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from the RTA, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within sixty (60) working days of receipt of such complaints, if not sooner. A copy of the final written response will be provided to the US Department of Transportation.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

**Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590**

What is the tracking system?

The RTA's Title VI Coordinator will maintain a Complaint Intake Log for all Title VI complaints received establishing the race, color, or national origin or protected class of the complainant; the identity of the recipient; the nature of the complaint; the date of the investigation, lawsuit, or complaint; a summary of the allegations; the status of the investigation, lawsuit or complaint; and actions taken in response to the investigation, lawsuit or complaint. This log will be maintained electronically in accordance with FTA guidance at the RTA offices and will be available for review.

VI. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

The RTA has developed a Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to RTA services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. This plan has detail procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan RTA's determined the extent of obligation to provide LEP services, the RTA has undertaken the U.S. Department of Transportation four factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons eligible in the RTA service area who maybe served or likely to encounter an RTA program, activity, or service;
2. The frequency with which LEP individuals come in contact with an RTA service;
3. The nature and importance of the program, activity or service provided by the RTA to the LEP population; and
4. The resources available to RTA and overall costs to provide LEP assistance. See Appendix K for the LEP Plan.

Vital documents, as defined by the Federal Transit Administration (FTA), and are considered vital by the RTA, are those documents that provide access to essential services and include but are not limited to schedules, ride guides and public hearing notices. The Title VI complaint form and notice of a person's rights under Title VI are also considered vital documents. All vital documents translated into Spanish will be available via the RTA's website, by mail, or in person at the RTA's office.

VII. COMMUNITY OUTREACH/PUBLIC PARTICIPATION PLAN

As a recipient of Federal transportation funding from the FTA, the RTA is required to develop a Public Participation Plan (PPP) in accordance with 49 U.S.C Section 5307. The RTA, in collaboration with the San Luis Obispo Council of Governments (SLOCOG), informs the public of service changes and other important activities which pertain to the RTA's service through a specific dissemination process. The following outlines the strategies and procedures that the RTA uses to encourage and include public participation in its decision-making process.

The RTA holds public meetings bi-monthly. At these meetings the public is welcome to attend and share in discussion with a variety of Community Outreach discussions. Additionally, the RTA works with the other transit agencies in the service area and other stakeholder organizations to review and discuss the planning and have involvement in the decision making process. The RTA from time to time have do on-board survey hand-outs to customers for their feedback about a variety of issues.

Public Hearing and Comment Period for Fare Increase or Major Service Change

The RTA shall maintain an open and participative process including the consideration of public comment before any fare increase or major service change. The RTA has a policy and procedure for public comment regarding fare or service changes which is included in Appendix H.

Public Noticing Requirements

Public notices shall inform the public of proposed actions which initiated the public comment process, how comments will be received, and, if applicable, the locations, dates, and times of scheduled public hearings or workshops. Prior to any public hearing or comment period, a public notice will be prepared and sent to the local media. At a minimum, this legal notice will be published in the local newspaper of general circulation. The RTA will also post a copy of the public notice, along with dates and times of any public hearing or workshop, on the RTA's public website. In addition, notices may be posted on any bus or transit facility to further inform the public of an opportunity to participate in any fare increase or major service change decision making process. Transit riders of routes proposed for adjustment will be further notified of the public comment process by an appropriate combination of on-vehicle flyers, posters, pamphlets, electronic rider alerts, e-mails, and other available means as determined by staff for each scenario.

Scheduling Public Hearing or Workshop Locations and Times

As funding allows, transit service adjustments that have system-wide implications may require multiple public meeting times and locations in order to maximize convenience to riders that are affected. To the greatest extent possible, public meetings will be scheduled at locations in proximity to the area(s) affected by the proposed adjustments, and in proximity to regular bus routes. All facilities utilized for public workshop will be accessible to persons with disabilities. All major service changes and fare adjustments shall be adopted at a public hearing of the RTA Board.

When proposed service adjustments will affect only a limited area, efforts will be made to schedule the meeting at a location near the affected area. Meetings will be scheduled to begin at a convenient time, usually midday and/or early evenings.

Procedure for Conducting Public Workshops

Comment forms will be offered to attendees at any public hearing or workshop to register their presence and desire to speak, or as an alternate method of providing their written comments. Public workshops will begin with a welcome and introduction of staff present. The purpose, proceedings, and proposed actions which necessitated the public hearings will be explained for clarification. When the explanation of proposed actions is completed, the public will be invited

to offer their comments. All persons wishing to comment will have the opportunity to do so. This offering will precede the close of the public workshop.

Documentation of Public Hearings

Official records of the RTA's public workshops on fare increases, major service changes, or any unmet transit needs will be generated and presented to the Board of the RTA and SLOCOG at a regularly scheduled meeting. Records of all public comments will be maintained on file.

Addressing Public Comments Received

All comments, received either in writing or verbally during a public hearing, workshop, or comment period, or as otherwise conveyed to the RTA prior to an established date for the Board's decision regarding any proposed major service change or fare increase, will be entered into the public record of the comment process. Staff will evaluate and analyze all relevant comments received to see whether they are reasonable to meet.

Outreach to Engage Minority and Limited English Proficient Populations

The RTA will continue assessing the language needs of citizens in its service area. To the greatest extent possible, to elicit public participation from minority and Limited English Proficient (LEP) populations, the RTA will engage in the following outreach activities:

- Schedule meetings at times and locations that are convenient and accessible for minority and LEP communities
- Employ different meeting sizes and formats
- Coordinate with the community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities
- Consider radio, television, or newspaper ads on stations and in publications that serve LEP populations
- Provide opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

Summary of Outreach Efforts Made Since Last Title VI Program Submission

Below is a summary of specific outreach efforts made in the last three years (since the last Title VI Program submission):

- [January 2020 – Public Hearing on South County Transit Short Range Transit Plan](#)
- [February 2020 – participate in SLOCOG Public Hearing: Unmet Transit Needs](#)
- [March 2020 - Customer perception survey completed with over 500 responses](#)
- [April 2020 – Public Hearing to declare COVID-19 Fiscal Emergency](#)
- [April 2020 – Public Hearing with the San Luis Obispo County Board of Supervisors for the RTA incurring indebtedness for the purposes of financing the new bus maintenance facility](#)
- [February 2021 – participate in SLOCOG Public Hearing: Unmet Transit Needs](#)
- [February 2022 – participate in SLOCOG Public Hearing: Unmet Transit Needs](#)
- [Ongoing - Annual Budget Public Hearings](#)

- ~~September 2016—Public Hearing: Affirm Mitigated Negative Declaration for Paso Bus Yard & Solicit Design Services~~
- ~~February 2017—participate in SLOCOG Public Hearing: Unmet Transit Needs~~
- ~~August—September 2017—Public Hearing: Disadvantaged Business Enterprise Plan Goal Methodology Update~~
- ~~September 2017—Public Workshops: Proposed Changes to Fare Program~~
- ~~September 2017—Public Hearing: Consider Certification of CEQA IS/MND Report & NEPA Categorical Exclusion for RTA Maintenance Facility Project~~
- ~~October 2017—Customer perception survey completed with over 900 responses~~
- ~~November 2017—Public Hearing: Consider Proposed Changes to Fare Program~~
- ~~February 2018—participate in SLOCOG Public Hearing: Unmet Transit Needs~~
- ~~January 2019—Public Hearing: Runabout Service Area~~
- ~~February 2019—participate in SLOCOG Public Hearing: Unmet Transit Needs~~
- ~~July 2019—Public Hearing: Equity Analysis for Bus Maintenance Facility Project~~
- ~~Ongoing—Annual Budget Public Hearings~~

The RTA submits to the California Department of Transportation and Federal Transit Administration annually an application for funding. The application requests funding for both capital and operating assistance. Part of the annual application is a public notice, which includes a 30-day public comment period.

The RTA relies upon the SLOCOG, the Metropolitan Planning Organization (MPO) to meet the public participation requirements for the Federal Transportation (FTA) Program of Projects (POP).

VIII. ACTIVE INVESTIGATION, LAWSUIT OR COMPLAINT

The RTA has had no active investigations, lawsuits or complaints alleging discrimination on the basis of race, color or national origin.

IX. SUBRECIPIENTS MONITORING

Primary recipients shall ensure subrecipients are complying with Title VI. Subrecipient Title VI program shall be submitted every three years in line with the primary recipient's program. Subrecipients will also submit annual complaint logs to primary recipient which will be kept in an electronic storage device for further review by FTA as necessary.

Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding, in order to assist the primary recipient in its compliance efforts, on a schedule to be determined by the primary recipient. In the event an entity receives funds from more than one primary recipient, the subrecipient shall submit Title VI Programs to all primary recipients from which it receives funds. Chapters III, IV, V, and VI and appendices detail the specific information that shall be included in Title VI Programs, based on recipient characteristics.

The RTA recognizes the need to monitor their subrecipients' compliance with the FTA circular. The RTA does pass funding to a subrecipient, the City of Atascadero. This relationship

necessitates compliance monitoring, which is conducted annually and noted on the subrecipient site visit monitoring form. The City of Atascadero Title VI program was adopted in 2019.

Subrecipient Assistance and Monitoring

The RTA conducts the following subrecipient procedures and protocols to facilitate subrecipient compliance with C4702.1B:

The Grants department will notify subrecipient management of applicable policies and procedures and provide instructions and timelines for how the RTA staff will monitor subrecipients' Title VI compliance in accordance with the FTA circular. The procedures state that the RTA staff will provide any assistance requested to assist subrecipient's full implementation of their program by:

- notifying the subrecipients of their responsibilities;
- offering resources and information as needed, and provide technical assistance as requested, to support subrecipient's development of a Title VI program, including staff support from the RTA;
- checking in monthly until the subrecipient's Title VI program is adopted by their governing body; and
- conducting annual compliance checks to verify subrecipient's compliance with their Title VI program.

X. BOARD DEMOGRAPHICS

RTA Board of Directors is all elected members. Therefore, this does not apply.

XI. EQUITY ANALYSIS FOR BUILDING SITE

~~An equity analysis was not required when RTA built the Tenant Improvements for the current operating and maintenance facility seven years ago. This was a pre-existing site that RTA lease and then did the Tenant Improvement without any federal funds. Therefore, this did not apply.~~

The RTA ~~is current bus maintenance facility located at 253 Elks Lane, San Luis Obispo, CA 93401 and during the planning process, the RTA currently in design and engineering for a bus maintenance facility and~~ completed the Equity Analysis ~~was~~which was adopted by the RTA Board on July 10, 2019 which included a public hearing. See Appendix L for the full analysis. The information can be found on the RTA website: <http://www.slorta.org/about-rta/agency-reports/>.

The Executive Summary of that Equity Analysis states:

Prior to constructing new facilities, recipients of federal transportation funding must consider how the location of a proposed facility may impact the affected minority and low-income community. While the impacts of constructing and operating a facility need to be environmentally analyzed for potential impacts, the selection of the site location

must also be scrutinized to ensure that the site was selected in a non-discriminatory manner.

As required by Title VI of Civil Rights Act of 1964, the RTA has conducted a Fixed Facility Equity Analysis intended to ensure that the location of the planned new Bus Maintenance Facility was selected without regard to race, color, or national origin. In addition, as required under Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, staff has completed a parallel review to ensure minority and low-income populations are not disproportionately affected by the selection of the preferred site.

Along with data and studies undertaken as part of the environmental review process, the RTA has determined that the selection of the proposed Bus Maintenance Facility site at 253 Elks Lane in San Luis Obispo would not result in a disparate impact to minority or low-income populations.

XII. RESOLUTION APPROVING TITLE VI PLAN

A copy of this resolution can be found in Appendix J of this Plan.

XIII. SERVICE STANDARDS

Vehicle Load Standards

RTA uses a standard of 1.5 ratio as the maximum vehicle load on a peak trip. The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are 36 passengers for a 15' mini-bus, 55 passengers for low-floor 40-foot buses, and 63 passengers for standard 40-foot buses. The exact maximum passenger capacity may be affected by specific manufacturer's recommendations which may be different for certain vehicle types. Demand Response (DR) does not have load standard but we try to maximize boarding to increase efficiencies.

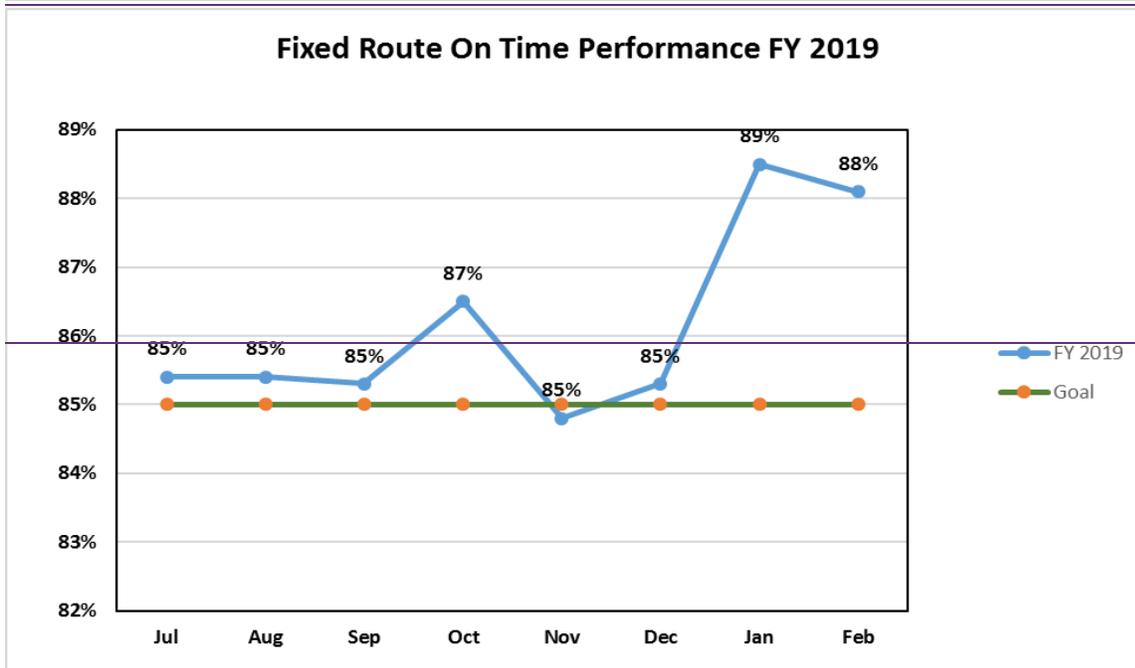
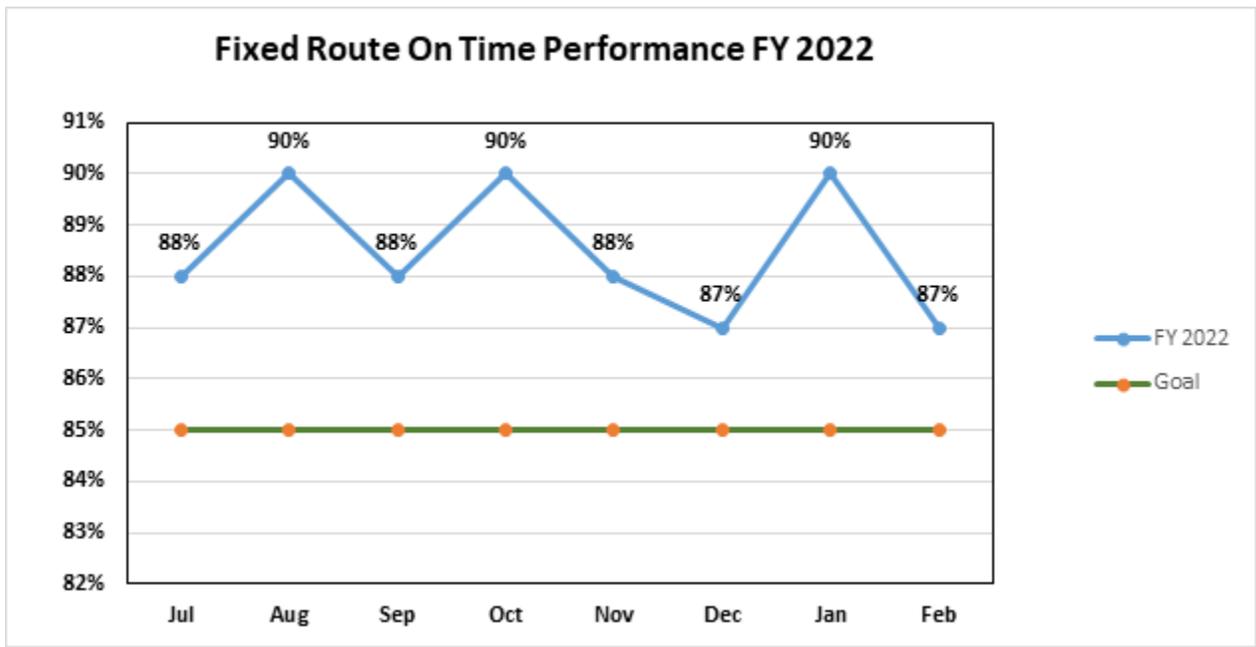
Vehicle Headway Standards

Service operates on regional trunk lines every 60 minutes (more frequently during peak a.m. and p.m. commute times) from early morning to late in the evening, five days a week, with the exception of the less populated North Coast Route #15. On weekends, service operates 5 times per day on Saturdays and 3 times per day on Sundays, throughout RTA's system. DR service does not allow any passenger to be on a vehicle in a single trip more than two hours. The dispatch software parameter is set to flag dispatchers if a trip is close to or will exceed two hours.

Scheduling involves the consideration of a number of factors including: ridership productivity, transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to the Regional Transportation Plan, relationship to major transportation developments, land use connectivity, and transportation demand management.

On-Time Performance Standards

Fixed route service is considered on-time if at no point the bus is six or more minutes late. With the introduction of the ITS system in 2016, early departures are now being included in the metric. In addition, every published time-point is now being considered, which gave a more realistic and accurate numbers. The result of the increased accuracy is a decline in the performance metric, not necessarily in the overall service quality. The goal is now 85% or greater set by RTA's Strategy Business Plan (SBP) after gaining more reliable information from the ITS system. RTA has met its goal of 85% and will look at adjusting the SBP to 90% in an effort to work at continuing to improving the timeliness of its service.



RTA continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

DR service is considered on-time if the van arrives within 30 minutes of the appointed pick-up time. The goal is 95% or greater, and Runabout has surpassed this goal in each month of FY ~~1922~~, achieving an overall OTP result of 98.479%. Staff will continue to monitor Runabout's OTP to ensure we continue to achieve this strong result.

Service Availability Standards

RTA try to distribute transit service so that 100% of all regional fixed route service are within a 3/4 mile walk of intercity bus transfer points.

XIII. SERVICE POLICIES

Vehicle Assignment Policy

Fixed Route bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned 15-foot buses rather than the 35, 40 or 45-foot buses. Some routes requiring tight turns on narrow streets are operated with 35-foot rather than 40 or 45-foot buses. All fixed route buses are equipped with air conditioning, next stop LCD screens, automated stop announcement systems and CAD/AVL systems.

DR bus assignment take into account the characteristics of the pick-up and drop-off location for each client and whether the clients have a mobility device or not. The DR service is provide in two types of vehicle; Low Floor Minivans and Ford F250 Cutaways.

Transit Amenities Policy

Installation of transit amenities along bus routes are based on the number of passenger boardings at stops and stations along those routes. DR service does not have transit amenities but an assessment is done and reported to dispatch if there are any safety issue when we pick up or drop-off passenger. These issues are then inputted in our dispatch system and is noted on each drivers manifest the service that location.

XV. RTA DOES MEET THE REMAINING CRITERIAS

Demographic and service profile maps and charts

Demographic ridership and travel patterns, collected by surveys

Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis

A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy

Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

Appendix A Employee Annual Education Form

Title VI Policy

No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of the RTA are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to the Deputy Director/Chief Financial Officer who is the Title VI Coordinator.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

Appendix B Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the San Luis Obispo Regional Transit Authority's Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Your signature

Print your name

Date

Appendix C TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint and sent it to:

Provide address here

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____ (home) _____ (cell) _____ (work)

Person discriminated against: _____

Address of person discriminated against: _____

City, State, Zip Code: _____

Please indicate why you believe the discrimination occurred:

- _____ Race
- _____ Color
- _____ National Origin

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

Please describe the circumstances as you saw it: _____

Please list any and all witnesses' names and phone numbers:

Have you previously filed a Title VI complaint with this agency?

Yes No

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court _____

State Agency _____

State Court _____

Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone: _____

Please attach any documents you have which support the allegation. Then date and sign this form and send to the Title VI Coordinator at:

Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
179 Cross Street, Suite A253 Elks Lane
San Luis Obispo, California 93401

Your signature

Date

Print your name

Appendix D Sample Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe
1234 Main St.
San Luis Obispo, California 93401

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the San Luis Obispo Regional Transit Authority alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning _____, or write to me at this address.

Sincerely,

Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
~~179 Cross Street, Suite A~~
San Luis Obispo, California 93401

Appendix E Sample Letter Notifying Complainant that the Complaint Is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
San Luis Obispo, California 93401

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the San Luis Obispo Regional Transit Authority alleging Title VI violation has been investigated. (An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. *(If a hearing is requested, the following sentence may be appropriate.)* You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane~~179 Cross Street, Suite A~~
San Luis Obispo, California 93401**

Appendix F Sample Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
San Luis Obispo, California 93401

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the San Luis Obispo Regional Transit Authority (RTA) alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The RTA has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from the RTA, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor - TCR 1200 New Jersey Ave., SE Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
~~179 Cross Street, Suite A~~
San Luis Obispo, California 93401**

Appendix G Samples of Narrative to be included in Posters to be Displayed in Revenue Vehicles and Facilities

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The San Luis Obispo Regional Transit Authority is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. **If you feel you are being denied participation in or being denied benefits of the transit services provided by the San Luis Obispo Regional Transit Authority, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at:**

**Title VI Coordinator
Deputy Director/Chief Financial Officer
San Luis Obispo Regional Transit Authority
253 Elks Lane
~~179 Cross Street, Suite A~~
San Luis Obispo, California 93401**

For more information, visit our website at www.slorta.org or contact the Title VI Coordinator at (805) 781-4833.

Appendix H **POLICY AND PROCEDURES FOR PUBLIC COMMENT REGARDING FARE OR SERVICE CHANGES**

ORIGINALLY ADOPTED: September 8, 2012

REVISION DATE: March 7, 2018

The San Luis Obispo Regional Transit Authority (RTA) recognizes the importance of considering public input prior to implementing changes to fares and/or service levels. The RTA hereby establishes procedures through which public input shall be solicited and considered. These procedures comply with Federal Transit Administration (FTA) regulations for federally supported transit projects. The RTA transit system is supported in part through funds available through the FTA.

Staff would begin the process of proposing changes by working with City Manager(s) and/or County Public Works officials in affected jurisdictions to identify problems, to develop alternatives, and to ultimately determine the optimal solution(s). This is particularly important in cases where fixed route buses would travel along corridors not currently served or where bus stop changes are being proposed.

The RTA requires solicitation of public comment for the following types of fare or major service changes:

Fare Changes: Any fare increase or decrease is considered a major change and requires solicitation and consideration of public comments.

Fixed Route Service Changes: A change in fixed route transit service is considered a major change if any of the following pertain to the change:

Major Service Restructuring or Realignment: Significant restructuring or realignment of service would include changes to routes that affect at least 25% of the existing route mileage, or relocation or elimination of the existing timed transfer points. Installation of a new bus stop or elimination of existing bus stop is not considered a major service restructuring or realignment.

Major Service Reduction: A major service reduction includes an increase in service headways, decrease in daily operating hours or span of service, or reduction in service days.

ADA Paratransit (Runabout) Service Changes: A change in Runabout service is considered a major change if any of the following pertain to the change:

Service Reduction: A major service reduction is defined as any reduction in span of service (operating hours), reduction in days on which service is available, or reduction in the area served by Runabout.

Service Availability: A major change in service availability is defined as the introduction of revised eligibility criteria for access to the service or introduction of significant changes in procedures for service participation (e.g., introduction of a more rigorous application process).

In all cases defined above, the RTA shall adhere to the following procedures to solicit public input:

- Begin the process of proposing changes by working with City Manager(s) and/or County Public Works officials in affected jurisdictions to determine the optimal solution(s). This is particularly important in cases where fixed route buses would travel along corridors not currently served or where bus stop changes are being proposed.
- Schedule informational meetings to solicit public comment at the Transit Centers during busy boarding times (preferable to busy departure times) and talk to fixed route riders. Staff will include informational materials available for take-away if relevant.
- Inform fixed route riders about upcoming changes on LCD screens on-board the buses, on social media and company website, as well as at top (30) bus stops with email and phone options for feedback. Where appropriate staff will include an online survey for more guided questions and opportunities for analysis.
- Post announcements on fixed route buses and Runabout vans in both English and Spanish.
- Inform group ticket purchasers of changes via phone discussions, including Department of Social Services, school district offices, senior centers, Chamber of Commerce.
- Inform other transit agencies (Morro Bay, SLO Transit, Atascadero, SMAT).
- Schedule a public hearing by the RTA Board of Directors.
- Publish an advertisement in a newspaper or print addition with general local distribution (SLO Tribune, New Times) announcing the public hearing no less than five (5) days prior to the date of the meeting.
- Post announcements of the public hearing in all RTA fixed route or Runabout vehicles at least five (5) days prior to the date of the meeting.
- Present proposed changes at City Councils in affected areas of the County. Present at the County Board of Supervisors as applicable.
- Send letter to Runabout riders who used the service in the previous six months if the change would affect these riders.

- If a fare change is proposed, staff would include information on the “Purchase Passes” section of the RTA webpage.
- Receive and document comments via telephone, email, US mail, text or delivered in person.
- Report in summary format all information received in the public comment process to the RTA Board of Directors as part of the hearing process.

Appendix I Title VI Public Poster

Posters are in all vehicles and the administrative office. They are printed on ledger sized paper (11" x 17") for most locations.

Title VI Policy:



Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

San Luis Obispo Regional Transit Authority (RTA) respects civil rights and operates its programs and services without regard to race, color or national origin. RTA is committed to complying with Title VI requirements in all of its programs and services. For more information on the Title VI transit obligations, contact RTA as listed below:

Making a Title VI Complaint

Any person who believes he/she has been subjected to discrimination in the delivery of or access to public transportation services on the basis of race, color, or national origin, may file a complaint with the San Luis Obispo Regional Transit Authority. Such complaint must be filed in writing with RTA no later than 30 days after the alleged discrimination. For information on how to file a complaint, contact RTA as listed below:

CFO/Deputy Director San Luis Obispo Regional Transit Authority
253 Elks Lane, San Luis Obispo, California 93401 (805) 781-4833

Title VI Policy:



Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

San Luis Obispo Regional Transit Authority (RTA) respects civil rights and operates its programs and services without regard to race, color or national origin. RTA is committed to complying with Title VI requirements in all of its programs and services. For more information on the Title VI transit obligations, contact RTA as listed below:

Making a Title VI Complaint

Any person who believes he/she has been subjected to discrimination in the delivery of or access to public transportation services on the basis of race, color, or national origin, may file a complaint with the San Luis Obispo Regional Transit Authority. Such complaint must be filed in writing with RTA no later than 30 days after the alleged discrimination. For information on how to file a complaint, contact RTA as listed below:

CFO/Deputy Director San Luis Obispo Regional Transit Authority
179 Cross Street, Suite A, San Luis Obispo, California 93401, 805-781-4833



Póliza del Título VI:

Derechos Civiles del Acta de estados de 1964, ninguna persona en los Estados Unidos podrá ser excluida de participar en programas que reciben asistencia financiera Federal, o negar beneficios o ser sujetos a discriminación por causa de raza, color, o origen nacional.

El sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA) respeta los derechos civiles y administra sus programas y servicios sin consideración a raza, color o origen nacional. El sistema de tránsito de San Luis Obispo Regional Transit Authority(RTA) está comprometido a cumplir en todos sus programas con los requicitos del Título VI.

Para más información de las obligaciones de Tránsito del Título VI comuníquese con el sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA) de acuerdo a la información siguiente:

Para presentar una queja del Título VI:

Qualquier persona que cree que ha sido discriminada en el servicio de o acceso a los servicios de transportación pública a base de raza, color o origen nacional, puede presentar una queja con el sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA). Dicha queja puede ser presentada por escrito con RTA a no más tardar de 30 días después de la supuesta discriminación. Para información como presentar una queja, comuníquese con RTA a la información siguiente:

CFO/Deputy Director, San Luis Obispo Regional Transit Authority
179 Cross Street, Suite A, San Luis Obispo, California 93401, 805-781-4833



Póliza del Título VI:

Derechos Civiles del Acta de estados de 1964, ninguna persona en los Estados Unidos podrá ser excluida de participar en programas que reciben asistencia financiera Federal, o negar beneficios o ser sujetos a discriminación por causa de raza, color, o origen nacional.

El sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA) respeta los derechos civiles y administra sus programas y servicios sin consideración a raza, color o origen nacional. El sistema de tránsito de San Luis Obispo Regional Transit Authority(RTA) está comprometido a cumplir en todos sus programas con los requicitos del Título VI.

Para más información de las obligaciones de Tránsito del Título VI comuníquese con el sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA) de acuerdo a la información siguiente:

Para presentar una queja del Título VI:

Qualquier persona que cree que ha sido discriminada en el servicio de o acceso a los servicios de transportación pública a base de raza, color o origen nacional, puede presentar una queja con el sistema de tránsito de San Luis Obispo Regional Transit Authority (RTA). Dicha queja puede ser presentada por escrito con RTA a no más tardar de 30 días después de la supuesta discriminación. Para información como presentar una queja, comuníquese con RTA a la información siguiente:

CFO/Deputy Director, San Luis Obispo Regional Transit Authority
253 Elks Lane, San Luis Obispo, California 93401, 805-781-4833

**Appendix J RESOLUTION ADOPTING A TITLE VI POLICY
STATEMENT AND PLAN**

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

RESOLUTION NO. 2219-_____

WHEREAS, The San Luis Obispo Regional Transit Authority (RTA) was formed to provide public transportation to all of the citizens of San Luis Obispo County; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

WHEREAS, RTA commits to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any RTA program or activity regardless of the funding source; and

WHEREAS, RTA as the administrative agent for the City of Paso Robles, City of Atascadero, and City of Arroyo Grande and Grover Beach (South County Transit) receives Federal transportation funding;

WHEREAS, RTA receives Federal funding from other agencies that also have Title VI requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the San Luis Obispo Regional Transit Authority approves the proposed Title VI Policy Statement and Plan in order to meet Title VI and attendant federal requirements. The Deputy Director and CFO, in her capacity, will serve as the Title VI Coordinator and is authorized to revise and update the plan as necessary.

Upon motion of Director _____, seconded by Director _____, and on the following roll call, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby passed and adopted by the San Luis Obispo Regional Transit Authority of San Luis Obispo County, State of California, at a regular meeting of said Board of Directors held on the 4th 6th-day of ~~November 2019~~May 2022.

Resolution No. ~~1922~~-_____

~~Fred Strong~~Edward Waage
President of the RTA Board

ATTEST:

Geoff Straw
Executive Director

APPROVED AS TO FORM AND LEGAL EFFECT:

By: _____
~~Nina Negrati~~Jon Ansolabehere
RTA Counsel

Dated: _____
(Original signature in BLUE ink)

Appendix K

Limited English Proficiency (LEP) Plan Revised 5-1-19

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address San Luis Obispo Regional Transit Authority's (RTA) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

Plan Summary

RTA has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by RTA. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, RTA undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a RTA program, activity or service.
2. The frequency with which LEP persons comes in contact with RTA programs, activities or services.
3. The nature and importance of programs, activities or services provided by RTA to the LEP population.
4. The resources available to RTA and overall cost to provide LEP assistance.

A summary of the results of the RTA four-factor analysis is in the following section.

Four-Factor Analysis

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a RTA program, activity or service.

RTA staff reviewed the 2010-2015 America Community Survey Report and determined that 47,780 persons in San Luis Obispo County [18.2% of the population] speak a language other

than English. Of this number, 10,271 persons [4%] have limited English proficiency; that is, they speak English “not well” or “not at all.”

In San Luis Obispo County, of those persons with limited English proficiency, 9,473 speak Spanish or Spanish Creole, 487 speak Asian and Pacific Island languages, and 174 speak other Indo-European languages.

2. The frequency with which LEP persons come in contact with RTA programs, activities or services.

RTA assessed the frequency with which staff and drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries and surveying vehicle operators for requests for interpreters and translated documents. To date, the most frequent contact between LEP persons are with dispatchers. Translated documents have included postings on the buses, relating to fares and transit rules written in Spanish. All schedules and ride guides are also written in Spanish.

3. The nature and importance of programs, activities or services provided by RTA to the LEP population.

The largest proportion of LEP individuals in the RTA service area speaks Spanish. Three concentrated areas have been identified in San Luis Obispo County. The City of Paso Robles and City of Atascadero has 9.8% of adult speakers who speak English less than very well. The City of San Luis Obispo has 5.5% of adult speakers who speak English less than very well. And the City of Nipomo has 11.4% of adult speakers who speak English less than very well. Services provided by RTA that are most likely to encounter LEP individuals are the fixed route system which serves the general public and the demand-response (Dial-A-Ride) system which serves primarily senior and disabled persons.

4. The resources available to RTA and overall cost to provide LEP assistance.

RTA assessed its available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost on an as needed basis, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that RTA could partner with for outreach and translation efforts. The amount of staff and vehicle operating training that might be needed was also considered. Based on the four-factor analysis, RTA developed its LEP Plan as outlined in the following section.

Limited English Proficiency (LEP) Plan Outline

How RTA staff may identify a LEP person who needs language assistance:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive at RTA sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
3. Have Census Bureau Language Identification Flashcards available at RTA meetings. This will assist RTA in identifying language assistance needs for future events and meetings.
4. Have Census Bureau Language Identification Flashcards on all transit vehicles to assist vehicle operators in identifying specific language assistance needs of passengers. If such individuals are encountered; vehicle operators will be instructed to try to obtain contact information to give to RTA's management for follow-up.
5. Vehicle operators and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners, will be surveyed annually on their experience concerning any contacts with LEP persons during the previous year.

Language Assistance Measures

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which RTA staff responds to LEP persons, whether in person, by telephone or in writing.

- RTA will provide Hispanic Education and Outreach Programs which will continue to provide vital information to LEP groups on RTA programs and services;
- Network with local human service organizations that provide services to LEP individuals and seek opportunities to provide information on RTA programs and services;
- Provide a bilingual Community Outreach Coordinator at community events, public hearings and Board of Director meetings. Placement of statements in notices and publications that interpreter services are available for these meetings, with 48 hours advance notice per Brown Act;
- Survey bus drivers and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners, bi-annually on their experience concerning any contacts with LEP persons during the previous year;

- Provide Language Identification Flashcards onboard the RTA fleet, in Road Supervisor vehicles and at transit systems administrative offices;
- Post the RTA Title VI Policy and LEP Plan on the agency website, www.slorta.org;
- Provide group travel training to LEP persons with the assistance of bilingual staff;
- Include language “Spanish a plus” on bus driver recruitment flyers and onboard recruitment posters;
- When an interpreter is needed for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers. A list of volunteers will need to be developed.

Staff Training

The following training will be provided to RTA staff:

1. Information on the RTA Title VI Procedures and LEP responsibilities
2. Description of language assistance services offered to the public
3. Use of Language Identification Flashcards
4. Documentation of language assistance requests
5. How to handle a potential Title VI/LEP complaint?

Outreach Techniques

When staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters may be available as needed.

Monitoring and Updating the LEP Plan

RTA will update the LEP as required by U.S. DOT. At minimum, the plan will be reviewed and updated when data from the 2019 America Community Survey Report is available, or when it is clear that higher concentrations of LEP individuals are present in the RTA service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed?
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether local language assistance programs have been effective and sufficient to meet the need
- Determine whether RTA’s financial resources are sufficient to fund language assistance resources needed
- Determine whether RTA has fully complied with the goals of this LEP Plan

- Determine whether complaints have been received concerning RTA’s failure to meet the needs of LEP individuals

Dissemination of the RTA LEP Plan

A link to the RTA LEP Plan and the Title VI Procedures is included on the RTA website at www.slorta.org .

Any person or agency with internet access will be able to access and download the plan from the RTA website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which RTA will provide, if feasible. Questions or comments regarding the LEP Plan may be submitted to the San Luis Obispo Regional Transit Authority, Title VI Coordinator:

San Luis Obispo Regional Transit Authority

~~179 Cross Street, Suite A253 Elks Lane~~

San Luis Obispo, CA 93401

Phone: 805-781-4833

Fax: 805-781-1291

Email: tarnold@slorta.org (Title VI Coordinator)

Appendix L Equity Analysis for Planned New Bus Maintenance Facility Adopted July 10, 2019

I. Executive Summary

Prior to constructing new facilities, recipients of federal transportation funding must consider how the location of a proposed facility may impact the affected minority and low-income community. While the impacts of constructing and operating a facility need to be environmentally analyzed for potential impacts, the selection of the site location must also be scrutinized to ensure that the site was selected in a non-discriminatory manner.

As required by Title VI of Civil Rights Act of 1964, the RTA has conducted a Fixed Facility Equity Analysis intended to ensure that the location of the planned new Bus Maintenance Facility was selected without regard to race, color, or national origin. In addition, as required under Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, staff has completed a parallel review to ensure minority and low-income populations are not disproportionately affected by the selection of the preferred site.

Along with data and studies undertaken as part of the environmental review process, the RTA has determined that the selection of the proposed Bus Maintenance Facility site at 253 Elks Lane in San Luis Obispo would not result in a disparate impact to minority or low-income populations.

II. Background

TITLE VI AND ENVIRONMENTAL JUSTICE REQUIREMENTS

Under Title VI of the Civil Rights Act of 1964, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. As a recipient of federal funds, the RTA is required to conduct a Fixed Facility Equity Analysis, highlighted in both the federal Title VI guidance¹ and under Title 49 of the Code of Federal Regulation² that is intended to ensure that the location is selected without regard to race, color, or national origin. This analysis must also “give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result.”

In addition, Executive Order 12898³ *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* requires DOT recipients to undertake analyses to ensure adverse impacts do not disproportionately impact minority and low-income

¹ FTA Circular C4702.1B

² Title 49 CFR Section 21.9(b)(3) and Appendix C, Section (3) (iv)

³ FTA Circular 4703.1

communities. It should be stressed that disproportionately high and adverse effects, not population size, are the bases for environmental justice. While the minority or low-income population in an area may be small, this does not eliminate the possibility of a disproportionately high and adverse effect of a proposed action. Although we present population size in a latter part of this report, the environmental reviews completed to identify and address impacts/mitigations under the California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) are an important element of this evaluation.

POLICIES

The RTA has developed policies and procedures to satisfy all requirements established by federal guidance under FTA Circulars C4702.1B and 4703.1. The RTA's polices were established so that no person would be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by the RTA. The policies also provide for meaningful access to programs for persons with Limited English Proficiency (LEP). The RTA provides public notice of its policy to uphold and assure full compliance with Title VI on their agency website (<https://www.slorta.org/about-rta/civil-rights-information/#title>).

Information regarding the RTA's Title VI policies and the procedures for filing civil rights complaints are provided in English and Spanish.

PROJECT CONTEXT

The RTA is a Joint Powers Authority created by a Joint Powers Agreement with the County of San Luis Obispo, and the Cities of Arroyo Grande, Atascadero, Paso Robles, Grover Beach, Morro Bay, Pismo Beach, and San Luis Obispo. Pursuant to section 6500 et seq. of the California Government Code, a Joint Powers Authority is established when two or more public agencies by agreement jointly exercise any power common to the contracting agencies. The purpose of the Joint Powers Agreement is to enable the RTA to exercise the common powers of the member agencies to own, operate, and administer a county-wide public transportation system within the boundaries and over the territory within the jurisdiction of the Joint Powers Authority. Specifically, the RTA manages regional fixed route and paratransit services throughout San Luis Obispo County and is contracted by the County of San Luis Obispo and the City of Paso Robles to operate and provide services in the unincorporated areas and the Paso Express fixed route and Paso Robles Dial-A-Ride services. Five fixed-route services run throughout the region from as far north as San Miguel and San Simeon to as far south as Orcutt in Santa Barbara County.

In January 2015, the RTA completed the *Siting Analysis Report*, which provided a summary of the RTA's need for a long-term transit administration, operations, and maintenance facility. The report was intended to inform the RTA Board of Directors and the public, and for the RTA Board of Directors to provide RTA staff with direction, regarding the next steps to develop the project. The *Siting Analysis Report* includes a review of the RTA operations and system needs, and a brief review of several alternative sites considered for the facility.

As described in the *Siting Analysis Report* presented to the RTA Board of Directors at its January 7, 2015 meeting, the RTA has determined that the existing transit administration, operations, and maintenance facility in the City of San Luis Obispo will not support expansions in regional transit service and is inadequate to support existing services efficiently. The existing facility does not contain enough bus maintenance bays, sufficient storage space for batteries and tires, or any potential expansion space. The existing facility is also located at 179 Cross Street, several miles from the downtown San Luis Obispo transit center located at corner of Palm Street and Osos Street, resulting in increased travel costs and poor customer service (Refer to Figure 3). As detailed on page B-2-8 and explained in the *Siting Analysis Report*, RTA staff determined the necessary size (in square feet) of each functional area for the maintenance facility using the *Transit Garage Planning Guidelines* model (SG Associates, Inc. 1987). This information was then presented to the RTA Property Subcommittee, which was comprised of two elected Board of Directors members and supported by RTA staff and technical staff members from the City of San Luis Obispo.

SITE SELECTION CONSIDERATIONS

As detailed in the *Siting Analysis Report*, the site selected for development of a permanent operating base for the RTA should meet several criteria. The site should:

- Be located reasonably close to the points at which fixed route buses begin and end revenue service.
- Be large enough to support development of required facilities (about 6.0 acres gross area).
- Be reasonably level, so that extensive grading is not required.
- Have provision of communications, water, electric and sewer service, or access to same.
- Be free of hazardous wastes or be capable of remediation at low cost.
- Be in an area of compatible land uses (preferably industrial or commercial).

The first criterion – location with respect to the start and end points of revenue service – is necessary to minimize non-revenue (“deadhead”) vehicle-miles and vehicle-hours. It should be noted that deadhead operating costs occur daily for the life of the facility. Excess deadhead costs can become large over time and can affect the ability to provide service. The RTA route operations now and projected in the future are concentrated in the San Luis Obispo area, while park-outs will be provided in Paso Robles, Arroyo Grande and Cambria to meet local transportation needs. A facility site within or immediately adjacent to the San Luis Obispo urbanized area is therefore necessary, in order to minimize deadhead costs.

There are a number of factors indicating that the appropriate site is located in the southern portion of San Luis Obispo, or to the west of San Luis Obispo along State Route 1, for the following reasons:

- All of the parcels within or adjacent to the City of San Luis Obispo that are zoned Office, Service-Commercial or Manufacturing are located to the south, relatively close to the Airport.
- A parcel along State Route 1 between San Luis Obispo and Morro Bay might also be largely compatible with surrounding uses.
- While property costs tend to be lower the further one travels from San Luis Obispo city limits, deadhead costs would increase the further a facility is located from the downtown transit center located at Osos/Palm.
- In addition, travel time reliability also tends to decline the further one travels to/from downtown San Luis Obispo. This has been quantitatively demonstrated in the SLOCOG 2014 US-101 Mobility Study.

For these reasons, the search of potential sites was confined to southern/southeastern San Luis Obispo and to land near the County Corporation Yard at Kansas Street / State Route 1.

Potential Sites Examined

A list of potential sites to be examined was developed by RTA staff and reviewed by the RTA Property Subcommittee. The Subcommittee was originally formed during development of the 2006 SLOCOG *Moving Toward the Efficiencies of Synergy: Operating Plan and Financial Analysis for a Coordinated Transit Maintenance and Dispatch Facility* report. The Subcommittee continued to meet when it became clear that the RTA's current 2.7 acre leased site at 179 Cross Street in San Luis Obispo would not meet long-term needs of the region.

A total of twelve sites were originally identified by the Subcommittee, and these candidate sites were then reviewed with local real estate professionals and Public Works staff from the city and county. The following eight sites in the City of San Luis Obispo were found to be potentially adequate for current service levels but too small for future planned service levels:

- | | |
|---|---|
| 1. <u>2950 Broad Street (3.3 acres)</u> | 5. <u>4100 Vachell Street (2.6 acres)</u> |
| 2. <u>3450 Broad Street (3.5 acres)</u> | 6. <u>2923 & 3021 So. Higuera St. (2.7 acres)</u> |
| 3. <u>2885 South Higuera Street (2.9 acres)</u> | 7. <u>Orcutt St. at Duncan St. (3.2 acres)</u> |
| 4. <u>284 South Higuera Street (2.9 acres)</u> | 8. <u>201 Bridge Street (3.4 acres)</u> |

Based on those evaluations, the twelve original sites were narrowed down to four sites. All of the remaining four sites currently have proper zoning of either Public Facility, Manufacturing, or

Office. Only the Prado site is located in an identified 100-year floodplain. The four sites can be described as:

1. Kansas at State Route 1 in unincorporated San Luis Obispo County (6 acres)
2. 125 Venture Drive in the City of San Luis Obispo (9.3 acres)
3. 4880 Broad Street in the City of San Luis Obispo (5.7 acres)
4. 40 Prado Road in the City of San Luis Obispo (10 acres) – more recently referred to as 253 Elks Lane

Based on a number of factors presented in the *Site Consideration for a RTA Long-Term Garage Facility* document presented to the RTA Board of Directors in January 2015, the 40 Prado Road site was determined to be the most centrally located and economically feasible option that had the fewest impacts on residential areas and vulnerable populations. This document further explains the reasoning for selecting 40 Prado as the preferred site as it relates to impacts to minority and low-income occupants.

PUBLIC PROCESS ON SITE SELECTION

Before taking the site selection to the public, it was necessary to ensure that the site would be available, cost effective, and eligible to receive grant funds or loans for development. As a result, conducting aspects of the site development such as seeking funding, consulting with local planning agencies regarding the ability to construct on the site, and considering the impacts to minority and low-income communities has delayed engaging the public-at-large until it was clear that the site should be further considered. Along with the analysis of adverse impacts to minority residents and businesses, as well as low-income populations, the public engagement process set the stage for environmental clearance.

ENVIRONMENTAL CLEARANCE TIMELINE AND/OR ACTIVITIES

The preferred site at 40 Prado is associated with an Initial Study Mitigated Negative Declaration (IS/MND) report that was certified by the RTA Board of Directors in September 2017. Additional technical studies are currently being undertaken to document conditions and related data that has changed since the date the original IS/MND was certified, resulting in reduced impacts. More specifically, the RTA has reduced the building size and eliminated two core functions originally identified in the IS/MND (on-site liquid fueling and automated bus wash system). As such, the IS/MND is currently undergoing amendments that will be incorporated into amended state (CEQA) and federal (NEPA) environmental review documents in summer 2019.

III. Project Description

The September 2017 IS/MND report envisioned construction of an approximately 45,000 square-foot, two-story combined administration headquarters and bus maintenance building on the eastern portion of the approximately 6.5 acre project site. However, after further master

planning and preliminary engineering efforts, in March 2019 the building has been reduced from two stories to one, equating to roughly 29,000 square feet. As such, all three functions – administration, bus operations and maintenance – will all be located on one floor, and will include maintenance bays, large- and small-parts storage, clean-room workspace (for high-tech components servicing), offices, a conference room, and employee restrooms, showers, and lockers. The remainder of the project site would be developed for outdoor circulation, storage, servicing, and inspection. The proposed on-site parking would accommodate approximately 67 public transit buses and vans as well as 84 employee and visitor vehicles. In total the developed area proposed for the project remains approximately 4.2 acres. The remaining 2.3 acres is anticipated to be used for the future Prado Road overpass and Elks Lane re-alignment. Construction of the project would require development of the proposed building to withstand a 100-year flood level event.

PREFERRED SITE LOCATION

As described in the September 2017 IS/MND report, the project site is a 6.5-acre parcel (Assessor's Parcel Number [APN] 053-041-071), located at 253 Elks Lane adjacent to the intersection of Elks Lane and Prado Road, in the City of San Luis Obispo, California. The site is regionally accessible from United States Highway 101 (U.S. 101) which runs in the north-south direction, parallel to Elks Lane, west of the site. The project site is within the floodplain of San Luis Obispo Creek located to the east of the site.

The site is currently occupied by a small U-Haul facility, including a building and parking lot, in the southwest corner of the site. The remainder of the property is vacant with scattered ruderal vegetation and most recently used as a leased employee parking/carpool/vanpool center for a distant multi-year construction project. Thus, most of the site was graded and paved for a parking and transportation use. One high-voltage electric power transmission tower is located near the center of the site.

The project site parcel is designated Office in the City of San Luis Obispo General Plan Land Use Element. The site is also located within the General Plan's Sunset Drive-In Theater/Prado Road Area Special Focus Area. According to the City's Zoning Map, the project site is zoned Office with a Planned Development overlay (O-PD). The project site is also located in the San Luis Obispo County Regional Airport Land Use Plan Safety Area S-1b, which has been substituted by City overrule for the requirements of the Airport Overlay Zone which are outlined in Chapter 17.57 of the City's Zoning Regulations (Zoning Regulations Section 17.22.010.B).

Existing uses surrounding the site include the following:

West: Elks Lane and U.S. 101, which run in the north-south direction parallel to Elks Lane, are located to the west of the project site. The U.S. 101 northbound on-ramp from Prado Road is located near the southwest corner of the site and runs parallel to the western boundary of the site connecting Prado Road to U.S. 101. Beyond U.S. 101 are a variety of commercial uses zoned Commercial Retail with a Planned Development overlay (C-R-PD).

North: The Sunset Drive-In Theater is located north of the project site with a mobile home park and the San Luis Cemetery (also known as the International Order of Odd Fellows and Lawn Cemeteries) beyond. This area has a General Plan designation of Community Commercial and is zoned Community-Commercial with a Special Focus overlay (C-C-SF).

East: To the east of the project site is the recently completed Community Action Partnership of San Luis Obispo (CAPSLO) Homeless Services Center. Next to this lot is a storage yard with three existing structures. Two residential structures are located at the east end of the storage yard. A bus stop is planned for the area adjacent to the CAPSLO Homeless Services Center to be served primarily by the municipal transit operator (SLO Transit). The area is zoned Office with a Special Focus overlay (O-SF).

South: The City of San Luis Obispo's corporation yard, which includes the Water Reclamation and Resources Facility (WRRF), is located across Prado Road, directly south of the project site, in the Public Facility (PF) zone. The SLO Transit (local fixed route system) bus maintenance facility is also located within the City's corporation yard. The U.S. 101 northbound off-ramp to Prado Road extends from U.S. 101 in the north-south direction parallel to western boundary of the City's corporation yard property.

IV. Site Selection Process

The RTA closely followed its Environmental Evaluation Policy to complete the CEQA IS/MND Report. The Policy was adopted by the RTA Board of Directors at its May 4, 2016 meeting. While the Policy primarily focuses on environmental reviews required under CEQA, it also provides direction to staff when developing environmental reviews required under the National Environmental Protection Act (NEPA), including requests for Categorical Exclusions (CE) such as the one submitted to the Federal Transit Administration for the Bus Maintenance Facility on September 7, 2017. The Policy identifies public outreach and agency coordination steps, including coordinating input through the State Clearinghouse agency outreach process, County Clerk notification responsibilities, and other outreach requirements.

A draft copy of the CE request and of the draft CEQA IS/MND Report were presented to the RTA Board at its July 12, 2017 meeting. At that meeting, the RTA Board directed staff to open the minimum 30-day public comment period, and to schedule a September 6, 2017 public hearing to consider certifying the CEQA Mitigated Negative Declaration finding. The RTA published notice of the public hearing in The Tribune newspaper on August 23, 2017; this publication has the highest circulation in the county. Working with SLO City Planning Department officials, we sent notification of the public hearing via postcards to persons living within 1,000 feet of the property. Finally, notice of the public hearing was posted at the project site, on our website and on the LCD information screens inside each RTA bus. The State Clearinghouse assigned our project SCH number 2017071040, and the public comment period was officially recognized from July 20, 2017 through August 18, 2017. As detailed in an August 21, 2017 letter from Scott

Morgan, Director of the State Clearinghouse, no comments were submitted by any of the responding agencies through the State Clearinghouse process.

The RTA Board conducted a public hearing on September 6, 2107. Staff provided a summary of public agency and citizen input received, as well as a list of slight language and graphics revisions that were included in the final CEQA IS/MND Report. No persons provided oral or written testimony during the Public Hearing. The RTA Board of Directors voted 11 to 0 in favor of:

1. Certifying the CEQA finding,
2. Authorizing the RTA Executive Director to submit the NEPA Categorical Exclusion request letter, and
3. Authorizing the RTA Executive Director to solicit proposals for design/engineering services for the RTA Bus Maintenance Facility Project.

The RTA publicized the final/amended CEQA IS/MND Report with the County Clerk for 30 days, which completed our CEQA obligations per State law. The County Clerk notice also referenced the fact that the final CEQA Report is posted on our website.

SITE SELECTION GOALS AND RESULTS

In January 2015, the RTA Board accepted the *Siting Analysis Report*, which included evaluations of site functionality, site efficiency and site development. The RTA then competitively procured Environmental Planning Services in February 2016, led by a team from Rincon Consultants to develop the CEQA and NEPA reports. Over the ensuing 15 months, the RTA worked with our consultants, public agency representatives and adjoining neighbors to evaluate any potential impacts of the proposed project. In particular, we worked closely with City of SLO, SLO County Air Pollution Control District, County Regional Airport, and Tribal representatives. A total of fifteen mitigation measures were identified to avoid impacts during preconstruction (four measures), construction (ten measures) and post-construction/operations (one measure). None of the impacts of the new facility would result in avoidable discriminatory impacts based on race, color, or national origin, nor disproportionate impacts on low-income populations.

The goals below include the evaluative measures within each CEQA category. The 40 Prado location (Census Tract Block Group 111.03-2) was selected as the preferred site based on how well it performed against the goals developed by the Property Subcommittee and presented in the *Siting Analysis Report*; the other three alternative site were evaluated but ultimately rejected.

V. Analysis of Adverse Impacts & Effects on Minority and Low-Income Populations

As referenced in the September 2017 IS/MND, the preferred 40 Prado location has been analyzed for impacts in the following 18 areas required under CEQA:

- | | |
|---|---|
| <u>1. Aesthetics</u> | <u>10. Land Use Planning</u> |
| <u>2. Agricultural & Forest Resources</u> | <u>11. Mineral Resources</u> |
| <u>3. Air Quality</u> | <u>12. Noise</u> |
| <u>4. Biological Resources</u> | <u>13. Population & Housing</u> |
| <u>5. Cultural Resources</u> | <u>14. Public Services</u> |
| <u>6. Geology & Soils</u> | <u>15. Transportation</u> |
| <u>7. Greenhouse Gas Emissions</u> | <u>16. Tribal Cultural Resources</u> |
| <u>8. Hazards & Hazardous Materials</u> | <u>17. Utility & Service Systems</u> |
| <u>9. Hydrology & Water Quality</u> | <u>18. Mandatory Findings of Significance</u> |

In addition, the RTA conducted a parallel evaluation of impacts as they relate to areas covered under NEPA. Following certification of the IS/MND, the RTA submitted a request for a Categorical Exclusion (CE) to the FTA Region 9 office on September 7, 2017. The FTA provided a concurrence letter on September 29, 2017. The CE letter details the analysis of potential impacts in the following 16 areas required under NEPA:

1. Metropolitan Planning & Air Quality Conformity
2. Land Use & Zoning
3. Traffic & Parking Impacts
4. Carbon Monoxide, PM2.5 and PM10 Hot Spots
5. Historic & Cultural Resource Impacts
6. Noise & Vibration Impacts
7. Acquisitions & Relocations
8. Hazardous Materials
9. Community Disruption & Environmental Justice Analysis
10. Use of 4(f) Resources
11. Impacts on Wetlands
12. Floodplain Impacts
13. Impacts on Water Quality, Navigable Waterways, and Coastal Zones
14. Impacts on Ecologically-Sensitive Areas & Endangered Species
15. Impacts on Safety & Security
16. Impacts Caused by Construction

The conclusion under both CEQA and NEPA analyses is that the proposed project will have a less-than-significant impact that would cause substantial adverse effects on human beings, either directly or indirectly. The IS/MND commits the RTA to implement a range of Preconstruction, Construction, and Post-Construction/Operations mitigations to ensure any

adverse impacts are addressed. Although some construction noise and vibration may occur during daylight hours, overall impacts associated with operation of the project on the site would remain similar to current conditions and consistent with the planned use at the site.

For the purposes of environmental justice analysis, federal agencies are required to identify whether a proposed project will possibly have disproportionately high and adverse effects on minority or low-income populations within the proposed project vicinity. The proposed project vicinity, or the affected environment for the environmental justice analysis, consists of the proposed project site and adjacent census blocks. For the purposes on this analysis, an impact is considered to be significant and require mitigation if it would result in any of the following:

Impact 1. Substantially affect employment, industry, or commerce, including requiring the displacement of businesses or farms;

Impact 2. Substantially affect property values or the local tax base;

Impact 3. Substantially, disproportionately affect minority, low-income, elderly, disabled, transit-dependent, or other specific interest group(s); or

Impact 4. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Based on all four of these impact areas, the proposed project will not result in any adverse socioeconomic and environmental justice effects. Additionally, the proposed project would have a beneficial effect to the minority communities in the project vicinity by providing additional employment opportunities.

METHODOLOGY AND DATA USE

Although the project is deemed to have no significant adverse impact to the environment, it is important to further determine if any of the less-than-significant impacts identified in the IS/MND report would disproportionately impact minority or low-income populations near the preferred site. To determine the presence of minority and low-income populations near the four alternative sites, we compiled information at both the 2010 U.S. Census block group level and the 2017 American Community Survey census tract level. A **block group** is a cluster of census blocks, and generally have populations between 600 and 3,000 people; a **census tract** is a cluster of block groups with populations generally between 1,500 and 8,000 people. However, if too few sample cases are reported at the block group level, then that data is not available. This was the case when attempting to evaluate populations living below poverty at the block group level. So all of the data presented for the four alternative sites reflects census tract information; we also present statewide, county and city data for comparison.

Using mapping software, a 1000-foot buffer was drawn around each alternative site that was considered to determine each potentially impacted census tract. Residents falling within the buffer were included for analysis. While 1000-feet may appear to be a fairly large area, it

represents a conservative approach to analysis, as it identifies potential impact areas that may be greater than actually would be impacted. The reader will remember that postcards were sent to all persons living within 1,000 feet during the IS/MND public comment period. No input was received from persons identifying as low-income, although we worked directly with Tribal interests to identify how to mitigate cultural resources that might be discovered during ground-disturbing activities. No other input was received from communities identifying as a minority population.

As shown in Table 2 below, the population in poverty in the census tract that includes the preferred site at 40 Prado (15.6%) is well below the entire City of San Luis Obispo (32.4%), although it is slightly higher than the countywide proportion (13.8%). The proportion is roughly the same as the statewide average (15.1%).

The minority population percentages of three of the four alternative site locations are higher than either the City or the County of San Luis Obispo as a whole, although the proportion of all four sites are well below the statewide average.

Table 1: Poverty and Minority Populations Near Potential Sites				
Location	Population in Poverty	Poverty Percentage	Minority Population	Minority Percentage
<i>Preferred Site: 40 Prado</i> (Census Tract 113.02)	436	15.6%	407	27.9%
Alt Sites 1 & 2: 125 Venture Dr & 4880 Broad (Census Tract 115.03)	400	11.0%	340	15.3%
Alt Site 3: Kansas @ SR-1 (Census Tract 115.04)	38	5.2%	395	29.8%
City of San Luis Obispo	14,899	32.4%	7,180	15.3%
County of San Luis Obispo	36,420	13.8%	39,535	14.1%
State of California	5,773,408	15.1%	15,375,605	39.4%
Source: 2013-2017 American Community Survey 5-Year Estimates				

To get a better understanding of minority communities in the area that includes the preferred 40 Prado site, staff evaluated race at the much more detailed 2010 Census block group level. We discovered a relatively high proportion of Hispanic or Latino residents live near the preferred 40 Prado site: 23.0% in Census Tract 111.03 Block Group 2. In comparison, 14.7% of City residents and 20.8% of County resident reported their race as Hispanic or Latino. The statewide average is much higher at 37.6%. Staff mailed a copy of this analysis to the Promotores Collaborative on June 27, 2019 and invited representatives to provide comments in writing or in-person at the July 10th public hearing.

VI. Conclusions

In accordance with both federal and state environmental law and federal guidance, the RTA has conducted focused environmental impact evaluations for the proposed Bus Maintenance Facility Project. This has included both technical studies and analyses associated with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), as well as a qualitative site selection evaluation and public review that is required by Title VI of the Civil Rights Act of 1964.

Based upon the analyses conducted, the proposed project would not result in significant impacts to the environment. Additionally, based on the qualitative site selection evaluation and public review of the proposed sites, the site was chosen without regard to race, color or national origin, nor are low-income communities disproportionately impacted.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM: A-4

TOPIC: Strategic Business Plan Results & Revised Planned Update Dates

PRESENTED BY: Geoff Straw, Executive Director

STAFF RECOMMENDATION: Receive and File the Attached SBP Results through February 28, 2022

BACKGROUND/DISCUSSION:

In October 2008, the RTA Board, RTA staff, SLOCOG staff and members of the general public met in a day-long workshop to craft the elements of the first RTA Strategic Plan. The result of this workshop was a draft outline that contained the major sections and components of the plan. During the development of the FY09-10 Operating and Capital Program, staff developed the four key sections of the plan and this was approved by the Board during the budget process. The major components of the plan are the RTA Vision, Vision Elements, Mission of the Organization, and Strategies in achieving the Mission.

The 2012-14 Strategic Business Plan (SBP) was subsequently adopted in October 2011, and it incorporated goals and objectives developed as part of the 2010 RTA Short Range Transit Plan. Staff used the measurable standards in the SBP to help guide the organization toward meeting the agency's goals and objectives. The subsequent 2015-2017 SBP was adopted in July 2014, and the most recent 2018-20 SBP was adopted in March 2018.

The 2018-20 SBP incorporated both new and revised standards developed in the 2016 RTA Short Range Transit Plan, as well as information gleaned from a customer perception survey completed in October 2017. Finally, the 2018-20 SBP examined real-time data gleaned from our comprehensive GPS-based Intelligent Transportation System (ITS), which helped determine appropriate performance standards.

As noted during the presentation at the March 2021 Board meeting, because the COVID-19 pandemic has drastically altered ridership patterns, and the RTA is currently seeking outside funding to update our 5-year Short Range Transit Plan (SRTP), staff recommended that the update to the 2018-20 SBP be postponed for one year until early 2022. It was hoped that the Board's COVID-19 Emergency Declaration would be lifted later in the calendar year, and the SRTP consultant could help us determine new/interim standards that we can use to measure progress toward full ridership recovery. In the meantime, staff continues to provide bi-annual reports to the Board on our results in comparison the current objective and subjective performance standards.

It should be noted that two sections of the SBP include ridership-based metrics that will be impossible to meet due to the drastic reduction in demand caused by the COVID-19 pandemic. These currently unattainable standards include:

1. **Standards of Excellence Section 1: Service Quality and Efficiency** – We will deliver dependable, customer focused and efficient transit services to the communities that we serve. Further, we will look for opportunities to deploy innovative new service within budgetary constraints.

Standard 1: The Productivity (passengers per vehicle service hour) standards are presented below for regularly-scheduled / year-round services:

- A. Regional intercity fixed-route (RTA Routes 9, 10, 12 & 14) services shall be 22 or greater.
- B. Local fixed-route (Paso Express Routes A & B, and SoCo Transit Routes 21, 24, 27 & 28) shall be 17 or greater.
- C. Runabout and other demand response services will be 2.0 or greater.
- D. Route deviation services (such as RTA Route 15) will be 8.0 or greater.

Any recommended changes to seasonal or lifeline services (i.e., Shandon Dial-A-Ride) will include target productivity standards that must be met in order to qualify for continued funding.

2. **Standards of Excellence Section 2: Revenue and Resources** – While providing excellent service to our customers and communities, we will do so within the financial resources available to us. The financial health of the organization will not be compromised, and we will work to deliver good value for the taxpayers' investment in the RTA.

Standard 2: The Farebox Recovery Ratio for all regularly scheduled / year-round services shall be 20% greater than the minimum standard required by SLOCOG to meet TDA requirements. Measurement: Objective.

Staff plans to present updated SBP metrics over two Board meetings in early 2023 coincident with planned Short-Range Transit Plan interim documents.

Staff Recommendation:

Receive and file the attached SBP results through February 28, 2022.

Strategic Business Plan Standards of Excellence

Standards of Excellence Section 1: Service Quality and Efficiency – We will deliver dependable, customer focused and efficient transit services to the communities that we serve. Further, we will look for opportunities to deploy innovative new service within budgetary constraints.

Standard 1: The Productivity (one-way passenger-boardings per vehicle service hour) standards are presented below for regularly-scheduled / year-round services:

- A. Regional intercity fixed-route (RTA Routes 9, 10, 12 &14) services shall be 22 or greater.
- B. Route deviation services (such as RTA Route 15) will be 8.0 or greater.
- C. Local fixed-route (Paso Express Routes A & B, and SoCo Transit Routes 21, 24, 27 & 28) shall be 17 or greater.
- D. Runabout and other demand response services will be 2.0 or greater.

Any recommended changes to seasonal or lifeline services (i.e., Shandon Dial-A-Ride) will include target productivity standards that must be met in order to qualify for continued funding.

Measurement: Objective.

- Reviewed monthly by Operations Manager and reported by Executive Director at each Board meeting.

FY20-21 Productivity													
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
RTA Fixed	8.5	9.3	9.5	9.9	10.2	9.6	8.9	9.7	10.3	10.6	11.0	11.1	9.9
Paso Express	8.4	8.3	8.6	9.9	9.4	8.6	8.6	11.2	13.3	16.6	18.3	16.4	11.5
Runabout	1.1	1.2	1.2	1.3	1.2	1.2	1.1	1.2	1.3	1.4	1.4	1.2	1.2
Paso DAR	1.4	1.6	1.7	1.7	1.8	3.2	1.6	1.7	1.6	1.6	1.8	1.7	1.8
Nipomo DAR	1.4	1.4	1.4	1.4	1.4	0.7	1.3	1.6	1.4	1.7	1.6	1.8	1.4

FY22 Productivity													
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
RTA Fixed	10.0	11.0	12.1	11.7	12.0	13.8	10.5	11.6					11.6
Paso Express	13.3	16.0	21.1	19.2	16.6	15.0	18.3	20.7					17.5
Runabout	1.2	1.2	1.2	1.2	1.1	1.0	1.2	1.1					1.2
Paso DAR	1.5	1.5	1.8	1.8	1.9	1.6	1.5	1.6					1.7
Nipomo DAR	1.7	2.5	3.4	3.6	3.1	2.3	2.3	3.3					2.8

The FY22 table above show that we did not meet the standards for RTA regional fixed-routes, Paso Dial-A-Ride, or Runabout. However, Paso Express and Nipomo DAR did meet the standards as a result of school reopening for the 2021-22 academic year. Similar to national ridership trends, we continue to see declines/stagnation, which is an area of concern for the RTA and our partner transit agencies. In addition, the COVID-19

pandemic and statewide stay at home orders beginning in March 2020 drastically reduced demand for public transit services, although productivity remained relatively high since service levels were cut at the outset of the pandemic. Overall ridership is trending upwards, and staff will continue to look at alternatives to improve results.

Standard 2: The Service Delivery rate for all regularly-scheduled / year-round services shall be 99% or greater.

Measurement: Objective.

- Reviewed quarterly by Operations, and reported by Executive Director bi-annually to the Board.

As long as a scheduled fixed-route bus trip is delivered ahead of the next scheduled bus trip, then service is considered “delivered” (but that late trip will still be reported under the on-time performance measure discussed below). The service delivery goal is 99% or greater. The RTA delivers about 2,574 trips per month, and for FY22 thus far we missed 12 trips, or a service delivery achievement of 99%. Paso Express delivers about 634 trips per month, and we missed 3 trips so far in FY22, resulting in a service delivery achievement of 99%.

Standard 3: “On-time” is defined as no later than six minutes from any time point in the published schedule. We recognize that making scheduled transfers between buses is vitally important to riders, and staff will explore methods of regularly measuring missed transfers. The following On-Time Performance standards shall apply to regularly-scheduled / year-round services:

- A. Regional intercity fixed-route and Express runs shall be 85% or greater.
- B. Local fixed-route shall be 90% or greater.
- C. Route deviation services shall be 70% or greater.

Measurement: Objective.

- Reviewed quarterly by Operations, and reported by Executive Director bi-annually to the Board.

FY20-21													
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
RTA	91%	93%	92%	91%	91%	92%	93%	92%	91%	91%	90%	90%	91%
Paso	92%	92%	90%	92%	92%	91%	90%	93%	91%	90%	91%	92%	91%
Rte 15	86%	76%	83%	90%	92%	92%	86%	92%	90%	87%	86%	88%	87%

FY 2022													
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
RTA	88%	90%	88%	90%	88%	87%	90%	87%					89%
Paso	92%	96%	84%	86%	87%	87%	88%	86%					88%
Rte 15	88%	80%	84%	85%	81%	84%	85%	79%					83%

- The FY21 table above shows that we met or surpassed the standard for RTA intercity fixed-routes, local fixed routes, and RTA Route 15 deviated fixed-route service. For FY22, RTA intercity, and Route 15 are exceeding standards, while local Paso Express came in two percent short at 88%. Staff will continue to look for ways to improve this result.

Standard 4: The On-Time Performance (OTP) for Runabout and other demand response services shall be 95% or greater.

Measurement: Objective.

- Reviewed quarterly by Operations, and reported by Executive Director bi-annually to the Board.

Runabout service is considered on-time if the van arrives within 30 minutes of the appointed pick-up time. The goal is 95% or greater, and Runabout surpassed this goal in each month of FY20-21, achieving an overall OTP result of 98%. So far, for FY21-22 we have exceeded the standard (98.4%). Staff will continue to monitor Runabout’s OTP to ensure we continue to achieve this strong result.

Standard 5: The RTA will make consistent efforts to explore new service and service delivery options as well as work with regional efficiencies in the delivery of transportation to the jurisdictions

Measurement: Subjective.

- Reported by the Executive Director and Division Heads annually.
 1. Schedule revisions and minor route alignment changes are evaluated routinely to improve service delivery.
 2. Staff monitors ridership and customer comments looking for system improvements.

Standard 6: The RTA will measure Overcrowding as the frequency of instances that the number of passengers on a bus exceeds the number of seats (i.e., 34 passengers on a 34-seat bus equates to a Load Factor of 1.00), as well as the duration of exceedances. The Overcrowding standards are as follows:

- A. The standard for regular fixed-route services is no more than 10% of the monthly total number of bus trips that exceed a Load Factor of 1.25 for greater than 20 minutes.
- B. The standard for Express services is no more than 10% of the monthly total number of bus trips exceeds a Load Factor of 1.00 for greater than 20 minutes.

If the Load Factor standards are exceeded, staff will assign a larger vehicle (if possible); otherwise, the Board will direct staff to evaluate adding scheduled bus trips to spread out the passenger loads.

Measurement: Objective.

- Reviewed quarterly by Operations Manager and reported by the Executive Director biannually to the Board.

There were no trips exceeding the overcrowding standard in FY20-21. However, for FY21-22 there is one trip on the Paso Express that is experiencing overcrowding and this is due to school district no longer providing school bus service. Staff will continue to monitor the service for overcrowding as it relates to riders' comfort levels.

Standards of Excellence Section 2: Revenue and Resources – While providing excellent service to our customers and communities, we will do so within the financial resources available to us. The financial health of the organization will not be compromised, and we will work to deliver good value for the taxpayers' investment in the RTA.

Standard 1: The annual operating budget will be based upon projected revenue and the total operating cost will not exceed the budget adopted by the Board.

Measurement: Objective.

- Tracked monthly in financial statements and reported bimonthly to the RTA Board.

FY15-16 Result: Operating Costs were 90% of the adopted budget
FY16-17 Result: Operating Costs were 89% of the adopted budget
FY17-18 Result: Operating Costs were 94% of the adopted budget
FY18-19 Result: Operating Costs were 95% of the adopted budget
FY19-20 Result: Operating Costs were 94% of the adopted budget
FY20-21 Result: Operating Costs were 88% of the adopted budget
FY21-22 Result: Operating Costs were 56.1% of the adopted budget through February 2022 (66.7% of the fiscal year) unaudited

Budget versus actual expenses data is calculated and reviewed on a monthly basis by RTA staff. This information is reported to the Board at each meeting (typically every other month) to help inform decisions.

Standard 2: The Farebox Recovery Ratio for all regularly scheduled / year-round services shall be 20% greater than the minimum standard required by SLOCOG to meet TDA requirements.

Measurement: Objective.

- Tracked monthly and reported bimonthly to the RTA Board.

FY15-16 Result: 25.7% (including Paso Express)
FY16-17 Result: 21.4% (including Paso Express)
FY17-18 Result: 20.5% (including Paso Express)
FY18-19 Result: 18.2% (including Paso Express)

FY19-20 Result: 12.7% (including Paso Express); 18.0% (including Paso Express through January 2020 prior to the COVID 19 pandemic). Core RTA fixed-routes achieved 12.9% in FY19-20.

FY20-21 Result: 3.5% (including Paso Express and South County Transit from January 1 – June 30, 2021) – COVID 19 pandemic limited fare period

FY21-22 Result: 8.1% (including Paso Express and South County Transit) through February 2022 unaudited

In recent years, the RTA has struggled to meet this standard, particularly as the pre-pandemic economy improved, gas prices remained relatively low, and private automobile ownership increased. Staff will continue to closely monitor our FRR performance, particularly in light of recent gas price increases.

Standard 3: No significant annual fiscal and compliance audit findings.

Measurement: Objective.

- Finance and Administration will report any negative audit findings to the RTA Board.

The RTA consistently achieves positive annual fiscal and compliance reports with no significant financial audit findings. Staff strives to improve transparency and continues to implement procedures that exceed the auditors' expectations.

Standard 4: Ensure that all capital procurements provide good value to our customers and our employees.

Measurement: Subjective.

- Evaluated through the Marketing Department's biannual Community Perception Survey, feedback from communities, and review of the annual 5-year capital program by the RTA Board.

The annual capital program is developed by staff and presented to the Board as part of the annual budget-making process. In addition, staff presents budget revision recommendations if conditions change.

Standards of Excellence Section 3: Safety – We recognize the tremendous importance of safety in the operation of RTA service to our customers and communities. Therefore, the safety of our customers and employees will be an organizational priority and we will be proactive in promoting system safety.

Standard 1: Rate of preventable vehicle collisions will not exceed 1.0 per 100,000 miles.

Measurement: Objective.

- Rate shall be tracked by the Safety and Training Manager, and reported annually to the RTA Board.

FY15-16 Result: 1.03

FY16-17 Result: 0.37

FY17-18 Result: 0.94
FY18-19 Result: 1.14
FY19-20 Result: 2.56
FY20-21 Result: 1.65 RTA-only, and 1.48 combined RTA/SCT
FY21-22 Result: 1.76 combined RTA/SoCo

Bus Operators are held to a higher safety standard than the general public. Staff will continue to track this KPI closely. We have put together a team to monitor causative factors, including trends by route, years of experience, location, type of collision, etc. New Bus Operators return for refresher training after three months after being released from the training program.

Standard 2: Address all safety hazards identified by the Safety Resource Committee.

Measurement: Objective.

- List shall be compiled with action items and timelines by the Safety and Training Manager.

Employees are engaged in the Safety Resource and Employee Committee by submitting suggestions. Suggestions that are not directly related to the Committee's mission are forwarded to the appropriate department for resolution.

During FY-21-22, the Safety Resource Committee closed eight action items, with five open action items and two recurring items remaining. Some of these action items are working with administration on body mechanics when lifting heavy items, resolving driver shield visibility, and making sure we are in compliance with OSHA. We continue to investigate and mitigate problem locations for our Paratransit vehicles, and maintain quality service for RTA customers. RTA employees continue to demonstrate attentiveness and communication in mitigating hazards. The Maintenance Manager has been a significant resource in alleviating hazards pertaining to buses and facilities.

Our annual refresher-training classes for Bus Operators, Supervisors and Dispatchers will continue throughout the year. Additional courses presented during the 8-hour refresher training classes include Customer Service Skills, Fire Evaluation, Customer Safety, hands-on ramp, kneeler, and wheelchair users' safety.

Standard 3: Preventable workers compensation lost-time claims will not exceed six annually, and preventable medical-only claims will not exceed five annually.

Measurement: Objective.

- All work comp claims shall be duly investigated and immediately reported by Finance and Administration staff to our carrier.

FY15-16 Result: 1 lost-time claim (no medical only)
FY16-17 Result: 5 lost-time claims, and 3 medical only
FY17-18 Result: 0 lost-time claims, and 7 medical only
FY18-19 Result: 11 lost-time claims, and 5 medical only

FY19-20 Result: 7 lost-time claims (3 are open as of December 2020), and 14 first aid/incidents/medical only (all 14 have closed as of July 31, 2020)

FY20-21 Result: 4 lost-time claims (2 are open as of August 31, 2021), and 14 first aid/incidents/medical only (all 14 have closed as of August 31, 2021)

FY21-22 Result: 0 lost-time claims and 2 first aid/incidents/medical only (one is open and one is closed) as of February 2022

Standard 4: Customer and community perception of system safety will be at least 90%.

Measurement: Objective.

- As measured in biannual Community Perception Survey.

Based on the Customer Perceptions Survey conducted in March 2020 at the outset of the COVID-19 pandemic, customer perception of system safety was rated 3.6 out of 4, which equates to 90%. Staff strives to maintain and enhance satisfaction regarding this standard.

Standard 5: Total risk management costs shall not exceed industry norms. Staff will undertake alternating market surveys every four years for vehicle liability / physical damage coverage and for workers compensation coverage.

Measurement: Objective.

- Tracked monthly by Finance and Administration and reported bimonthly to the RTA Board.
- Reported monthly by Finance and Administration in financials and YTD budget reports.

FY14-15 Result: 8.7% of total operating costs

FY15-16 Result: 10.7% of total operating costs

FY16-17 Result: 13.7% of total operating costs

FY17-18 Result: 13.2% of total operating costs

FY18-19 Result: 10.8% of total operating costs

FY19-20 Result: 10.9% of total operating costs

FY20-21 Result: 9.9% of total operating costs

Staff has worked hard to close claims opened in prior years. More importantly, our workers compensation premium rates declined for the first time in many years.

Although this is good news, due to the tightening market in California, staff expects risk management costs to continue to escalate unless tort reform or other adjustments are made by the Legislature that could reduce transit agencies' exposure to frivolous lawsuits. If our exposure could be reduced, it would likely increase competition in the market and reduce our risk management costs. Staff is closely monitoring this issue and will report developments back to the Board as information is collected.

Standards of Excellence Section 4: Human Resources – Our employees are the foundation of the organization. We will support our employees in achieving excellence through training and

development, teamwork, and continuous efforts at effective communication while treating each with integrity and dignity.

Standard 1: Recruit, promote and retain highly qualified employees to achieve our service standards.

Measurement: Subjective.

- Annual assessment by Executive Director and Department Heads.

The annual calendar year turnover rates for RTA are as follows:

2016 – 14%
2017 – 19%
2018 – 20%
2019 – 18%
2020 – 13%
2021 – 19%
2022 – 4% through February 2022

Standard 2: Provide continuous development of skills and capabilities through ongoing training and development programs that foster personal and professional growth. Department Heads develop training plans as part of annual budget-making process, according the following minimum standards:

- A. Maintenance: 30 Hours per technician annually.
- B. Operations Supervisors: 24 Hours annually.
- C. Bus Operators: 8 Hours Annually.
- D. Finance and Administration: 16 Hours per employee annually.

Measurement: Objective.

- Department Heads evaluated annually for achievement of training objectives.

Staff appreciates the Board’s commitment to funding a relatively robust training budget. It should be noted that ongoing training is a major part of what staff does on a daily basis to help both the organization and staff grow professionally and enhance safe operations.

- Maintenance: As of February 2022, RTA Technicians have averaged nearly 30 hours per person, including training for Gillig multiplex, on new facility equipment, and new vehicle orientation. The RTA has greatly benefited from membership in the Southern California Regional Transit Training Consortium, providing significant training resources albeit somewhat haltingly in a virtual world.
- Operations: In FY21-22, the average to date is 53.4 training hours per Supervisor; standard is 24 hours annually. The training staff has conducted 85.50 training hours with Operations Supervisors. COVID-19 provided the opportunity and requirement for more virtual training. These trainings included the following:

- Mandatory two-hour Management Sexual Harassment Training every two years.
 - The Operations Manager attended the CALACT conference in November 2021.
 - Operations Supervisors and Training staff attended two 40-hour TSI training classes for *Transit Safety and Security*, and *Transit Accident Investigation*. One of our training staff members is working toward an FTA Safety Certification.
 - All supervisors attended COVID-19 require training provided by CalOSHA.
 - Mental Health First Aid National Council for Behavioral Health.
 - Cal-Tip, Sedgwick Navigating Difficult Situations.
 - March 16, 2022 **Occurrence (Accident /Incident) Information Gathering for Supervisors**, two sessions in a single day. Totaling 90 combined training hours for Operations Staff.
 - March 23, 2022, **Reducing the Hazards of Making Turns**, two training sessions in a single day. Totaling 53 combined training hours for Operations Staff.
 - To date the three training staff combined have completed 132.50 hours of training hours.
 - Due to the Federal Transportation Administration established an Individual Training Program in order to satisfy the requirements to obtain the Public Transportation Safety Certification for Bus Operations. Due to COVID travel restrictions, the full-time Transit Instructor was able to complete many of the courses via zoom interactive classroom training this year. On average the training staff had 111 hour of training.
- Bus Operator training included:
Excluding the Annual required 8- Hour VTT Training, to date Bus Operators have received a combined total of 187.50 additional training hours conducted by our training department for topics listed below, but not limited to:
 - Annual required 8 hours VTT class conducted by our training department.
 - Three-month refresher for new Bus Operators.
 - Focused and customized training designed specifically for Bus Operators on an as-needed basis (i.e., in response to a collision, customer complaint, or other incident).
 - Elks Lane Evacuation Procedures.
 - Bus Fleet Orientation and refresher training as needed
 - Finance and Administration: these training hours are used by each employee in various ways based on their responsibilities and in consultation with his or her direct supervisor. For FY21-22, these included the CALPELRA Human Resources Conference, National Transit Institute National Transit Database, information

sessions on new leave and workers compensation requirements, FTA Drug and Alcohol training, Human Resources virtual summits, CalTIP Board of Directors meetings, CalACT spring conference and various collaborations with other transit agencies.

Standard 3: Enable our employees to achieve excellence in serving our customers by building teamwork and understanding effective communication within the organization.

Measurement: Subjective.

- Employees provided opportunity to provide feedback on organizational communication as part of the Executive Director’s annual evaluation.

We continually stress the tenets of *Verbal Defense and Influence*, which focuses on how to communicate more effectively with each other and our customers – particularly in difficult or threatening situations. The Executive Director and the three RTA department heads meet weekly to ensure consistency in messaging and direction for the organization.

Standard 4: Employees will be evaluated annually in a fair and equitable way to judge performance and be provided a developmental plan for the next fiscal year.

Measurement: Objective.

- Employee merit evaluations will be provided to each employee annually with the evaluation grading measurement of attainment of department objectives developed during the budget process and achievement of RTA’s Standards and RTA’s KPIs.

The RTA currently completes formal annual evaluations for administration and management staff. Bus Operators, Technicians and Utility employees are evaluated based on the requirements of the Collective Bargaining Agreement (CBA) and to ensure the public’s safety. Both Technicians and Bus Operators are also evaluated as part of the RTA Safety Awards program on their individual anniversary dates.

Standards of Excellence Section 5: Fleet and Facility – We will operate and maintain a modern and clean fleet and facilities that will be pleasing to our customers and a source of pride for our employees and our communities.

Standard 1: If funding permits, the RTA will match SLO Transit’s standard of replacing revenue vehicles when they reach the FTA-defined useful life minimums in terms of service years or miles. If funding remains constrained, negotiate with SLO Transit to ensure neither agency’s buses surpass 40% beyond the FTA standards.

Measurement: Objective.

- As tracked by Finance and Administration as part of grant-making efforts.

As of February 28, 2022 the average RTA fixed-route vehicle age is 8 years with an average of 343,406 miles. The design life of a heavy-duty fixed-route bus is 12-years/500,000 miles. The average demand response vehicle age (including Runabout

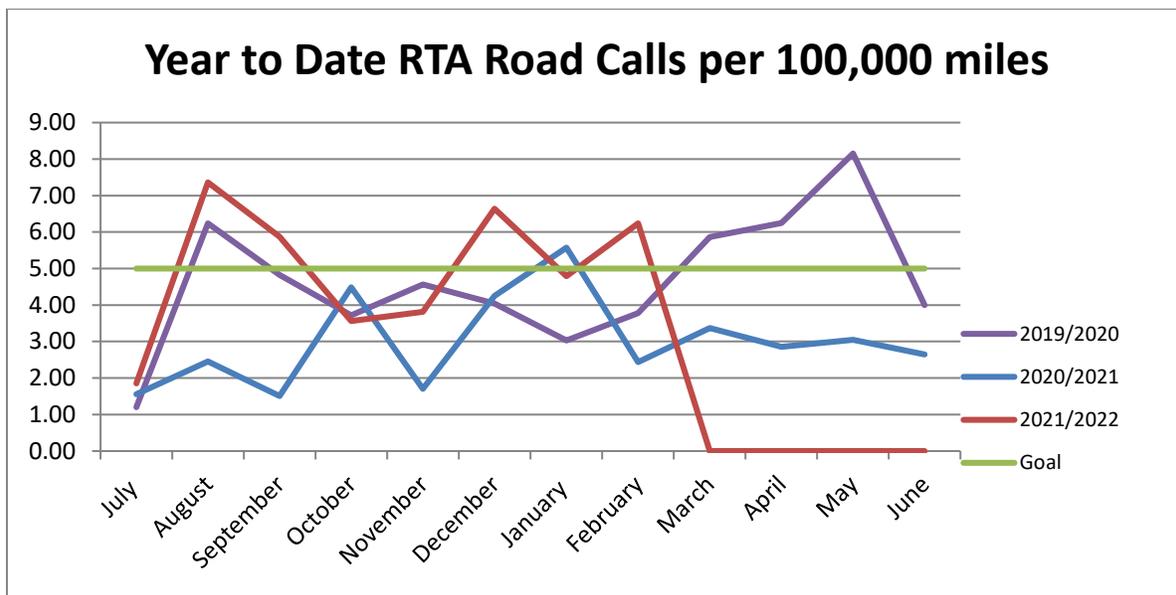
and other Dial-A-Ride vans) is 4 years with an average of 79,127 miles. The design life of a demand response van is 4-years/100,000 miles. We are currently within the RTA’s standards. Our capital program was updated as part of the 2016 SRTP update, which was adopted by the RTA Board in July 2016. In addition, a five-year capital program is included in each annual budget document.

Standard 2: Road calls will not exceed five per 100,000 vehicle service miles. A road call is defined as all mechanical or other vehicle-related failures that affect the completion of a scheduled revenue trip or the start of the next scheduled revenue trip, including failures during deadheading and layover.

Measurement: Objective.

- As tracked and reported by the Maintenance Department, and reported biannually to the RTA Board.

As depicted in the graph below, this standard has been achieved in all but nine months over the past three fiscal years. The year-end average was 4.64 in FY19-20, 2.99 in FY20-21 and 5.02 so far in FY21-22. The RTA uses the same definition of a road call as used in the National Transit Database. We will closely track this standard as our fleet ages and/or if breakdowns appear to be happening more frequently.



Standard 3: Maintain a clean, attractive fleet. Maintain our facilities so that they are safe and appealing to customers and employees.

Measurement: Subjective.

- As measured by employee and customer feedback.

Based on the results of the Customer Perception Survey that was conducted in March 2020 prior to the COVID-19 pandemic, two questions provide valuable information: “cleanliness of buses” and “bus exterior appearance,” which ranked at 3.4 and 3.5 out of

four, respectively. In an effort of focus on interior bus sanitation for the health and well-being of our staff and community in light of the COVID-19 pandemic, exterior cleanings have occurred less frequently since the surveys were conducted so we would anticipate current results would be lower for exterior but high for overall cleanliness.

Employee surveys were conducted in October 2020, and we received 53 written responses regarding safety of the facilities, bus stops and buses for employees and passengers. The feedback was provided to the Maintenance and Utility team, as well as the Bus Stop Improvement Committee. This qualitative “direct feedback” procedure was selected as it provides specific information about what needs to be improved. We have been able to respond to many specific requests, including new outdoor seating at the Paso location, and a new approach on addressing the lighting needs of many stops by the Bus Stop Improvement Committee.

Standard 4: Achieve an 80% favorable rating of bus stop appearance by customers and the communities that we serve.

Measurement: Objective.

- As measured in the biannual Community Perception Survey.

Bus stop appearance was included in the 2020 customer perception survey, and we achieved a ranking of 3.2 out of 4, which equates to an 82% favorable rating. Although this meets the favorable standard, staff is developing a strategy to address this standard, including updating/replacing the bus stop signs for Paso Express and repair/enhancement of bus stop lighting. Staff also anticipates the remodel of the transit center downtown that was completed in May 2020 (after this survey was conducted) will favorably impact this ranking when the next survey is completed.

Standard 5: Achieve all federal- and state-mandated maintenance minimums, as well as vendor recommended maintenance schedules, for our fleet and facilities. The following standards apply:

- A. No negative CHP Annual Terminal Inspection, FTA Triennial Review or TDA Triennial Performance Audit findings.
- B. Preventative maintenance schedules for all equipment shall be done on a timely basis (3,000 mile intervals or as mandated by equipment OEM vendor).

Measurement: Objective.

- As tracked by the Maintenance Department, and reported annually to the RTA Board.

There were no negative findings in the 2019 TDA Triennial Performance Audit, the 2019 FTA Triennial Review, nor in the most recent CHP Terminal Inspection. Preventive maintenance has been completed on a timely basis, with no CHP findings.

Standards of Excellence Section 6: Leadership – We will strive to be one of the nation’s leading small transit operators. We will work to maintain collaborative relationships within the industry, within our community, and with our stakeholders. We will develop future leaders from within our organization.

Standard 1: Maintain cooperative relationships with federal, state and local funding agencies.

Measurement: Subjective.

- Will be reviewed by staff and RTA Board.

Staff believes that we have fostered a strong relationship with our partners at the federal, state and local levels. If any issues arise (i.e., the recent COVID-19 pandemic), it is brought to the Board’s attention for direction so that staff can work with our cohorts in the region to provide a reasonably consistent response. The Executive Director serves on the CTA Small Operators Committee, and also was re-elected as the Chairperson for the CalTIP Board in April 2022. He also serves on the County Department of Public Health COVID-19 Vaccination Task Force.

Standard 2: Develop partnerships with stakeholders, community leaders and decision makers, while keeping them well informed of the integral role of RTA and contributions to the communities that we serve.

Measurement: Subjective.

- To be evaluated and monitored by RTA Board.

The agency’s partnership successes are formally discussed by the Board during the Executive Director’s annual evaluation. However, issues and ideas are also forwarded by community members to both the Board and staff throughout the year. Although hampered by the pandemic in comparison to previous years, the Executive Director attends City Council and Board of Supervisors meetings throughout the year, as well as community outreach events and workshops.

Standard 3: Promote effective internal communications and promote the values of the organization.

Measure: Subjective.

- To be evaluated by Executive Director.

Promoting effective internal communication is a task that always requires high- and mid-level nurturing. Senior staff members meet weekly to discuss effective communications and our organizational values, while a broader group meets bi-weekly to strive to ensure messaging is consistent and useful. At the outset of the COVID-19 pandemic in early March 2020, senior staff met every morning to review operational responses and to plan for recovery actions. Like any organization that is not afraid to “peel back the layers,” we often find examples of where we can improve and the Executive Director informs the Board President of on-going efforts. While we believe we

are making strides in improving internal communications, this is an area in which the work is never “done.”

Standard 4: Provide effective leadership for public transportation within the County.

Measurement: Subjective.

- To be evaluated by Executive Director and RTA Board.

Similar to the discussion on Standard 3 above, the Executive Director’s leadership is evaluated annually as part of his review. The Executive Director also discusses leadership successes and goals with his three department heads as part of their annual evaluation. Finally, the Executive Director and other senior RTA staff discuss direction with other transit agency staff during quarterly RTAC meetings and other transit-focused meetings (i.e., FTA 5307 planning, UZA MOU discussions, SSTAC, etc.) throughout the year.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT (AMENDED)

AGENDA ITEM: A-5

TOPIC: Vehicle Procurement of Battery Electric Buses and Declaration of Vehicle Surplus

PRESENTED BY: Geoff Straw, Executive Director

STAFF RECOMMENDATION: Authorize Executive Director to Procure Two (2) 40-foot Battery Electric Buses, Spare Parts and Training at a Cost Not to Exceed \$2,134,836. **Submit Grant Application for VW Environmental Mitigation Trust Funds.** Declare Vehicle Surplus Authorizing the Executive Director to Transfer or Dispose of Vehicle Remains.

BACKGROUND/DISCUSSION:

The RTA has been awarded funding to purchase two (2) Battery Electric Buses to replace existing diesel buses. These two (2) Battery Electric Buses will be the first of its type to provide intercity transit services throughout San Luis Obispo County and will replace two (2) 2008 Gillig Phantom diesel-powered heavy-duty 40-ft (43-passenger + 2 Wheelchair) fixed-route fleet (Vehicle ID#167 and #168).

The new Battery Electric Buses, necessary spare parts and equipment and the mechanic and bus operator training will be fully funded with **up to** \$314,633 in State Transportation Assistance (STA), **up to** \$448,606 in State of Good Repair (SGR), **up to \$360,000 in VW Environmental Mitigation Trust Funds¹**, \$244,703 in Low Carbon Transit Operations Program (LCTOP), \$112,594 in Federal Transit Administration (FTA) Section 5339 and \$1,014,300 in FTA Section 5307 UZA FY20-21 apportionment funds. The various funding sources necessary for this procurement have been secured under grant CA-2021-161-00 in FY20-21.

The procurement of these new Battery Electric Buses is in alignment with the RTA Board-adopted Zero Emission Vehicle Purchasing Policy, which was developed to guide the implementation of new technologies necessary to meet California's *Innovative Clean Transit* (ICT) fleet rule requirements. The ICT regulation requires new buses purchased by the RTA to be zero-emission beginning in 2026 (and an all zero-emission fleet by 2040). These two Battery Electric Buses will both meet and exceed this requirement.

¹ In April 2022, staff was informed that our March 2021 pre-application was selected for up to \$180,000 per bus in funding to assist in replacing buses #167 and #168. The attached resolution has been added to this amended Staff Report to allow us to continue with the grant-making process.

Staff is recommending the Board authorize the Executive Director to enter into a Cooperative Purchasing Agreement with the State of Washington through the Master Contract No. 06719 for the procurement of two (2) Gillig Battery Electric Buses for the greatest battery capacity available. The above-referenced Master Contract was competitively bid, evaluated, and awarded pursuant to the State of Washington's procurement laws for goods/services and meets FTA requirements for a State Cooperative Purchasing Contract under the FAST Act Section 3019 (pub.L.114-94). These new buses will be consistent with past fixed-route bus procurements and shall include digital on-board surveillance systems, multiplex wiring systems, GFI fareboxes, and electronic LED front, side/rear destination signs and bike racks.

Declaration of Surplus

Following the replacement of vehicles #167 and #168 with Battery Electric Buses, staff has determined that the RTA currently would have no practical, efficient or appropriate use for the vehicles presented in the table below, nor will it have such a use for it in the near future. The FTA useful life for heavy-duty buses is 500,000 miles or 12 years. Vehicles #167 & #168 have exceeded the FTA useful life requirements in both years and mileage, are starting to experience mechanical failures and higher-cost repairs making it not economically prudent to keep them as a part of the active fleet.

VEHICLE ID#	MILES AS OF 3/23/2022	MAKE	MODEL	YEAR	VIN NUMBER	PLATE #	INSERVICE DATE	PASSENGER COUNT
167	623,325	GILLIG	PHANTOM	2008	15GCD271181112915	1264836	6/1/2008	43 + 2 w/c
168	556,552	GILLIG	PHANTOM	2008	15GCD271381112916	1264737	6/1/2008	43 + 2 w/c

The RTA Purchasing Policy requires staff to determine if surplus vehicles or equipment have a per-unit fair market value greater than \$5,000. Should a vehicle or equipment have a value greater than \$5,000 at time of disposal and was originally purchased using FTA funds, staff is required to return any remaining federal interest back to the FTA. Staff does not anticipate the value of these vehicles to exceed the \$5,000 threshold at time of disposal.

Should the RTA be successful in attaining VW Environmental Mitigation Trust (VEMT) Funds, we would be required to scrap the vehicles within 60 days of receiving the new battery-electric replacement buses. The scrap the proceeds would offset the VEMT Funds award. The RTA would also be responsible for submitting annual reports for three years, as well as other ministerial duties that we already complete (insure the vehicle, register with DMV, etc.)

If the RTA decides to not pursue VEMT Funds, then staff recommends that these vehicles be disposed of through an existing contract with Ken Porter Auctions, be salvaged if the auction company refuses to accept them, or be transferred to another transportation agency or educational institution should there be a need.

Staff Recommendation

Authorize the Executive Director to enter into a Cooperative Purchasing Agreement with the State of Washington through the Master Contract No. 06719 for the procurement of two (2) Gillig Battery Electric Buses and issue a purchase order to Gillig for the procurement of two (2) forty-foot Battery Electric Buses, spare parts and training at a cost not to exceed \$2,134,836. Authorize the Executive Director to submit a grant application for VW Environmental Mitigation Trust Funds. Declare the vehicles listed above as surplus, and once replaced, dispose of through auction, salvage or transfer.

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
RESOLUTION NO. 22-_____**

RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR CERTAIN ASSURANCES, AND AUTHORIZING THE EXECUTION OF ALL INSTRUMENTS NECESSARY TO CONFIRM ALL SUCH ASSURANCES, WITH RESPECT TO APPLICATIONS FOR LOCAL, STATE, AND FEDERAL PROGRAMS, PROJECTS, OR GRANTS RELATING TO THE RECEIPT OF THE VOLKSWAGEN ENVIRONMENTAL MITIGATION TRUST FUNDING

WHEREAS, several local, state, and federal programs allow public transportation and non-profit transportation providers to apply for administration, capital, and operation assistance programs or grants; and

WHEREAS, the Volkswagen Environmental Mitigation Trust Fund (VEMT) became available to public and private owners of transit, schools and shuttle buses to provide funding to eligible applicant recipients for the replacement of old, high-polluting transit, school, and shuttle buses with new battery-electric or fuel-cell buses; and

WHEREAS, funds from the VEMT are administered through San Joaquin Valley Air Pollution Control District (SJVAPCD) and the California Air Resources Board (CARB); and

WHEREAS, it is required for the San Luis Obispo Regional Transit Authority to apply for and sign required assurances, and to administer the VEMT funds with respect to applications for local, state, and federal programs, projects or grants.

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the San Luis Obispo Regional Transit Authority:

1. Based on the above recitals and the staff report and other information provided by RTA staff at the RTA Board's Regular Meeting of May 4, 2022, the RTA hereby authorizes the Executive Director to make application for and to sign certain assurances with respect to the applications for local, state, and federal programs, projects, or grants relating to the receipt of Volkswagen Environmental Mitigation Trust Funding up to the maximum amount authorized under the grant.
2. The Executive Director or his designees may execute an agreement with the Volkswagen Environmental Mitigation Trust Fund, San Joaquin Valley Air Pollution Control District and/or the California Air Resources Board to receive funding for this project. The foregoing notwithstanding, nothing in this Resolution shall constitute a pledge of funds by the RTA, absent the execution of any and all agreements by the Executive Director as provided under this Section.
3. This Resolution shall take effect upon adoption. The RTA Secretary shall certify to the adoption of this Resolution.

On a motion of Delegate _____, seconded by Delegate _____, and on the following roll call, to wit: the foregoing resolution is hereby passed and adopted by the San Luis Obispo Regional Transit Authority of San Luis Obispo County, State of California, at a regular meeting of said Board of Directors held on the 4th day of May 2022.

AYES:

NOES:

ABSENT:

ABSTAINING:

Ed Waage
RTA Board President

ATTEST:

Geoff Straw
RTA Executive Director

APPROVED AS TO FORM AND LEGAL EFFECT:

Rita Neal
County Counsel

By: _____
Jon Ansolabehere
RTA Counsel

Dated: _____
(Original signature in BLUE ink)

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM: A-6

TOPIC: Parts Clerk Job Description

PRESENTED BY: Geoff Straw, Executive Director

STAFF RECOMMENDATION: Authorize Side Letter to Add a Parts Clerk Classification to the CBA

BACKGROUND/DISCUSSION:

During the Triennial Performance Audit in June 2020, the Parts Clerk position was included in the high-priority recommendations. Since completion of the new Bus Maintenance Facility, staff has been evaluating how to optimally manage parts in the new shop. After evaluating staff resources, including current staff vacancies, the addition of a Parts Clerk was deemed reasonable to pursue. The position would not increase the full time equivalents due to a reduction in the Utility classification, since reduced touch surface sanitization is no longer deemed necessary.

Staff met with Teamsters Local 986 officials to discuss the implications of the new classification on the current Collective Bargaining Agreement (CBA) and determined a side letter would be appropriate to incorporate the change at this time. It would include:

- Adding the classification of Parts Clerk to Section IV – Maintenance Employee Provisions in the CBA.
- The benefits for the Parts Clerk would be the same as those included in the CBA.
- The wage scale for 2022:

Step 1	\$23.87
Step 2	\$24.59
Step 3	\$25.32
Step 4	\$26.07
Step 5	\$26.85
Step 6	\$27.66
Step 7	\$28.55

- And the job description (attached to this staff report)

Staff Recommendation for the Board:

Authorize execution of a side letter with Teamsters Local 986 to include the Parts Clerk classification to the existing CBA as outlined above.

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**San Luis Obispo Regional Transit Authority
Job Description**

JOB TITLE: Parts Clerk
DEPARTMENT: Maintenance
REPORTS TO: Manager, Maintenance and Facilities
FLSA STATUS: Non-exempt
EFFECTIVE DATE: March 2022

JOB SUMMARY

Under direction of the Maintenance and Facilities Manager, a Parts Clerk performs skilled maintenance and clerical support duties related to requisitioning, receiving, inspecting, identifying, researching, stocking and issuing a variety of parts, equipment, tools, materials and supplies including highly specialized items for vehicle maintenance and repairs, facilities maintenance and repairs, and custodial activities; assists departments in identifying the correct items to be purchased; performs daily checks and balances as well as weekly group inventories; performs general office work; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

The Parts Clerk performs tasks of various difficulty that requires a moderate knowledge of heavy and light duty vehicles, storekeeping, and purchasing methods as well as related departmental policies, practices, and procedures.

SUPERVISION EXERCISED

Employees in this classification do not exercise supervision over others.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Requisitions, receives, inspects, stocks, and issues a variety of materials and supplies requested by multiple departments, including specialized parts, equipment, and tools for vehicle maintenance and repairs, facilities maintenance and repairs, and custodial activities.
- Assists in identifying and purchasing of parts and supplies from catalogs, parts manuals, internet, and other sources; places orders for parts with vendors online, over the phone, or by submitting purchases requisitions according to policies; issues items to departments.
- Receives, inspects, and stocks deliveries of items ordered by departments and compares items against invoices to confirm completeness of delivery; delivers items to ordering

departments; uses forklift to load/unload larger deliveries, handle and transport hazardous materials, and deliver larger items.

- Performs regular inspections of parts room and other locations as required; maintains an accurate inventory count and keeps records using a computerized inventory system and software; places regular order to stock and restock items that are frequently requested.
- Monitors accumulates metal, hazardous waste and other items and notifies supervisor and/or management of the need for disposal and assists in the process.
- Packages and ships items needing repair or warranty work.
- Maintains the parts room in a clean and orderly fashion.
- Assists in vendor selection and monitors vendor performance.
- Performs data entry to update and maintain information in digital files; compiles and prepares data for statistical and accounting reports; may create spreadsheets and other tools to track information.
- Creates and types up correspondence and other documentation.
- Answers phones, greet visitors, and provides information to employees and the public.
- Operates standard office equipment; utilizes computer software in performing job tasks.
- Performs related work as required.
- Establish and Maintain vehicle Oil Analysis Program
- Maintain Leases and Capped Tire inventory to adequate levels
- Assist in various administrative duties as needed

MINIMUM QUALIFICATIONS

Any combination of experience and education that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education, Training, and Experience:

- High school diploma or general education degree (GED); or one to three months related experience and/or training; or equivalent combination of education and experience.

LICENSES and/or CERTIFICATIONS

- A valid Class C California Driver's License is required at the time of appointment and throughout employment.
- A satisfactory driving record

REQUIRED KNOWLEDGE & ABILITIES

- Standard equipment, parts, tools, and supplies required for maintaining and appropriately storing:

- Light and heavy duty vehicle systems.
- Wide variety of non-vehicular equipment and facilities department needs.
- Custodial work as well as other general operational needs of a transit agency.
- Standard shop safety practices and safety operate RTA equipment and vehicles.
- Principles and methods of maintaining standard inventory of high demands.
- Methods of determining the availability and best price for equipment, parts, tools, and supplies.
- Standard processes pertaining to purchasing and related data maintenance.
- Office practices, procedures, and equipment.
- Intermediate methods of:
 - Maintaining information in digital and hard copy files.
 - Researching, gathering, organizing, and reporting data.
 - Prioritizing, planning, and organizing all other work.
 - Time management skills and techniques.
 - Customer service skills and techniques, including telephone etiquette and skills.
- Learn and effectively apply the RTA's policies and procedures
- Maintain attention to detail in a work environment of frequent interruptions.
- Understand and follow guidelines for safe handling of toxic and/or caustic chemicals and other hazardous materials.
- Establish and maintain effective working relationships with those contacted in the performance of required duties.
- Perform essential functions of the job without causing harm to self or others.
- Recognize and detect equipment malfunctions.
- Demonstrate the correct use of standard hand tools for facility maintenance.
- Understand and effectively follow written and oral instructions.

REQUIRED COMPUTER SKILLS

- Basic literacy with personal computers and Windows applications.
- The effective use of modern office equipment, personal computers, and standard business software.

PHYSICAL AND MENTAL REQUIREMENTS

The essential functions of this job are performed in both a shop environment and outside in various weather conditions, including extreme heat and cold. Work is performed on ladders, around moving vehicles, equipment and machinery with moving parts, under wet and slippery conditions and, occasionally, with hands in water. Incumbents are exposed on a daily basis to a dry atmosphere, intermittent loud noise and vibrations, dust, silica, fumes, smoke, gases, grease, oils, electrical energy, and toxic and/or caustic chemicals.

On a daily basis, the essential functions of the job require employees to climb ladders, stoop, kneel, crouch, stand, and walk and occasionally to crawl into confined spaces; to extend arms

and use upper extremities, finger dexterity and hand strength to reach, pick, pinch and grasp tools and controls and/or to feel the attributes of objects; to lift, and carry objects weighing up to 50 pounds; to push and pull objects weighing up to 150 pounds; to hear and talk to receive and communicate instructions and other information; to rotate neck left and right and bend neck forward and backward; to bend and twist torso; to read and see objects clearly within one foot to arms length, and occasionally to twenty feet, requiring a full field of vision and good depth perception with the ability to adjust focus and distinguish basic colors and shades of color; and to operate vehicles and equipment requiring the use of both feet and hands.

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
MAY 4, 2022
STAFF REPORT**

AGENDA ITEM: A-7

TOPIC: County Auditor/Controller Services

PRESENTED BY: Tania Arnold, Deputy Director/CFO

STAFF RECOMMENDATION: Approve Agreement for County Auditor/Controller Services

BACKGROUND/DISCUSSION:

Each fiscal year, the County of San Luis Obispo Auditor – Controller, Treasurer – Tax Collector’s office provides the RTA services related to general accounting, accounts payable, and accounting support. The attached services agreement notes their responsibilities as well as the responsibilities of the RTA, including to inform them of significant noncompliance, fraud and/or error immediately upon discovery.

Staff Recommendation

Approve the attached service agreement with the County of San Luis Obispo Auditor – Controller, Treasurer – Tax Collector for services during fiscal year 2022-2023 for \$6,258, and authorize the RTA Board President and Executive Director execute the agreement.

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COUNTY OF SAN LUIS OBISPO

AUDITOR - CONTROLLER • TREASURER - TAX COLLECTOR

James W. Hamilton, CPA Auditor-Controller • Treasurer-Tax Collector

Lydia J. Corr, CPA Assistant Auditor-Controller • Treasurer-Tax Collector

April 1, 2022

To the Board of Directors and Management
San Luis Obispo Regional Transit Authority (SLORTA)

We are pleased to confirm our understanding of the terms and costs of our services under this agreement for the 2022-2023 fiscal year.

Scope of Services

We will provide the following services:

1. **General Accounting** - includes use of the County's centralized accounting system and recording of financial system entries submitted by the agency. Transactions will be reviewed for authorization by appropriate agency personnel prior to processing. In addition, access to the accounting system's financial reports will be available to the agency as needed.
2. **Accounts Payable** - includes processing payment claims by warrant or ACH. Claims will be reviewed to validate two authorized agency signers have approved the payment prior to processing, recording, and mailing payments. Any invoices submitted with payment claims will be scanned and archived for retention. Review of invoices for mathematical accuracy and appropriateness of expenditure is not part of this service agreement.
3. **Accounting Support** - includes recording your Agency's budget, ensuring expenditures do not exceed authorized budget, responding to routine inquiries, working with external auditors, and replying to bank confirmations.
4. **Term** - Our services and responsibility end on June 30, 2023.

Our Responsibilities

Notwithstanding, and in addition to, responsibilities assigned to the Auditor-Controller and Treasurer under the SLORTA JPA, our responsibility under this service agreement is to perform the services enumerated above. We will not audit accounting entries, payment claims or budget transactions, nor will we validate the appropriateness of accounting transactions or claims for

payment. Our service does not include annual preparation of 1099's or preparation of payroll reports.

Our services are not designed to detect instances of fraud, noncompliance with laws or regulations or significant errors; however, we will communicate to you any known and suspected fraud, noncompliance with laws or regulations or significant errors that come to our attention.

Your Responsibilities

You are responsible for (1) ensuring all transactions are submitted and/or approved by authorized staff, (2) reviewing all transactions prior to submittal to ensure appropriateness of the expenditure, compliance with laws or regulations and to check for significant errors and fraud, (3) retaining all source documents, and (4) providing all Board authorized budgets and budget amendments. You are encouraged to routinely provide accounting reports and payment registers to your Board for review.

You agree to inform us of significant noncompliance, fraud and/or errors immediately upon discovery.

For all services we provide to you, management agrees to assume all management responsibilities; oversee the services by designating an individual who possesses suitable skill, knowledge, and/or experience to understand the services; evaluate the adequacy and results of the services; and accept responsibility for the results of the services.

Annual Cost and Billing

The annual cost for the services identified above is \$6,258. Your agency will be billed by journal entry during the first quarter of the fiscal year for the entire annual costs. A copy of the journal entry will be provided to your agency.

Agreement

We appreciate the opportunity to be of service to you and believe this letter accurately summarized the significant terms of our agreement. This letter constitutes the entire agreement regarding these services and supersedes all prior agreements.

Sincerely,



James W. Hamilton, CPA
Auditor-Controller-Treasurer-Tax Collector

Authorized Signature Director _____ Date _____

Authorized Signature Board Chair _____ A-7-4 _____ Date _____

County of San Luis Obispo Government Center

1055 Monterey Street, Room D290 | San Luis Obispo, CA 93408 | (P) 805-781-5831 | (F) 805-781-5362

ttc@co.slo.ca.us | http://sloacttc.com

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
MAY 4, 2022
STAFF REPORT**

AGENDA ITEM: A-8

TOPIC: Amended Contract with RTA Executive Director

ACTION: Approve

PRESENTED BY: Geoff Straw, RTA Executive Director

STAFF RECOMMENDATION: Approve

BACKGROUND/DISCUSSION:

Following the recent employee review process, the RTA Executive Committee and RTA Counsel met with me in closed session at the April 6, 2022 meeting to discuss my performance and possible future changes to my annual Employment Contract. The full RTA Board is also scheduled to meet with me in Closed Session on my proposed changes to my Employment Contract, which is attached.

Although I did not seek a merit increase last calendar year due to financial uncertainties caused by the COVID-19 pandemic, I am seeking a 5% merit increase in 2022. In addition, the attached draft employment agreement identifies the proposed cost of living adjustment effective on July 1st, which has been the tradition for all other non-union RTA employees. I am asking the Board to authorize its President to execute the attached Employment Contract on the Board's behalf.

Staff Recommendation

Authorize the RTA Board President to execute the amended the annual Employment Contract for the Executive Director.

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**EXECUTIVE DIRECTOR EMPLOYMENT CONTRACT
BETWEEN SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
AND GEOFF STRAW**

THIS CONTRACT entered into this ~~3rd day of March 2021~~^{4th day of May 2022} by and between the SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY, a California Joint Powers Authority (hereinafter referred to as “SLORTA”) and GEOFF STRAW, an individual (hereinafter referred to as “Employee”).

WITNESSETH

WHEREAS, SLORTA desires to continue the employment of Geoff Straw as Executive Director of the San Luis Obispo Regional Transit Authority; and

WHEREAS, Geoff Straw desires to serve as the Executive Director of the San Luis Obispo Regional Transit Authority pursuant to the provisions of this Contract; and

WHEREAS, the Board of Directors, as appointing authority, and Geoff Straw desire to specify in a contract as to the terms and conditions of Geoff Straw’s continuing employment as Executive Director.

NOW, THEREFORE, the parties do mutually agree as follows:

1. Employment. SLORTA hereby engages Employee as Executive Director of SLORTA, and Employee hereby agrees to perform for SLORTA the services hereinafter set forth for the compensation and benefits hereinafter set forth, all pursuant to the terms and conditions herein.

2. Scope of Services. Pursuant to this Contract, Employee shall perform all functions and duties of the Executive Director, as specified in the SLORTA Joint Powers Agreement, and such other legally permissible and proper duties and functions as may be assigned by the Board of Directors.

3. Employment Status. Employee will be eligible for membership in any and all benefits from any group plan for hospital, surgical, or medical insurance provided to SLORTA employees, as well as being eligible for membership in any retirement program, or for such other job benefits accruable to an employee in the classified service of SLORTA.

Employee understands and agrees that his term of employment is governed only by this Contract, that no right of tenure is created hereby, that he serves SLORTA as an “at-will” employee, and is exempt from the provisions of the Federal Fair Labor Standards Act (FLSA).

4. Term of Contract. This Contract shall commence on the 8th day of January 2020 and shall continue until terminated by either party in accordance with the provisions set forth herein. This Contract replaces the original employment contract entered into between SLORTA and Employee in January, 2012, and all subsequent amendments thereto.

5. Compensation. Commencing January ~~15, 2021~~, 2022, SLORTA shall pay to Employee as compensation in full for all services performed by Employee pursuant to this Contract an annual salary of \$~~154,280~~161,994 per year, payable in increments compatible with SLORTA’s payment of other employees. A salary increase of ~~three-four~~ percent (34%) shall be made effective July 1, ~~2021~~2022 representing a cost of living adjustment for the previous year. Thereafter, Employee’s annual salary and salary range shall be adjusted annually based on the same cost of living adjustment provided to other SLORTA employees as part of the annual budget-making process.

6. Other Supplemental Benefits.

a. Vacation, Holidays, Sick, Administrative Leave, and Jury Duty.

Employee shall be entitled to accrue up to twelve (12) vacation days annually accrued at the rate of 3.69 hours per pay period, and one (1) additional day per year, in accordance with the RTA Vacation Accrual Rate Table, up to a maximum of twenty (20) vacation days annually. Vacation may be carried over to a maximum of two years of entitlement.

Employee shall be entitled to thirteen (13) holidays per year as specified in accordance

with a holiday schedule for the San Luis Obispo Regional Transportation Authority as approved by the Board of Directors.

Employee shall be entitled to accrue up to twelve (12) sick days of paid sick leave per year, at an accrual rate of 3.69 hours per pay period, with a maximum accrual of 260 days.

Employee shall further be entitled to compensation at the end of employment for all unused vacation time and for 1/2 of the accrued sick leave up to a maximum of 180 days.

Employee is also entitled to paid administrative leave of up to six (6) days per year.

Employee shall be further entitled to leave of absence with pay for jury duty, provided all jury fees shall be paid to the County Treasurer on behalf of SLORTA.

b. Retirement. SLORTA agrees to provide to Employee retirement benefits in the San Luis Obispo County Pension Trust (SLOCPT) retirement plan which provides 2% at age 60 “, averaging the highest final 36 months of compensation, with a maximum benefit of 2.5% at age 65, as approved by the Board of Directors on January 8, 2020—~~SLORTA further agrees to make contributions to Employee’s IRS 457 plan in an amount equal to 4.5% of Employee’s base salary until Employee reaches the age of 55, at which time such contributions shall cease.~~—Employee’s entitlement to benefits in the SLOCPT retirement plan and contributions to Employee’s IRS 457 plan are more particularly described in that certain Settlement Agreement and Release of Claims between SLORTA and Employee and approved by SLORTA on January 8, 2020.;

c. Medical, Dental and Vision. SLORTA agrees to provide 100% of the premium towards the SLORTA approved medical health program for purposes of health coverage, dental, and vision insurance premiums for the Employee and all eligible family members. Medical, Dental, and Vision coverage is to be provided through the Special District Risk Management Authority (SDRMA) as part of the CSAC-EIA Small Group Health Benefits Program. Should Employee wish to increase health care coverage with SDRMA, the premium

difference will be the Employee's sole responsibility, and will be paid on a pre-tax basis. The medical health care allowance shall be automatically adjusted throughout the term of this Agreement to be equivalent to the allowance provided to all other SLORTA employees.

d. Disability and Life Insurance. SLORTA shall provide the following insurance benefits: (1) Long-term disability insurance providing 2/3 of gross monthly salary to age 65 for any sickness or accident after a 90-day waiting period up to a maximum salary of \$4,500; and (2) \$100,000 term life insurance.

e. Private Vehicle Use, Automobile Allowance, and Transit Pass. SLORTA shall reimburse Employee at such rate as is adopted by the Board of Directors for the use of a private vehicle on "authorized agency business" conducted "outside the County of San Luis Obispo." Employee agrees to carry all necessary vehicle insurance. Employee shall also be entitled to four-hundred (\$400) dollars per month as an automobile allowance, and shall further be entitled to a Monthly Regional Transit Pass.

f. Severance pay. If Employee is terminated by the Board of Directors while still willing and able to perform the duties of Executive Director, SLORTA agrees to pay Employee, in addition to any other amounts that may be due Employee at the time of separation of employment, a lump sum cash payment equal to three (3) months salary, retirement and insurance benefits covered by this Contract, or a continuation of salary and benefits for a period of three (3) months, the particular method to be negotiated at the time of separation.

However, if Employee is terminated pursuant to the provisions of Paragraph 8 of this Contract, then SLORTA shall have no obligation to pay the severance set forth herein.

g. Social Security and Deferred Compensation. SLORTA shall provide the employer contribution to the federal Social Security Program, and shall also provide \$200 per pay period into a private deferred compensation program established by SLORTA for Employee.

h. General Expenses. Employee shall be permitted to attend relevant conferences, seminars, and other such meetings, the reasonable cost of which shall be paid by SLORTA. SLORTA shall reimburse Employee in accordance with its customary expense reimbursement policies and procedures for expenses incurred by Employee in the execution of his duties under this Contract.

i. Other Benefits. Employee, as Executive Director, shall be entitled to an agency cell phone for continual access in the execution of his duties under this Contract. Employee shall also be entitled to enjoy such other benefits that SLORTA may establish in the future for its employees.

7. Termination of Contract for Convenience. Either party may terminate this Contract at any time by giving to the other party fourteen (14) days written notice of such termination specifying the effective date of such termination. Termination shall have no effect upon the rights and obligations of the parties arising out of transactions occurring prior to the effective date of such termination. Employee shall be paid for all work satisfactorily completed prior to the effective date of such termination and for all unused vacation time, and ½ of accrued sick leave accrued to date of termination as specified in section 6(a). However, employee shall only be entitled to Severance Pay, as identified in paragraph 6f, upon “Termination of Contract for Convenience” by action taken by the SLORTA Board of Directors.

8. Termination of Contract for Cause. If Employee fails to fulfill in a timely and professional manner any obligations under this Contract, SLORTA shall have the right to terminate this Contract effective immediately upon giving written notice thereof to Employee. Termination of this Contract under the provisions of this paragraph shall have no effect upon the rights and obligations of the parties arising out of any transaction occurring prior to the effective date of such termination. In the event of termination, Employee shall be paid for all

work satisfactorily completed prior to the effective date of such termination, all unused vacation time, all benefits or prorated portions thereof through the date of termination, and all reimbursed Employee expenses pursuant to paragraph 6(h) therein. However, Employee shall not be entitled to any severance pay.

9. Performance Evaluation. SLORTA shall evaluate Employee's performance annually as set forth in the adopted Executive Director Performance Evaluation Process, and described in Section 5, and shall establish, with the Employee, performance goals, and objectives for the ensuing year. The performance evaluation shall be facilitated with the assistance of legal counsel and shall be performed by the SLORTA Board of Directors and SLORTA staff.

10. Modification. This Contract constitutes the entire understanding of the parties hereto and no changes, amendments, or alterations shall be effective unless in writing and signed by both parties.

11. Non-Assignment of Contract. This Contract is intended to secure the unique and individual services of the Employee and thus Employee shall not assign, transfer, delegate, or sublet this Contract or any interest herein.

12. Covenant. The validity, enforceability, and interpretation of any of the clauses of this Contract shall be determined and governed by the laws of the State of California.

13. Enforceability. The invalidity and unenforceability of any terms or provisions hereof shall in no way affect the validity or enforceability of any other terms or provisions.

14. Nondiscrimination. There shall be no discrimination against any person employed pursuant to this Contract in any manner forbidden by law.

15. Copyright. Any reports, maps, documents, or other materials produced in whole or part under this Contract shall be the property of SLORTA and shall not be subject to any application for copyright by or on behalf of the Employee.

16. Findings Confidential. No reports, maps, information, documents, or any other materials given to or prepared by Employee under this Contract shall become the property of Employee, nor shall be made available to any individual or organization by Employee without the approval of the SLORTA.

IN WITNESS WHEREOF, SLORTA and Employee have executed this Contract on the day and year first hereinabove set forth.

GEOFF STRAW

~~FRED STRONG~~ EDWARD WAAGE, President

~~CHELSEA SPERAKO~~ SHELBY WALKER, Recording Secretary

APPROVED AS TO FORM AND LEGAL EFFECT

~~NINA NEGRANTI, JON ANSOLABEHERE~~,

SLORTA Legal Counsel

Dated: _____

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SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM: A-9

TOPIC: Contract Renewal - AGP Video Production of Board Meetings

PRESENTED BY: Tania Arnold

STAFF RECOMMENDATION: Approve contract with AGP Video for one year to televise all RTA and SLOCOG meetings with costs shared on a pro-rata basis

BACKGROUND/DISCUSSION:

With public meetings returning to an in person/hybrid format and the current contract expiring on June 30, 2022, RTA and SLOCOG staff contacted the Contractor to discuss potential contract modifications for the upcoming year. The Contractor and staff worked cooperatively to produce a new contract that reflects the flexibility needed for today's public meetings. The new contract between the RTA and SLOCOG and AGP Video provides a work plan and costs to conduct video recording of all meetings. The proposed contract changes the existing agreement with AGP Video including the Key Point Indexing (KPI) services. The annual cost to video six RTA meetings (typically includes July, September, November, January, March, and May) is approximately \$5,400-\$11,700 (six meetings at \$750-\$1,750 each and the KPI Service of six meetings at \$200 each, with no overtime). The low end of the range reflects an in person only meeting; while the high end of the range reflects the cost of a true hybrid meeting (members attending in person and online via video conferencing).

In April 2013, 2014, 2015, 2016, 2017, 2018, and 2021, the RTA Board approved contracts with AGP Video to televise all RTA meetings with costs shared on a pro-rata basis with SLOCOG. The previous contract provided video services of \$715 and KPI service of \$150 per regular Board meeting. The terms of the new proposed contract provides video services for \$750-\$1,750 per meeting for all regular Board meetings that extend from 2.0 to 3.5 hours in length. RTA pays \$200 per meeting for the KPI service, which relates Agenda Items to specific timestamps in the recording. RTA also pays \$132 per hour overtime for all overtime hours beyond the 3.5-hour length, billed in 15-minute increments rounded up.

The meetings will continue to be broadcast live and replayed on Channel 21 as well as being webcast on the Internet at www.slo-span.org. The SLO-SPAN network, produced by AGP Video is a public service of Charter Communications and provides televised access of government and other meetings held throughout the county. Additional replays of meetings are cablecast as the schedule permits and are located online at

www.slo-span.org. Meeting DVDs can be provided to the public by AGP for a cost not to exceed \$25 per DVD.

Staff Recommendation

Approve contract with AGP Video for one year to televise all RTA and SLOCOG meetings with costs shared on a pro-rata basis (approximately \$6650-\$13650 annually). (SLOCOG approved separately at their April 2022 meeting).

**AGREEMENT TO PROVIDE VIDEO PRODUCTION AND MEDIA DISTRIBUTION
SERVICES FOR RTA BOARD MEETINGS FOR FISCAL YEAR
2022/2023**

THIS AGREEMENT is entered into by and between the San Luis Obispo Regional Transit Authority (hereinafter referred to as "RTA") and AGP Video, a California Corporation (hereinafter referred to as "Contractor").

Witnesseth:

WHEREAS, RTA has a need for special services to provide video production services to document the RTA Board meetings and to distribute copies of the video as needed; and

WHEREAS, Contractor is specially trained, experienced and competent to perform such services;

WHEREAS, RTA and Contractor entered into their first agreement prior to 2008 and last updated their agreement on May 5, 2021, to approve a one-year contract extension, noting that circumstances related to changing technology require a new agreement;

NOW THEREFORE, the parties mutually agree as follows:

I. SCOPE OF WORK

- A. Without exception Contractor will provide gavel-to-gavel, unedited coverage of all regular RTA meetings held from July 1, 2022, through June 30, 2023. RTA shall provide Contractor with current calendar of scheduled meetings when the calendar is approved.
- B. The agenda item number and agenda description will be presented on the screen only, whenever possible.
- C. Contractor will produce special meetings of the RTA Board as requested by appropriate representatives of RTA.
- D. Contractor will archive all meetings with Key Point Indexing (KPI) within three business days of the meeting date.
- E. Contractor will program the file to play on Charter Channel 21, the Countywide Government channel for cablecast. The initial replay of the meeting will be at 6 pm on the day it is held. The meeting will be scheduled to replay at a variety of times a minimum of six (6) times in the week after the meeting date, and may stay in the program schedule up until the next meeting is held.
- F. Contractor may provide additional copies of the meetings to the public, upon request, at a cost not to exceed \$25 per media. RTA or other agencies requesting copies of additional media will pay \$15 per media.
- G. The work to be done by the contractor pursuant to this Agreement shall include the furnishing of all labor, supervision, equipment, materials, supplies and all other items necessary to perform the services required.
- H. The Contractor may provide videotaping, cable casting, web-streaming, or other related services for "special" meetings upon request of RTA.

II. CONTRACT PERFORMANCE

- A. The Contractor shall, at all times during the term of this Agreement, provide high quality, efficient, technically-competent and professional service in accordance with the standards of the industry and to the reasonable satisfaction of RTA.

- B. The Contractor will be using San Luis Obispo County equipment to perform work under this contract and will report to the County any problems with the equipment and will maintain and operate the equipment in a professional manner.
- C. Contractor shall, at all times during the contracted events, have at least one employee in the production facility (control room) who has a minimum of two years video production experience in environments similar to that of RTA or the County of San Luis Obispo.
- D. Contractor will ensure that all production employees involved in providing services under this Agreement have been thoroughly trained on use of the County of San Luis Obispo's control room equipment prior to working on an event at the County Government Center.
- E. RTA strongly prefers that Contractor production employees assigned to work on any event under this Agreement have experience in working on video production of at least 4 live government meetings prior to working on any event covered under this Agreement.
- F. Contractor will act with due diligence to meet the following quality production expectations:
 - Camera Takes are to be cut or fade away. There will be no "wipes."
 - Picture in Picture is employed when appropriate.
 - Camera takes are to follow the speaker as quickly as possible.
 - Agenda identification slates are to be displayed as quickly as possible following a subject change and shall display the agenda item number and description and shall comply with all RTA requests regarding captioning.
 - Sound levels are to be kept consistent within the best possible range.
- G. Contractor will meet with RTA on a biannual basis to discuss performance and operational issues and address performance and operational issues identified by RTA. RTA will schedule such meetings and notify Contractor in writing of the established schedule. The frequency of such performance reviews may be reduced at the RTA's discretion.
- H. Contractor will not make any hardware configuration changes to County-owned equipment nor remove any County-owned property from the Board Chambers control room without prior written consent or involvement of the County's Information Technology Department staff.
- I. Contractor will not modify nor upgrade any software used on County owned equipment, including the installation of new releases or patches, without prior consent or involvement of the County's Information Technology Department support staff.
- J. At the conclusion of any/all meetings at the facilities of all other agencies or organizations, Contractor shall return all equipment to predefined, default states. As these states may change from time-to-time, they are not specified within this Agreement.
- K. Production primary recordings are to be digital with an analog back up.
- L. Master copies are to be digital where possible.

III. EMPLOYMENT STATUS

Contractor shall, during the entire term of the Agreement, be construed to be an independent Contractor and nothing in this agreement is intended nor shall be construed to create an employer-employee relationship.

IV. COMPENSATION

- Virtual Meeting: no on-site presence, completely remote: \$750 for production \$200 for streaming and archiving: \$950
- On-site meeting, no remote participation: \$800 production; \$200 for streaming and archiving with KPI = \$1000
- On-site meeting, remote participation of audio only: \$850 production, \$200 for streaming and archiving with KPI = \$1050

- On-site meeting, remote participation with audio and video: \$1750 production, \$200 for streaming and archiving.

V. INVOICES

Contractor shall submit to RTA an invoice detailing the services performed during the preceding period. Contractor shall specify the length of time of RTA sessions separately on each invoice.

VI. PAYMENTS

RTA shall pay within twenty (20) days after receipt of a complete and accurate invoice of video production/tape distribution activities.

VII. INSURANCE

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, or employees.

A. Minimum Scope of Insurance - Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
2. Insurance Services Office Business Auto Coverage Form Number CA 0001. Code 1 (any auto).
3. Worker's Compensation insurance as required by the State of California and Employer's Liability Insurance.

B. Minimum Limits of Insurance - Contractor shall maintain limits no less than:

1. General Liability - \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability - \$1,000,000 per accident for bodily injury and property damage.

VIII. INDEMNIFICATION

The Contractor shall defend, indemnify and hold harmless RTA, its officers and employees from all claims, demands, damages, costs, expenses, judgments, attorney fees, liabilities or other losses that may be asserted by any person or entity, and that arise out of or are made in connection with the acts or omissions relating to the performance of any duty, obligation, or work hereunder. The obligation to indemnify shall be effective and shall extend to all such claims and losses, in their entirety, even when such claims or losses arise from the comparative negligence of the County, its officers, and employees. However, this indemnity will not extend to any claims or losses arising out of the sole negligence or willful misconduct of RTA, its officers and employees.

The preceding paragraph applies to any theory of recovery relating to said act or omission by the Contractor, or its agents, employees, or other independent contractors directly responsible to Contractor, including, but not limited to the following:

1. Violation of statute, ordinance, or regulation.
2. Professional malpractice.
3. Willful, intentional or other wrongful acts, or failures to act.
4. Negligence or recklessness.
5. Furnishing of defective or dangerous products.
6. Premises liability.
7. Strict liability.
8. Inverse condemnation.
9. Violation of civil rights.
10. Violation of any federal or state statute, regulation, or ruling resulting in a determination by the Internal Revenue Service, California Franchise Tax Board or any other California public

entity responsible for collecting payroll taxes, when the Contractor is not an independent contractor.

It is the intent of the parties to provide RTA the fullest indemnification, defense, and "hold harmless" rights allowed under the law. If any word(s) contained herein are deemed by a court to be in contravention of applicable law, said word(s) shall be severed from this contract and the remaining language shall be given full force and effect.

IX. TERMINATION OF AGREEMENT

RTA reserves the right to terminate this agreement for convenience, without cause, by the Executive Director at the instruction of the San Luis Obispo Regional Transit Authority, on one-week prior written notice.

X. TERM OF AGREEMENT

The effective date of this agreement shall be May 4, 2022. The term of the agreement shall be for the entire fiscal year 2022/2023 (July 1, 2022 – June 30, 2023), with the option of a one-year extension of the contract for up to 4 additional years. RTA shall contact the Contractor two months prior to the end of each fiscal year to discuss potential contract modifications for the upcoming year.

XI. NOTICES

All notices and communications with respect to this Agreement shall be in writing and served as follows:

San Luis Obispo RTA
253 Elks Lane
San Luis Obispo, CA 93401
Attn: RTA Executive Director

AGP Video
1600 Preston Lane
Morro Bay, CA 93442
Attn: Steve Mathieu and Nancy Castle

XII. EQUAL EMPLOYMENT OPPORTUNITY

During the performance of this contract, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, and hereby promises to comply with the provision on contractor agreements contained in Presidential Executive Order Number 11246.

XIII. ENTIRE AGREEMENT AND MODIFICATION

This Contract supersedes all previous contracts and constitutes the entire understanding of the parties hereto. Contractor shall be entitled to no other benefits than those specified herein. No changes, amendments or alterations shall be effective unless in writing and signed by both parties. Contractor specifically acknowledges that in entering into and executing this Contract, Contractor relies solely upon the provisions contained in this Contract and no others.

XIV. NON-ASSIGNMENT OF CONTRACT

Inasmuch as this Contract is intended to secure the specialized services of the Contractor, Contractor may not assign, transfer, delegate or sublet any interest therein without the prior written consent of RTA and any such assignment, transfer, delegation or sublease without RTA's prior written consent shall be considered null and void.

XV. COVENANT

This Contract has been executed and delivered in the State of California and the validity, enforceability and interpretation of any of the clauses of this Contract shall be determined and governed by the laws of the State of California. All duties and obligations of the parties created hereunder are performable in San Luis Obispo County and such County shall be the venue for any action or proceeding that may be brought or arise out of, in connection with or by reason of this Contract.

XVI. ENFORCEABILITY

If any term, covenant, condition or provision of this agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

XVII. WARRANTY OF CONTRACTOR

Contractor warrants that Contractor and each of the personnel employed or otherwise retained by Contractor are properly certified and licensed under the laws and regulations of the State of California to provide the special services herein agreed to.

XVIII. RECORDS

- a. Contractor shall keep complete and accurate records for the services performed pursuant to this Contract and any records required by law or government regulation and shall make such records available to County upon request.
- b. Contractor shall assure the confidentiality of any records that are required by law to be so maintained.
- c. Contractor shall prepare and forward such additional or supplementary records as RTA may reasonably request.

ACCEPTED BY:

Ed Waage President, San Luis Obispo Regional Transit Authority (RTA) 253 Elks Lane, San Luis Obispo CA 93401 (805) 541-2228	Date

Nancy Castle, AGP Video, CFO 1600 Preston Lane, Morro Bay, CA 93442 (805) 772-2715	Date

APPROVED AS TO FORM AND LEGAL EFFECT:

Jon Ansolabehere RTA Legal Counsel	Date

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SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM: A-10

TOPIC: COVID-19 Fiscal Emergency

PRESENTED BY: Geoff Straw

STAFF RECOMMENDATION: Rescind Resolution Declaring a Fiscal Emergency Due to the Impacts of the COVID-19 Pandemic

BACKGROUND/DISCUSSION:

At a Special April 1, 2020 meeting, the RTA Board adopted a resolution declaring a fiscal emergency due to the COVID-19 pandemic. The fiscal emergency authorized me to implement emergency service reductions due to reductions in work force due to illness, illness of a family member, and/or to care for children under age 13 due to school closures. The fiscal emergency also permitted me purchase authority up to \$250,000 to respond to the pandemic and to take other such actions that may extend beyond existing authority. The original Resolution adopted on April 1, 2020 is presented below.

Now that we have endured two years of the pandemic by implementing measures to protect employees and riders, and in no small measure due to the development of effective vaccines that help prevent serious illness, we are now transitioning from a state of pandemic to an endemic response. As such, staff is recommending that the RTA Board rescind the fiscal emergency.

Staff Recommendation

Rescind Resolution declaring a fiscal emergency due to the impacts of the COVID-19 pandemic.

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SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
RESOLUTION NO. 20- B

**RESOLUTION DECLARING A FISCAL EMERGENCY
DUE TO THE COVID-19 PANDEMIC**

WHEREAS, a novel coronavirus (COVID-19) was first detected in Wuhan City, Hubei Province, China, in December 2019 and has spread throughout the world and the United States at alarming rates; and

WHEREAS, the World Health Organization has declared the spread of the novel coronavirus a pandemic; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) considers the virus to be a very serious public health threat, based on current information; and

WHEREAS, an emergency has been declared by the President of the United States, Governor of California, and the San Luis Obispo County Office of Emergency Services; and

WHEREAS, on Wednesday, March 18, 2020 the Emergency Services Director for San Luis Obispo County issued a Shelter at Home Order for the County of San Luis Obispo, which took effect on Thursday, March 19, 2020 at 5:00 pm; and

WHEREAS, on Thursday, March 19, 2020, California Governor Gavin Newsom signed an Executive Order to Stay Home Except for Essential Needs for all of California; and

WHEREAS, rapidly changing conditions necessitate reductions in public transportation services due to illness among Bus Operators and Technicians; and

WHEREAS, there presently exists a fiscal emergency in that the RTA is experiencing a reduction in fare revenue from the loss of ridership over the past few weeks and suspension of fares effective March 23, 2020 due to the fiscal and health impacts of the COVID 19 pandemic; and

WHEREAS, these current emergency conditions require greater flexibility to respond to the pandemic, including increased purchasing authority of the Executive Director and/or his designee.

THEREFORE BE IT RESOLVED that the Board of Directors of the San Luis Obispo Regional Transit Authority hereby adopts the findings set forth in the Recitals above; and

BE IT FURTHER RESOLVED that the Board of Directors of the San Luis Obispo Regional Transit Authority declares a Fiscal Emergency effective April 1, 2020, and authorizes the Executive Director and/or his designee to begin emergency bus service reductions as may be necessary to respond to the current fiscal emergency;

BE IT FURTHER RESOLVED that the Board of Directors hereby authorizes the Executive Director and/or his designee to take all actions necessary to protect RTA employees and the public from this health and fiscal emergency;

BE IT FURTHER RESOLVED that the Board of Directors of the San Luis Obispo Regional Transit Authority authorizes emergency purchases of up to \$250,000 by the authority of the Executive Director and/or his designee to respond to the COVID-19 pandemic; and

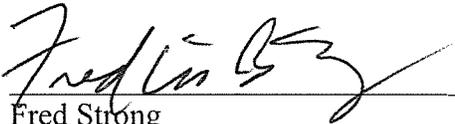
BE IT FURTHER RESOLVED that the Board of Directors of the San Luis Obispo Regional Transit Authority set a further hearing to respond to suggestions made by the public at the April 1, 2020 public meeting within 30 days from April 1, 2020.in accordance with Public Resources Code §21080.32.

On a motion of Director Heather Moreno seconded by Director Lynn Compton, and on the following roll call, to wit: the foregoing resolution is hereby passed and adopted by the San Luis Obispo Regional Transit Authority of San Luis Obispo County, State of California, at a regular meeting of said Board of Directors held on the 1st day of April 2020.

AYES: ARNOLD, COMPTON, GIBSON, PESCHONG, DAVIS, BRIGHT,
MORENO, PAULDING, PEASE, STRONG, WAGGE
NOES: ~~Ø~~

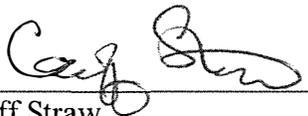
ABSENT: HILL

ABSTAINING: ~~Ø~~



Fred Strong
RTA Board President

ATTEST:



Geoff Straw
RTA Executive Director

APPROVED AS TO FORM AND LEGAL EFFECT:

Rita L. Neal
County Counsel

By: 

Nina Negranti
RTA Counsel

Dated: 4/1/20

(Original signature in BLUE ink)



San Luis Obispo Regional Transit Authority
Executive Committee Meeting
Minutes 04/06/2022
A-11

Members Present: Debbie Arnold, District 5 Supervisor, **Vice President**
Ed Waage, City of Pismo Beach, **President**

Members Absent: John Peschong, District 1 Supervisor

Staff Present: Geoff Straw, Executive Director
Tania Arnold, Deputy Director and CFO
Jenni Wilkes, Interim Administrative Assistant
Jon Ansolabehere, County Counsel
Pete Rodgers, SLOCOG

Call to Order and Roll Call: **President Ed Waage** called the meeting to order at 10:58 AM and roll call was taken. A quorum was present.

Public Comment: **Mr. Eric Greening** thanked Tania and staff for putting together an RTAC agenda including the proposed budget with plenty of time to be reviewed. **Mr. Greening** expressed his thanks to the entire RTA staff for continuing to be safe and professional despite an understaffed driving force.

1. **Consent Items**

A-1 Executive Committee Meeting Minutes of February 9, 2022 (Approve)

Vice President Debbie Arnold made a motion to approve consent agenda item A-1. **President Ed Waage** seconded the motion. The motion passed unanimously.

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD	X		
JOHN PESCHONG			X
ED WAAGE	X		

2. Information Items

B-1 Executive Director's Report (Verbal, Receive)

Mr. Geoff Straw updated the Board on how the most recent census data could reclassify the two of the three urban areas within the County. Based on new Census Bureau criteria initial evaluations show that the north and south areas no longer qualify as urban. The FTA may accept the determinations made by the census and lower our ability to use the 5307 funds. We would still be about to access the 5311 funds, but the levels of revenue are significantly different. Essentially the area would lose \$3.2 million of urban funding while picking up several hundred thousand in rural area funding. RTA has reached out to Congressman Carbajal as well as Assemblyman Cunningham and Senator Laird's offices. The Department of Transportation stated that the funding is secure for this fiscal year (2021-2022). The real problem would exist for fiscal year 2022-2023. He went on to mention Mr. Greening's comment from earlier today when he stated that the TDA funds are for transit first, then streets and roads. **Mr. Straw** stated that he believed existing services are unmet needs that are reasonable to meet. It could really impact the cities as they would have less TDA available. He clarified that there was an important balance to maintain and he would do whatever he could to minimize the impact. **President Waage** asked what the deadline was for the FTA to take a position on the funding. **Mr. Straw** replied that according to the Department of Commerce website the determination would likely be in July. It's really the issue of the following fiscal year; funding appropriations for 2022-2023 wouldn't be made until April 2023. **Vice President Arnold** asked if other areas in the state were also affected. **Mr. Straw** replied that there were three other urbanized areas in California that would be on the brink according to current analysis and committed to sharing more information as it becomes available.

Mr. Straw informed the Committee of recent staffing changes. After several years with RTA our Human Resource Officer (HRO) gave notice last month. Shelby Walker is serving as the interim HRO, with a past RTA employee temporarily filling in as the Interim Administrative Assistant during the hiring process. The application for HRO will close on April 22nd. He mentioned that the RTA is also recruiting for an Accounting Tech position with that recruitment closing April 7th. **Mr. Straw** shared the news that an offer was just extended to fill a vacant Utility position.

Mr. Straw notified the Committee that he will seek to end the COVID-19 Fiscal Emergency at the upcoming Board meeting. He stated that he does not expect emergency service changes, or emergency purchases with the current protocols in place. He will also be bringing the agreement for the Elks lane realignment project to the May Board.

Finally, **Mr. Straw** informed the committee of the continued delays with Caltrans on funding. Two million dollars of promised funds from last April have not been reimbursed. He shared that staff had been working with state associations, SLOCOG and District 5 to keep funds flowing, but it may not be enough to avoid service cuts. If cuts are needed it will be brought before the Board.

Public Comment: **Mr. Greening** expressed concern regarding the possible undercount of the last census. He asked if the numbers were close enough that a more accurate count could raise them above the threshold. **Mr. Straw** answered that guidelines have changed from population to housing units. The population is applied after housing threshold has been met. **Mr. Greening** pointed out that the rising cost of housing is causing more people to share housing, and that may be a case to make when looking at the data.

B-2 Bus Maintenance Facility Progress Update (Verbal, Receive)

President Waage asked if there was any update to the transit bus maintenance facility. **Mr. Straw** replied that they are still working on the electric vehicle recharging as well as some punch list items. He also shared that the mask mandate on buses and transit facilities has been extended to April 18th. A new ruling from the CDC is expected within the next couple weeks.

Public Comment: None

3. Action Items

C-1 Fiscal Year 2022-23 Budget Assumptions (Approve)

Ms. Arnold thanked the Committee for their support. She stated that the report outlines staff's recommended budget assumptions for the RTA's Fiscal Year 2022-2023 operating and capital budget. There are separate columns in revenue and expense tables for South County Transit, Paso Robles Services as well as county funded transit services. Core RTA services are broken into weekday, Saturday, and Sunday to better understand the financial commitment based on the same level of services adopted in the current fiscal year. Some of the key issues that were included in the budget assumptions include the impacts of the COVID-19 pandemic. We have been relatively fortunate related to workers compensation it is in line with previous fiscal years without incurring significant increases. General liability will also remain relatively flat we have been working with our employee committee on evaluating workers safety. Property insurance is going up but that is a result of owning the facility. With the leased facility we only had to cover a portion of that. We continue to focus on Runabout cost containment. Runabout is quite expensive so we are continually reevaluating options to keep that cost down. We are working to address staffing and retention specifically with the bus operator classification. We have introduced new training for diversity, equity, and inclusion. As well as recommending a new paid family leave program. This low cost program keeps us competitive in hiring, and retention.

The second key issue is the collective bargaining agreement. The current one year extension expires December 31, 2022. Staff will work with the board to identify an appropriate approach to that negotiation. We are aiming to start the negotiation this summer. Included is an inflationary adjustment for non-union employees, and it's included at 6.6%. Some items of note related to the cost of living versus the merit. The merit increase in the budget is about \$37, 500 for the non CBA employees the cost of living increase of 6.6% is \$78,500 for all CBA employees dropping the COLA to 4% is about \$48,280 a savings of about \$30,000. Most of the wage increases that we are talking about included in the budget are for CBA employees non CBA employees are a relatively small number of employees overall. Benefited full time positions are staying the same, we are proposing some realignments. During the pandemic we adjusted a utility position to do more cleaning of touch surfaces. At this point we have installed ionizers and are no longer doing the same kind of sanitizing labor wise. Staff have identified a Parts Clerk. This position was previously identified in the June 2020 performance audit. We find there will be significant savings in a dedicated parts clerk, as currently all our mechanics order their own parts. **Mr. Straw** agreed that it had been identified in the triannual performance audit. It is the right time to do it with the new facility. The Parts Clerk will not only be able to find the best price, but handle the inventory too. The HR manager position will be pulled from the agenda and brought forth at a later time. **Vice President Arnold** expressed her appreciation for all the thought staff put into looking at cost savings measures.

Ms. Arnold discussed the implementation of zero admission bus technologies. She informed the Committee that two buses purchased in 2008 have been identified to be replaced with zero emission

battery electric buses. The RTA was also recently awarded a FTA section 5339(b) grant for the replacement of five diesel buses. As part of that, the buses included in the budget as replacing with like kind and staff hasn't included the additional funding yet because there will be a differential and we have to develop the local match plan. Once we have the full funding plan we will bring it back to the Board.

The RTA has been able to leverage STA as the local match on more projects keeping local funding available for other operations. Staff continues to apply for competitive funds from SLOCOG under the State of Good Repair program. Staff has also applied for funding toward solar panels for the canopies at the new facility and if awarded a finalized funding plan will be developed and presented to the Board.

Ms. Arnold stated that LTF funds are the last place we go for funds. There is one exception the capital budget does include LTF of about \$84,000 that number is based on the requirements of the TIFIA loan. TIFIA has to be paid back with local funds it can't be paid back with federal loans. There is LTF identified in the budget to finance that. Included in the staff report is the amounts we have projected over the years for LTF so it a significant jump the previous few years. With CARES, and the recovery act fund we have been able to reduce our LTF requirement. It is still in alignment to our projected LTF needs.

Fuel Costs continue to be volatile, in the original budget assumptions we budgeted at \$4.30 last year it was budgeted at \$3.30 per gallon we have bumped that to \$4.80 to be more in line with the current conditions. **Mr. Straw** pointed out that RTA buses are exempt from state tax at a savings of around 50 cents a gallon. **President Waage** asked if fuel was contracted to which **Mr. Straw** replied that yes RTA does have a contract. **Ms. Arnold** noted that staff is continuing to monitor fuel prices and will bring it back to the Board if the budget needs amending.

We continue to look at replacing vehicles but there is no expansion within this budget. The one planning item is that we do have a Short Range Transit Plan that would be done in conjunction with SLO Transit as well as Atascadero. Information from the recent South County Short Range Transit Plan would also be included. This would help us look at the needs of the region.

Ms. Arnold concluded her budget update by stating it would be a particularly challenging year with continued financial uncertainty. Staff will be paying close attention to the impact of the federal funds. The recommendation for the Executive Committee is that you recommend staff provide the Fiscal Year 2022-2023 budget to the Board for approval at the May, 4 Board meeting. **Mr. Straw** thanked staff for putting the budget together. He stated the issue of the COLA deserves a little more discussion in this committee. **President Waage** agreed that he would be in favor of the 4%, it's a challenging time but there is some balance between being competitive enough to attract employees and prudent with uncertainties. **Vice President Arnold** expressed concern with a 4% COLA. She stated that the question itself mattered. While **Vice President Arnold** could agree with sending the budget on to the full Board she didn't feel comfortable approving as written. **Mr. Straw** explained that one of the challenges is compression the CBA employees recently got a 7.1% increase as part of their negotiations causing compression with non-union employees. That is a challenge we will have to deal with at some point, we will not have the ability to competitively recruit.

Public Comment: **Mr. Greening** noted the possibility of a split recommendation by the Committee. At a difficult time like this justification can be made for just about any opinion. He went on to express the merits of at least a 4% COLA. Simply because the environment is very competitive. We want to retain and appreciate the good people we have.

President Waage made a motion to approve agenda item C-1 at the proposed COLA rate of 4%. The motion failed for lack of a second.

4. **Mr. Straw** went over the agenda for the April 21, 2022 Board meeting agenda. Noting the removal of The Human Resources Manager Designation on Consent A-6 as it would not be brought before the Board leaving only the Parts Clerk as discussed. A-9 will be the removal of the Fiscal Emergency Declaration from April of 2020. **Mr. Straw** stated there would likely be a closed session item regarding the litigation on the 179 Cross street property.

Public Comment: **Mr. Greening** stated he looks forward to the meeting and reviewing the information in RTAC. He asked the committee to be as generous as possible with the union negotiations. To be cautious of thwarting the ability to staff the service.

Vice President Debbie Arnold made a motion to approve the draft agenda for May 4, 2022 as amended. **President Ed Waage** seconded the motion. The motion passed unanimously.

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD	X		
JOHN PESCHONG			X
ED WAAGE	X		

5. **Closed Session:**
PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code § 54957(b))
Title: Executive Director

The committee went into closed session at 11:47 a.m. and returned from closed session at 11:57 a.m.

6. **Adjournment**
The meeting was adjourned at 11:58 AM.

Next RTA Executive Committee Meeting: **June 8, 2022**

Respectfully Submitted,

Acknowledged by,

Jenni Wilkes
Interim Administrative Assistant

Ed Waage
RTA Board President 2022

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DRAFT

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM: B-1

TOPIC: Executive Director's Report

PRESENTED BY: Geoff Straw, Executive Director

STAFF RECOMMENDATION: Receive and File

BACKGROUND/DISCUSSION:

Update on COVID-19 Pandemic Impacts:

As of April 19, the TSA no longer requires the use of a face mask on public transit vehicles or in transit facilities and the RTA published this new direction at 9:00AM on its website, via internal emails and through other media. The RTA still encourages employees and riders to use a face mask, especially if unvaccinated, and we provide face masks upon request. I continue to participate in SLO County Vaccination Task Force meetings, and to share pertinent information with my staff through internal memoranda and with our transit agency partners via email/phone.

Operations & Maintenance:

The Regional Transit Advisory Committee (RTAC) met on April 21st to review the proposed FY22-23 budget and to discuss other issues facing transit systems in the county. The RTAC unanimously recommended the RTA Board adopt the budget as presented. The committee also discussed the potential fare-free or deeply discounted proposed by Governor Newsom (see Agenda Item D-1).

The RTA's staffing shortages have only worsened since my last report in March: for our Bus Operator ranks, 5 full-time bids remain open, and now 11 out of 19 part-time bids (two part-timers recently dropped down to casual status) are open. One Bus Operator candidate is in the licensing/permitting stage. Unfortunately, two Supervisors separated in the past two weeks, which puts further strain on our operations. The Accounting Technician that we hired in March separated, although we received 16 applications in response to our recruitment and we will begin interviews at the end of April. We are awaiting final background clearance for a recently recruited open full-time Utility position, and we hope to have him on-board before the May 4th Board meeting. Finally, our Human Resources Officer separated at the end of March after three years with the RTA, but I am happy to report that Administrative Assistant Shelby Walker is serving as the HRO until the position is permanently filled. In the interim, we have temporarily hired Jenni W. to help us with front-desk and other administrative duties (Jenni previously

worked for the RTA from 2006 to 2009). Despite all of these openings, as I write this we have fortunately not yet had to reduce service levels.

Staff has recently revised the upcoming summer Bus Operator bids to try to find a balance between combining desirable shifts with shifts that are more difficult to cover – particularly those on weekends. The draft “roster” of bids is in final internal review, after which the roster will be shared with Teamsters officials for comments prior to the May 21st bid day. The new Bus Operator bid begins the first week of June, which gives us time to re-train employees who chose a new route and/or a bid that uses a different bus type.

As reported in January, we are still awaiting shipping advice for five replacement vehicles that have been delayed due to supply chain challenges. Specifically, the purchase order for three low-floor Arboc Specialty Vehicles mid-size buses (see picture to the right of this new type of bus that we are implementing) for South County Transit services was issued in May 2021, and the purchase order for two standard mid-size Eldorado cutaway vans for Route 15 services was issued in April 2021. I will provide an update on delivery dates as soon as our vendors receive shipping advice.

Mark your calendars: after a two-year pandemic caused hiatus, the RTA is conducting its annual Bus Roadeo on Sunday October 9th at our new Bus Maintenance Facility. A Bus Roadeo is a bus driving skills competition that includes almost impossible tight turns (forward and backward!), diminishing clearance tests, and a (relatively) high-speed stop gap test. Orange traffic cones will be crushed and some competitors’ hopes dashed, but a champion will be crowned and a good time will be had by all. It is a family fun event, traditionally co-sponsored by our partners at Teamsters Local 986 and typically includes Cal Poly student/volunteer judges. I hope that Board members and their families can join us.

At its November 3, 2021 meeting, the RTA Board authorized me to award the procurement agreement to supply bulk oils and lubricants to JB Dewar. However, due to higher than anticipated cost increases, the vendor has asked that we approve a temporary 4% “force majeure” price increase. Because their proposed price hike is within my budgetary authority, I granted the increase in late April 2022. If the vendor requests additional costs increases, I will seek the Board’s authority to formally amend the agreement.

Marketing & Communications:

I would be remiss if I did not publicly thank Marketing and Community Relations Manager Mary Gardner for her excellent work planning for the March 20th Bus Maintenance Facility ribbon-cutting ceremony. It truly was a wonderful event. The amount of behind the scenes work required to nail down details with vendors, arrange for speakers, and cajole fellow employees to complete tasks well outside their normal duties cannot be underestimated nor thanked enough. Thanks Mary, we are glad you are part of our team.

Our primary marketing efforts continue to be focused on recruiting Bus Operators, communicating service levels to our riders, and reminding our passengers of on-bus mask requirements.

Other on-going marketing projects include:

- Continuing to implement, monitor and adjust as needed the messaging for our Google ads campaign for Bus Operator recruitment.
- Working with transit agency partners for the for Summer Youth Ride Free program.
- Reinstating free Wi-Fi on all fixed-route vehicles.
- Continuing to research the redesign of the RTA website to have a better mobile interface. The vast majority (78%) of the visitors to our website use a mobile phone.
- Planning for possible State-funded fare-free or deeply discounted transit fares in response to Governor Newsom’s recent proposal (see Agenda Item D-1).

Finance and Administration:

As discussed during the April 6th SLOCOG Board meeting, staff is closely monitoring the status of all three small urbanized areas (UZAs) following the decennial census. Obviously, if the El Paso de Robles – Atascadero UZA and/or the Arroyo Grande – Grover Beach UZA is “downgraded” to rural, this would have a profound impact on transit funding in our county. We expect the Census Bureau to announce its findings in summer 2022.

Staff is preparing for field visits from our fiscal and compliance auditors, which will be conducted by Brown Armstrong CPAs. Staff also provided comments to SLOCOG officials on the two proposals submitted for the impending TDA triennial performance reviews. The RTA’s triennial review period covers FY19-20 through FY21-22, and the draft report is due to SLOCOG officials in May 26, 2023.

Our unaudited operating and financial results for the first nine months of FY21-22 are presented in the tables beginning on page B-1-5. This year-to-date information is summarized as follows:

- RTA core fixed-route ridership totaled 273,352. In comparison, the ridership for the same period in FY20-21 was 215,802, which represents an increase of 26.7%. The pre-pandemic nine-month FY19-20total was 488,495 – so we still have a lot of ground to make up.

- Runabout ridership totaled 14,074, which is an increase of 7.4% compared to the same period last year (13,099). The pre-pandemic nine-month total was 29,209. Note the dip in Runabout ridership in February and March, which coincided with the increased cases of COVID-19 caused by the Omicron variant. We have recently seen an uptick in Runabout as the COVID-19 cases have begun to dip again.
- Trends over the past five years for ridership and productivity (which is defined as the average number of passenger-boardings per service hour), are provided in the graphs beginning on page B-1-7. The graphs illustrate the significant drop in ridership beginning in March 2020 corresponding with the onset of the pandemic, as well as the indications of ridership recovery beginning in January 2021. The graphs also show a dip in ridership that coincided with the most recent COVID-19 surge in cases caused by the Omicron variant.
- In terms of year-to-date financial results, staff worked hard to keep operating and capital costs within budget in light of the recovering ridership and other financial challenges. Some important takeaways include:
 - In terms of overall non-capital expenses, we were below budget – 64.9% through 75% of the budget year. The largest single line-item in our annual budget is for *Labor – Operations*, although we came in lower (63%) due to slightly lower service levels actually operated due to staff shortages and despite higher than anticipated overtime. It should be noted that the wage scale for Bus Operators and other employees covered by the Collective Bargaining Agreement shifted up in January, so we will see increased labor costs for the remainder of the fiscal year. The third-greatest line-item is for *Fuel*, and the steady increase in price per gallon has resulted in a significant overage – 92.1% through 75% of the year, or roughly \$190,000 over budget through nine months. We continue to monitor these costs closely, but do not believe an overall budget adjustment is warranted at this time due to savings in other areas.
 - Not surprisingly, the farebox recovery ratio for core fixed-route services continues to suffer due to lower ridership compared to pre-pandemic periods at only 8.2% – but it is significantly better than our FY20-21 result (only 2.6%). Runabout achieved a ratio of 2.5%, which is slightly better than the FY20-21 result of 2.3%. The results will remain below our standards until such time that ridership fully recovers.
 - The YTD subsidy per passenger-trip on core fixed-route services is improving at \$15.98 (\$21.63 in FY20-21). Runabout also improved at \$137.29 (\$145.36 in FY20-21).

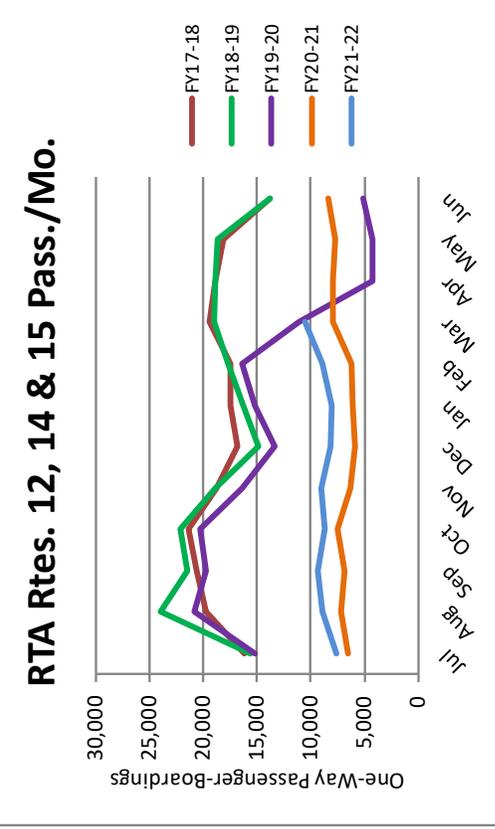
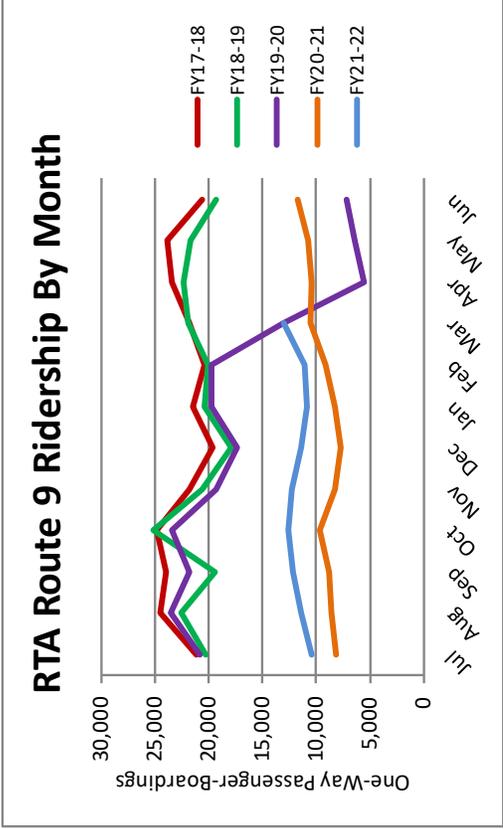
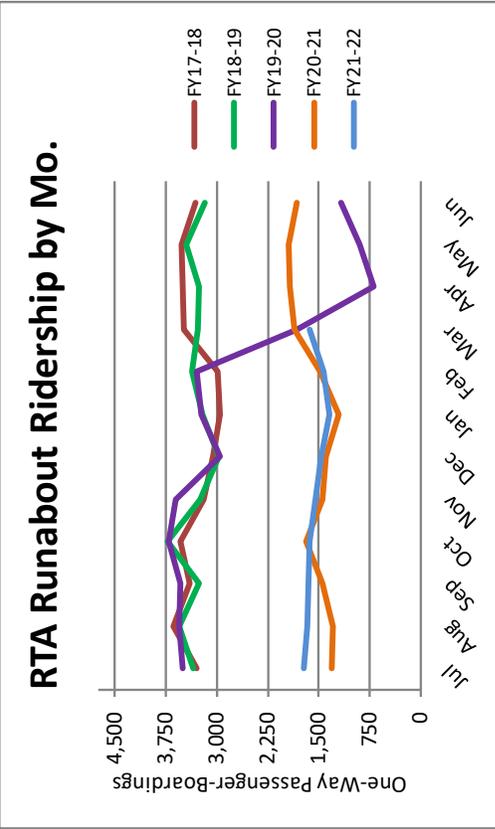
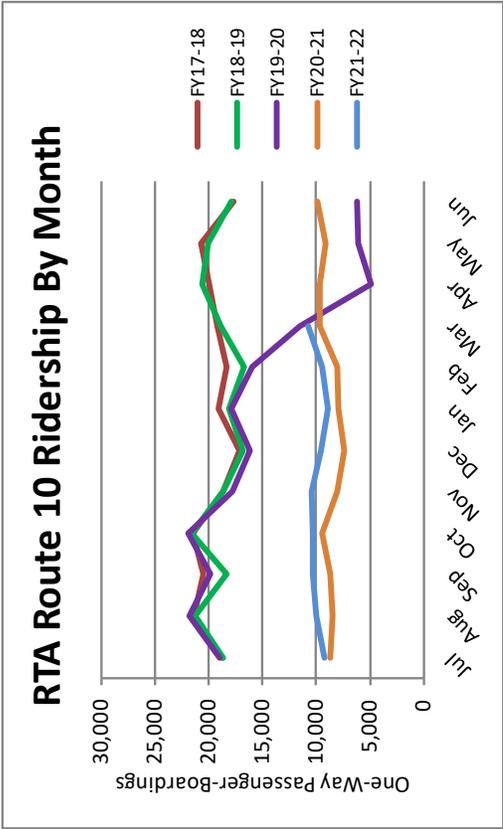
STAFF RECOMMENDATION:

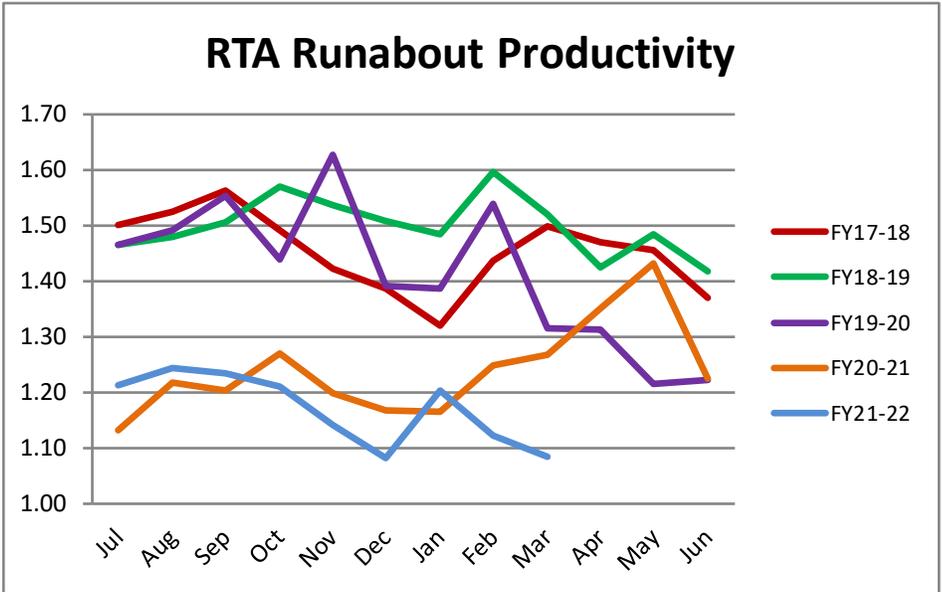
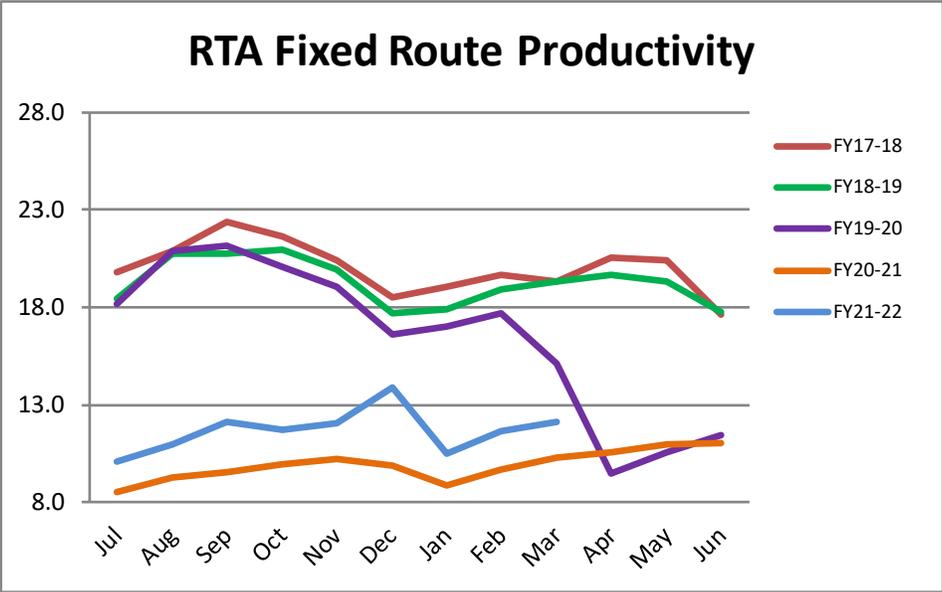
Accept this as an information item.

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
YEAR TO DATE THRU MARCH 31, 2022
CURRENT FISCAL YEAR - 2021/2022**

	RT 9 P.R., TEMP., ATAS., S.M., CAL POLY, S.L.O.	RT 10 S.M., NIPOMO, A.G., S.L.O.	RT 12 MORRO BAY, CUESTA, SAN LUIS	RT 14 CUESTA, SAN LUIS TRIPPER	RT 15 SAN SIM., CAMBRIA, CAYUCOS, M.B.	TOTAL RTA CORE SERVICES	RUNABOUT	SERVICES PROVIDED FOR THE CITY OF PASEO ROBLES	SERVICES PROVIDED FOR SOUTH COUNTY TRANSIT	SERVICES PROVIDED FOR THE COUNTY OF SLO	SYSTEM TOTAL
REVENUES:											
FARES	\$ 141,865	\$ 138,681	\$ 103,597	\$ 193	\$ 8,281	\$ 392,618	\$ 48,721	\$ 81,933	\$ 65,843	\$ 11,587	\$ 600,702
TOTAL ROUTE REVENUES	\$ 141,865	\$ 138,681	\$ 103,597	\$ 193	\$ 8,281	\$ 392,618	\$ 48,721	\$ 81,933	\$ 65,843	\$ 11,587	\$ 600,702
EXPENDITURES:											
ADMINISTRATION	\$ 328,900	\$ 282,128	\$ 193,746	\$ 3,783	\$ 86,261	\$ 894,817	\$ 456,866	\$ 35,805	\$ 85,620	\$ 69,229	\$ 1,542,338
MARKETING	11,577	9,913	6,803	134	3,014	31,441	-	-	6,193	-	37,634
OPERATIONS/CONTINGENCY	1,037,260	911,930	613,302	12,018	276,727	2,851,237	1,319,270	590,839	1,112,278	283,024	6,156,649
FUEL	228,869	238,969	139,126	2,856	69,808	679,628	122,867	61,086	145,425	16,248	1,025,254
INSURANCE	102,314	106,935	62,240	1,280	31,328	304,098	81,905	32,652	71,107	9,847	499,609
TOTAL EXPENDITURES	\$ 1,708,921	\$ 1,549,875	\$ 1,015,217	\$ 20,071	\$ 467,137	\$ 4,761,221	\$ 1,980,909	\$ 720,382	\$ 1,420,624	\$ 378,348	\$ 9,261,484
FAREBOX RATIO	8.3%	8.9%	10.2%	1.0%	1.8%	8.2%	2.5%	11.4%	4.6%	3.1%	6.5%
SERVICE MILES	225,712.9	235,814.9	137,241.1	2,800.3	68,823.6	670,392.8	180,389.0	71,767.9	156,400.2	21,856.0	1,100,805.9
SERVICE HOURS	8,646.5	7,416.7	5,089.2	97.7	2,266.0	23,516.1	12,028.0	5,448.6	10,092.0	2,691.0	53,775.7
RIDERSHIP (Automatic Counters)	105,191	89,016	67,906	2,299	8,940	273,352	14,074	80,330	102,767	8,405	478,928
RIDERS PER MILE	0.47	0.38	0.49	0.82	0.13	0.41	0.08	1.12	0.66	0.38	0.44
RIDERS PER HOUR	12.2	12.0	13.3	23.5	3.9	11.6	1.2	14.7	10.2	3.1	8.9
COST PER PASSENGER	\$ 16.25	\$ 17.41	\$ 14.95	\$ 8.73	\$ 52.25	\$ 17.42	\$ 140.75	\$ 8.97	\$ 13.82	\$ 45.01	\$ 19.34
SUBSIDY PER PASSENGER	\$ 14.90	\$ 15.85	\$ 13.42	\$ 8.65	\$ 51.33	\$ 15.98	\$ 137.29	\$ 7.95	\$ 13.18	\$ 43.64	\$ 18.08

		Adopted Budget FY 2021-22	February Actual	March Budget	March Actual	March Variance	Year to Date FY 2021-22	Percent of Total Budget FY 2021-22
	Hours	84,010	5,427	7,001	6,160	841	51,255	61.0%
	Miles	1,792,340	114,047	149,362	130,494	18,867	1,081,567	60.3%
A Administration:								
Labor	operations cost	1,079,020	81,960	93,402	117,136	(23,734)	778,176	72.1%
Labor - Administration Workers Comp	operations cost	44,970	(1,710)	-	-	-	27,027	60.1%
Office Space Rental	operations cost	407,450	4,300	43,258	4,300	38,958	320,182	78.6%
Property Insurance	operations cost	36,870	59,276	-	-	-	103,049	265.1%
Professional Technical Services	operations cost	167,100	14,476	13,925	1,649	12,276	53,865	32.2%
Professional Development	operations cost	66,470	739	5,539	5,078	461	17,834	26.8%
Operating Expense	operations cost	366,380	26,167	30,532	42,897	(12,365)	234,523	64.0%
Marketing and Reproduction	hourly	181,800	1,315	15,150	3,229	11,921	37,634	20.7%
North County Management Contract	operations cost	(47,740)	(3,978)	(3,978)	(3,978)	-	(35,805)	75.0%
County Management Contract	operations cost	(98,390)	(8,199)	(8,199)	(8,199)	-	(73,793)	75.0%
SCT Management Contract	operations cost	(114,160)	(9,513)	(9,513)	(9,513)	-	(85,620)	75.0%
Total Administration		2,091,770	164,831	180,115	152,599	27,516	1,377,073	65.8%
Service Delivery:								
Labor - Operations	hourly	6,622,980	444,886	551,915	627,465	(75,550)	4,174,898	63.0%
Labor - Operations Workers Comp	hourly	339,940	(12,926)	-	-	-	204,306	60.1%
Labor - Maintenance	hourly	1,581,620	109,974	131,802	164,396	(32,594)	1,043,154	66.0%
Labor - Maintenance Workers Comp	hourly	93,090	(3,540)	-	-	-	55,948	60.1%
Fuel	miles	1,113,670	110,010	92,806	158,251	(65,445)	1,025,257	92.1%
Insurance	miles	909,680	55,070	75,807	55,070	20,737	499,611	54.9%
Special Transportation (for SLOCAT and Paso)	n/a	44,480	1,365	3,707	2,265	1,441	14,681	33.0%
Avila Trolley	n/a	76,490	-	-	-	-	30,967	40.5%
Maintenance (parts, supplies, materials)	miles	695,930	57,804	57,994	63,858	(5,864)	443,426	63.7%
Maintenance Contract Costs	miles	136,900	12,118	11,408	4,631	6,777	68,968	50.4%
Total Operations		11,614,780	774,761	925,438	1,075,936	(150,498)	7,561,214	65.1%
Capital/Studies:								
Computer System Maintenance/Upgrades		40,370	6,381	-	-	-	10,961	27.2%
Miscellaneous Capital								
Maintenance Equipment		42,500	-	-	-	-	830	2.0%
Radios		6,600	-	-	-	-	-	0.0%
Bus Stop Improvements/Bus Stop Solar Lighting		377,430	3,825	-	-	-	72,140	19.1%
Large Capital Repairs		575,000	-	63,000	62,536	464	62,536	10.9%
Vehicles								
Runabout vehicles		302,000	-	-	-	-	-	0.0%
40' Coaches		1,986,680	1,156,871	68,000	67,450	550	1,246,226	62.7%
Total Capital Outlay		3,330,580	1,167,077	131,000	129,986	1,014	1,392,693	41.8%
Contingency	hourly	164,480	-	13,707	-	13,707	-	0.0%
PERS Buyout		178,310	14,859	14,859	14,859	-	133,731	75.0%
Building Decommissioning		1,950,000	1,950,000	-	-	-	1,950,000	100.0%
Loan Repayments		108,240	-	-	-	-	39,314	36.3%
Elks Lane Project		10,213,970	1,197,087	174,000	173,795	205	7,804,059	76.4%
Management Contracts		260,290	21,691	21,691	21,691	-	195,218	75.0%
TOTAL FUNDING USES		27,784,110	5,290,307	1,447,103	1,568,866	(121,762)	18,369,571	66.1%
TOTAL NON-CAPITAL EXPENDITURES		14,131,320	976,142	1,142,103	1,265,085	(122,981)	9,172,819	64.9%





SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM:

B-2

TOPIC:

**Bus Maintenance Facility Progress &
Change Order Update**

PRESENTED BY:

Geoff Straw, Executive Director

STAFF RECOMMENDATION:

Receive and File

BACKGROUND/DISCUSSION:

Due to on-going supply chain issues, the remaining construction items continue to be the Level 2 electric vehicle rechargers and the fast-charge electric bus recharging system, as well as an ever-diminishing punch list of repairs and corrections. On April 19th, the San Luis Obispo City Council authorized execution of the Elks Lane Realignment agreement included at the end of this staff report, and this essentially satisfies RTA's obligations included in our development agreement. It should be noted that the Prado Overpass project is scheduled to begin in 2025 and will require approximately 4 years to complete.

The BMF ribbon-cutting ceremony conducted on March 18th was a resounding success, and included speeches by RTA Board President Ed Waage, SLO Mayor Erica Stewart, Caitlin Cox (on behalf of Congressman Salud Carbajal), Kelly Abbas (on behalf of Assemblyman Jordan Cunningham) and FTA Regional Administrator Ray Tellis. The RTA received certificates of recognition from the California Assembly and Senate, and I received a Certificate of Special Congressional Recognition. We also celebrated Bus Driver Appreciation Day and the great work of our employees as part of the ribbon-cutting ceremony.



Below are some significant recent BMF milestones:

1. We have processed 33 invoices from Stantec Architecture from November 2018 through the end of March 2022 totaling \$2,593,036.04. Stantec has completed design, engineering and permitting work, and is wrapping up punch list repair reviews. A total of \$25,596.80 remains in our agreed work scope.
2. We have processed 24 invoices from Kitchell CEM through March 31, 2022, totaling \$1,273,177.50. Kitchell CEM's agreement includes construction management services and CEQA monitoring, as well as special inspections. Kitchell's amended contract is \$1,797,869. A total of \$524,691.50 remains in our original work scope, although the RTA will not spend the entire amount.
3. We have processed 20 invoices from SCI for construction services through the end of March 2022, totaling \$17,731,273.54, less \$886,563.68 for the contracted 5% retainage. It should be noted that I authorized release of 60% of the 5% retainage (\$524,039.80) in February 2022, since we achieved substantial completion and the remaining amount covers the outstanding EV charging portion of the project. Including the remaining retainage, a total of \$531,250.72 remains in our current work scope.
4. Through the end of January, we have authorized 114 change orders out of 123 Change Request Bulletins (CRBs) totaling \$844,269.70, or 5.00% of the original \$16,873,000 agreement. The table at the end of this report provides more details on the change events, and the remaining nine potential CRBs that are still being investigated/negotiated are highlighted in yellow. Note that the estimated cost is blacked out for each CRB to avoid "tipping our hand" with the general contractor.
5. On April 5th, RTA Deputy Director/CFO Tania Arnold and I conducted our fourteenth and final monthly virtual meeting with officials from the Federal Transit Administration Region 9 office and their contracted Project Management Oversight (PMO) provider for the BMF project. A PMO is required for major capital projects that exceed \$100M in federal dollars, as well as for capital projects funded with TIFIA funds (like our BMF). Through the end of September, we have processed the eleventh and final draw equating to a total of \$11,960,910.14 in TIFIA loan funds. In short, we did not need to use the entire \$13.08 million identified in the TIFIA agreement.

Staff Recommendation:

Accept this as an information item.



Department: Community Development
Cost Center: 4003
For Agenda of: 4/19/2022
Placement: Consent
Estimated Time: N/A

FROM: Michael Codron, Community Development Director
Prepared By: Hal Hannula, Sup Senior Civil Engineer and Rachel Cohen, Senior Planner

SUBJECT: ACKNOWLEDGEMENT OF REGIONAL TRANSIT AUTHORITY'S COMPLIANCE WITH PROJECT CONDITIONS OF APPROVAL

RECOMMENDATION

Authorize the City Manager to execute a "Project Condition Acknowledgement Agreement" with the San Luis Obispo Regional Transit Authority (RTA) acknowledging RTA's compliance with Resolution No. PC-1007-19 Conditions of Approval 43 and 45 by paying a fee to satisfy its obligation to construct a portion of the future Elks Lane.

DISCUSSION

Background

On July 24, 2019, the Planning Commission approved RTA's development of a 31,250 square foot operation, administration, and maintenance facility on RTA's property located at 253 Elk's Lane, San Luis Obispo subject to conditions of approval set forth in Resolution No. PC-1007-19. As RTA nears completion of the project and prepares for occupancy and use of the facility, RTA and City staff have identified two conditions of approval that require further discussion and evaluation (the "Conditions," Attachment A):

- Condition 43 provides: "prior to building permit issuance, the applicant shall provide a preliminary design of the realignment of Elks Lane along the project frontage to the satisfaction of the Public Works Department..."
- Condition 45 provides: "prior to issuance of building permit the property owner/applicant shall enter into a covenant agreement for the construction of public improvements for the Elks Lane realignment along the property frontage..."

RTA has completed full street improvements along its Elks Lane property frontage (curb, gutter, sidewalk) and constructed travel lanes as well as a temporary T-intersection at the intersection of the old Elks Lane and the new Elks Lane, which will extend behind RTA and 40 Prado before connecting to Prado Road in its new alignment to the east of 40 Prado. The T-intersection is a temporary measure until a sweeping curve can be installed at this location that will be built in conjunction with the Prado Road Interchange Project.

The completion of the Elks Lane design with a sweeping curve requires acquisition of a small portion of private property at the Sunset Drive-In Theater, and must be constructed simultaneously with the Prado Interchange Project to avoid additional “throw-away” improvements.

Under the circumstances, the Public Works Department has concluded that it is more efficient for the realignment of Elks Lane to be constructed by the City as a component of the Prado Interchange Project instead of requiring RTA to design and construct the realignment, per Condition of Approval No. 45. To this end, the Public Works Director recommends that the City execute an agreement (Attachment B) with RTA allowing RTA to pay an upfront fee, in the amount of \$351,182 to satisfy their obligation.

Previous Council or Advisory Body Action

On July 24, 2019, the Planning Commission approved RTA’s development of a 31,250 square foot operation, administration, and maintenance facility on RTA’s property located at 253 Elk’s Lane. At the time, RTA had acquired the entire site and worked with the City and community to enable excess land to be subdivided and purchased by Community Action Partnership of San Luis Obispo (CAPSLO), which subsequently constructed the 40 Prado Homeless Services Center.

CAPSLO also has obligations for the construction of Elks Lane along its property boundary to the intersection with Prado Road. That project cannot be constructed until the final design for the Prado Road Interchange Project is completed to ensure that the location and elevations of the intersection are consistent with the design for Prado Road.

Planning for construction of the Prado Road Interchange Project is ongoing and currently scheduled to begin construction December 2025. The construction window is expected to last 48 months, including the overpass, ancillary roads and facilities, and other improvements necessary to open up the new roadway for operation.

Policy Context

The City’s General Plan includes policies and programs that support transit within the City and the County. Circulation Element Policy 3.1.1. states that “The City shall encourage transit accessibility, development, expansion, coordination and marketing throughout San Luis Obispo County to serve a broad range of local and regional transportation needs.” Land Use Element policy 10.4 states “The City shall encourage projects which provide for and enhance active and environmentally sustainable modes of transportation, such as pedestrian movement, bicycle access, and transit services.” In addition, the Land Use Element notes that property within the Sunset Drive-in Theater / Prado Road Area special focus area “may need to be designed to accommodate the Homeless Services center and/or transportation agency use.” This would include the development of the RTA project and the need to accommodate the Elk’s Lane realignment required as a part of the Prado Road Interchange Project. At this time, there is no project proposed for this special focus area and, as a result, the City will need to work with the property owner to accomplish the improvements necessary to complete the Elk’s Lane realignment.

Public Engagement

All public meetings noted above were properly noticed and held at the time and in the manner required by law. This staff report was published for public review one week prior to this Council meeting date.

CONCURRENCE

The City’s Public Works Department concurs with the recommendation and the City Attorney’s Office has reviewed the Project Condition Acknowledgement Agreement.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act does not apply to the recommended action in this report, because the recommended action of approving the agreement does not constitute a “Project” under CEQA Guidelines Section 15378. Further, RTA’s construction of the Elks Lane realignment along the property frontage is not required mitigation for the project pursuant to the Mitigated Negative Declaration adopted by the RTA Board on September 6, 2017, or the Addendum to the adopted MND adopted by the Planning Commission on July 24, 2019. Environmental analysis for construction of the future realignment of Elks Lane will be done with the Prado Road Interchange Project.

FISCAL IMPACT

Budgeted: No

Budget Year: 2021-22

Funding Identified: Yes

Fiscal Analysis:

Funding Sources	Total Budget Available	Current Funding Request	Remaining Balance	Annual Ongoing Cost
General Fund	\$	\$	\$	\$
State				
Federal				
Fees				
Other:				
Total	\$	\$	\$	\$

The Prado Road Interchange Project is currently in the Project Approval/Environmental Document Phase (PA/ED). This work is funded and is expected to continue until Summer 2023 when the Project will enter into the Plans, Specifications, and Estimates (PS&E) Phase. At this time, the total project cost is estimated at \$64.5 million. The cost estimate for the final design and construction of RTA’s Elks Lane frontage is \$351,182, which is about .005% of the total project cost. The recommended agreement with RTA would offset the associated design and construction costs for the project, resulting in a de minimis fiscal impact to the City.

ALTERNATIVES

Council could decide not to approve the agreement with RTA acknowledging that a payment in lieu of construction satisfies conditions of approval 43 and 45. This action is not recommended by staff because RTA has already constructed a T-intersection that will function satisfactorily until the ultimate design can be implemented with the Prado Road Interchange Project.

ATTACHMENTS

- A - Planning Commission Resolution No. PC 1007-19 (2019 Series)
- B - Draft Agreement with San Luis Obispo County Regional Transit Authority

RESOLUTION NO. PC-1007-19

A RESOLUTION OF THE SAN LUIS OBISPO PLANNING COMMISSION APPROVING THE DEVELOPMENT OF A 31,250-SQUARE FOOT OPERATION, ADMINISTRATION AND MAINTENANCE FACILITY FOR THE REGIONAL TRANSIT AUTHORITY (RTA), INCLUDING A REQUEST FOR A FENCE HEIGHT EXCEPTION TO ALLOW A FENCE OF A MAXIMUM OF 8 FEET WHERE A RANGE OF HEIGHTS FROM 3 TO 6 FEET IS THE STANDARD MAXIMUM WITH A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL REVIEW AND ADDENDUM AS REPRESENTED IN THE STAFF REPORT AND ATTACHMENTS DATED JULY 24, 2019 (253 ELKS LANE, ARCH-0200-2019 & EID-0201-2019)

WHEREAS, the Architectural Review Commission of the City of San Luis Obispo conducted a public hearing in the Council Hearing Room of City Hall, 990 Palm Street, San Luis Obispo, California, on June 17, 2019, recommending the Planning Commission find the project consistent with the Community Design Guidelines, pursuant to a proceeding instituted under ARCH-0200-2019, Geoff Straw, applicant; and

WHEREAS, the Planning Commission of the City of San Luis Obispo conducted a public hearing in the Council Chamber of City Hall, 990 Palm Street, San Luis Obispo, California, on July 24, 2019, pursuant to a proceeding instituted under ARCH-0200-2019 & EID-0201-2019, Geoff Straw, applicant; and

WHEREAS, the Planning Commission of the City of San Luis Obispo has duly considered all evidence, including the testimony of the applicant, interested parties, and evaluation and recommendations by staff, presented at said hearing.

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Luis Obispo as follows:

SECTION 1. Environmental Review. A Mitigated Negative Declaration was adopted by the RTA Board on September 6, 2017 (SCH# 2017071040). The Planning Commission hereby adopts the Addendum to the adopted Mitigated Negative Declaration of Environmental Review, finding that: 1) the minor technical changes addressed in the Addendum do not materially change the findings and conclusions of the adopted Mitigated Negative Declaration; 2) no substantial changes are proposed or would occur that would require major revisions to the adopted Mitigated Negative Declaration; 3) no new significant environmental effects are identified and there would not be a substantial increase in the severity of previously identified significant effects; 4) the modified mitigation measure AQ-3 is more effective in mitigating the potential significant effects and it will not cause any potentially significant effects on the environment; 5) the project would not result in any significant effects that would be substantially more severe than what was

identified in the adopted Mitigated Negative Declaration; and 6) the applicant will comply with all adopted mitigation measures.

Air Quality

AQ-1 Measures to Reduce Fugitive Dust During Construction. Implementation of the following mitigation measures, as recommended by the San Luis Obispo County APCD, would be required to minimize construction fugitive dust emissions and help ensure that construction emissions remain at a less than significant level.

- Reduce the amount of the disturbed area where possible;
- Water trucks or sprinkler systems shall be used during construction in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;
- All dirt stockpile areas shall be sprayed daily as needed;
- Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD;
- All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible after grading unless seeding or soil binders are used;
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;
- All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2 Measures to Reduce Construction Equipment Emissions.

- Maintain all construction equipment in proper tune according to the manufacturer's specifications;
- Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with State Off-road Regulation;
- Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive of NOX exempt area fleet) may be eligible by proving alternative compliance;
- All on- and off-road diesel equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and on job sites to remind drivers and operators of the five-minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when possible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- Use alternatively fueled construction equipment on-site where feasible,

AQ-3 Measures to Reduce Operational Idling Emissions. To help reduce the emissions impact from diesel buses and equipment at the proposed facility, RTA will implement California Diesel Idling Regulations; On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations, consistent with local requirements and procedures by the San Luis Obispo County Air Pollution Control District.

Biological Resources

BIO-1 Nesting Birds. To avoid disturbance of nesting and special-status birds, including raptorial species protected by the MBTA and CFGC, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 15 through September 1), when possible. If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted by a Qualified Biologist no more than one week prior to initiation of ground disturbance and vegetation removal activities to determine the presence/absence of nesting birds within the project site. The California Department of Fish and Wildlife generally considers an appropriate buffer of 100 feet for passerines and 300 feet for raptors. The Qualified Biologist shall perform at least two hours of pre-construction monitoring of the nest to characterize "typical" bird behavior. The Qualified Biologist shall monitor the nesting birds and shall increase the buffer if the Qualified Biologist determines the birds are showing signs of unusual or distressed behavior due to project activities. Atypical nesting behaviors that may cause reproductive harm include but are not limited to, defensive flights/vocalizations directed towards project personnel, standing up from a brooding position, and flying away from the nest. The Qualified Biologist shall have

authority, through the Resident Engineer, to order the cessation of all project activities if the nesting birds' exhibit atypical behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established. To prevent encroachment, the established buffer(s) shall be clearly marked by high visibility material. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the Qualified Biologist. Any sign of nest abandonment shall be reported to California Department of Fish and Wildlife within 48 hours

BIO-2 Invasive Plant Species. To minimize the spread of invasive plant species during project work, prior to construction all staff and contractors shall receive from a qualified botanist/biologist, invasive plant prevention training. The training shall provide an appropriate identification/instruction guide, a list of target species for the area, and a list of measures for early detection and eradication. Prior to construction, specific areas shall be designated for cleaning of tools, vehicles, equipment, clothing, footwear, and any other gear to be used on site. During construction, before entering and exiting the work site, all tools, equipment, vehicles, clothing, footwear, and other gear shall be thoroughly cleaned to remove soil, seeds, and plant parts. The reproductive parts (seeds, mature flowers, roots and shoots, as well as other parts of species that reproduce in a vegetative manner) shall be removed, stored in sealed containers, transported sealed, and appropriately disposed of at a certified landfill. All disturbed areas that are not converted to hardscape shall be hydroseeded with a mix of locally native species upon completion of work in the area. In areas where construction is ongoing, hydro-seeding shall occur in those areas where no construction activities have occurred within six weeks of ground disturbance. If exotic species invade the area prior to hydro-seeding, weed removal shall occur in consultation with a qualified botanist/biologist.

Cultural Resources

CUL-1 Archeological Testing Program. Prior to project related ground disturbance, an Extended Phase I (XPI) archaeological testing program shall be performed within the project area of potential effect (APE). This study should be conducted by a qualified archaeologist under the direction of a qualified principal investigator and in accordance with CEQA and Section 106. The qualified archaeologist should prepare a testing plan designed to establish the presence or absence and extent of archaeological deposits within the direct APE. An XPI conducted prior to project construction could reduce potential delays caused by unanticipated finds during construction by informing the applicant of what types of resources may exist on the property and where. In the event that a subsurface resource is found during the XPI, additional studies such as a Phase II investigation may be required to determine if the resource is eligible for the CRHR and/or the NRHP. The results of the XPI will also determine whether additional mitigation such as monitoring will be necessary. XPI testing should be observed by a Native American monitor.

CUL-2 Monitoring by Qualified Archaeologist. A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology (36 CFR 61), shall be retained to carry out all mitigation measures related to archaeological and historical resources (hereafter principal investigator). Monitoring shall involve inspection of subsurface construction disturbance at or in the immediate vicinity of known sites, or at locations

that may harbor buried resources that were not identified on the site surface.

CUL-3 Unanticipated Discovery of Human Remains. The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the San Luis Obispo County coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Geology and Soils

GEO-1 Conduct Geotechnical Investigation and Soil Remediation. Prior to construction activities, a preliminary geotechnical investigation shall be conducted to determine the presence or absence of unstable soils or soils that would become unstable during a seismic event, including the potential for liquefaction at the project site. The geotechnical investigation shall be conducted by trained engineers and shall comply with ASTM approved methodologies. Based on the results of the preliminary geotechnical investigation, unstable soils or soil that would become unstable during a seismic event shall be remediated to ensure that on-site soils would provide adequate structural support for proposed structures. All on-site structures, transportation infrastructure and subgrades shall comply with applicable methods of the California Building Code and all transportation infrastructures shall comply with the most current California Department of Transportation design standards. Soil remediation may be achieved through, for example, structural piers, excavation of unstable soils, importation of clean, engineered fill, compaction of existing on-site soils, improvement of sub-surface drainage, or a combination of methodologies.

Noise

NOI-1 Construction Vehicle Travel Route. Construction vehicles and haul trucks shall utilize roadways which avoid residential neighborhoods and sensitive receptors, where possible. The applicant shall submit a proposed construction vehicle and hauling route for City review and approval prior to grading/building permit issuance. The approved construction vehicle and hauling route shall be used for soil hauling trips prior to construction as well as for the duration of construction.

NOI-2 Construction Activity Timing. Except for emergency repair of public service utilities, or where an exception is issued by the Community Development Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur daily between the hours of 7:00 PM and 7:00 AM, or any time on Sundays, holidays, or after sunset, such that the sound creates a noise disturbance that exceeds 75 dBA for single family residential, 80 dBA for multi-family residential, and 85 dBA for mixed residential/commercial land uses

across a residential or commercial property line.

NOI-3 Construction Equipment Best Management Practices (BMPs). For all construction activity at the project site, noise attenuation techniques shall be employed to ensure that noise levels are maintained within levels allowed by the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include:

- Sound blankets on noise-generating equipment.
- Stationary construction equipment that generates noise levels above 65 dBA at the project boundaries shall be shielded with barriers that meet a sound transmission class (a rating of how well noise barriers attenuate sound) of 25.
- All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- For stationary equipment, the applicant shall designate equipment areas with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.
- Electrical power shall be used to power air compressors and similar power tools.
- The movement of construction-related vehicles, with the exception of passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday. No movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day).
- Temporary sound barriers shall be constructed between construction sites and affected uses.

NOI-4 Neighboring Property Owner Notification and Construction Noise Complaints. The contractor shall inform residents and business operators at properties within 300 feet of the project site of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Proof of mailing the notices shall be provided to the Community Development Department before the City issues a zoning clearance. Signs shall be in place before beginning of and throughout grading and construction activities. Noise-related complaints shall be directed to the City's Community Development Department.

Plan Requirements and Timing. Construction plans shall note construction hours, truck routes, and construction Best Management Practices (BMPs) and shall be submitted to the City for approval prior to grading and building permit issuance for each project phase. BMPs shall be identified and described for submittal to the City for review and approval prior to building or grading permit issuance. BMPs shall be adhered to for the duration of the project. The applicant shall provide and post signs stating these restrictions at construction site entries. Signs shall be posted prior to commencement of construction and maintained throughout construction. Schedule and neighboring property owner notification mailing list shall be submitted 10 days prior to initiation of any earth movement. The Community Development department shall confirm that construction noise reduction measures are incorporated in plans prior to approval of grading/building permit issuance. All construction workers shall be briefed at a pre-construction meeting on construction hour limitations and how, why, and where BMP measures are to be implemented. A workday

schedule will be adhered to for the duration of construction for all phases.

Monitoring. City staff shall ensure compliance throughout all construction phases. Building inspectors and permit compliance staff shall periodically inspect the site for compliance with activity schedules and respond to complaints.

Tribal Cultural Resources

TCR-1 Native American Monitor. A Native American monitor shall be present during ground disturbing activities due to the area being identified as a culturally sensitive location. The monitor(s) shall be on-site on a full-time basis during earthmoving activities, including grading, trenching, vegetation removal, or other excavation activities.

TCR-2 Unanticipated Discovery of Tribal Cultural Resources. In the event that archaeological resources of Native American origin are identified during project construction, a qualified archaeologist will consult with the City to begin Native American consultation procedures.

SECTION 2. Findings. The Planning Commission hereby grants final approval to the project (ARCH-0200-2019 & EID-0201-2019), based on the following findings:

1. As conditioned, the project will not be detrimental to the health, safety, and welfare of persons living or working at the site or in the vicinity because the project respects site constraints and will be compatible with the scale and character of the neighborhood.
2. The project is consistent with the Zoning Regulations, since the proposed building design complies with all property development standards including height, setbacks, coverage, floor area ratio, density, and parking for the Office zone with a Planned Development and Special Focus Overlays (O-PD-SF).
3. The project is consistent with the General Plan, Land Use Element Policies 3.5.1(D) and 5.1.1 because it promotes the location of a regional transportation agency near the intersections of South Higuera Street, Prado Road, and Highway 101 and supports the grouping of government offices that provide similar types of services for efficient service delivery.
4. The proposed project is consistent with Chapter 17.64. Airport (AOZ) Overlay Zone of the Zoning Regulations.
5. The project design is consistent with the City's Community Design Guidelines Section 3.3, industrial development, and provides a design that is compatible with the proposed use and the characteristics of the surrounding neighborhood.
6. The project design is consistent with the Community Design Guidelines by providing a variety of architectural treatments and landscaping that add visual interest and articulation to the building and site design that are compatible with the design and scale of the existing structures in the surrounding neighborhood.

7. No public purpose is served by strict compliance with the City's fence height standards because the location, height, and extent of the proposed fence would not have a negative effect on the health, safety, or welfare of those living or working in the community.
8. Fencing will be located outside of the required sight distance triangles in order to ensure adequate sight distance at the driveways.

SECTION 3. Action. The project conditions of approval do not include mandatory code requirements. Code compliance will be verified during the plan check process, which may include additional requirements applicable to the project. The Planning Commission (PC) hereby grants final approval to the project with incorporation of the following conditions:

Planning Division

1. Final project design and construction drawings submitted for a building permit shall be in substantial compliance with the project plans approved by the Planning Commission for project ARCH-0200-2018. A separate, full-size sheet shall be included in working drawings submitted for a building permit that lists all conditions and code requirements of project approval listed as sheet number 2. Reference shall be made in the margin of listed items as to where in plans requirements are addressed. Any change to approved design, colors, materials, landscaping, or other conditions of approval must be approved by the Director or Architectural Review Commission, as deemed appropriate.
2. It shall be the responsibility of all owners of property offered for sale or for lease within the airport overlay zone (AOZ) to provide a disclosure prior to selling or leasing property in San Luis Obispo as specified in the airport land use plan.
3. Plans submitted for a building permit shall call out the colors and materials of all proposed building surfaces and other improvements. Colors and materials shall be consistent with the color and material board submitted with Architectural Review application.
4. Plans submitted for a building permit shall clearly depict the type of bicycle racks proposed, location and dimensions of all short and long-term bicycle parking. Sufficient detail shall be provided about the placement and design of bike racks to demonstrate compliance with relevant Engineering Standards and Community Design Guidelines, to the satisfaction of the Public Works and Community Development Directors.
5. Plans submitted for a building permit shall include recessed window details and all other details including but not limited to awnings, and railings. Plans shall indicate the type of materials for the window frames and mullions, their dimensions, and colors. Plans shall include the materials and dimensions of all lintels, sills, surrounds recesses and other related window features. Plans shall demonstrate the use of high-quality materials for all design features that reflect the architectural style of the project and are compatible with the neighborhood character, to the approval of the Community Development Director.

6. Mechanical and electrical equipment shall be located internally. With submittal of working drawings, the applicant shall include sectional views of the building, which clearly show the sizes of any proposed condensers and other mechanical equipment. If any condensers or other mechanical equipment is to be placed on the roof, plans submitted for a building permit shall confirm that parapets and other roof features will adequately screen them. A line-of-sight diagram may be required to confirm that proposed screening will be adequate. This condition applies to initial construction and later improvements.
7. The location of any required backflow preventer and double-check assembly shall be shown on all site plans submitted for a building permit, including the landscaping plan. Construction plans shall also include a scaled diagram of the equipment proposed. Where possible, as determined by the Utilities Director, equipment shall be located inside the building within 20 feet of the front property line. Where this is not possible, as determined by the Utilities Director, the back-flow preventer and double-check assembly shall be located in the street yard and screened using a combination of paint color, landscaping and, if deemed appropriate by the Community Development Director, a low wall. The size and configuration of such equipment shall be subject to review and approval by the Utilities and Community Development Directors.
8. A final landscaping plan, including irrigation details and plans, shall be submitted to the Community Development Department along with working drawings. The legend for the landscaping plan shall include the sizes and species of all groundcovers, shrubs, and trees with corresponding symbols for each plant material showing their specific locations on plans. Street trees species shall comply with City standards.
9. Plans submitted for building permit shall include a photometric plan, demonstrating compliance with maximum light intensity standards. The locations of all lighting, including bollard style landscaping or path lighting, shall be included in plans submitted for a building permit. All wall-mounted lighting fixtures shall be clearly called out on building elevations included as part of working drawings. All wall-mounted lighting shall complement building architecture. The lighting schedule for the building shall include a graphic representation of the proposed lighting fixtures and cut-sheets on the submitted building plans. The selected fixture(s) shall be shielded to ensure that light is directed downward consistent with the requirements of the City's Night Sky Preservation standards contained in Chapter 17.70.100 of the Zoning Regulations.
10. In order to further reduce potential noise impacts, the east bay doors shall remain closed from 10:00 p.m. to 7:00 a.m. daily except for egress and ingress.

Engineering Division – Public Works/Community Development

11. Projects involving the construction of new structures generally requires that complete frontage improvements be installed or that existing improvements be upgraded per city standard. MC 12.16.050.

12. New curb, gutter, sidewalk, street paving, signing, striping, and driveway approach improvements are normally required as a condition of development permits and would be constructed in accordance with City Engineering Standards and Standard Specifications. Because of the timing with the design and construction of the Prado Road overpass, the City has approved the deferral of some or all of the standard street improvements along Elks, Prado, and the Elks realignment. The applicant/property owner should provide a written request to defer said improvements. If deferred, a covenant agreement shall be recorded to complete the frontage improvements in the future.
13. Interim access and utility connections shall be approved to the satisfaction of the City and serving utility companies.
14. The building permit plan submittal shall include all required parking lot improvements, dimensions, space dimensions, maneuverability, materials, space and aisle slopes, drainage, pavement marking, signage, and striping in accordance with the Parking and Driveway Standards and disabled access requirements of the CBC.
15. The building plan submittal shall show and note the right-of-way width, location of frontage improvements, front property line location, offers of dedication, and all easements. All existing and proposed improvements located within the public right-of-way shall be shown for reference.
16. The building plan submittal shall include a complete site utility plan. All existing and proposed utilities along with utility company meters shall be shown. Existing underground and overhead services shall be shown along with any proposed alterations or upgrades. All work in the public right-of-way shall be shown or noted.
17. All new wire services to the new structure(s) including electrical service, phone, fiber, and cable TV shall be placed underground. The undergrounding of utilities shall be completed without a net increase in the number of required utility poles.
18. New streetlight(s) may be required along the realigned Elks frontage depending upon whether temporary access or complete frontage improvements will be constructed.
19. The building plan submittal shall include a complete grading, drainage and topo plan. The grading and drainage plan shall show existing structures and grades located within 15' of the property lines in accordance with the grading ordinance. The plan shall consider historic offsite drainage tributary to this property that may need to be conveyed along with the improved on-site drainage. This development will alter and/or increase the storm water runoff from this site. The improved or altered drainage shall be directed to the street and not across adjoining property lines unless the drainage is conveyed within recorded easements or existing waterways.

20. The building plan submittal shall show and note compliance with the Post Construction Stormwater Regulations as promulgated by the Regional Water Quality Control Board for development projects. Post Construction Plan checklists are available on the City website or by request. An operations and maintenance manual will be required for the post-construction stormwater improvements.
21. The building plan submittal shall include a Private Stormwater Conveyance System Management and Maintenance Agreement (Operations and Maintenance Agreement) on a form provided by the City. The agreement shall be recorded and shall reference any separate maintenance program documents and the approved building plans.
22. Water quality treatment systems, the treatment train, and maintenance BMP's shall be included in an Operation and Maintenance Manual.
23. The final drainage report shall show and note compliance with Waterway Management Plan Drainage Design Manual. The final drainage report and building plan submittal shall show and note compliance with the Floodplain Management Regulations. The drainage report shall include a complete summary of any initial (Interim) drainage improvements vs. the final drainage improvements, strategy, and design. The report shall clarify what future improvements may be required to accommodate the Elks Lane re-alignment.
24. The building plan submittal shall comply with the City's Floodplain Management Regulations and the current Flood Insurance Rate Map. City/FEMA regulations require elevation and/or floodproofing to at least 1' above the Base Flood Elevation (BFE). Floodproofing to a freeboard height of 2' above the BFE may provide better flood protection/reduced flood insurance premiums and is recommended.
25. The building plan submittal shall include a detailed site plan exhibit to show the scope of improvements, alterations, and demolitions required to accommodate the future Elks Lane re-alignment as currently contemplated. The plan shall consider final parking lot access, site improvements, circulation, utility relocations, site lighting, and landscaping. A covenant agreement to remove, alter, or relocate the existing improvements to accommodate the Elks Lane re-alignment shall be recorded prior to final inspection approvals, if applicable.
26. One 15-gallon street tree is generally required for each 35 lineal feet of frontage as a condition of development. Some street tree planting may be deferred and included in a covenant for future planting/improvements if specifically approved for deferral by the City Arborist and Community Development Director.
27. The City supports the proposed tree removals and the proposed compensatory on-site tree plantings as shown in the ARC plans. Additional landscape/buffer trees may be required along the Prado and Elks frontages outside the proposed security fencing. The final tree planting requirement and species shall be approved to the satisfaction of the Community Development Director and City Arborist depending upon the project timing, overpass project timing, and final designs.

Utilities Department

28. Recycled water, or another non-potable water source, shall be used for construction water (dust control, soil compaction, etc.). An annual Construction Water Permit is available from the City's Utilities Department. Recycled water is readily available east of the intersection of Elks Lane and Prado Road.
29. Prior to issuance of a building permit the development's recycled water system shall have: a 12-inch recycled water system along the north boundary of the project, and within the Elks Lane realignment; approximately 650-ft of main. The new main will remain inactive (dry) until the final connection to the east is made onto Prado Road by the Day Center Improvements, therefore the project may use potable water from the north boundary to feed the irrigation system. A temporary connection can be made from the recycled water main available on Prado Road to service the project from the south boundary through an alignment meeting the Engineering Design Standards, and to the satisfaction of the Utilities Engineer.
30. Water flow rates and flow velocities shall comply with the requirements of the 2016 Potable Water Distribution System Operations Master Plan. Prior to issuance of a building permit the development's water system shall have: (1) a 12-inch water main extending easterly along the new Elks Lane realignment up to the northeast corner of the project; and (2) approximately 650-ft of water main.
31. Sewer flow rates and flow velocities shall comply with the requirements of the 2016 Wastewater Collection System Infrastructure Renewal Strategy. Prior to issuance of a building permit the development's sewer system shall have: a private sewer lateral adequately sized to convey the new sewer flows to a point near the east boundary of the project, and then temporarily discharge the flows south into the 48" sewer main along Prado Road. The Prado Road overcrossing may require the 48" sewer main to get relocated into the new Elks Lane Road realignment, which may trigger the need to re-direct the sewer flows from the east boundary of the project to a point located near the northeast corner of the project. The lateral relocation and re-direction of flow will not be in the scope of this proposed project, but the inverts need to be deep enough to re-direct the flows without the need of a private lift station.
32. Separate utilities, including water, sewer, gas, electricity, telephone, and cable TV shall be served to each lot to the satisfaction of the Public Works Department and serving utility companies. All public and private sewer mains/laterals shall be shown on the public improvement plans and shall be constructed per City Engineering Standards unless a waiver or alternate standard is otherwise approved by the City. The plans shall clearly delineate and distinguish the difference between public and private improvements. No sewer lift stations shall be used for the wastewater collection system given that preliminary designs demonstrate the ability to serve the development by a gravity sewer system.
33. All proposed utility infrastructure shall comply with the latest engineering design standards

effective at the time the building permit is obtained, and shall have reasonable alignments needed for maintenance of public infrastructure. All public utilities shall be within the public right of way, and final alignment of all water and sewer mains to be approved by the Utilities Engineer.

34. All sewer and water infrastructure impacted by the proposed Elks Lane re-alignment and associated appurtenances shall be removed and replaced to the satisfaction of the Utilities Director.
35. Where automobiles are serviced, greased, repaired, or washed, separators shall be provided to prevent the discharge of oil, grease, and other substances harmful or hazardous to the City's wastewater collection system consistent with City standards.
36. Final grades and alignments of all public and/or private water, recycled water, sewer and storm drains shall be approved to the satisfaction of the Public Works Director and Utilities Department. The final location, configuration, and sizing of on-site service laterals and meters shall be approved in conjunction with the review of the building plans, fire sprinkler plans, and/or public improvement plans.
37. The limit, extent, and method of termination for all public utilities shall be approved to the satisfaction of the City Utilities Engineer. The final design shall consider any on-going City maintenance of the same. Redundant mains or mainlines located with limited access for maintenance may need to be redesigned. The extension of mainlines along the project boundary/frontage may be required for orderly development.
38. The improvement plans shall show the location of all domestic and landscape water meters. The plan shall include service lateral sizes and meter sizes. Sizing calculations may be required to justify service and meter sizing.
39. Irrigation systems using recycled water shall be designed and operated as described consistent with the City's Procedures for Recycled Water Use, including the requirement that sites utilizing recycled water require backflow protection on all potable service connections. Three sets of irrigation plans shall be submitted for review during the City's improvement plan and/or building permit review process.
40. The project's Landscape Plan shall be consistent with provisions of the City's maximum applied water allowance or (MAWA).
41. Management of refuse generations for waste, recyclables, and organics shall comply with state law per AB 1826 and the local waste management ordinance to reduce greenhouse gas emissions.
42. Driveways and access routes to all refuse receptacles shall be designed to accommodate the size and weight of the garbage trucks; a written confirmation from the San Luis Garbage Company shall be included in the building permit plans for the proposed project.

Transportation Division – Public Works

43. Prior to building permit issuance, the applicant shall provide a preliminary design of the realignment of Elks Lane along the project frontage to the satisfaction of the Public Works Department. Preliminary plans shall be provided to show that the proposed project, site design, utility connections, horizontal, and vertical controls will generally accommodate a future re-alignment of Elks Lane. The plan shall include public utility main extensions/relocations into the re-aligned street.
44. Prior to issuance of building permit the property owner shall dedicate an irrevocable offer of public rights of way for the realignment of Elks Lane, Prado Road widening and interchange/overpass, subject to approval of the Director of Public Works.
45. Prior to issuance of building permit the property owner/applicant shall enter into a covenant agreement for the construction of public improvements for the Elks lane realignment along the property frontage. These improvements shall include curb, gutter, street paving, water and sewer utilities, and all necessary appurtenances per City standards. These improvements may include the removal and/or adjustment of any conflicts such as interim driveways, parking lots, basins, and swales.
46. The building plan submittal shall include applicable vehicle turning path analyses for site access driveways-both interim driveways along the existing Elks Lane alignment, and ultimate driveways along the future realigned segment of Elks Lane.

Fire Department

47. Water Supplies shall be in accordance with Sections 507 of the CFC. An approved water supply capable of providing the required fire flow for fire protection is required. The fire flow shall be determined using Appendix B of the CFC. Show locations of any nearby existing public fire hydrants. In addition to the 2 proposed private hydrants, a public hydrant will be required on the future Elks Lane roadway, near the double detector check valve backflow preventer. Show this public hydrant on plans.

Indemnification

48. The applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action or proceeding against the City and/or its agents, officers or employees to attack, set aside, void or annul, the approval by the City of this project, and all actions relating thereto, including but not limited to environmental review (“Indemnified Claims”). The City shall promptly notify the applicant of any Indemnified Claim upon being presented with the Indemnified Claim and the City shall fully cooperate in the defense against an Indemnified Claim.

On motion by Commissioner Jorgensen, seconded by Commissioner McKenzie, and on the following roll call vote:

AYES: Commissioners Jorgensen, McKenzie, Kahn, Vice Chair Dandekar, and Chair Wulkan

NOES: None

RECUSED: Commissioner Quincey

ABSENT: Commissioner Stevenson

The foregoing resolution was passed and adopted this 24th day of July, 2019.



Tyler Corey, Secretary
Planning Commission

Project Condition Acknowledgement Agreement

(Fee in lieu of Construction)

This Project Condition Acknowledgment Agreement (“Agreement”) is made this 20th day of April, 2022, (the “Effective Date”) by and between the San Luis Obispo Regional Transit Authority, a California joint powers authority (“RTA”) and the City of San Luis Obispo, a California municipal corporation and charter city (“City”).

WHEREAS, RTA has received final approval from the City (ARCH-200-2019 & EID-201-2019) to construct an approximately 31,250 square foot new operation, administration and maintenance facility (the “Project”) on RTA’s property located at 253 Elks Lane, San Luis Obispo (Resolution No. PC 1007-19); and

WHEREAS, City’s approval of the Project included conditions 43 and 45 (the “Conditions”), which required certain improvements to be made to Elks Lane that are now part of the City’s larger Prado Road Overpass project, which will realign Elks Lane to allow for the construction of the Overpass project; and

WHEREAS, in furtherance of the Conditions, RTA has constructed full street improvements to its property frontage (curb, gutter, sidewalk) and constructed travel lanes as well as a temporary “t” intersection at old Elks Lane and new Elks Lane as a temporary measure until the future realignment of Elks Lane is constructed with the Prado Interchange Project;

WHEREAS, the timing of the Prado Road overpass and the Elks Lane realignment project is presently scheduled for 2025; and

WHEREAS, because of both efficiency and practical reasons, both City and RTA desire to establish an up-front fee instead of entering into a covenant requiring RTA to later physically construct that portion of the Elks Lane realignment project which is attributable to the Project.

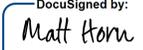
NOW THEREFORE, City and RTA agree as follows:

1. The above recitals are true and correct and incorporated herein.
2. In lieu of RTA making any further physical improvements to Elks Lane in order to accommodate the currently developed “t” intersection with the future design of the Elks Lane realignment project as required by the Conditions, RTA shall pay City a fee in the amount of \$351,182 (the “Fee”).
3. Upon payment of the Fee to City, the Conditions are fully satisfied.
4. That the persons executing this Agreement on behalf of the parties hereby warrant that they are duly authorized to execute this Agreement on behalf of said parties and that by doing so, the parties hereto are formally bound to the provisions of this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their respective duly authorized officers and representatives as of the Effective Date.

CITY OF SAN LUIS OBISPO,
A California municipal corporation and charter city

SAN LUIS OBISPO REGIONAL TRANSIT
AUTHORITY, a California joint powers authority

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Matt Horn, Public Works Director

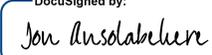
Geoff Straw, Executive Director

APPROVED AS TO FORM:

APPROVED AS TO FORM:

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J. Christine Dietrick, City Attorney
City of San Luis Obispo

Jon Ansolabehere, Assistant County Counsel
San Luis Obispo Regional Transit Authority

Agreement Amount Tracker for SCI						
Bus Maintenance Facility Project (updated 20-Apr-2022)						
Contract Sum	Original	As amended	STATUS			
	\$16,873,000.00	\$17,717,269.70				
Total Change Orders Authorized		\$844,269.70				
% change from original contract		5.00%	% change with initiated, too			Reason/Who
CRB Number, Description (date executed)	Authorized Amount	Change Order # & Invoice #	Status in Procure Software	Estimate	Initiated	
CRB-01, asbestos (8/12/20)	\$13,756.05	CO #1, invoice #1	Completed/approved	Closed		Unforseen
CRB-02, geogrid removal (9/25/20)	\$31,582.28	CO #3, invoice #2	Completed/approved	Closed		Unforseen
CRB-03, utility changes on Elks (09/02/20)	\$52,491.60	CO #2, invoice #2	Completed/approved	Closed		City of SLO
CRB-04, data conduit changes (void)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-05, water main & valves (09/30/20)	\$19,547.85	CO #4, invoice #4	Completed/approved	Closed		Design
CRB-06, firewater backflow/FDC orientation (12/02/2020)	\$12,441.89	CO #10, invoice #9	Completed/approved	Closed		Design
CRB-07, trap primers (12/02/2020)	\$22,208.91	CO #5, invoice #4	Completed/approved	Closed		Design
CRB-08, remove contaminated soil (12/02/2020)	\$2,913.75	CO #7, invoice #4	Completed/approved	Closed		Unforseen
CRB-09, pipe support at FCD (void)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-10, floor box modifications (11/12/2020)	\$3,786.30	CO #6, invoice #4	Completed/approved	Closed		Design
CRB-11, remaining indoor air improvements (3/11/2021)	\$55,849.65	CO #15, invoice #9	Completed/approved	Closed		RTA
CRB-11.1, operable windows (02/24/2021)	\$50,172.13	CO #16, invoice #7	Completed/approved	Closed		RTA
CRB-11.2, bipolar ionizer (02/24/2021)	\$31,447.66	CO #18, invoice #7	Completed/approved	Closed		RTA
CRB-11.3, added conduit op. windows (9/27/2021)	\$2,957.01	CO #51, invoice #15	Completed/approved	Closed		RTA
CRB-11.4, provide hole in reception counter pass-thru (1/12/2022)	\$680.40	CO #86, invoice #18	Completed/approved	Closed		RTA
CRB-12, lube room modifications (02/24/2021)	\$20,434.28	CO #17, invoice #7	Completed/approved	Closed		Design
CRB-13, Main switchboard modifications (09/15/2021)	(\$2,567.25)	CO #53, invoice #14	Completed/approved	Closed		Design
CRB-14, Phillips 66 compaction modifications (02/24/2021)	\$30,831.37	CO #11, invoice #7	Completed/approved	Closed		Unforseen
CRB-15, Modified aggregate - no fly ash (02/15/2021)	\$7,560.00	CO #9, invoice #7	Signed 2/15/2021	Closed		Design
CRB-16, Deletion of decorative glass (1/5/2021)	(\$8,042.97)	CO #8, invoice #6	Completed/approved	Closed		RTA
CRB-17 (delete conference trailer)	pending		Awaiting detail			RTA
CRB-18, Added conduits for future radio system (2/11/2021)	\$3,116.40	CO #13, invoice #7	Completed/approved	Closed		RTA
CRB-19, Added Phase 2 & 3 BEV power conduit (03/03/2022)	\$18,956.70	CO #87, invoice #20	Awaiting detail	Closed		RTA
CRB-20, added shunt trips for EV chargers (8/20/2021)	\$2,449.65	CO #38, invoice #13	Completed/approved	Closed		Design
CRB-21, electrical clarifications at the chillers (2/11/2021)	\$5,408.55	CO #14, invoice #7	Completed/approved	Closed		Design
CRB-22, add'l pot-holing at Prado & Elks (2/11/2021)	\$2,644.81	CO #12, invoice #7	Completed/approved	Closed		City of SLO
CRB-23 (storm drain - flared end sections)	pending		Awaiting detail			Design
CRB-24 modify decorative plastic glazing (4/28/2021)	\$1,742.98	CO #25, invoice #10	Completed/approved	Closed		RTA
CRB-25, modify lockers (05/04/2021)	(\$9,344.84)	CO #20, invoice #9	Completed/approved	Closed		Design
CRB-26, mod. ind. storage racks (05/04/2021)	\$614.76	CO #19, invoice #9	Completed/approved	Closed		RTA
CRB-27, Revised footing for canopy mods (07/02/2021)	\$15,736.55	CO #31, invoice #12	Completed/approved	Closed		Design
CRB-28 added power reels and supports (5/5/2021)	\$5,025.43	CO #24, invoice #10	Completed/approved	Closed		Design
CRB-28.1, add elect receptacles at power reels (8/20/2021)	\$686.70	CO #40, invoice #13	Awaiting detail	Closed		Design
CRB-29, steel angles rooftop HVAC equip (05/04/2021)	\$7,774.20	CO #21, invoice #9	Completed/approved	Closed		Design
CRB-30, HVAC return & transfer air mods (07/22/2021)	\$9,813.88	CO #42, invoice #12	Completed/approved	Closed		Design
CRB-31, hose reel supports (void)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-32, Added metal deck supports (void)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-33, added tubular skylight supports in admin (void)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-34 (delete ESD Buttons at the EVCS)	pending		Awaiting detail			RTA
CRB-35, roof platform for ASHP-01 (8/18/2021)	\$33,834.28	CO #39, invoice #13	Completed/approved	Closed		Design
CRB-36, Added angles at East Canopy (06/10/2021)	\$2,980.95	CO #26, invoice #14	Completed/approved	Closed		Design
CRB-37 Upgrade HWP 1 & HWP 2 Exterior Rated (5/5/2021)	\$3,103.85	CO #23, invoice #10	Completed/approved	Closed		Design
CRB-38 Add glass-mat sheathing to rooftop surfaces (5/3/2021)	\$10,957.30	CO #27, invoice #10	Completed/approved	Closed		Design
CRB-39 Tubular skylight change - maint office area (5/20/2021)	\$679.19	CO #28, invoice #10	Completed/approved	Closed		RTA
CRB-40, Add condensate lines from HPWH-1 & HPWH-1 (5/20/2021)	\$4,688.03	CO #29, invoice #10	Completed/approved	Closed		Design
CRB-41, revised data / IT mods (8/20/2021)	\$23,954.70	CO #45, invoice #13	Awaiting detail	Closed		RTA
CRB-42, Change control gang boxes in training room (07/22/2021)	\$751.80	CO #34, invoice #12	Completed/approved	Closed		Design
CRB-43, Add trap primer wiring (07/21/2021)	\$4,805.85	CO #37, invoice #12	Completed/approved	Closed		Design
CRB-44, Multimedia box and HDMI cables in training room (1/14/2022)	\$3,830.40	CO #46, invoice #18	Completed/approved	Closed		Design
CRB-45, add power supply for electronic door hardware (8/18/2021)	\$25,714.50	CO #43, invoice #13	Awaiting detail	Closed		Design
CRB-46 Insulate air plenum piping (07/22/2021)	\$10,187.10	CO #30, invoice #12	Completed/approved	Closed		Design
CRB-47, Add'l comm conduit to EV chargers (7/7/2021)	\$8,632.05	CO #36, invoice #18	Completed/approved	Closed		RTA
CRB-48, Change wall hydrant at patio (07/21/2021)	\$1,624.44	CO #41, invoice #12	Completed/approved	Closed		Design
CRB-49, Buy America compliant door hardware (07/22/2021)	\$551.25	CO #32, invoice #12	Completed/approved	Closed		Design
CRB-50, Revise door #123 from F01 to F02 (07/21/2021)	\$500.85	CO #33, invoice #12	Completed/approved	Closed		RTA
CRB-51, Add ADA door actuators at doors 102 & 137A (07/21/2021)	\$649.95	CO #35, invoice #12	Completed/approved	Closed		Design
CRB-52, Provide urethane cement infill for shower floors (11/24/2021)	\$9,714.34	CO #63, invoice #16	Completed/approved	Closed		Design
CRB-53, Add CMU wall cap in Maintenance area (11/24/2021)	\$1,648.00	CO #68, invoice #16	Completed/approved	Closed		Design
CRB-54, (reimburse for building move design cost)	pending		Awaiting detail			Contractor
CRB-55, Power supply for gate access (08/30/2021)	\$873.60	CO #48, invoice #14	Completed/approved	Closed		Design
CRB-55.1, Provide power supply for gate hardware (11/24/2021)	\$3,069.15	CO #71, invoice #16	Completed/approved	Closed		Design
CRB-56, Increased steel cost for EV canopy (1/21/2022)	\$74,353.02	CO #44, invoice #18	Completed/approved	Closed		Force Majeure
CRB-56.1, Increased steel cost for EV canopy #2 (1/27/2022)	\$35,106.86	CO #47, invoice #18	Completed/approved	Closed		Force Majeure
CRB-57, Battery back-up for gas detection (09/15/2021)	\$1,829.10	CO #52, invoice #14	Completed/approved	Closed		City of SLO
CRB-57.1, Signage for gas detection (09/17/2021)	\$303.19	CO #57, invoice #14	Completed/approved	Closed		City of SLO
CRB-58, Added steel support for sectional doors (09/08/2021)	\$6,224.40	CO #49, invoice #14	Completed/approved	Closed		Design
CRB-59, Added curb NE sidewalk (void)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-60, (equip. elec. disconnect mods)	pending		Awaiting detail			Design
CRB-61, Provide added graffiti resistant coating (1/12/2022)	\$2,738.90	CO #66, invoice #18	Completed/approved	Closed		RTA
CRB-62, Fire water backflow preventer alarm monitoring (1/12/2022)	\$14,046.90	CO #50, invoice #18	Completed/approved	Closed		Design
CRB-63, Fire water & electrical trench crossing (11/05/2021)	\$6,878.55	CO #55, invoice #16	Completed/approved	Closed		Design
CRB-64, Resolve utility & recycled water lines conflict (11/05/2021)	\$3,457.65	CO #56, invoice #16	Completed/approved	Closed		Design
CRB-65, (added conduit EV charging yard & bus canopy)	pending		Awaiting detail			Design
CRB-66, Clean-up existing driveway approach at Elks Lane (11/30/2021)	\$1,314.90	CO #74, invoice #17	Awaiting detail	Closed		City of SLO
CRB-67, Apply black dryfall paint in reception area	\$1,989.86	CO #58, invoice #14	Completed/approved	Closed		Design
CRB-68, Extend concrete pad for compressor in lube room (void)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-69, Provide window coverings in conf. rm. 140 (11/05/2021)	\$1,050.00	CO #61, invoice #16	Completed/approved	Closed		Design
CRB-70, Change plumbing to comply with Buy America (01/12/2022)	\$2,949.70	CO #60, invoice #20	Completed/approved	Closed		Force Majeure
CRB-71, Revised infrared heaters control panel (10/29/2021)	\$5,627.23	CO # 59, invoice #16	Completed/approved	Closed		Design
CRB-72, Add concrete pedestals EV chargers in emp. pkg (11/12/2021)	\$2,281.65	CO #65, invoice #16	Completed/approved	Closed		Design
CRB-73, Recirc pump control panel mods (10/29/2021)	\$2,123.88	CO #67, invoice #16	Completed/approved	Closed		Design
CRB-73.1, Provide 120V relay for circ. Pump (1/12/2022)	\$620.55	CO #88, invoice #18	Completed/approved	Closed		Design
CRB-74, Replace cabinet in fare room (void)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-75, Provide half-controlled receptacles in Room 130 (11/12/2021)	\$1,453.20	CO #72, invoice #16	Completed/approved	Closed		RTA
CRB-76, Add walk-on bark around Bio-Retention Basins (11/19/2021)	\$6,931.48	CO #73, invoice #16	Completed/approved	Closed		RTA
CRB-77, Add SS shroud at towel disp in unisex bathroom (12/02/2021)	\$598.50	CO #77, invoice #17	Completed/approved	Closed		Design
CRB-78, Extend concrete pad at bike rack (1/12/2022)	\$2,711.13	CO #84, invoice #18	Completed/approved	Closed		RTA
CRB-79, Replace concrete at PG&E power pole on Prado (1/10/2022)	\$3,201.45	CO #85, invoice #18	Completed/approved	Closed		Design
CRB-80, Install chain link on Elks Lane (50% neighbor)	\$15,540.00	CO #83, invoice #17	Completed/approved	Closed		RTA
CRB-80.1, Remove remnants old fence (reimbursable 1/10/2022)	\$1,890.00	CO #90, invoice #18	Completed/approved	Closed		RTA
CRB-81, Provide wire mold for sectional doors (12/21/2021)	\$5,900.30	CO #76, invoice #17	Completed/approved	Closed		RTA
CRB-82, Install cabinet door on back of mailboxes (12/14/2021)	\$1,858.50	CO #79, invoice #17	Completed/approved	Closed		Design
CRB-83, Extend 2" potable water to wash bay (void)	\$0.00	Void, repl./scope change	Void	\$0.00		N/A
CRB-83.1, Extend 2" potable water to wash bay (03/03/2022)	\$12,914.43	CO #108, invoice #20	Completed/approved	Closed		SLO City
CRB-84, Provide numbered keys and blanks (12/15/2021)	\$1,030.05	CO #80, invoice #17	Completed/approved	Closed		RTA
CRB-85, Half-controlled power at dispatch vestibule (02/15/2022)	\$804.30	CO #98, invoice #20	Completed/approved	Closed		Design
CRB-86, Remove add'l asphalt/fence removal at Elks/Prado (1/10/2022)	\$5,204.14	CO #78, invoice #18	Completed/approved	Closed		City of SLO
CRB-87, Provide temp domestic hot water on rooftop (03/08/2022)	\$6,377.98	CO #111, invoice #20	Completed/approved	Closed		Force Majeure
CRB-88, Upgrade irrigation controller (1/10/2022)	\$2,727.40	CO #82, invoice #18	Completed/approved	Closed		Design
CRB-89, Install owner provided exterior mailbox (02/15/2022)	\$1,389.15	CO #102, invoice #20	Awaiting detail	Closed		RTA
CRB-90, Modify door #201 & hardware at roof (1/17/2022)	\$473.55	CO #81, invoice #18	Completed/approved	Closed		Design
CRB-91, Provide metered lube guns (1/10/2022)	\$9,482.55	CO #89, invoice #18	Completed/approved	Closed		RTA
CRB-92, Add CAT6 cable for radio system (02/15/2022)	\$3,718.05	CO #99, invoice #20	Completed/approved	Closed		RTA
CRB-93, Modify conduits for parts washer (02/15/2022)	\$1,620.15	CO #100, invoice #20	Completed/approved	Closed		Design
CRB-94, (stabilize Big Ass fans)	pending		Awaiting detail			Design
CRB-95, Add door louver to equip room #169 (03/03/2022)	\$853.65	CO #101, invoice #20	Completed/approved	Closed		Design
CRB-96, Verify fire sprinkler calcs for high pile storage plan (1/10/2022)	\$420.00	CO #94, invoice #18	Completed/approved	Closed		City of SLO
CRB-97, Remotely mount HPWH control screens in janitorial room #119	\$4,859.99	CO #91, invoice #18	Completed/approved	Closed		Design
CRB-98, (upgrades to EV charging system)	pending		Awaiting detail			Force Majeure
CRB-99, Provide additional fire alarm devices (1/25/2022)	\$20,116.95	CO #70, invoice #18	Completed/approved	Closed		City of SLO
CRB-100, Added structural steel at AHU-1	\$3,371.55	CO #54, invoice #18	Completed/approved	Closed		Design
CRB-101, Overnight shipping for door cylinders & keys (1/28/2022)	\$496.65	CO #95, invoice #18	Completed/approved	Closed		RTA
CRB-102, Remove debris from 179 Cross (03/03/2022)	\$7,771.05	CO #110, invoice #20	Completed/approved	Closed		RTA
CRB-103, Modify interior door hardware to fail-safe (02/15/2022)	\$210.00	CO #103, invoice #20	Completed/approved	Closed		RTA
CRB-104, Plumbing fixture cost escalation (03/03/2022)	\$3,294.28	CO # 69, invoice #20	Completed/approved	Closed		Force Majeure
CRB-105, Provide FEMA Elevation Certificate (03/03/2022)	\$1,417.50	CO #104, invoice #20	Completed/approved	Closed		RTA
CRB-106, Credit for incorrect material Trg Rm (03/03/2022)	(\$500.00)	CO #105, invoice #20	Completed/approved	Closed		Contractor
CRB-107, (provide intake weather protection)	pending		Awaiting detail			Design
CRB-108, Additional Crane Mobility for HVAC set (03/03/2022)	\$3,563.35	CO #109, invoice #20	Completed/approved	Closed		Force Majeure
CRB-109, ACU drain pan in Data Rm (03/03/2022)	\$3,623.09	CO #107, invoice #20	Completed/approved	Closed		Design
CRB-110, Provide sheet metal flashing at bus duct (03/03/2022)	\$624.75	CO # 106, invoice #20	Completed/approved	Closed		Design
CRB-111, Extend concrete pad in lube room (03/03/2022)	\$2,934.75	CO #64, invoice #20	Completed/approved	Closed		Design
CRB-112, Provide add'l conduit & wires at EV yard (duplicate CRB-65)	\$0.00	Void, no cost change	Void	Closed		N/A
CRB-113, Patch asphalt at new PG&E pole (03/03/2022)	\$3,979.50	CO #97, invoice #20	Completed/approved	Closed		Design

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REGIONAL TRANSIT AUTHORITY

Fiscal Year 2022/2023 Budget - Projected Five Year Capital Budget - May 4 2022



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SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY VISION STATEMENT, VISION ELEMENTS, MISSION STATEMENT AND STRATEGIC DIRECTION

VISION

The RTA of the future is an integral part of the “SLO lifestyle.” From the vineyards in North County, to the secluded beach towns on the North Coast, to multi-faceted communities in the South County, residents and visitors use public transportation rather than relying on their cars.

Vision Elements

- Continue successful partnerships with jurisdictions, county, other public agencies, businesses and schools.
- Provide excellent, reliable, sustainable seamless service that is effective in getting residents and visitors where they want to travel.
- Secure reliable funding.
- Implement an Intelligent Transportation Systems (ITS) program to improve service quality and provide efficiencies.
- Develop a well-executed image-building campaign with a single face for public transportation.

MISSION

The Mission of RTA is to provide safe, reliable and efficient transportation services that improve and enhance the quality of life for the citizens and visitors of San Luis Obispo County.

STRATEGIC DIRECTION

- Stabilize and grow funding.
- Continue to improve service quality: On-time performance, scheduling and routing, customer amenities on our vehicles and at our bus stops, operating procedures.
- Consolidate and streamline operations to improve efficiency and effectiveness of public transportation throughout the county.
- Include public transportation as part of the lifestyle evolution needed to confront climate change.
- Reduce Vehicle Miles Traveled.
- Embrace technological improvements that will positively impact efficiency and quality of service.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY VALUES

Commitment to Serve

Provide valuable services to the public and direct our energies in strengthening our relationships with our customers and the community while maintaining responsible ethical fiscal management.

Leadership

Be trustworthy, credible, confident, progressive and influential in all we do.

Teamwork

Work together with trust, support and mutual cooperation and respect. Provide an environment that fosters frank and open communication. Have Fun in our daily activities and keep issues in perspective. Have pride in our accomplishments while taking on our challenges with spirit and vigor.

Integrity

Promote honesty, loyalty, dignity, respect, decency, fairness, courtesy, responsibility, and character.

Human Development

Provide the appropriate resources and environment for employees to be successful, motivate individuals to take initiative and to be creative in all of our efforts.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM:	C-1
TOPIC:	Fiscal Year 2022-23 Operating and Capital Budget
PRESENTED BY:	Tania Arnold, Deputy Director/CFO
STAFF RECOMMENDATION:	Adopt the FY22-23 budget as presented
EXEC RECOMMENDATION:	Motion to approve with COLA rate of 4%; the motion failed for lack of a second
RTAC RECOMMENDATION:	Bring the Fiscal Year 2022-23 Budget as Presented to the Board for Approval

BACKGROUND/DISCUSSION:

We appreciate the Board's support and leadership during these unprecedented times as we work to present a fiscally constrained Fiscal Year 2022-23 operating budget, and an advisory FY23-24 operating plan. In addition, we are presenting a five-year capital program.

The budget packet contains the following items:

- Our Vision and Mission statements,
- Budget Assumptions adopted by the Board at its March 2, 2022 meeting,
- Fiscally constrained FY22-23 operating and capital budgets,
- Fiscally unconstrained FY23-24 operating budget, and
- Fiscally unconstrained FY23-24 through FY26-27 capital budgets (expense only for FY24-25 through FY26-27).

It should be noted that staff continues to present separate columns in the revenue and expense tables for South County Transit (SoCo Transit), Paso Robles Express fixed-route and dial-a-ride services, as well as for the County-funded (SLOCAT) transit services. This separation is presented so that readers can easily distinguish between core RTA services and those operated under contract for our partner agencies. More succinctly, core services are defined as the intercity RTA fixed-routes (RTA Routes 9, 10, 12, 14 and 15), as well as the countywide ADA complementary paratransit services known as RTA Runabout.

We have broken each RTA core fixed-route service into weekday, Saturday and Sunday sections to better understand the financial commitment necessary to operate these distinct services should service reductions become necessary due to funding or other constraints.

Please note: the budget presentation assumes operation of the same core levels of service miles and hours for fixed-route services that were adopted as part of the FY21-22 budget. During these uncertain times, staff is prepared to bring budget amendments as the impacts of the recovery from the COVID-19 pandemic become clearer and to address current and future reserve needs. In accordance with the adopted RTA Strategic Business Plan (SBP), the RTA will make consistent efforts to explore new service and service delivery options as well as work with regional efficiencies in the delivery of transportation to the jurisdictions.

As noted during the presentation of the budget assumptions report at the March 2nd RTA Board meeting, below are the key issues staff is working to address in the FY22-23 budget plan:

KEY ISSUES

1. Address the operational and financial impacts of the COVID-19 pandemic, both internally and in support of the communities in which the RTA operates. Impacts include:
 - a. Liability costs, which stabilized due to the RTA's good safety record, but the market continues to be extremely volatile.

In March 2022, staff was pleasantly surprised to learn that workers compensation insurance provided by PRISM (Public Risk Innovation Solutions Management, previously known as CSAC Excess Insurance Authority) is projected to be in line with prior years, not incurring increases which is of note, especially in times of increasing wages. The premiums continue to be static and provide a welcome relief – especially with the realization that worker's compensation across all employment sectors, including for transit services, is especially challenging statewide as loss development trends for the state are not favorable.

In late March 2022 we also received estimated premium for our general liability and vehicle physical damage insurance policies. The annual premium cost for these two insurance policies will be relatively flat as a result of staff's continual work with our employee committee that has evaluated workplace safety and has initiated a proactive program to reduce the number and severity of claims.

Property insurance has increased due to fully insuring the new Bus Maintenance Facility.

- b. Continuing to focus on containment of Runabout subsidies, especially as productivity during the pandemic declined (by design), as well as the expected increase in demand as we transition to an endemic state.

Runabout hours and miles are assumed to increase as we approach the July 2019 to February 2020 ridership trends in FY22-23. Staff will continue to monitor the Runabout service, including the premium fare charged to Tri-Counties Regional Center that started in January 2018 and resumption of the in-person functional assessments as part of the certification and recertification process. Should service demands change significantly during the fiscal year, a budget amendment will be presented to the Board for consideration, which may include options such as taxicab service as noted in the budget assumptions.

- c. Address staffing and retention, particularly in the Bus Operator classification.

The RTA completed a Diversity, Equity and Inclusion review in December 2020 with the final report presented to the Board in May 2021. In person training will be conducted in May 2022 regarding a new program called *Diversity, Equity, Inclusion and Belonging: Why it Matters*. Additional staff will be completing an eLearning training on *Implicit Bias*.

A new and relatively low-cost paid family leave program is also proposed for implementation in July 2022. It brings the RTA leave program more in line with the leave provided by many private employers who participate in the state disability insurance (CA SDI) program.

2. Negotiate a new or extended Collective Bargaining Agreement with Teamsters Local 986, which represents Bus Operators, Mechanics, and Utility employees. The current CBA one-year extension expires December 31, 2022.

As included in the budget assumptions that your Board accepted in March 2022, the 4-year CBA was ratified in November 2017, with wage scales that began January 1, 2018. Acknowledging that this agreement was set to expire at the end of the calendar year 2021, staff worked with the Board to determine an appropriate approach to this agreement in light of the financial and operating impacts of the pandemic and a one year extension through December 2022 was adopted by the Board at the September 2021 meeting. Staff will again work with the Board to determine an appropriate approach ahead of negotiations expected to occur in the summer of 2022.

An annual inflationary adjustment for non-union employees (excluding Operations Supervisors) of 6.6% is proposed for implementation in July 2022. The Operations Supervisor classification CPI increase adjustment would be implemented in January 2023, to coincide with Bus Operator wage scale adjustments. Employees within the salary range for their position are eligible for a step merit increase subject to performance assessments beginning in July 2022.

The wage scales for non-union employees (excluding Operations Supervisors) is presented in tabular format at the end of this budget document.

The number of FY22-23 budgeted full-time equivalent (FTE) positions will remain the same as in FY21-22, although staff realignments are proposed and would result in the new position of Parts Clerk; the Parts Clerk position was included in the high-priority recommendations of the June 2020 Triennial Performance Audit. There is also currently a vacancy for the Human Resources Officer position and in order to encourage a broader range of well-qualified applicants and provide possible future growth opportunities, staff is currently developing a detailed job description and possible wage range for a new Human Resources Manager position. The current recruitment lists both a Human Resources Officer and Human Resources Manager, in order to attract the best qualified applicants. Both the Parts Clerk and the Human Resources Manager job descriptions will be included in the May Board agenda.

3. Continue efforts to implement Zero-Emission Bus technologies, including procurement of battery-electric vehicles and start-up of recharging infrastructure.

Included in the capital program for FY22-23 is the replacement of two diesel-powered buses purchased in 2008, with zero-emission battery-electric buses. The cost of just two buses is more than \$2 million, which is included in the consent agenda for this meeting.

Of note is the significant financial resources required for vehicle replacements, which is based on like-kind (diesel-powered) replacement, with the exception of the two battery-electric buses (BEBs) that will be delivered in FY22-23. As the RTA continues to transition to BEBs, these amounts will increase significantly. For example, the RTA was recently awarded an FTA Section 5339(b) grant for the replacement of five diesel vehicles with zero-emission vehicles (and six for SLO Transit). Those five vehicles are still identified in the FY23-24 and FY25-26 capital budget at the original projected replacement cost (\$558,165 in FY23-24 each for diesel-powered buses). When the full funding plan, including identifying a local match, is developed, staff will bring the plan along with an FY23-24 budget amendment to the Board for consideration.

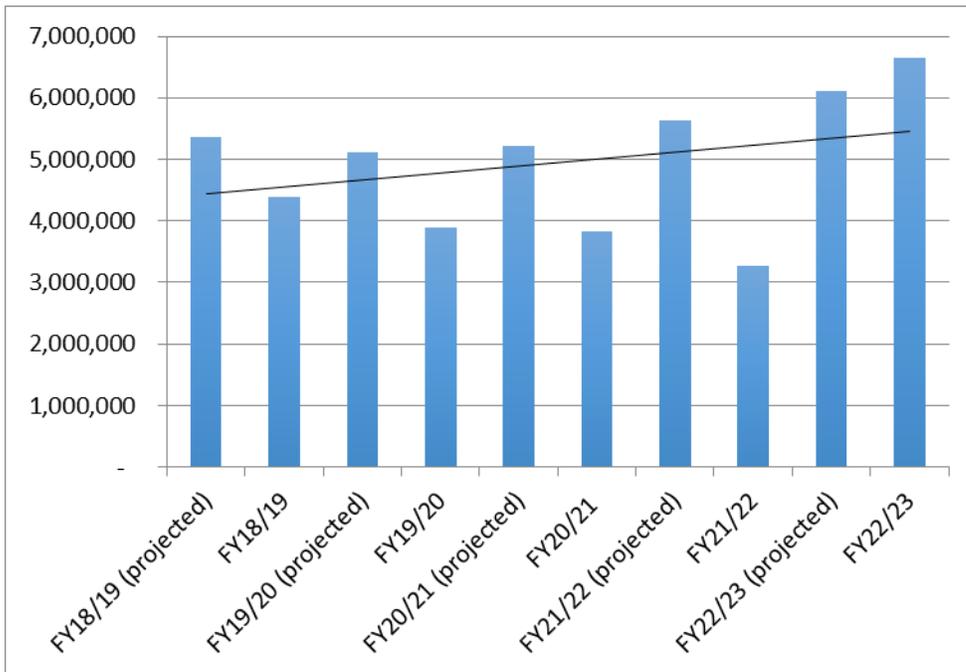
4. State Transit Assistance (STA) funds are projected to be higher than in the past few years. As a reminder, starting in FY17-18 the funding to the region was significantly increased due to the Senate Bill 1 – Road Repair and Accountability Act (SB-1) funds, which include augmented STA funds and State of Good Repair funds.

With the additional STA funds made available through the SB-1 augmentation, the RTA has been able to leverage STA as the local match on more capital projects, keeping other local funding available for operations.

Staff continues to apply for the competitive funds from SLOCOG under the State of Good Repair program added with SB-1, and the RTA has applied for funding toward solar panels for the canopies at the new Bus Maintenance Facility and, if awarded, a finalized funding plan will be developed and presented to the Board along with a budget adjustment to identify the revenues and expenditures.

- Local Transportation Funds (LTF) used primarily for operating purposes are projected to be higher in the region, but the RTA will continue to maximize all other funding sources before determining the need for LTF.

The proposed budget includes LTF of \$6,648,530 for operations, which is an increase from the amount included as an advisory FY22-23 LTF projection of \$6,114,060 which was presented at the May 2021 Board meeting. This is a significant increase from past two years, but is more in line with the projected LTF included in prior year budgets as indicated in the chart below. This increase is in large part due to the increase in funding provided by the “Coronavirus Aid, Relief, and Economic Security Act” (CARES Act), which was a \$2 trillion emergency funding package designed to blunt the worst and most immediate impacts of the COVID-19 pandemic, allowing for a reduced LTF amount in FY20-21 and a carryover to FY21-22.



The capital budget includes LTF of \$83,650 in accordance with the requirements outlined in the TIFIA loan agreement approved by the Board in September 2020.

- Fuel costs continue to be volatile; the recent spike has resulted in an increase in ridership and resulting fares.

Due to the current global uncertainty, fuel prices have continued to swing wildly especially in the last few months. Staff has tried to budget fuel somewhat conservatively, but has increased the budgeted amount from \$4.30 included in the March 2022 budget assumptions to \$4.80 in order to be more in line with current market conditions, which resulted in an annual increase of \$158,290. This is an increase over the projected 2nd-year budget presented last May of \$405,940. We may need to adjust our projections again if fuel prices continue to be significantly higher during the fiscal year from the revised \$4.80 per gallon budgeted amount. It should be noted that diesel-powered buses manufactured after 2009 also require the use of Diesel Exhaust Fluid (DEF) to meet emissions requirements. DEF costs more than diesel fuel, and it is used at a roughly 5% ratio DEF to diesel; its use is included in the fuel line item.

Revised Expenses Assumptions

The overall Administration Expense for RTA core services is down by approximately 4% compared to FY21-22. Labor has shifted due to the new pension program. Professional technical services has increased with the likely renewal for the Intelligent Transportation Systems (ITS) in May 2023. The ITS includes GPS-based automatic vehicle location, next-bus information, automated boarding/alighting data, and related high-technology solutions. Marketing and Reproduction included a revamp of the RTA website to make services more mobile friendly.

The proposed Service Delivery cost is up by roughly 7.5% from what was identified in the FY21-22 budget. The primary reason for this increase as noted previously is the increase in wages as programmed in the CBA, and rising fuel prices.

Capital and Planning Program

The focus of our capital program will be to secure vehicle replacements for vehicles that have reached their useful life. We have also programmed the following minor capital projects:

- \$43,750 for specialized maintenance equipment to improve efficiencies;
- Bus stop improvements; and
- Miscellaneous computer equipment, including regular computer and copier replacements.

It should be noted that a portion of the FY21-22 capital funds for fully funded projects, such as the vehicles that have been delayed and bus stop improvements, is not carried over to the proposed FY22-23 budget. This will happen with a budget amendment after the FY22-23 has started, and the carryover will have no new financial impact to local jurisdictions because the funding has been previously secured.

Included in the planning budget is the regional Short-Range Transit Plan study. One item that will likely require a specific focus is the long- funding plan for the Beach Trolley service, which is currently funded in large part by the County of San Luis Obispo but also serves areas outside of the unincorporated area.

Also included is a projected five-year capital improvement program as part of the budget plan. While only the first year is financially constrained, the projects identified in the ensuing four years provide a snapshot of future capital needs and potential cost levels. It should be noted that staff has only identified replacement projects and easily identifiable on-going projects (i.e., computer needs and bus stop improvements) in the capital improvement program. No expansion vehicles are included in the base budget.

Conclusion

Fiscal Year 2022-23 will be a particularly challenging year, including continued financial uncertainty. We look forward to working with our customers, the Board and other stakeholders in providing stability and the highest quality of transportation services to residents of and visitors to our community. We believe that this budget reflects the path set by your Board in previous years and, although we would like to do more, we believe that this budget provides the optimum levels of service within the confines of existing limited resources.

Staff Recommendation for Executive Committee:

Recommend staff provide the FY22-23 budget to the Board for approval at the May 4th Board meeting.

Staff Recommendation for RTAC:

Recommend staff provide the FY22-23 budget to the Board for approval at the May 4th Board meeting.

Staff Recommendation for the Board:

Recommend that the Board adopt the FY22-23 budget as presented.

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SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

**MARCH 2, 2022
STAFF REPORT**

**RTA Board Approved
March 2, 2022**

AGENDA ITEM: C-1

TOPIC: Fiscal Year 2022-23 Budget Assumptions

ACTION: Approve FY22-23 Budget Assumptions

PRESENTED BY: Tania Arnold, Deputy Director/CFO

STAFF RECOMMENDATION: Approve the budget assumptions and budget calendar so that a detailed work plan and budget may be developed.

EXECUTIVE COMMITTEE RECOMMENDATION Bring the budget assumptions and budget calendar to the Board so that a detailed work plan and budget may be developed.

BACKGROUND/DISCUSSION:

The following report outlines staff's recommended budget assumptions for the RTA's Fiscal Year 2022-23 Operating and Capital Budget, and it is the first step in the development of our operating budget and capital program. It should be noted that the RTA is again developing a two-year operating budget and five-year capital budget. As in past years, only the first year would be financially-constrained, while the out-years should be considered advisory. These assumptions were presented to and approved by the RTA Executive Committee at its February 9th meeting. Upon the Board's guidance and approval of these assumptions today, staff will prepare a detailed report along with preliminary budget numbers for presentation to the Executive Committee at their April 13th meeting prior to the final draft budget presentation to the full Board on May 4th.

KEY ISSUES

1. Address the operational and financial impacts of the COVID-19 pandemic, both internally and in support of the communities in which the RTA operates. Impacts include:
 - a. Liability costs, which stabilized due to the RTA's good safety record, but the market continues to be extremely volatile.
 - b. Continuing to focus on containment of Runabout subsidies, especially as productivity during the pandemic has declined (by design), as well as the expected increase in demand as we transition to an endemic state.

- c. Address staffing and retention, particularly in the Bus Operator classification.
 2. Negotiate a new or extended Collective Bargaining Agreement with Teamsters Local 986, which represents Bus Operators, Mechanics, and Utility employees. The current CBA one-year extension expires December 31, 2022.
 3. Continue efforts to implement Zero-Emission Bus technologies, including procurement of battery-electric vehicles and start-up of recharging infrastructure.
 4. State Transit Assistance (STA) funds are projected to be higher than in the past few years. As a reminder, starting in FY17-18 the funding to the region was significantly increased due to the Senate Bill 1 – Road Repair and Accountability Act (SB-1) funds, which include augmented STA funds and State of Good Repair funds.
 5. Local Transportation Funds (LTF) used primarily for operating purposes are projected to be higher in the region but the RTA will continue to maximize all other funding sources before determining the need for LTF.
 6. Fuel costs continue to be volatile; this also impacts ridership and fare revenues.
-

Mission Statement

As a reminder, the Mission of the RTA is to provide safe, reliable and efficient transportation services that improve and enhance the quality of life for the citizens of and visitors to San Luis Obispo County.

Objectives and Revenue Impacts

- 1) Maintain service levels and hours of service that meet the standards of productivity and demand of our customers and communities through the effective and efficient delivery of RTA Fixed-Route and Runabout core¹ services:
 - a) The RTA received \$829,280 for RTA core services in STA funding in FY21-22. Staff will work with SLOCOG staff to determine a realistic estimate for FY22-23.
 - b) Continue to monitor the results and impacts on ridership and fares based on the overall regular fare structure. The last system-wide fare change was implemented in December 31, 2017, both on RTA Fixed-Route and on the Runabout service, which included the establishment of a Runabout premium service fare.
 - c) The FY21-22 budget adopted in May 2021 included \$3,269,980 in LTF operating revenues, which was subsequently amended to \$2,719,540. At the May 2021 Board meeting, the advisory FY22-23 LTF projection was \$6,114,060, which was revised during FY21-22 down to \$5,448,690. Staff is still developing estimated

annual FY21-22 expenses, which impacts the carryover amount that could reasonably be identified for the FY22-23 budget.

- d) Federal Transit Administration (FTA) Sections 5307, 5311 and 5339 operating funding and capital funding for FY22-23 will be presented in the same format as indicated in the most recent budget amendment. Should the actual annual authorizations for FTA programs increase or decrease for any of these programs, staff would adjust these assumptions accordingly in time for the Board's consideration of the budget at its May 4, 2022 meeting. Monies for FTA-funded projects are reimbursed either as progress payments or as full payment at the end of the project and/or fiscal year, which requires focused care by staff to ensure adequate cash flow.
 - e) Detailed miles/hours and span of service for each RTA core Fixed-Route and for Runabout will be provided with the draft budget. For context, detailed budgets based on miles/hours and span of service will also be provided separately for SLO County Services, South County Transit, and North County Local Services.
 - f) Productivity of each RTA-operated Fixed-Route service during holiday time periods will be presented to the Board as part of the draft budget, specifically associated with the service provided during the weeks of Thanksgiving, Christmas and New Years to determine if service levels should remain at a reduced level similar to 2021.
 - g) Staff will continue to research and evaluate new revenue sources should any potential shortfall in operating revenues arise. If we are unable to secure funding, staff would recommend that the Board consider adjusting the TDA allocation from the RTA jurisdictions and/or adjust service levels.
 - h) Due to changes in self-insured retention requirements, and now that consolidation has been completed, staff is reviewing and will provide recommendations regarding the RTA reserve policy during FY22-23.
- 2) Work with SLOCOG and our transit agency partners in the region to evaluate region-wide service efficiencies:
- a) Transit agencies across the country are highly impacted by the COVID-19 pandemic, which is impacting ridership and farebox revenues. As a result, the State of California has suspended farebox recovery ratio requirements through the end of FY22-23.
 - b) The RTA will work with SLOCOG staff and other transit providers to evaluate efficiencies in the provision of service throughout the county through both the SLOCOG Social Services Transportation Advisory Committee and through the RTA's Regional Transit Advisory Committee.

- c) Staff will use the *2018-20 RTA Strategic Business Plan* as well as the *2016 Short Range Transit Plan* to evaluate potential efficiencies and, with Board concurrence, implement efficiencies as appropriate. Additionally, the RTA will work with our transit agency partners to kick off a Short Range Transit Plan study to update the recently expired 2016 plan as well as address the zero-emission bus requirements of the Innovative Clean Transit (ICT) Rollout Plan.
- 3) Evaluate options and provide analysis on the 5-year capital improvement program and methods to fund these needs:
- a) Staff will continue to work with SLOCOG to prioritize capital projects using the State of Good Repair STA portion of SB-1 funds. These SB-1 funds are an important source of revenues for the RTA and the other transit operators in our region. It directly impacts the RTA need for LTF to fund operations and the local match for capital projects by reducing local match needed for federal funds, and interest when financing for capital projects is needed.
 - b) Other potential new capital projects include AB617 Clean Air Program and Low Carbon Transit Operating Program (LCTOP) funds intended to support our transition to zero-emission buses.
- 4) Address projected changes in demand for Runabout service:
- a) Runabout service hours and miles are still lower than were originally projected for FY21-22, and staff is closely monitoring service needs to determine when service will return to pre-pandemic levels. Staff will seek the Board's direction as demand increases over time.
 - b) Staff suspended in-person Runabout service eligibility assessments during the pandemic. As we emerge from the pandemic, we will re-institute this program to ensure that only those persons truly eligible for Runabout service are initially registered or re-registered as part of the Runabout application process. Staff will also provide mobility training for disabled persons who are able to occasionally use Fixed-Route services for some or all of their travel needs.
 - c) Staff does not foresee needing to move forward with using supplemental taxicab services at this time, but should future Runabout service expansions be required or if staffing shortages persist, staff will revisit this option.

Expenses Impacts

- 1) Fuel prices continue to be extremely volatile; diesel fuel will be budgeted at \$4.30 per gallon. Included in the Fuel line-item will be diesel exhaust fluid (DEF), used to lower diesel exhaust emissions on the newer Fixed-Route vehicles. Should prices increase or decrease staff will address the change in a budget amendment.

2) Insurance Expenses:

- a) CalTIP liability insurance premiums are projected to increase. The exact amount is not known at this time, as CalTIP actuaries are still working on May 1, 2022 through April 30, 2023 rates. Estimates will be available from CalTIP in time to include in the RTA draft budget presented to the Executive Committee at its April 2022 meeting. Although the number of RTA losses based on mileage has been lower than the statewide pool average, the RTA did experience a large claim in February 2019 that is impacting current and future premiums (through 2023). The pool had experienced significant negative claims development several years ago but those have stabilized due to efforts of all the member agencies to ensure the stability of the pool and ensure equity in costing among all members. This included a recent actuarial study on the formulas used in applying and calculating each agency's experience modification factor. More importantly, the California liability market continues to contract, which also increases per-mile costs.
- b) CalTIP vehicle physical damage will increase minimally due to the added asset value of newer vehicles in the fleet.
- c) Our annual Employment Risk Management Authority premium is estimated at \$40,000, with a \$50,000 self-insured retention. This self-insured retention does not currently have a reserve in place to cover it should a loss develop. As noted previously, staff is reviewing and will provide recommendations regarding the RTA reserve policy in FY22-23.
- d) Workers compensation premiums through the Public Risk Innovation, Solutions, and Management (PRISM) are projected to increase, with the realization that workers compensation for transit services is especially challenging statewide as loss development trends in the state are not favorable. Based on estimates provided in January 2022 from PRISM, the estimate is less than the projection include in May 2021 for FY22-23. Staff will obtain a more refined estimate in early March. We continue to work with our employee Safety Committee that has evaluated workplace safety and has initiated a proactive program to address the number of claims and severity of the claims. Although premiums are expected to rise, a significant portion of that increase is attributable to the increase in wages identified in the collective bargaining agreement that were triggered by the changes in the California minimum wage.
- e) Property insurance will increase due now owning the facility at 253 Elks Lane and due to the significant losses in the property insurance market, most recently the wildfires in California.
- f) For budget-making purposes, staff is assuming a 6% annual increase for healthcare costs for each of the next two fiscal years. Staff believes that this estimate is reasonable based on historical price increases. Additionally, staff will

be implementing a paid family leave program to bring the leave benefits closer to those offered under the state disability insurance program.

3) Staffing Expenses:

- a) The previous 4-year Collective Bargaining Agreement (CBA) expired on December 31, 2021, and a one year extension was negotiated through December 31, 2022. Staff fully understands the fiscal impacts that the pandemic has had on our agency and its member jurisdictions, and we will seek the Union's assistance in helping us emerge in a fiscally responsible manner.
- b) The number of FY22-23 budgeted full-time equivalent (FTE) positions will remain the same as in FY21-22, although staff realignments are anticipated. Should adjustments to the FTE count need to be revised, staff will bring that proposal to the Board along with any new or revised to job descriptions, if applicable.
- c) For FY22-23, the overall number of budgeted positions for the non-core services (North County, SoCo Transit, and SLO County services) will remain the same. It should be noted that the marginal costs and revenues the services will be treated in the budget the same way as prior years: as separate and distinct columns.
- d) An annual inflationary wage adjustment based on the December 2020 to December 2021 Consumer Price Index (CPI) of 6.6% will be implemented in July 2022. The Operations Supervisor classification CPI increase adjustment would be implemented in January 2023, to coincide with any Bus Operator wage scale adjustments (if any). Employees within the salary range for their position will be eligible for a step merit increase subject to performance assessments and budgetary authority.
- e) The RTA Board of Directors took action at its September 1, 2021 meeting to implement the increase in contribution percentage of 2.16% for the retirement plan with San Luis Obispo County Pension Trust (SLOCPT) in July 2022. Traditionally, when increases have occurred the increase is fully covered by the agency and the budget will assume that pickup will continue. This is related to management, administration and confidential employees.

Proposed Budget Calendar

- February 9 Detailed budget assumptions and revenue forecasts presented to Executive Committee
- March 2 Provide mid-year FY21-22 Budget data to Board and present budget amendment (if needed). Obtain Board concurrence on proposed draft budget assumptions.
- March 31 Based on feedback from Executive Committee, develop FY22-23 Budget

- April 13 Present draft FY22-23 Budget and final budget amendment for FY21-22 to Executive Committee (if needed)
- April 21 Present final draft FY22-23 Budget and final budget amendment for FY21-22 to RTAC (if needed)
- May 4 Final Board Budget presentation; Board adoption of FY22-23 Budget

Staff Recommendation for Executive Committee:

Recommend staff provide the FY22-23 budget assumptions and budget calendar to the Board for approval at the March 2nd Board meeting, so that a detailed work plan and budget may be developed.

Staff Recommendation for the Board:

Approve the budget assumptions and budget calendar so that a detailed work plan and budget may be developed.

ⁱ Core services are defined as:

1. Hourly weekday services on RTA Routes 9, 10 and 12;
2. Five trips/day on Saturdays for Routes 9, 10, 12, and Monday-Saturday on Route 15;
3. Three trips/day on Sundays for Routes 9, 10, 12 and 15;
4. Peak period weekday service on Route 14 during open session of Cuesta College;
5. Peak period commuter Express services on Routes 9, 10 and 12; and
6. Runabout service that matches the fixed-route service days operated in each community.

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
PROPOSED OPERATING REVENUE BUDGET FOR 2022/2023**

	2020/2021 Combined Actual	2021/2022 Amendment #2 RTA Core Budget	2021/2022 Adopted SoCo Transit Budget	2021/2022 Adopted SLOCAT Budget	2021/2022 Adopted North County Budget	2022/2023 Proposed RTA Core Budget	2022/2023 Proposed SoCo Transit Budget	2022/2023 Proposed SLOCAT Budget	2022/23 Proposed North County Budget	2023/24 Projected RTA Core Budget	2023/24 Projected SoCo Transit Budget	2023/24 Projected SLOCAT Budget	2023/24 Projected North County Budget
FUNDING SOURCES:													
GENERAL RESERVES	1,817,517	4,767,420	1,165,170	337,770	513,780	2,537,280	360,640	133,450	194,810	2,072,860	354,080	147,850	203,480
1. ESTIMATED FUND BALANCE	1,817,517	4,767,420	1,165,170	337,770	513,780	2,537,280	360,640	133,450	194,810	2,072,860	354,080	147,850	203,480
2. LESS REQUIRED RESERVES FOR FISCAL YEAR													
CASH FLOW REQUIREMENTS PER TDA	2,072,810	1,874,230	360,640	133,450	194,810	2,072,860	354,080	147,850	203,480	2,199,420	399,000	155,980	216,380
PERS BUYOUT	-	-	-	-	-	-	-	-	-	-	-	-	-
DEBT SERVICE RESERVE FOR BUS MAINTENANCE FACILITY	-	-	-	-	-	-	-	-	-	-	-	-	-
OFFSET RESERVE TO CARRYOVER TO FUTURE FISCAL YEARS	-	663,050	-	-	-	-	-	-	-	-	-	-	-
TOTAL	2,072,810	2,537,280	360,640	133,450	194,810	2,072,860	354,080	147,850	203,480	2,199,420	399,000	155,980	216,380
3. FUND BALANCE AVAILABLE	(255,293)	2,230,140	804,530	204,320	318,970	464,420	6,560	(14,400)	(8,670)	(126,560)	(44,920)	(8,130)	(12,900)
NON TDA SOURCES													
FARES	361,944	800,000	38,560	29,480	65,960	800,000	90,000	14,500	111,500	800,000	90,000	14,500	111,500
SoCo TRANSIT MANAGEMENT CONTRACT	122,650	114,160	-	-	-	128,540	-	-	-	137,110	-	-	-
COUNTY MANAGEMENT CONTRACT	88,680	98,390	-	-	-	110,780	-	-	-	118,170	-	-	-
NORTH COUNTY MANAGEMENT CONTRACT	43,030	47,740	-	-	-	53,750	-	-	-	57,340	-	-	-
INTEREST	27,056	27,570	8,590	-	-	22,750	-	-	-	22,750	-	-	-
STATE TRANSIT ASSISTANCE (STA) INCLUDING SB1	1,158,905	829,280	183,700	172,000	105,240	536,580	272,950	256,800	173,370	33,600	3,870	256,800	174,820
RURAL TRANSIT FUND (Administration)	30,000	30,000	-	-	-	30,000	-	-	-	30,000	-	-	-
RURAL TRANSIT FUND (Operating Funds)	738,263	313,600	-	-	-	-	-	-	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5307) - San Luis Obispo	-	971,300	-	-	-	652,400	-	-	-	672,000	-	-	-
FTA (Section 5307) - San Luis Obispo CARES/ARP.	2,148,840	238,730	-	-	-	-	-	-	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5311) - Operating	564,632	586,250	-	-	-	762,130	-	-	-	777,370	-	-	-
FTA (Section 5311) - Operating CARES/CRRSAA	1,134,604	1,549,900	-	-	-	-	-	-	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5307-N. County) - Operating	-	1,359,000	-	-	289,000	1,057,000	-	-	303,500	1,107,400	-	-	318,700
FTA (Section 5307-N. County) - Operating CARES/	2,329,995	433,960	-	-	-	-	-	-	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5307-SM) - Operating	-	-	-	-	-	-	-	-	-	255,090	-	-	-
FTA (Section 5307-SM) - Operating CARES	867,630	-	-	-	-	-	-	-	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5307) - S. County Operating	-	963,000	616,000	-	-	630,000	609,850	23,940	-	647,400	627,860	25,140	-
FTA (Section 5307) - S. County Operating CARES/	2,571,375	90,560	-	-	-	106,920	-	-	-	-	-	-	-
CUESTA CONTRIBUTION FOR ROUTE 12 AND 14	82,810	82,310	-	-	-	-	-	-	-	113,370	-	-	-
CUESTA CONTRIBUTION NORTH COUNTY	40,580	-	-	-	40,580	-	-	-	40,580	-	-	-	40,580
SPECIAL EVENTS REVENUE/OTHER	178,753	-	305,390	-	-	-	363,570	-	-	-	285,000	-	-
4. SUB TOTAL	12,489,747	8,535,750	1,152,240	112,280	489,270	4,890,850	1,336,370	295,240	628,950	4,771,600	1,006,730	296,440	645,600
5. TOTAL FUND BALANCE & NON TDA FUNDING	12,234,454	10,765,890	1,956,770	316,600	810,270	5,355,270	1,342,930	280,840	620,280	4,645,040	961,810	288,310	632,700
TDA REQUIRED													
CITY OF ARROYO GRANDE	202,671	143,641	63,336	-	-	351,162	320,383	-	-	417,601	502,223	-	-
CITY OF ATASCADERO	344,720	244,101	-	-	-	596,760	-	-	-	709,664	-	-	-
CITY OF GROVER BEACH	153,432	107,314	47,318	-	-	262,354	239,589	-	-	311,991	375,573	-	-
CITY OF MORRO BAY	118,353	82,739	-	-	-	202,275	-	-	-	240,545	-	-	-
CITY OF PASO ROBLES	354,233	253,554	-	-	249,590	619,870	-	-	512,660	737,147	-	-	551,640
CITY OF PISMO BEACH	93,411	66,099	29,145	-	-	161,594	147,973	-	-	192,167	231,958	-	-
CITY OF SAN LUIS OBISPO	690,993	489,517	-	-	-	1,196,735	-	-	-	1,423,154	-	-	-
COUNTY OF SAN LUIS OBISPO	2,357,917	1,332,575	26,810	360,610	-	3,257,780	138,720	452,040	-	3,874,141	217,454	484,950	-
TDA REQUIREMENTS BEFORE 5311 EXCHANGE	4,315,730	2,719,540	166,610	360,610	249,590	6,648,530	846,666	452,040	512,660	7,906,410	1,327,208	484,950	551,640
LESS: RURAL TRANSIT FUND/5311 EXCHANGE	(1,156,420)	(1,086,250)	-	-	-	(762,130)	-	-	-	(777,370)	-	-	-
6. NET TDA REQUIREMENTS	3,159,310	1,633,290	166,610	360,610	249,590	5,886,400	846,666	452,040	512,660	7,129,040	1,327,208	484,950	551,640
7. TOTAL FUNDING SOURCES	15,393,764	12,399,180	2,123,380	677,210	1,059,860	11,241,670	2,189,596	732,880	1,132,940	11,774,080	2,289,018	773,260	1,184,340
8. FUNDING USES:													
ADMINISTRATION	2,000,234	1,776,290	195,470	7,500	112,510	1,740,700	165,740	7,500	98,270	1,754,560	155,560	7,500	93,760
PERS BUYOUT	4,028,759	178,310	-	-	-	178,310	-	-	-	178,310	-	-	-
BUILDING DECOMMISSIONING	-	1,950,000	-	-	-	-	-	-	-	-	-	-	-
MANAGEMENT CONTRACTS	262,680	-	114,160	98,390	47,740	-	128,540	110,780	53,750	-	137,110	118,170	57,340
SERVICE DELIVERY	8,955,311	8,379,240	1,786,490	563,290	885,760	9,198,350	1,869,890	605,910	965,980	9,711,030	1,971,010	638,420	1,017,600
CONTINGENCY	146,780	115,340	27,260	8,030	13,850	124,310	27,890	8,690	14,940	130,180	29,200	9,170	15,640
9. TOTAL FUNDING USES	15,393,764	12,399,180	2,123,380	677,210	1,059,860	11,241,670	2,192,060	732,880	1,132,940	11,774,080	2,292,880	773,260	1,184,340

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
CAPITAL AND PLANNING REVENUE BUDGET FOR 2022/2023**

	2020/2021 Combined Actual Capital Budget	2021/2022 Amendment #1 RTA Core Capital Budget	2021/2022 Adopted SoCo Transit Capital Budget	2021/2022 Adopted SLOCAT Capital Budget	2021/2022 Adopted North County Capital Budget	2022/2023 Proposed RTA Core Capital Budget	2022/2023 Proposed SoCo Transit Capital Budget	2022/2023 Proposed SLOCAT Capital Budget	2022/2023 Proposed North County Capital Budget	2023/24 Projected RTA Capital Budget	2023/24 Projected SoCo Transit Capital Budget	2023/24 Projected SLOCAT Capital Budget	2023/24 Projected North County Capital Budget
FUNDING SOURCES:													
BEGINNING CAPITAL PROJECTS RESERVE	1,776,525	402,400	355,380	119,330	324,580	418,640	182,220	119,330	4,680	490,470	158,730	38,190	4,680
1. ESTIMATED FUND BALANCE	1,776,525	402,400	355,380	119,330	324,580	418,640	182,220	119,330	4,680	490,470	158,730	38,190	4,680
2. LESS REQUIRED RESERVES FOR FISCAL YEAR													
CAPITAL PROJECTS RESERVE	1,560,870	418,640	182,220	119,330	4,680	490,470	158,730	38,190	4,680	620,820	97,090	38,190	8,540
TOTAL	1,560,870	418,640	182,220	119,330	4,680	490,470	158,730	38,190	4,680	620,820	97,090	38,190	8,540
3. FUND BALANCE AVAILABLE	215,655	(16,240)	173,160	-	319,900	(71,830)	23,490	81,140	-	(130,350)	61,640	-	(3,860)
NON TDA SOURCES													
STATE TRANSIT ASSISTANCE (STA) WITH SB1 AUGMENTATION	874	21,990	16,830	-	18,360	219,310	58,340	-	43,830	722,291	327,420	-	42,380
LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)	-	-	-	-	-	244,700	-	-	-	-	-	-	-
PROPOSITION 1B FUNDING - SAFETY & SECURITY	-	-	-	-	-	-	-	-	-	-	-	-	-
STA SB1 STATE OF GOOD REPAIR	-	-	-	-	-	706,440	-	-	-	-	-	-	-
PROPOSITION 1B FUNDING - BUS REPLACEMENT & BUS MAINTENANCE FACILITY	1,894,135	199,720	-	-	113,510	-	-	-	-	-	-	-	-
APCD AB 617 FOR GARAGE PROJECT, CAP AND HVP FOR ELECTRIC BUSES	-	721,980	-	-	-	-	-	-	-	-	-	-	-
RURAL TRANSIT FUND (Capital)	226,804	-	-	-	-	565,000	-	-	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5307) - San Luis Obispo	133,548	85,330	-	-	-	82,100	-	-	-	683,270	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5309) - State of Good Repair	-	-	-	-	-	-	-	-	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5339) - Bus and Bus Facilities	5,127,641	1,169,740	-	-	884,910	300,000	-	324,560	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5307-North County)	264,094	153,330	-	-	-	152,100	-	-	-	757,680	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5307-Santa Maria) - CARES	257,722	-	-	-	-	-	-	-	-	-	-	-	-
FEDERAL TRANSIT ADM (FTA) (Section 5307-South County)	133,548	605,330	460,000	-	-	1,096,400	-	-	-	683,280	137,660	-	-
4. SUB TOTAL	8,038,365	2,957,420	476,830	-	1,016,780	3,366,050	58,340	324,560	43,830	2,846,521	465,080	-	42,380
5. TOTAL FUND BALANCE & NON TDA FUNDING	8,254,021	2,941,180	649,990	-	1,336,680	3,294,220	81,830	405,700	43,830	2,716,171	526,720	-	38,520
TDA REQUIRED													
CITY OF ARROYO GRANDE	-	-	-	-	-	4,418	-	-	-	4,418	-	-	-
CITY OF ATASCADERO	-	-	-	-	-	7,507	-	-	-	7,507	-	-	-
CITY OF GROVER BEACH	-	-	-	-	-	3,300	-	-	-	3,300	-	-	-
CITY OF MORRO BAY	-	-	-	-	-	2,545	-	-	-	2,545	-	-	-
CITY OF PASO ROBLES	-	-	-	-	-	7,798	-	-	-	7,798	-	-	-
CITY OF PISMO BEACH	-	-	-	-	-	2,033	-	-	-	2,033	-	-	-
CITY OF SAN LUIS OBISPO	-	-	-	-	-	15,057	-	-	-	15,057	-	-	-
COUNTY OF SAN LUIS OBISPO	-	-	-	-	-	40,993	-	-	-	40,993	-	-	-
TDA REQUIREMENTS FOR TIFIA LOAN REPAYMENT	-	-	-	-	-	83,650	-	-	-	83,650	-	-	-
6. FINANCING FOR BUS MAINTNEANCE FACILITY	5,375,063	8,724,940	-	-	-	-	-	-	-	-	-	-	-
7. TOTAL FUNDING SOURCES	13,629,084	11,666,120	649,990	-	1,336,680	3,377,870	81,830	405,700	43,830	2,799,820	526,720	-	38,520
8. FUNDING USES:													
CAPITAL	13,629,084	11,557,880	649,990	-	1,336,680	2,874,700	81,830	405,700	43,830	2,306,630	526,720	-	38,520
LOAN PAYDOWN	-	108,240	-	-	-	503,170	-	-	-	493,190	-	-	-
9. TOTAL FUNDING USES	13,629,084	11,666,120	649,990	-	1,336,680	3,377,870	81,830	405,700	43,830	2,799,820	526,720	-	38,520

Population Based
18%
49%

		Actual Combined	Amendment #2 Operating Budget	Proposed Operating Budget	Projected Operating Budget
		FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Administration and Service Delivery Totals					
	Hours	59,369	84,010	83,260	83,260
	Miles	1,298,785	1,792,340	1,776,120	1,776,120
Administration:					
Labor	operations cost	1,009,239	1,079,020	1,214,900	1,295,940
Labor - Administration Workers Comp	operations cost	39,077	44,970	42,990	47,290
Office Space Rental	operations cost	496,463	407,450	54,370	56,000
Property Insurance	operations cost	30,154	38,870	156,660	172,330
Professional Technical Services	operations cost	256,453	167,100	224,350	163,190
Professional Development	operations cost	31,866	66,470	89,800	93,830
Operating Expense	operations cost	308,451	366,380	340,350	350,560
Marketing and Reproduction	hourly	91,211	181,800	181,860	144,860
North County Management Contract	operations cost	(44,440)	(47,740)	(53,750)	(57,340)
County Management Contract	operations cost	(91,580)	(98,390)	(110,780)	(118,170)
SCT Management Contract	operations cost	(126,660)	(114,160)	(128,540)	(137,110)
Total Administration		2,000,234	2,091,770	2,012,210	2,011,380
Service Delivery:					
Labor - Operations	hourly	4,904,973	6,622,980	7,128,600	7,483,300
Labor - Operations Workers Comp	hourly	311,499	339,940	325,010	339,110
Labor - Maintenance	hourly	1,372,675	1,581,620	1,706,410	1,785,740
Labor - Maintenance Workers Comp	hourly	80,889	93,090	89,000	97,920
Fuel	miles	922,419	1,113,670	1,519,610	1,519,610
Insurance (Liability, Physical Damage, Employment Prac	miles	688,980	909,680	775,230	930,280
Special Transportation (for SLOCAT)	n/a	15,253	44,480	44,480	46,690
Avila Trolley	n/a	-	76,490	82,530	86,640
Maintenance (parts, supplies, materials)	miles	581,675	695,930	808,540	883,880
Maintenance Contract Costs	miles	76,948	136,900	160,720	164,890
Total Operations		8,955,311	11,614,780	12,640,130	13,338,060
Contingency	hourly	146,780	164,480	175,830	184,190
PERS Buyout	operations cost	4,028,759	178,310	178,310	178,310
Building Decommissioning		-	1,950,000	-	-
Management Contracts		262,680	260,290	293,070	312,620
TOTAL FUNDING USES		15,393,764	16,259,630	15,299,550	16,024,560

			Actual Capital Expenditures FY 2020-21	Amendment #1 Capital Budget FY 2021-22	Proposed Capital Budget FY 2022-23	Projected Capital Budget FY 2023-24	Projected Capital Budget FY 2024-25	Projected Capital Budget FY 2025-26	Projected Capital Budget FY 2026-27
Capital and Planning Expenditures									
Capital/Studies:									
Computer System Maintenance/Upgrades	hourly		37,786	40,370	42,390	44,510	46,740	49,080	51,530
Miscellaneous Capital	hourly								
Maintenance Equipment			38,398	42,500	43,750	46,500	48,830	48,750	48,750
Specialized Maintenance Tools	hourly		-	-	-	-	-	-	-
Desks and Office Equipment	hourly		-	-	-	-	-	-	-
Radios	hourly		-	6,600	-	-	-	-	-
Vehicle ITS/Camera System	hourly		-	-	-	-	-	-	-
Bus Stop Improvements	hourly		28,682	377,430	96,500	101,880	106,970	112,320	117,940
COVID 19 Related Capital Items	hourly		256,031	-	-	-	-	-	-
Large Capital Repairs	hourly		-	575,000	375,000	468,750	225,000	-	-
Vehicles	hourly								
Support Vehicles			34,538	-	57,880	238,200	63,750	33,500	44,000
Fixed Route Vehicles	hourly		-	1,986,680	2,134,840	1,116,330	-	2,843,760	4,739,520
Trolley replacement vehicles	hourly		-	-	293,200	-	-	-	445,500
Cutaway and Dial A Ride Vehicles	hourly		123,878	-	112,500	-	289,880	-	-
Runabout Vehicles	hourly		469,732	302,000	-	855,700	-	188,300	806,750
Total Capital Outlay			989,045	3,330,580	3,156,060	2,871,870	781,170	3,275,710	6,253,990
Loan Repayments			7,519	108,240	503,170	493,190	482,800	498,340	498,340
Short Range Transit Plan			-	-	250,000	-	-	-	-
Elks Lane Project			12,431,119	10,213,970	-	-	-	-	-
TOTAL FUNDING USES			13,629,084	13,652,790	3,909,230	3,365,060	1,263,970	3,774,050	6,752,330

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		Total Adopted Budget	Weekday Proposed Budget	Saturday Proposed Budget	Sunday Proposed Budget	Total Proposed Budget	Projected Budget
		FY 2021-22	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2023-24
Route 9							
	<u>Measure:</u>						
	Annual Hours	12,840	11,750	660	430	12,840	12,840
	Annual Miles	345,010	314,380	18,240	12,390	345,010	345,010
Administration:							
	Total Administration (Net of Contracts)	\$ 326,220	\$ 285,190	\$ 16,180	\$ 10,680	\$ 312,050	\$ 311,020
Service Delivery:	<u>Basis:</u>						
	Labor - Operations	\$ 971,930	\$ 964,000	\$ 54,150	\$ 35,280	\$ 1,053,430	\$ 1,105,840
	Labor - Operations Workers Comp	\$ 49,150	\$ 43,320	\$ 2,430	\$ 1,590	\$ 47,340	\$ 49,390
	Labor - Maintenance	\$ 232,860	\$ 231,490	\$ 13,000	\$ 8,470	\$ 252,960	\$ 264,730
	Labor - Maintenance Workers Comp	\$ 13,390	\$ 11,810	\$ 660	\$ 430	\$ 12,900	\$ 14,200
	Fuel	\$ 210,930	\$ 263,980	\$ 15,320	\$ 10,400	\$ 289,700	\$ 289,700
	Insurance	\$ 172,130	\$ 134,520	\$ 7,800	\$ 5,300	\$ 147,620	\$ 177,150
	Maintenance (parts, supplies, materials)	\$ 127,650	\$ 136,010	\$ 7,890	\$ 5,360	\$ 149,260	\$ 163,170
	Maintenance Contract Costs	\$ 25,070	\$ 27,010	\$ 1,570	\$ 1,060	\$ 29,640	\$ 30,410
	Total Operations	\$ 1,803,110	\$ 1,812,140	\$ 102,820	\$ 67,890	\$ 1,982,850	\$ 2,094,590
Capital/Studies:							
	Total Capital Outlay	\$ 1,828,180	\$ 923,530	\$ 51,870	\$ 33,800	\$ 1,009,200	\$ 486,900
Contingency	hourly	\$ 23,930	\$ 23,590	\$ 1,320	\$ 860	\$ 25,770	\$ 26,990
PERS Buyout	operations cost	\$ 38,370	\$ 35,130	\$ 1,990	\$ 1,320	\$ 38,440	\$ 38,460
Loan Repayment	operations cost	\$ 23,280	\$ 99,130	\$ 5,620	\$ 3,710	\$ 108,460	\$ 106,380
TOTAL FUNDING USES		\$ 4,043,090	\$ 3,178,710	\$ 179,800	\$ 118,260	\$ 3,476,770	\$ 3,064,340
TOTAL NON-CAPITAL EXPENDITURES		\$ 2,191,630	\$ 2,156,050	\$ 122,310	\$ 80,750	\$ 2,359,110	\$ 2,471,060

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		Total Adopted Budget	Weekday Proposed Budget	Saturday Proposed Budget	Sunday Proposed Budget	Total Proposed Budget	Projected Budget
		FY 2021-22	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2023-24
Route 10							
	<u>Measure:</u>						
	Annual Hours	10,790	9,840	590	360	10,790	10,790
	Annual Miles	339,270	309,160	18,810	11,300	339,270	339,270
Administration:							
Total Administration (Net of Contracts)		\$ 288,020	\$ 251,730	\$ 15,170	\$ 9,210	\$ 276,110	\$ 275,390
Service Delivery:	<u>Basis:</u>						
Labor - Operations	hourly	\$ 816,760	\$ 807,300	\$ 48,410	\$ 29,540	\$ 885,250	\$ 929,290
Labor - Operations Workers Comp	hourly	\$ 41,320	\$ 36,270	\$ 2,170	\$ 1,330	\$ 39,770	\$ 41,500
Labor - Maintenance	hourly	\$ 195,670	\$ 193,860	\$ 11,620	\$ 7,090	\$ 212,570	\$ 222,460
Labor - Maintenance Workers Comp	hourly	\$ 11,280	\$ 9,890	\$ 590	\$ 360	\$ 10,840	\$ 11,940
Fuel	miles	\$ 207,440	\$ 259,590	\$ 15,790	\$ 9,490	\$ 284,870	\$ 284,880
Insurance	miles	\$ 169,250	\$ 132,290	\$ 8,050	\$ 4,840	\$ 145,180	\$ 174,200
Maintenance (parts, supplies, materials)	miles	\$ 125,520	\$ 133,750	\$ 8,140	\$ 4,890	\$ 146,780	\$ 160,450
Maintenance Contract Costs	miles	\$ 24,670	\$ 26,560	\$ 1,620	\$ 970	\$ 29,150	\$ 29,910
Total Operations		\$ 1,591,910	\$ 1,599,510	\$ 96,390	\$ 58,510	\$ 1,754,410	\$ 1,854,630
Capital/Studies:							
Total Capital Outlay		\$ 1,614,000	\$ 773,410	\$ 46,370	\$ 28,300	\$ 848,080	\$ 409,160
Contingency	hourly	\$ 20,090	\$ 19,750	\$ 1,180	\$ 720	\$ 21,650	\$ 22,680
PERS Buyout	operations cost	\$ 33,880	\$ 31,010	\$ 1,870	\$ 1,130	\$ 34,010	\$ 34,050
Loan Repayment	operations cost	\$ 20,570	\$ 87,500	\$ 5,270	\$ 3,200	\$ 95,970	\$ 94,190
TOTAL FUNDING USES		\$ 3,568,470	\$ 2,762,910	\$ 166,250	\$ 101,070	\$ 3,030,230	\$ 2,690,100
TOTAL NON-CAPITAL EXPENDITURES		\$ 1,933,900	\$ 1,902,000	\$ 114,610	\$ 69,570	\$ 2,086,180	\$ 2,186,750

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		Total Adopted Budget	Weekday Proposed Budget	Saturday Proposed Budget	Sunday Proposed Budget	Total Proposed Budget	Projected Budget
		FY 2021-22	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2023-24
Route 12, 14 and 15							
	<u>Measure:</u>						
	Annual Hours	10,890	9,260	920	710	10,890	10,890
	Annual Miles	310,690	265,510	26,640	18,540	310,690	310,690
Administration:							
Total Administration (Net of Contracts)		\$ 281,770	\$ 229,750	\$ 22,900	\$ 17,100	\$ 269,750	\$ 268,920
Service Delivery:	<u>Basis:</u>						
Labor - Operations	hourly	\$ 824,320	\$ 759,710	\$ 75,480	\$ 58,250	\$ 893,440	\$ 937,900
Labor - Operations Workers Comp	hourly	\$ 41,700	\$ 34,140	\$ 3,390	\$ 2,620	\$ 40,150	\$ 41,890
Labor - Maintenance	hourly	\$ 197,480	\$ 182,440	\$ 18,130	\$ 13,990	\$ 214,560	\$ 224,530
Labor - Maintenance Workers Comp	hourly	\$ 11,370	\$ 9,310	\$ 930	\$ 710	\$ 10,950	\$ 12,050
Fuel	miles	\$ 189,970	\$ 222,940	\$ 22,370	\$ 15,570	\$ 260,880	\$ 260,880
Insurance	miles	\$ 155,000	\$ 113,610	\$ 11,400	\$ 7,930	\$ 132,940	\$ 159,530
Maintenance (parts, supplies, materials)	miles	\$ 114,960	\$ 114,870	\$ 11,530	\$ 8,020	\$ 134,420	\$ 146,940
Maintenance Contract Costs	miles	\$ 22,600	\$ 22,810	\$ 2,290	\$ 1,590	\$ 26,690	\$ 27,390
Total Operations		\$ 1,557,400	\$ 1,459,830	\$ 145,520	\$ 108,680	\$ 1,714,030	\$ 1,811,110
Capital/Studies:							
Total Capital Outlay		\$ 1,579,000	\$ 727,820	\$ 72,310	\$ 55,800	\$ 855,930	\$ 412,950
Contingency	hourly	\$ 20,270	\$ 18,590	\$ 1,850	\$ 1,430	\$ 21,870	\$ 22,890
PERS Buyout	operations cost	\$ 33,140	\$ 28,300	\$ 2,820	\$ 2,110	\$ 33,230	\$ 33,250
Loan Repayment	operations cost	\$ 20,120	\$ 79,860	\$ 7,960	\$ 5,950	\$ 93,770	\$ 91,980
TOTAL FUNDING USES		\$ 3,491,700	\$ 2,544,150	\$ 253,360	\$ 191,070	\$ 2,988,580	\$ 2,641,100
TOTAL NON-CAPITAL EXPENDITURES		\$ 1,892,580	\$ 1,736,470	\$ 173,090	\$ 129,320	\$ 2,038,880	\$ 2,136,170

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		Total Adopted Budget	Total Proposed Budget	Projected Budget
		FY 2021-22	FY 2022-23	FY 2023-24
Runabout				
	<u>Measure:</u>			
	Annual Hours	27,410	27,410	27,410
	Annual Miles	464,490	464,490	464,490
Administration:				
	Total Administration (Net of Contracts)	\$ 619,990	\$ 589,700	\$ 586,620
Service Delivery:	<u>Basis:</u>			
	Labor - Operations	\$ 2,074,820	\$ 2,248,790	\$ 2,360,680
	Labor - Operations Workers Comp	\$ 104,960	\$ 101,040	\$ 105,430
	Labor - Maintenance	\$ 497,060	\$ 540,020	\$ 565,130
	Labor - Maintenance Workers Comp	\$ 28,630	\$ 27,560	\$ 30,320
	Fuel	\$ 284,000	\$ 390,020	\$ 390,020
	Insurance	\$ 231,720	\$ 198,750	\$ 238,500
	Maintenance (parts, supplies, materials)	\$ 171,850	\$ 200,950	\$ 219,680
	Maintenance Contract Costs	\$ 33,780	\$ 39,910	\$ 40,940
	Total Operations	\$ 3,426,820	\$ 3,747,040	\$ 3,950,700
Capital/Studies:				
	Total Capital Outlay	\$ 3,076,450	\$ 161,480	\$ 997,620
Contingency	hourly	\$ 51,050	\$ 55,020	\$ 57,620
PERS Buyout	operations cost	\$ 72,920	\$ 72,640	\$ 72,540
Loan Repayment	operations cost	\$ 44,270	\$ 204,970	\$ 200,640
TOTAL FUNDING USES		\$ 7,291,500	\$ 4,830,850	\$ 5,865,740
TOTAL NON-CAPITAL EXPENDITURES		\$ 4,170,780	\$ 4,464,400	\$ 4,667,480

		Total Proposed Budget	Proposed Route 21 Budget	Proposed Route 24 Budget	Proposed Route 27 Budget	Proposed Route 28 Budget	Total Proposed Budget	Projected Budget
		FY 2021-22	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2023-24
South County Transit								
	<u>Measure:</u>							
	Annual Hours	14,640	3,580	3,530	2,820	3,960	13,890	13,890
	Annual Miles	235,400	68,200	52,520	41,400	57,060	219,180	219,180
Administration:								
Total Administration (Net of Contracts)		\$ 309,630	\$ 79,140	\$ 73,890	\$ 58,880	\$ 82,370	\$ 294,280	\$ 292,670
Service Delivery:	<u>Basis:</u>							
Labor - Operations	hourly	\$1,095,360	\$ 293,710	\$ 289,610	\$ 231,360	\$ 324,890	\$ 1,139,570	\$ 1,196,270
Labor - Operations Workers Comp	hourly	\$ 55,410	\$ 13,200	\$ 13,010	\$ 10,400	\$ 14,600	\$ 51,210	\$ 53,430
Labor - Maintenance	hourly	\$ 262,410	\$ 70,530	\$ 69,550	\$ 55,560	\$ 78,020	\$ 273,660	\$ 286,380
Labor - Maintenance Workers Comp	hourly	\$ 15,130	\$ 3,600	\$ 3,550	\$ 2,840	\$ 3,980	\$ 13,970	\$ 15,370
Fuel	miles	\$ 141,020	\$ 57,270	\$ 44,100	\$ 34,760	\$ 47,910	\$ 184,040	\$ 184,040
Insurance	miles	\$ 115,060	\$ 29,180	\$ 22,470	\$ 17,710	\$ 24,420	\$ 93,780	\$ 112,540
Maintenance (parts, supplies, materials)	miles	\$ 85,330	\$ 29,510	\$ 22,720	\$ 17,910	\$ 24,690	\$ 94,830	\$ 103,660
Maintenance Contract Costs	miles	\$ 16,770	\$ 5,860	\$ 4,510	\$ 3,560	\$ 4,900	\$ 18,830	\$ 19,320
Total Operations		\$1,786,490	\$ 502,860	\$ 469,520	\$ 374,100	\$ 523,410	\$ 1,869,890	\$ 1,971,010
Capital/Studies:								
Total Capital Outlay		\$ 649,990	\$ 21,090	\$ 20,800	\$ 16,610	\$ 23,330	\$ 81,830	\$ 526,720
Contingency	hourly	\$ 27,260	\$ 7,190	\$ 7,090	\$ 5,660	\$ 7,950	\$ 27,890	\$ 29,200
Loan Repayment	operations cost	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL FUNDING USES		\$2,773,370	\$ 610,280	\$ 571,300	\$ 455,250	\$ 637,060	\$ 2,273,890	\$ 2,819,600
TOTAL NON-CAPITAL EXPENDITURES		\$2,123,380	\$ 589,190	\$ 550,500	\$ 438,640	\$ 613,730	\$ 2,192,060	\$ 2,292,880

		Adopted Budget	Total Proposed Budget	Projected Budget
		<u>FY 2021-22</u>	<u>FY 2022-23</u>	<u>FY 2023-24</u>
County Services				
Administration:				
Total Administration (Net of Contracts)		\$ 105,890	\$ 118,280	\$ 125,670
Service Delivery:				
Labor - Operations	hourly	\$ 276,610	\$ 297,730	\$ 312,540
Labor - Operations Workers Comp	hourly	\$ 18,910	\$ 18,080	\$ 18,860
Labor - Maintenance	hourly	\$ 61,220	\$ 66,050	\$ 69,120
Labor - Maintenance Workers Comp	hourly	\$ 5,520	\$ 5,280	\$ 5,810
Fuel	miles	\$ 20,700	\$ 28,250	\$ 28,250
Insurance	miles	\$ 17,890	\$ 15,250	\$ 18,300
Special Transit (Senior Vans, Incentives, etc)	n/a	\$ 44,480	\$ 44,480	\$ 46,690
Avila Trolley	n/a	\$ 76,490	\$ 82,530	\$ 86,640
Maintenance (parts, supplies, materials)	miles	\$ 34,550	\$ 40,140	\$ 43,880
Maintenance Contract Costs	miles	\$ 6,920	\$ 8,120	\$ 8,330
Total Operations		\$ 563,290	\$ 605,910	\$ 638,420
Capital/Studies:				
Total Capital Outlay		\$ -	\$ 405,700	\$ -
Contingency	hourly	\$ 8,030	\$ 8,690	\$ 9,170
Loan Repayment	operations cost	\$ -	\$ -	\$ -
TOTAL FUNDING USES		\$ 677,210	\$ 1,138,580	\$ 773,260
TOTAL NON-CAPITAL EXPENDITURES		\$ 677,210	\$ 732,880	\$ 773,260

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		Total Adopted Budget	Proposed Route A & B Budget	Proposed Paso DAR Budget	Total Proposed Budget	Projected Budget
		<u>FY 2021-22</u>	<u>FY 2022-23</u>	<u>FY 2022-23</u>	<u>FY 2022-23</u>	<u>FY 2023-24</u>
North County Services						
	<u>Measure:</u>					
	Annual Hours	7,440	6,160	1,280	7,440	7,440
	Annual Miles	97,480	85,940	11,540	97,480	97,480
Administration:						
	Total Administration (Net of Contracts)	\$ 160,250	\$ 127,340	\$ 24,680	\$ 152,020	\$ 151,100
Service Delivery:						
	<u>Basis:</u>					
	Labor - Operations	hourly \$ 563,180	\$ 505,380	\$ 105,010	\$ 610,390	\$ 640,770
	Labor - Operations Workers Comp	hourly \$ 28,490	\$ 22,710	\$ 4,720	\$ 27,430	\$ 28,620
	Labor - Maintenance	hourly \$ 134,920	\$ 121,360	\$ 25,220	\$ 146,580	\$ 153,390
	Labor - Maintenance Workers Comp	hourly \$ 7,770	\$ 6,190	\$ 1,290	\$ 7,480	\$ 8,230
	Fuel	miles \$ 59,610	\$ 72,160	\$ 9,690	\$ 81,850	\$ 81,850
	Insurance	miles \$ 48,630	\$ 36,770	\$ 4,940	\$ 41,710	\$ 50,050
	Maintenance (parts, supplies, materials)	miles \$ 36,070	\$ 37,180	\$ 4,990	\$ 42,170	\$ 46,100
	Maintenance Contract Costs	miles \$ 7,090	\$ 7,380	\$ 990	\$ 8,370	\$ 8,590
	Total Operations	\$ 885,760	\$ 809,130	\$ 156,850	\$ 965,980	\$ 1,017,600
Capital/Studies:						
	Total Capital Outlay	\$ 1,336,680	\$ 36,290	\$ 7,540	\$ 43,830	\$ 38,520
Contingency	hourly	\$ 13,850	\$ 12,370	\$ 2,570	\$ 14,940	\$ 15,640
Loan Repayment	operations cost	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL FUNDING USES		\$ 2,396,540	\$ 985,130	\$ 191,640	\$ 1,176,770	\$ 1,222,860
TOTAL NON-CAPITAL EXPENDITURES		\$ 1,059,860	\$ 948,840	\$ 184,100	\$ 1,132,940	\$ 1,184,340

RTA Staff Salary Schedule

FY 2022/2023

SLORTA POSITION	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
Administrative Assistant	\$50,575.67	\$53,104.46	\$55,759.69	\$58,547.67	\$60,889.58	\$62,716.28	\$63,970.60
Accounting Technician I	\$53,104.46	\$55,759.69	\$58,547.67	\$61,475.06	\$63,934.05	\$65,852.07	\$67,169.12
Accounting Technician II	\$58,414.91	\$61,335.66	\$64,402.43	\$67,622.56	\$70,327.46	\$72,437.28	\$73,886.03
Transit Training Instructor	\$62,353.27	\$65,470.94	\$68,744.47	\$72,181.70	\$75,068.96	\$77,321.03	\$78,867.45
Transit Training Instructor/Mobility Specialist	\$62,353.27	\$65,470.94	\$68,744.47	\$72,181.70	\$75,068.96	\$77,321.03	\$78,867.45
Lead Supervisor	\$71,165.06	\$74,723.31	\$78,459.47	\$82,382.45	\$85,677.75	\$88,248.08	\$90,013.04
Human Resources Officer	\$72,944.18	\$76,591.39	\$80,420.96	\$84,442.01	\$87,819.70	\$90,454.29	\$92,263.37
Maintenance Assistant Manager	\$78,147.84	\$82,055.22	\$86,157.99	\$90,465.88	\$94,084.52	\$96,907.05	\$98,845.19
Manager, Marketing and Community Relatiors	\$84,442.01	\$88,664.10	\$93,097.31	\$97,752.17	\$101,662.27	\$104,712.12	\$106,806.36
Manager, Grants	\$84,442.01	\$88,664.10	\$93,097.31	\$97,752.17	\$101,662.27	\$104,712.12	\$106,806.36
Manager, Safety and Training	\$84,442.01	\$88,664.10	\$93,097.31	\$97,752.17	\$101,662.27	\$104,712.12	\$106,806.36
Manager, Maintenance and Facilities	\$100,136.38	\$105,143.20	\$110,400.36	\$115,920.39	\$120,557.19	\$124,173.91	\$126,657.40
Manager, Operations	\$115,920.39	\$121,716.40	\$127,802.21	\$134,192.32	\$139,560.02	\$143,746.81	\$146,621.75
Deputy Director/CFO	\$133,659.33	\$140,342.29	\$147,359.40	\$154,727.39	\$160,916.48	\$165,743.98	\$169,058.86
Executive Director	\$147,436.29						\$179,200.27

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

MAY 4, 2022

STAFF REPORT

AGENDA ITEM: D-1

TOPIC: **PUBLIC HEARING: Temporary Fare-Free Service**

PRESENTED BY: **Geoff Straw, Executive Director**

STAFF RECOMMENDATION: **Seek Public Input on Temporarily Suspending Fares on RTA Operated Public Transit Services. Presuming Support by the Public, Authorize the Executive Director to Implement Necessary Steps to Implement Fare-Free Service for the Months of June, July and August 2022.**

BACKGROUND/DISCUSSION:

On April 8, the California Department of Finance released "trailer bill" language to implement the Governor Newsom's proposed \$750 million in new state funding to incentivize transit agencies to implement fare-free or deeply discounted transit service for three months.

In short, the proposal would:

- Appropriate \$750,000,000 from the General Fund to the California State Transportation Agency to fund grants to incentivize transit agencies to implement fare free transit service. Funding would be allocated to transit and rail agencies based on their share of FY 2019-20 statewide fare revenues.
- Funding received by transit and rail agencies could be used to pay for administrative costs, operating costs, and offsetting lost fare revenue, among other expenses.
- Transit and rail agencies that choose to participate in the program must offer fare free transit services for at least three consecutive months to receive the grant.
- Fare free transit service must be offered starting no later than 60 days after the trailer bill has taken effect.

The proposal will be reviewed by the Legislature this spring as part of the budget process. Staff will work with our partners at the California Transit Association to stay abreast of Legislature negotiations so that our agency can be ready to quickly implement this fare-free program if supported by the RTA Board. We are also

discussing a coordinated effort among the various transit agencies in SLO County and SLOCOG officials to ensure financial equity and to reduce confusion for riders.

Staff is seeking the public's input on this fare-free proposal, as well as the RTA Board's direction on whether or not to pursue this grant funding.

Potential Benefits and Drawbacks of Participating

The principal benefit of participating in the Governor's proposed temporary fare-free program is that additional "incentive" grant funds would be provided, and the net savings could be carried over into FY23-24 to reduce the need for Local Transportation Funds. The Governor's April 8th proposal states that grants would be based on FY19-20 passenger fares reported to the State Controller's Office (SCO), which amounted to the following in San Luis Obispo County:

- RTA fixed-route¹ – \$884,851
- RTA specialized² – \$116,012
- SoCo Transit fixed-route³ – \$103,139
- Atascadero Dial-A-Ride – \$28,843
- Morro Bay Transit – \$19,159
- SLO Transit – \$196,892
- United Cerebral Palsy / Ride-On – \$127,512

In total, \$1,348,954,092 in passenger fares were reported statewide to the SCO in FY19-20. It is logical to presume that the \$750,000,000 proposed grant amount is based on roughly half (actually 55.5%) of annual fare revenues, so each participating agency would be provided roughly 50% of the FY19-20 total reported for passenger fares – which is far greater than the roughly 25% of one year that 90 days represents. More specifically, the RTA and its consolidated agencies reported \$1,104,002 – so using a more conservative figure of 50% of FY19-20 would be on the order of \$550,000; presuming even pre-pandemic ridership levels under a fare-free scenario still result in positive net funds.

Another benefit of temporary fare-free service is that many persons who currently drive a private automobile would be incentivized to try using public transit, which could help us recover from the significantly lower ridership levels that were caused by the pandemic and establish long-term ridership trends. We could prove to those new riders that public transit is a viable alternative, which would be a long-term benefit to the agency.

The principle drawback is likely overcrowding during peak travel periods. In addition, fare free service would likely also have to be provided on Runabout services, which

¹ RTA fixed-route includes RTA Routes 9, 10, 12, 14 and 15, as well as Paso Express Routes A & B.

² RTA Specialized includes Runabout, as well as Dial-A-Ride services in Nipomo, Paso Robles, Shandon and Templeton.

³ Since the FY19-20 reporting year, SoCo Transit has subsequently consolidated into the RTA.

requires a very high level of public subsidy per passenger-trip. While we currently have ample capacity on our fixed-route buses during non-peak travel periods and those services could accommodate additional riders, we might end up having to pass up riders when the buses reach their posted capacity limits during peak travel periods. Unfortunately, due to driver shortages, the RTA is not currently able to provide additional capacity through Express Trips or shadow buses. Impacts to the Runabout service might include longer wait times, more crowded and longer in-vehicle travel times, and/or less desirable pick-up/drop-off times in comparison to riders' desired times.

In addition, as we experienced during the temporary deeply-discounted cash fares that the RTA implemented at the outset of the pandemic (\$0.50 regular and \$0.25 discounted), an uptick in "sheltering on bus" caused us to implement a policy of single round-trip per boarding, which in some cases led to an increase conflicts between RTA employees and poorly behaving riders. Whether a fully fare-free system or a deeply discounted cash fare is implemented, it is recommended that the single round-trip per boarding be re-implemented during the temporary program.

Another potential drawback is finding an equitable compromise for those passengers who purchased a 31-day pass and whose remaining free time is replaced by a free-for-everyone (or deeply discounted cash fare) program. One possible solution is to clearly communicate a 30-day window after which riders can board for free – during the interim weeks, the passengers can purchase single-day or 7-Day passes.

One challenge yet to be fully addressed is whether or not each transit agency in the county participates in the same manner. Complicating this coordination issue is the agreements between the RTA to: 1) "buy down" fare-free service for Runabout eligible riders on SLO Transit and on Morro Bay Transit buses, and 2) RTA sharing Regional fare revenues for proportional use on SLO Transit and Morro Bay Transit buses. During the FY19-20 evaluation year, SLO City billed us \$15,252 for Runabout-eligible riders' trips on its buses and Morro Bay billed us \$908.90. Along the same lines, the RTA pushed \$44,002.08 in proportional Regional fares in FY19-20 across the table to SLO City and \$1,773.72 to Morro Bay. If one or more of our agencies decide to not fully coordinate the level and timing of fare-free program, it will be difficult to equitably share in these regional financial benefits.

One final unknown is the potential administrative burden that might be imposed on transit agencies. While the potential amount of fare replacement is relatively large for larger agencies such as the RTA and SLO Transit, the burden might be too much for smaller transit agencies given the fare levels at Morro Bay Transit and Atascadero Dial-A-Ride. RTA staff will continue to advocate with our Caltrans and SLOCOG partners to minimize the overall administrative burden to the extent possible, or even to combine administrative efforts countywide in order to maximize the benefits to our region.

Staff Recommendation for the Board:

Seek public input on temporarily suspending fares on RTA operated public transit services. Presuming support by the public, authorize the Executive Director to implement necessary steps to implement fare-free service for the months of June, July and August 2022.