



## RTA BOARD AGENDA

**Wednesday, August 3, 2022**  
**at approximately 11:00 AM (following SLOCOG meeting)**  
**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 Heading (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 LABOR NEGOTIATORS (Gov. Code § 54957.6)**

Agency designated representatives: Geoff Straw, Executive Director

Employee organization: Teamsters Local Union No. 986

### A. **CONSENT AGENDA:**

- A-1 RTA Board Meeting Minutes of May 3, 2022 (Approve)
- A-2 Ratification of Agreement for HVIP Funds (Approve)

**B. INFORMATION AGENDA:**

None

**C. ACTION AGENDA:**

None

**D. BOARD MEMBER COMMENTS**

**The September 7, 2022 RTA Board meeting has been cancelled.** The next regularly-scheduled RTA Board meeting is scheduled for November 2, 2022.

**DRAFT**  
**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**  
**BOARD MEETING MINUTES OF MAY 4, 2022**  
**A-1**

**BOARD MEMBERS PRESENT:**

DEBBIE ARNOLD, FIFTH DISTRICT, COUNTY OF SAN LUIS OBISPO (Vice President)  
BRUCE GIBSON, SECOND DISTRICT, COUNTY OF SAN LUIS OBISPO  
DAWN ORTIZ-LEGG, THIRD DISTRICT, COUNTY OF SAN LUIS OBISPO  
JOHN PESCHONG, FIRST DISTRICT, COUNTY OF SAN LUIS OBISPO  
JOHN HEADDING, CITY OF MORRO BAY  
KAREN BRIGHT, CITY OF GROVER BEACH  
JIMMY PAULDING, CITY OF ARROYO GRANDE  
ANDY PEASE, CITY OF SAN LUIS OBISPO  
HEATHER MORENO, CITY OF ATASCADERO  
ED WAAGE, CITY OF PISMO BEACH (President)

**BOARD MEMBERS ABSENT:**

LYNN COMPTON, FOURTH DISTRICT, COUNTY OF SAN LUIS OBISPO  
FRED STRONG, CITY OF PASO ROBLES

**STAFF PRESENT:**

GEOFF STRAW, EXECUTIVE DIRECTOR  
TANIA ARNOLD, CFO/DEPUTY DIRECTOR  
MARY GARDNER, MARKETING AND COMMUNITY RELATIONS  
OMAR MCPHERSON, OPERATIONS MANAGER  
ANDY WYLY, MAINTENANCE MANAGER  
RACHAEL JOYUS, BUS OPERATOR  
JON ANSOLABEHERE, SAN LUIS OBISPO COUNTY COUNSEL

**CALL MEETING TO ORDER, ROLL CALL:** President Ed Waage called the meeting to order at 9:00 AM and roll call was taken. A quorum was present.

**PUBLIC COMMENT:** None

**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

**PUBLIC COMMENT:** None

The Board went into closed session at 9:03 AM and returned to open session at 9:25 AM

**Mr. Jon Ansolabehere** stated there was no reportable action from closed session.

**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)
- 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)

Public Comment: None

**Board Member John Headding** made a motion to approve the consent agenda, and **Board Member Bruce Gibson** seconded the motion. The motion passed unanimously via roll call vote as follows:

<b><u>BOARD MEMBER</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>ABSENT</u></b>
DEBBIE ARNOLD (Vice President)	X		
LYNN COMPTON			X
BRUCE GIBSON	X		
DAWN ORTIZ-LEGG	X		
JOHN PESCHONG			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** reported that on April 19, the TSA did rescind the mask mandate on public transit vehicles and in facilities. At that time we reached out to our riders and employees and implemented the change. We still encourage the use of face masks on our vehicles particularly if you are unvaccinated. We also provide surgical masks upon request for our riders.

**Mr. Straw** shared that RTAC had met and made a recommendation to accept the proposed budget. RTAC also reviewed the potential fare free or discounted fares proposed by the Governor. Noting that RTAC is composed by officials from all of the transit agencies as well as members of the public. The

Committee had a robust discussion but unfortunately there is no direction to move forward. Staff will be pulling the recommendation to implement this program. **Mr. Straw** informed the Board of current staffing and recruitment. There are currently 5 open full time bids for Bus Operators, and 11 of 19 part time bids. There is one candidate in licensing permitting now, it takes about 6 weeks to finish. Unfortunately, 2 Operations Supervisors recently separated. **Mr. Straw** explained that typically in the agency Supervisors are hired from within. So that means two more Supervisor positions will likely lead to two more Bus Operator positions that need to be filled. A new Utility person started on Monday. Interviews for Accounting Technicians have been underway with second interviews next week. The Human Resources Officer has also separated after 3 years with RTA, Shelby Walker is serving as the Interim Human Resources Officer. A previous employee Jenni Wilkes has come back to fill in as Interim Administrative Assistant to help get through some of the staffing transitions. **Mr. Straw** introduced **Mr. Andy Wyly** the Maintenance and Facilities Manager.

**Mr. Omar McPherson** Operations Manager introduced the employee of the quarter, Bus operator Rachael Joyous. Ms. Joyous has been a bus operator for RTA for over 5 years and has served admirably; she is great at what she does. Her coworkers have nominated her for employee of the quarter. **Mr. Straw** noted that Ms. Joyous's uniform is black instead of the standard blue for drivers and is embroidered with Employee of the Quarter on her left shoulder. **Ms. Rachael Joyous** stated she was thrilled to be addressing the Board and nominated as Employee of the Quarter. **Ms. Joyous** shared that when she was first hired she was going through some changes with career and family life, and that over time she discovered RTA had become family. Coworkers, the staff, and administration have just been fantastic, they are really wonderful people. She went on to say she is proud to work with everyone at RTA. Thrilled to be here and will wear the black shirt with pride. **Mr. Straw** congratulated Ms. Joyous and spoke about the Employee of the Quarter barbeque sharing that this was the first barbeque at the new facility. He went on to share that the bus rodeo will be coming back on October 9th for the first time since the pandemic. It's a family friendly event put on with Teamsters 986 and Cal Poly. **Mr. Straw** informed the Board that RTA is waiting on 5 replacement vehicles ordered back in the spring of 2021. Adding as soon as the buses are received we will be ready to start the process of moving the Transit Center for South County Transit from Ramona Gardens to the train station. There are also two mid-size cutaway vans that will be on route 15 once they arrive.

**Mr. Straw** thanked Ms. Mary Gardner for the work she had put into the ribbon cutting. **Mr. Straw** went on to update the Board on key marketing and communications points, sharing that RTA has launched google ads for driver recruitment. Staff is also looking into Indeed as a way to really show potential new hires what RTA is all about. Ms. Gardner has been working with Rideshare on implementation of the Summer Youth Ride Free Program, it is about to launch. Wi-Fi on all fixed route vehicles should be reinstated this June. Looking to the future the website needs to be revamped. With 78% of our users using a mobile phone to access the site a redesign with a better mobile interface is in order.

**Mr. Straw** spoke about the concern that two of the three urbanized areas within the county could be downgraded to rural. Losing those two urban areas would have a profound impact on transit funding for the county. In terms of impact nationally the urbanized areas get 6 billion dollars, while the rural areas get 700 million so it's 1000:1. The central area that covers San Luis Obispo is not at risk. Staff and SLOCOG will continue to monitor the status of North County and South County. We are expecting the Census Bureau to announce their findings this summer but have heard it could be as late as this fall. Federal funding for Fiscal Year 2021-2022 is secure.

**Mr. Straw** noted that staff is preparing for field visits from fiscal and compliance auditors. Also working with partners at SLOCOG for Triennial Performance Audits. Your Board will hear the findings from that audit both from RTA and SLOCOG. Ridership has increased 27% since last year. Slightly less than twice as many riders. There were real declines particularly on the Runabout as Omicron went up in the

county. Fortunately that does help, in some ways because the subsidy per passenger trip is very high on Runabout. **Mr. Straw** shared that in terms of financing we are 75% through the year, and operating below budget at 64.9% primarily because of a shortage of drivers. We were unable to bring back express routes and school trippers. To some degree there isn't the demand for those express trips but, we certainly couldn't staff them at this time. Fuel pricing is spiking it's up 50% from where it was 2 years ago. RTA is exempt from some of the taxes so diesel is a little lower for us, but we are still feeling the increase. Farebox recovery ratio is improving. On fixed route it's almost triple last year's numbers, Runabout is about the same. The subsidy per passenger is also improving.

Public Comment:

**Mr. Eric Greening** offered congratulations to Rachael Joyous. He went on to inform the Board that RTAC unanimously supported the budget, but they were unable to support the fare free three months. The committee wasn't polarized, but there was too much uncertainty about the impacts on the service providers. Stating that the proposal was part of a larger measure that is intended to rebate funding to drivers who have been hit by fuel costs, **Mr. Greening** shared that his personal preference would be to see more funding for transit operators, bike pedestrian infrastructure. He looks forward to seeing more information on what the impact would be in our area, until then he's cautiously supportive of the idea in concept.

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

**Mr. Straw** updated the Board on the status of the bus maintenance facility. At this point there is a short punch list of items and we are moving into the warranty period. **Mr. Straw** informed the Board of the delay on the electric vehicle charging systems, both the fast charge for buses and the employee and staff vehicles section. These projects are on two different tracts but are being worked on simultaneously. Both have been stalled by supply chain issues. The contractor has asked for cost adjustments because of Covid-19 so that is being looked at. We have budgeted enough to cover without additional funding. **Mr. Straw** shared that when the project was bid back in 2018 it was designed for 156KWh chargers. With emerging technology the chargers are much smarter. We will have the ability to prioritize charging to specific vehicles based on the schedule and need, while avoiding demand charges. The TIFIA loan has been finished out. Originally granted \$13.1 million dollars over 35 years at a 6.5% interest rate. We were able to close out the loan at 11.9 million. That is the amount we are paying back over the next 35 years. All of the City obligations are met. We appreciate staff from the City of San Luis Obispo for working with us to get everything done.

Public Comment: None

**President Waage** received and filed items B-1, and B-2 from the information agenda on behalf of the Board.

**C. ACTION AGENDA:**

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

**Ms. Tania Arnold** shared her appreciation for the Board's support as staff worked to present a financially constrained FY 22-23 budget. She noted the separate columns for different agencies. Each group has approved their perspective budgets prior to this meeting. In order to easily distinguish core RTA services they are broken into weekday, Saturday and Sunday services. The service levels are the same as budgeted for the previous Fiscal Year.

**Ms. Arnold** continued by going over key issues within the FY 2022-23 Operating and Capital Budget. RTA is still recovering from the pandemic and moving to the endemic stage. There have been a number of impacts related to the pandemic. One being workers compensation. While it has gone up it has stayed in line with prior years. General liability insurance has also stayed relatively flat. Staff has been

working with the employee committee in regards to workplace safety to proactively address the number and severity of claims. There is a significant change in property insurance but it is a result of fully owning the property, during the construction phase the construction company carried the cost of that insurance. **Ms. Arnold** shared the continued focus on Runabout subsidies, and containing those hours and miles. Related to staffing and retention particularly in the Bus Operator retention we try to foster a positive work environment. The first in person training for our diversity, equity and inclusion program will take place at the new facility next week. Online training will be coming in the future. The implementation of a paid family leave program is also part of this budget. It comes in at \$1,000 a month. A relatively low cost but it is expected to have a big impact on employees as well as retention.

**Ms. Arnold** stated the current collective bargaining agreement had been extended for one year, and now expires December 31, 2022. Staff will work with the Board to determine the appropriate approach as negotiations begin this summer. The annual inflationary adjustment for non-union employees, excluding the operations supervisors of 6.6% is included in the budget. The proposed implementation is July of 2022. **Ms. Arnold** explained the cost of the COLA versus the merit. The merit is based on everyone who is eligible and is about \$37,500, while the COLA is about \$78,500 for those employees. Dropping the COLA for 4% is a savings of just over \$30,000. The budgeted full time equivalent is the same, although there are some proposed staff realignments. The Parts Clerk position was a direct recommendation from TDA audit. We did have a Human Resources Manager Job description that we intended to bring to the Board, but that has been pulled from this agenda.

**Ms. Arnold** spoke about the implementation of zero emission bus technologies. RTA is excited to be moving forward with the purchase of two zero emission vehicles to replace two diesel 2008 vehicles. These vehicles are included in the budget for the capital program. At the ribbon cutting ceremony staff announced the award of a 5339 discretionary grant for an additional 5 zero emission vehicles. This was a joint grant application with SLO Transit, they will be receiving funds for 6 vehicles. Those vehicles are included in the projected budget, but as like-kind diesel vehicles. To implement the grant staff will come back to the Board with a full funding program for adoption.

**Ms. Arnold** informed the Board that the STA funding has gone up. Adding there is also a discretionary program under the state of good repair. Applications have been submitted for solar panels to power the campus portion of the new bus maintenance facility. There are solar canopies we can put panels on as well. When we have that full funding package ready to go we will bring it back to the Board for adoption.

**Ms. Arnold** shared her forecast for the projected LTF funding needs. Stating the LTF is always the last pot of funds used for funding. Of note in the FY 20-21 and 21-22 there was a lot of additional funding that came from the CARES Act which offset the need for LTF funding. While there is an increase, largely due to fuel costs, it is still in line with what was projected. Traditionally LTF is used only for operations. One of the requirements of the TIFIA loan is that it is paid back with LTF funding. For FY 22/23 there is about \$84,000 that will be used to pay back the interest portion on the TIFIA loan.

**Ms. Arnold** expressed concern over fuel cost volatility, as it impacts riders, revenue and costs. Fuel costs in the budget assumptions started at \$4.30, but this budget includes \$4.80, and staff recognizes that it is probably still not high enough. Staff will continue to monitor fuel costs. If prices continue to increase it will be brought back to the Board for consideration.

**Ms. Arnold** stated that there no real revisions related to operating revenue. There is some uncertainty related to Fiscal Year 2022-2023 if the urbanized areas in North County or South County become rural. As **Ms. Arnold** mentioned during the South County Transit meeting earlier this morning labor makes up the vast majority of expenses, noting we invest in our employees. **Ms. Arnold** reiterated that the

budget is a planning document. With all the uncertainties, there are pieces that will require further discussion.

Public Comment:

**Mr. Greening** thanked Ms. Arnold, and as reported before RTAC unanimously supported the budget as it was presented, with the understanding that there is a lot of uncertainty. He stated that the budget before you is prudent and well-crafted. **Mr. Greening** shared how well receiving the funding for zero emission busses reflected on the agency. These systems in our county got a significant part of what was awarded statewide. He went on to extend his gratitude to the people who make the agency what it is.

**President Waage** commented on the Executive Committee Minutes included in the agenda. He stated that he and Ms. Debbie Arnold were split on the motion to approve a 4.0% COLA for Non-union employees. **President Waage** informed the board that he had made a motion to bring the 4.0% forward but it died for lack of second. Noting the challenge at this time is consistency, SLOCOG is at 4.0%.

**Board Member Jimmy Paulding** stated that during the South County Transit Committee (SCTC) meeting the Committee supported the 4.0% COLA unanimously.

**Board Member John Heading** thanked staff and shared his support for the 4.0% COLA.

**Board Member Andy Pease** asked if there was there a concern among staff that they would not be able to keep up with retention or other staff goals by reducing the COLA to 4.0% from the 6.6% originally proposed. **Mr. Straw** replied that the concern would be falling too far behind, and the hope would be that the Board would help even that out next year. He stated that compression issues were becoming an issue.

**Mr. Straw** also clarified that Mr. Greenings statement regarding RTA and SLO Transit receiving funding for the zero emission busses was actually more impressive than originally stated because this was not a state program but a nationwide program. SLO County got the biggest 5339 in the state because RTA and SLO Transit applied together.

**President Waage** complimented Ms. Arnold on the budget stating that she had been doing a tremendous job with numbers that seem to change hourly.

**Board Member Heading** made a motion to approve agenda item C-1 as presented with a COLA increase of 4.0% for non-CBA employees. **Board Member Dawn Ortiz-Legg** 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	X		
JOHN HEADDING	X		
KAREN BRIGHT	X		
JIMMY PAULDING	X		
ANDY PEASE	X		
HEATHER MORENO	X		
FRED STRONG			X
ED WAAGE (President)	X		

**D. PUBLIC HEARING:**

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

**Mr. Straw** informed the Board that staff had been looking to seek public input on the governor’s fare free service plan. There was a deadline for the California state legislature to move that plan forward, they did not. So at this point staff is pulling their recommendation. We did notice this as a public hearing so we need to seek input on this idea. It may come back, and if it does we could bring it to the Board in June. **Mr. Straw** stated that after speaking with other transit agencies there are concerns particularly related to the administrative burden that may incur. The staff report goes into a lot of detail based on assumptions from the Legislative Committee at the California Transit Association, but again nothing has moved forward.

**Ms. Heather Moreno** asked if this would be an all or nothing program, specifically would all the different entities have to move forward with it. **Mr. Straw** replied that the concern would be how intertwined this is. SLOCOG has a policy for LTF recipients for transit that allows use of a regional fare while pushing those moneys across the table. If one did not participate than how would money be pushed across. There is an equity issue there. If we were going to do something like that we would probably ask SLOCOG to suspend that requirement for TDA, or something like that to provide some equity between the agencies.

Public Comment:

**Mr. Greening** stated that it was hard to have a position on something when there is no information on how it might impact the jurisdiction. **Mr. Greening** went on to note that the members of the Board are all Directors of both RTA and SLOCOG. While SLOCOG has a platform that acts as a policy making body. It is rarely done as an RTA board. **Mr. Greening** asked if there was any reason that the RTA Board could not also send communication on policy issues.

**President Waage** thanked staff for bringing the most up to date information to the board.

**Ms. Pease** appreciated the concept, and stated that with the shortage of drivers there would be no way to properly implement the program if it were to be successful. The impact of the administrative burden also needs to be looked at. **Mr. Straw** added one of the challenges specific to the City of San Luis Obispo is how the funding is reported, and noted staff understands the reticence to commit to something like this without more information.

**President Waage** shared his hope that legislators were consulting with transit agencies as decisions are made in Sacramento. **Mr. Straw** stated that Mr. McPherson is the Board Chair of CalACT, and has been

heavily involved. **Mr. McPherson** updated the Board on the progress he has seen at the legislative level. Adding CalACT and CTA are trying to bring thoughts forward from the individual agencies.

**Ms. Pease** reminded everyone that it is Bike Month, with a lot of great activities going on throughout the county. **Ms. Pease** spent the morning celebrating bike to school day. **Ms. Moreno** added that she was at Santa Rosa Academic Academy in Atascadero this morning doing the same thing.

**President Waage** received and filed D-1 Public Hearing on behalf of the Board.

The meeting was adjourned at 10:23 AM.

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

Respectfully Submitted,

Acknowledged by,

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Jenni Wilkes, Interim Administrative Assistant

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Ed Waage, RTA President 2022

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**August 3, 2022**

**STAFF REPORT**

**AGENDA ITEM:** A-2

**TOPIC:** Procurement of Battery Electric Buses

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:** Ratify Decision by Executive Director to Execute Agreement for HVIP Funds

**BACKGROUND/DISCUSSION:**

As discussed in previous RTA Board of Directors meetings, the RTA has been awarded funding to purchase two Battery Electric Buses (BEBs) to replace existing diesel buses. These two new BEBs will replace two 2008 Gillig Phantom heavy-duty 40-foot diesel-powered fixed-route buses (Vehicle ID #167 and #168).

At its May 4, 2022 meeting, the RTA Board of Directors authorized the Executive Director to execute an agreements Gillig LLC to purchase two Gillig Low-Floor BEBs. The Staff Report identified the following fund sources for this bus replacement project:

- A. \$1,014,300 in FTA Section 5307 funds,
- B. \$112,594 in Federal Transit Administration (FTA) Section 5339,
- C. \$244,703 in Low Carbon Transit Operations Program (LCTOP) funds,
- D. Up to \$448,606 in State of Good Repair (SGR),
- E. Up to \$360,000 in VW Environmental Mitigation Trust Funds, and
- F. Up to \$314,633 in State Transportation Assistance (STA),

Subsequent to the May meeting, staff worked with Gillig LLC to secure \$240,000 in California Air Resources Board (CARB) *Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project* (HVIP) funds. As detailed in the attached agreement, these new HVIP voucher funds are awarded directly to the vehicle manufacturer, and Gillig LLC agrees to reduce the price per bus by \$120,000.

Because the HVIP agreement had to be executed in a short time period (i.e., prior to the next possible RTA Board meeting date), the Executive Director reviewed the draft agreement with other senior staff and RTA Counsel to determine if any HVIP operating policies and/or procedures could prove to require substantial staff resources to administer. In short, we determined that the HVIP requirements are no more onerous than existing requirements of the FTA or Caltrans, and that the RTA Board will not need to consider amending any existing policies. Therefore, the Executive Director decided to execute HVIP agreement, and is seeking the Board's ratification of the agreement.

Most importantly, these newly acquired HVIP voucher funds will reduce the amount of STA funds identified above for local match purposes by \$240,000. RTA staff will work with SLOCOG officials to repurpose those displaced STA funds for future transit needs in our county.

**Staff Recommendation**

Staff is recommending the RTA Board ratify the Executive Director's execution of the HVIP agreement.



## HVIP Voucher Request Form Effective 3/2022

Voucher Request ID: San Luis Obispo Regional Transit Authority - 2022-06-21	Date: 06/21/2022
Vehicle: GILLIG Low Floor Electric Battery Electric Bus	Number of Vouchers: 2
Vehicle Type: Bus - Heavy Duty/Transit	

### Vehicle Information:

Vehicle Manufacturer: GILLIG LLC	Vehicle Model Year: 2022
GVWR: >33,000	Preliminary Voucher Amount: 120000.00

### Purchaser Information

Is this Vehicle a Lease? false

(Lessee must be listed as Purchaser)

Note: After the voucher request is submitted, lessee (end-user fleet operator) CANNOT change.

Purchaser / Lessee Contact Name: Geoff Straw		
Purchaser / Lessee Company / Entity: San Luis Obispo Regional Transit Authority		
Optional Secondary Contact Email I.e., fleet manager or data manager) (This secondary person will receive All notifications that primary contact receives): tarnold@slorta.org		
Parent Company, if any:		
Mailing address: 253 Elks Lane	City: San Luis Obispo	
State: CA	Zip code: 93401	
Phone: 805-541-2228	Email: gstraw@slorta.org	
Vehicle location / Domicile ? 253 Elks Lane	City: San Luis Obispo	
State: CA	Zip Code: 93401	
Is domicile address in a disadvantaged community? No (Find out by entering address into map at <a href="https://webmaps.arb.ca.gov/PriorityPopulations/">https://webmaps.arb.ca.gov/PriorityPopulations/</a> )		
Addresses in either the Pink zone or the Pink-Blue striped zone are considered a Disadvantaged Community in HVIP.)		
TIN: 77-0478749	CA#: 46065 Exempt false	DOT#: 2808443 Exempt false
CA# Reason for exemption if applicable:		
DOT# Reason for exemption (if applicable):		
TRUCRS ID#: TRUCRS Exempt false Purchaser claiming exemption must submit a letter of explanation to voucherprocessing@tetrattech.com within 30 days of the date the voucher was requested		
Is the Purchaser / Lessee designated by the U.S. Dept of Transportation as a Disadvantaged Business Enterprise, listed at <a href="https://ucp.dot.ca.gov/licenseForm.htm">https://ucp.dot.ca.gov/licenseForm.htm</a> ? No		
Name of Lessor Entity, if vehicle is a lease:		
Name of Contact at Lessor Entity:		
Lessor Phone:	Lessor Email:	
Is the vehicle performing Drayage operations as defined in the Implementation Manual? No		
If the vehicle is performing Drayage operations, are any operations taking place at the Port of Los Angeles?		
If the vehicle is not performing Drayage operations, is it being used for other freight activities? Specifically, to transport products or raw materials in bulk, including intermodal transfer to train, ship, or aircraft? No		
Is the Purchaser a Public Transit Agency or otherwise meeting the definition of "Public Transit" provided in the implementation Manual? Yes		
Is the Purchaser a Public School District? No		
If the Purchaser is a Public School District, in which air district is the school district headquarters / main office located? See map at <a href="https://www.arb.ca.gov/capcoa/dismap.htm">https://www.arb.ca.gov/capcoa/dismap.htm</a> .		
Is the Purchaser a California Native American Tribal Government? No See definition in the Implementation Manual for included categories of entities		
Please categorize the fleet / organization: Public government entity		
If Private, is the annual revenue of this Purchaser Entity less than \$50 million? (There is no revenue requirement for Public Entities).		
Fleet size (# of vehicles) 78		
Please include all vehicles of GVWR greater than 8,500 lbs under common ownership and control and domiciled in California		

## Dealer Information

Dealer Name: Maribel Gonzalez	Company Name: Gillig, LLC
Address: 451 Discovery Drive	City: Livermore
State: CA	Zip Code: 94551
Email: maribel.gonzalez@gillig.com	Phone: (510) 264-3811

**IMPORTANT NOTES:** 1) In the instance of a batch request, the domicile address must be the same for all vehicles in the batch. Separate voucher requests are required for differing domiciles. 2) Requests for an operator who is different than the purchaser, i.e. a third-party contractor operating on behalf of a transit agency, may be approved at CARB's sole discretion, by contacting [voucherprocessing@tetrattech.com](mailto:voucherprocessing@tetrattech.com)

### **HVIP Voucher Request and Terms and Conditions Form Purchaser / Lessee Effective 3/2022**

1. As a condition for participating in the State of California, Air Resources Board (CARB) Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), the purchaser/lessee must comply with the requirements below:

I have reviewed and verified all information in all sections of the voucher request, including the fleet definitions, DAC, and all other Purchaser Information on this request form, and including the Vehicle and Vehicle Vocation / Type selected for this voucher;

2. I have read, understand and agree to all provisions in HVIP Implementation Manual;
3. I understand that I am prohibited from entering into an agreement with another party to operate the vehicle including, but not limited to, vehicle rentals, vehicle subscription services, vehicle sharing platforms, and fleet-as-a-service models
4. If this voucher includes the Drayage Early Adopter Incentive, I certify that my fleet activities meet the definition and requirements in this document.
5. I agree to register the vehicle in California with the Department of Motor Vehicles (DMV). Military and U.S. Postal Service vehicles are not subject to this requirement;
6. I agree to allow CARB, Grantee, or their designee to verify the vehicle registration with the DMV;
7. I agree to maintain vehicle insurance as required by law;
8. I agree to never modify the vehicle's emission control system, engine, or engine software calibrations;
9. I agree to ensure plug-in vehicles purchased with an HVIP voucher, including plug-in hybrid vehicles, plug-in electric vehicles, and work vehicles with zero-emission power take-off, will be plugged in regularly as recommended by the vehicle manufacturer to ensure battery durability, efficiency, and reliability;
10. I agree to provide access to necessary charging equipment at the domicile location, or a copy of their company's charging policy showing plug-in access;
11. I understand that the fleet must be in compliance and remain in compliance with all applicable federal, state, and local air quality rules and regulations, including but not limited to the CARB Truck and Bus Regulation; furthermore I understand that CARB reserves the right to check compliance at any time;
12. If I have claimed exemption from TRUCR regulation reporting, I acknowledge that I must submit a letter of explanation to [voucherprocessing@tetrattech.com](mailto:voucherprocessing@tetrattech.com) within 30 calendar days of the date the voucher was

requested;

13. I agree to own/lease and operate this vehicle 100 percent in California for a minimum of three years from the date of purchase/lease unless: 1) the vehicle is an emergency response vehicle which may be deployed out of state, 2) the vehicle address identified in this form is in a county which borders Arizona, Nevada, Oregon or Mexico, or 3) the vehicle is a ~~long-haul~~ Class 8 truck conducting business outside of California. In the first two cases only, the vehicle may operate outside of California for up to 25 percent of its mileage. For the third case, the vehicle may operate outside of California for up to 50 percent. Military vehicles are not subject to this requirement;
14. I agree to retain ownership/lease of the vehicle for at least three years from the date of purchase/lease, unless given explicit prior written approval from CARB to sell or transfer the vehicle;
15. I understand that I will receive automated emails from the HVIP Voucher Processing Center when the Dealer requests a voucher on my behalf; when the voucher has been redeemed by the Dealer; and in any instance wherein the voucher is cancelled for any reason. I will notify voucherprocessing@tetrattech.com if a different person should receive these messages instead;
16. I agree to keep written records of the vehicle purchase/lease for three years after the purchase/lease date and provide CARB or its designee with these records within ten days of their request. These records include but are not limited to the vehicle invoice, proof of purchase, DMV records, vehicle payment information and related bank records, and purchaser/lessee fleet information;
17. I agree that the purchased/leased vehicle and emission reductions it generates shall not be used as emission reductions to comply with an enforcement obligation of any person or entity other than CARB;
17. I agree to complete the annual usage survey and questionnaire for three years, as requested by CARB. Military vehicles are not subject to this requirement;
18. I agree that all information associated with this voucher request and voucher redemption, including business name and address, contact information, and sales transaction are public information and subject to release;
- 18a. I understand that this information will also be shared with geographically relevant utility provider(s) for the purposes of infrastructure planning and incentive coordination;
19. I agree to disclose all sources of public funding that apply to the purchase of any vehicles for which I request HVIP vouchers;
20. I agree to the Manufacturers Terms and Conditions for usage of the vehicle's telematics device. Additionally, I agree to allow the Manufacturer to have access to the vehicle location and on/off data so the Manufacturer can report to CARB Grantee, or their designee the vehicle operation telematics for each HVIP-funded vehicle within disadvantaged communities. Vehicles equipped with Natural Gas Internal Combustion engines, and military vehicles are exempt from this requirement;
21. I agree to be available for a follow-up inspection by CARB, Grantee or their designee, if requested;
22. The information provided in this application is true and all supporting documentation is true and correct and meet the minimum requirements of HVIP;
23. I have the legal authority to apply for incentive funding for the purchasing entity described in this agreement;
24. I agree that failure to comply with the terms of this agreement may result in repayment to CARB of voucher funds received;

25. I understand that this HVIP voucher request is only valid for this specific vehicle purchased/leased through this specific dealer/manufacturer, and that any voucher provided based on this voucher request will be null and void if the purchaser/lessee, dealer/manufacturer, or vehicle identified herein change prior to voucher redemption or for noncompliance with applicable HVIP requirements;
26. I understand that after a voucher request is submitted, the lessee / end-user fleet / operator cannot be changed;
27. I understand that CARB reserves all rights and remedies available under the law to enforce the terms of this agreement.

Per #19: Additional Public Funding Sources for this Vehicle:

(Note: Formula funding from the Federal Transit Administration does not need to be included; discretionary FTA funds do need to be included)

Funding Source (i.e, name of grant program)	Funding Organization	Additional Public Funding Sources for this Vehicle	Date or Anticipated Date of Funding
LCTOP, SGR, TDA (Local match non-federal funds)	CA Department of Transportation	Local match (non-federal funds) secured LCTOP \$244,703 SGR \$448,491 TDA \$314,633	2022-06-24 00:00:00



**To support the deployment of your new clean vehicle, this HVIP voucher may be able to be accompanied by infrastructure funding from the California Energy Commission's EnergiIZE Commercial Vehicles program. Please indicate below whether you are interested in infrastructure funding, and more information about timeline and participation details will be provided to you.**

I already have infrastructure funding in place to support this vehicle(s): Yes

I am interested in receiving EnergiIZE funding for infrastructure for this vehicle(s): No

I am purchasing a drayage vehicle and plan to use public charging: No

In addition to EnergiIZE infrastructure funding, I need help planning for my infrastructure project to support this vehicle deployment I.e., siting coordination: false

This voucher request represents my organization's first zero-emission vehicle purchase: true

If you answered yes to the question above, have you contacted your utility service provider? Yes

- If you are not sure which utility service provider is relevant to your project, refer to the map at [https://gis.data.ca.gov/datasets/b95ca182aa254c3db8ad4d92bd32a73c\\_0?geometry=-135.753%2C31.071%2C-102.794%2C43.276](https://gis.data.ca.gov/datasets/b95ca182aa254c3db8ad4d92bd32a73c_0?geometry=-135.753%2C31.071%2C-102.794%2C43.276)

**If you are purchasing any Refuse Vehicle, Panel / Step Van, Straight Truck, or Tractor, please answer the following questions about your insurance.**

1. I plan to obtain the following insurance for this vehicle(s): please list insurer and plan type.  
*Your answer will not affect your voucher status in any way, though insurance coverage is required by law once the vehicle has been delivered. The vehicles will be included in the current insurance that the RTA has in place for all vehicles. The RTA is in a self-insured pool called the California Transit Systems Joint Powers Authority, also known as the California Transit Indemnity Pool(CaTIP).*
2. What is your estimated annual cost to insure this vehicle(s)? 0
3. Were there any barriers or concerns that you faced in obtaining insurance? If yes, please explain. None
4. If you own similar, non-ZEV, vehicles in your fleet, does it cost more, less, or about the same to insure your HVIP vehicle(s) compared to a similar ICE vehicle? Same

**By signing HVIP Voucher Request and Terms and Conditions Form, I acknowledge that I have read and understand, and agree to be bound by, the terms and conditions as outlined above.**

**I certify under penalty of perjury that the information provided is accurate.**

Name of Vehicle Purchaser/Lessee: Geoff Straw

Signature of Vehicle Purchaser/Lessee: *Geoff Straw*

Date: 06/28/2022 20:53 UTC

**HVIP Dealer Terms and Conditions**  
**Effective 3/2022**

1. I have read, understand and agree to all provisions in the HVIP Implementation Manual;
2. The vehicle and vehicle order information identified on this form are true and correct;
3. I certify that this HVIP voucher request corresponds with a real and completed vehicle order, which has not yet been delivered to the purchaser;
4. I understand that after a voucher request is submitted, the lessee / end-user fleet operator cannot be changed;
5. I agree to seek pre-approval from the California Air Resources Board before any sale of the vehicle or any lease not included on the Voucher Request Form;
6. I have not inflated the price of the HVIP funded vehicle and I agree to deduct 100% of the requested voucher amount from the price of the vehicle;
7. I agree to be available for a follow-up inspection by the California Air Resources Board, Grantee, or their designee, if requested;
8. I agree to keep written records of the vehicle purchase for three years after the purchase date and provide the California Air Resources Board or its designee with these records within ten days of their request. These records include but are not limited to the vehicle invoice, proof of purchase, California Department of Motor Vehicle records, vehicle payment information and related bank records, and purchaser fleet information;
9. I understand that this HVIP voucher request is only valid for this specific vehicle purchaser/lessee and vehicle, and that any voucher provided based on this voucher request will be null and void if the purchaser/lessee and vehicle identified herein change prior to voucher redemption or for noncompliance with applicable HVIP requirements;
10. I agree to keep my Voucher Processing Center account active while I have unredeemed vouchers, including any required training, and including shared accounts.
11. I have the legal authority to participate in HVIP for the Dealer described in this agreement;
12. I understand that any information submitted may be subject to public requests for information.
13. I understand that CARB reserves all rights and remedies available under the law to enforce the terms of this agreement.

**By signing HVIP Voucher Request and Terms and Conditions Form, I acknowledge that I have read and understand, and agree to be bound by, the terms and conditions as outlined above.**

**I certify under penalty of perjury that the information provided is accurate.**

Name of Dealer Representative: Maribel Gonzalez

Signature of Representative: *Maribel Gonzalez*

Date: 06/29/2022 14:00 UTC



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Participants

1. Geoff Straw (gstraw@slorta.org)
2. Maribel Gonzalez (maribel.gonzalez@gillig.com)

CC

1. Tetra Tech (voucherprocessing@tetratech.com)

### Document History

Timestamp	Description
06/27/2022 16:14PM UTC	Sender requested participant signing link for gstraw@slorta.org.
06/27/2022 16:14PM UTC	Email sent to Geoff Straw (gstraw@slorta.org).
06/27/2022 16:14PM UTC	Email sent to Michael Guerra (mguerra@calstart.org).
06/27/2022 21:12PM UTC	Document viewed by Geoff Straw (gstraw@slorta.org). 24.176.226.90 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/102.0.0.0 Safari/537.36
06/27/2022 21:13PM UTC	Sender downloaded document.
06/28/2022 20:53PM UTC	Document viewed by Geoff Straw (gstraw@slorta.org). 24.176.226.90 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/102.0.0.0 Safari/537.36
06/28/2022 20:53PM UTC	Geoff Straw (gstraw@slorta.org) has agreed to terms of service and to do business electronically with Michael Guerra (mguerra@calstart.org). 24.176.226.90 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/102.0.0.0 Safari/537.36
06/28/2022 20:53PM UTC	Signed by Geoff Straw (gstraw@slorta.org). 24.176.226.90 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/102.0.0.0 Safari/537.36
06/28/2022 20:53PM UTC	Email sent to Maribel Gonzalez (maribel.gonzalez@gillig.com).
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06/29/2022 13:59PM UTC	Document viewed by Maribel Gonzalez (maribel.gonzalez@gillig.com). 44.208.43.232 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/102.0.0.0 Safari/537.36
06/29/2022 14:00PM UTC	Maribel Gonzalez (maribel.gonzalez@gillig.com) has agreed to terms of service and to do business electronically with Michael Guerra (mguerra@calstart.org). 50.224.148.202 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/102.0.0.0 Safari/537.36
06/29/2022 14:00PM UTC	Signed by Maribel Gonzalez (maribel.gonzalez@gillig.com). 50.224.148.202 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/102.0.0.0 Safari/537.36

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