



## RTA BOARD AGENDA

**Wednesday, January 4, 2017 at 8:30 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: (vacant)**

Board Members:

John Peschong (First District – SLO County)  
Bruce Gibson (Second District – SLO County)  
Adam Hill (Third District – SLO County)  
Lynn Compton (Fourth District – SLO County)  
Debbie Arnold (Fifth District – SLO County)  
Tim Brown (Arroyo Grande)

**Vice President: Lynn Compton**

Tom O'Malley (Atascadero)  
John Shoals (Grover Beach)  
Jamie Irons (Morro Bay)  
Fred Strong (Paso Robles)  
Ed Waage (Pismo Beach)  
(to be determined 1/3/17) (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 by contacting the SLORTA offices at 781-4472. Please note that 48 hours advance notice will be necessary to honor a request.

### **Joint San Luis Obispo Council of Governments (SLOCOG) and San Luis Obispo Regional Transit Authority (RTA) Session**

#### **FLAG SALUTE**

#### **CALL TO ORDER AND ROLL CALL**

##### **A. Joint SLOCOG/RTA Meeting Agenda**

- a. Welcome New Board Members
- b. Presentation: Resolution of Appreciation to Outgoing Board Member Shelly Higginbotham
- c. Election of Officers: Elect President and Vice-President
- d. Executive Committee Assignment
- e. Property Subcommittee Assignment

*Following the Joint meeting, the SLOCOG Board will adjourn to the RTA Board meeting and reconvene after the RTA Board meeting is adjourned.*

### **RTA Board Meeting**

#### **1. CALL MEETING TO ORDER, ROLL CALL**

- 2. PUBLIC COMMENT:** The Committee reserves this portion of the agenda for members of the public to address the San Luis Obispo Regional Transit Authority Executive Committee on any

items not on the agenda and within the jurisdiction of the Committee. Comments are limited to three minutes per speaker. The Committee 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.

**A. INFORMATION AGENDA**

- A-1 Executive Director's Report (Receive)
- A-2 RTA Strategic Business Plan Results through November 2016 (Receive)

**B. ACTION AGENDA**

- B-1 Declare Runabout Vehicles Surplus & Assign to Area Providers (Approve)

**C. CONSENT AGENDA:** (Roll Call Vote) the following items are considered routine and non-controversial by staff and will be approved by one motion if no member of the RTA or public wishes an item be removed. If discussion is desired by anyone, the item will be removed from the consent agenda and will be considered separately. Questions of clarification may be made by RTA Board members, without the removal of the item from the Consent Agenda. Staff recommendations for each item are noted following the item.

- C-1 Executive Committee Meeting Minutes of October 12, 2016 (Approve)
- C-2 RTA Board Meeting Minutes of November 2, 2016 (Approve)
- C-3 Execution of FTA Annual Certifications and Assurances (Approve)
- C-4 Resolution Authorizing Executive Director to Submit Application for Rural Transit Funds (Approve)
- C-5 Resolution Authorizing Executive Director to Submit Application for FTA Section 5339 Funds (Approve)
- C-6 Revised Resolution Authorizing Executive Director to Submit Application for State Proposition 1B Safety and Security Funds (Approve)
- C-7 Conflict of Interest Policy Revision (Approve)
- C-8 Resolution Authorizing Executive Director to Submit Application for FTA Section 5311 Funds (Approve)
- C-9 Resolution Authorizing CFO to Open Account with Pacific Western Bank (Approve)

*Adjourn RTA Board Open Session meeting, and reconvene as the SLOCOG Board in Open Session*

**SLOCOG Board Meeting**

*The SLOCOG meeting agenda is provided under separate cover. Following adjournment of the SLOCOG Board meeting, the RTA Board will reconvene in Closed Session*

**RTA Board Closed Session**

**D. CLOSED SESSION ITEMS –**

- D-1 It is the intention of the Board to meet in closed session concerning the following item:

Executive Director Performance Evaluation (Govt. Code Section 54957)

**E. BOARD MEMBER COMMENTS**

Next regularly-scheduled RTA Board meeting on March 1, 2017

## SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

January 4, 2017

### STAFF REPORT

**AGENDA ITEM:** A-1

**TOPIC:** Executive Director's Report

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

**STAFF RECOMMENDATION:** Accept as Information

**BACKGROUND/DISCUSSION:**

#### Operations:

Due to impending financial challenges (discussed below), RTA staff is recommending that we "pause" the effort to purchase two new over-the-road coaches. As presented in a section below, fixed route ridership continues to decline both nationwide and in our county due primarily to declines in the price of fuel. This has resulted in no recent standing-load bus trips, which – for the time being – reduces the need for higher-capacity buses (57 seats for an OTR bus vs. 36 for a low-floor bus). We will seek authority from our funding partners to instead use the grant monies to purchase three lower-cost replacement low-floor buses.

Staff is completing the final steps to implement BusFinder units at the four bus stops on the Cal Poly campus. The BusFinders provide real-time bus arrival information by simply pushing a button, and the arrival times are posted on the electronic screen. They are solar powered (with a battery back-up) and use two-way radio signals for communications, which avoids cell charges.

Staff recently met with our long-term garage CEQA/NEPA study consultants, along with a design contractor and a City of SLO official to provide direction on floodplain issues. Staff also provided input on the first segment (Cultural Resources). We expect to begin reviewing next segments in January, and to bring a draft document to the Board at its March meeting.



Staff finalized the agreement with the Wallace Group for Paso Bus Parking Yard design/engineering services. This design work will begin in January and we hope to have construction bid documents ready by May 2017. On a related note, the County has developed a draft lease agreement, which will be brought to the Board at its March meeting.

### Service Planning & Marketing:

Next year's projected budget included a roughly 37% increase in LTF funding needed from each RTA jurisdiction, totaling \$1.4 million. This is potentially exacerbated by the newly-projected 20% reduction in STA funding (equating to a roughly \$123k hit to RTA in FY16-17). Of particular interest is the fact that the Cities of Morro Bay and San Luis Obispo currently already fully-claims LTF for transit purposes, so neither of these cities has the capacity necessary to absorb this hit. If fully realized, this increased need for LTF will result in fewer funds leftover for streets/roads projects in each jurisdiction. The on-going challenge is that the financial "fix it first" proposals at the State level appear to focus on capital projects and will not help with operating shortfalls. Our projected shortfall issue will be further discussed as we develop the financially constrained FY17-18 budget. In any case, staff is evaluating each bus service/route at a granular level so that service reduction strategies can be presented as part of the budget package.

The STA shortfall in FY16-17 will require us to delay implementation of the next phase (design/engineering) for our long-term garage facility. Staff will closely monitor our budget to determine if cost-savings (i.e., lower fuel prices) will allow us to continue to move this vital project forward during the current fiscal year.

RTA and SLOCOG staff have begun discussions with the Tri-Counties Regional Center to more equitably share Runabout costs, since we provide "premium" service to their clients. This could ultimately require the Board to consider either altering the Runabout fare program, or developing a policy on serving/billing social service clients. Below is a table depicting trends in RTA's subsidy of TCRC's clients. Pay particular attention to the proportional use of Runabout by TCRC clients – varying from 10 to 14 percent of total annual Runabout usage, and it now exceeds \$400k/yr.

TRENDS FOR TCRC CLIENTS' USE OF RUNABOUT						
Fiscal Year:	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	Jul-Oct 2016
<b>Overall Runabout Performance Measures</b>						
Total Annual Boardings	34,424	37,994	43,669	45,266	43,516	15,018
Total Annual Operating Cost	\$2,328,598	\$2,577,977	\$2,951,891	\$3,094,340	\$3,162,810	N/A
Total Annual Fare Revenues	\$97,795	\$103,982	\$114,055	\$123,990	\$132,697	\$51,199
Annual Subsidy (Op. Cost - Fares)	\$2,230,803	\$2,473,995	\$2,837,836	\$2,970,350	\$3,030,113	N/A
Runabout Average Fare	\$2.84	\$2.74	\$2.61	\$2.74	\$3.05	\$3.41
Average Subsidy per Boarding	\$64.80	\$65.12	\$64.99	\$65.62	\$69.63	N/A
<b>Tri-County Regional Center Partially-Funded Performance Measures</b>						
TCRC Client Boardings	4,232	4,220	4,465	4,902	6,174	2,097
Average TCRC Boardings/Month	353	352	372	409	515	524
% TCRC of Total Boardings	12.3%	11.1%	10.2%	10.8%	14.2%	14.0%
TCRC-Paid Fares	\$16,793	\$16,505	\$15,416	\$17,669	\$25,621	\$9,293
TCRC Average Fare	\$3.97	\$3.91	\$3.45	\$3.60	\$4.15	\$4.43
Public Subsidy of TCRC Boardings	\$269,480	\$269,830	\$286,400	\$317,430	\$423,110	N/A
Note: there was a noticeable increase in February 2015 ridership by TCRC-funded riders. The average number of rides per month went up from 385 to 441 for the last five months of FY14-15 and the average reimbursement per month went up from \$1,233.40 to \$1,807.00 for the last five months of FY14-15.						

**Finance and Administration:**

SLOCOG is still refining revisions to the FTA Memoranda of Understanding for the three urbanized areas. Staff expects to bring all three MOU to the March Board meeting.

RTA's Marketing Manager Mary Gardner was selected to participate in the next Leadership SLO program. Congratulations to Mary!

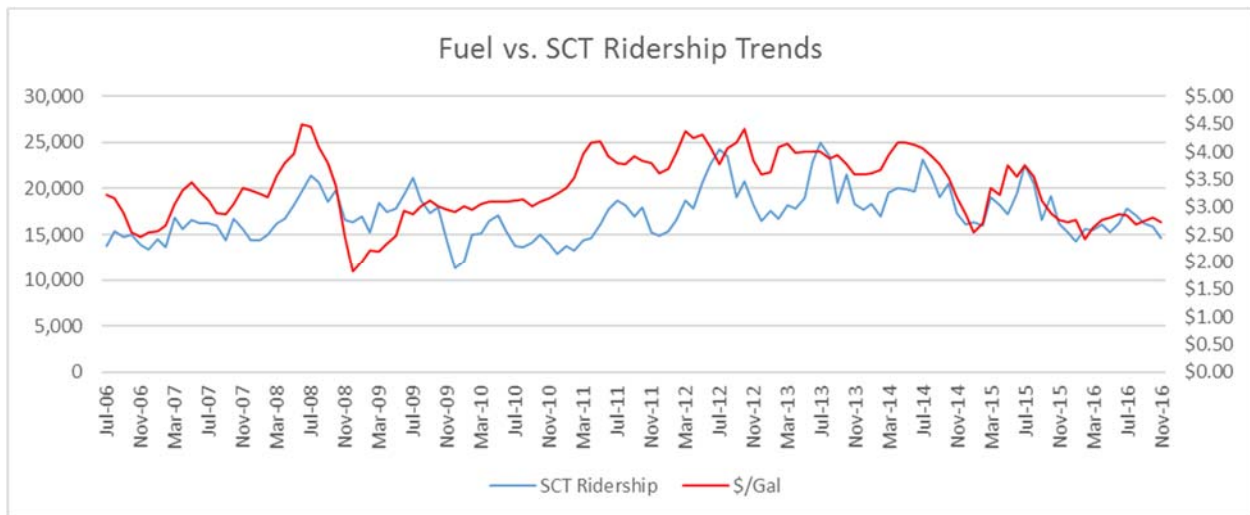
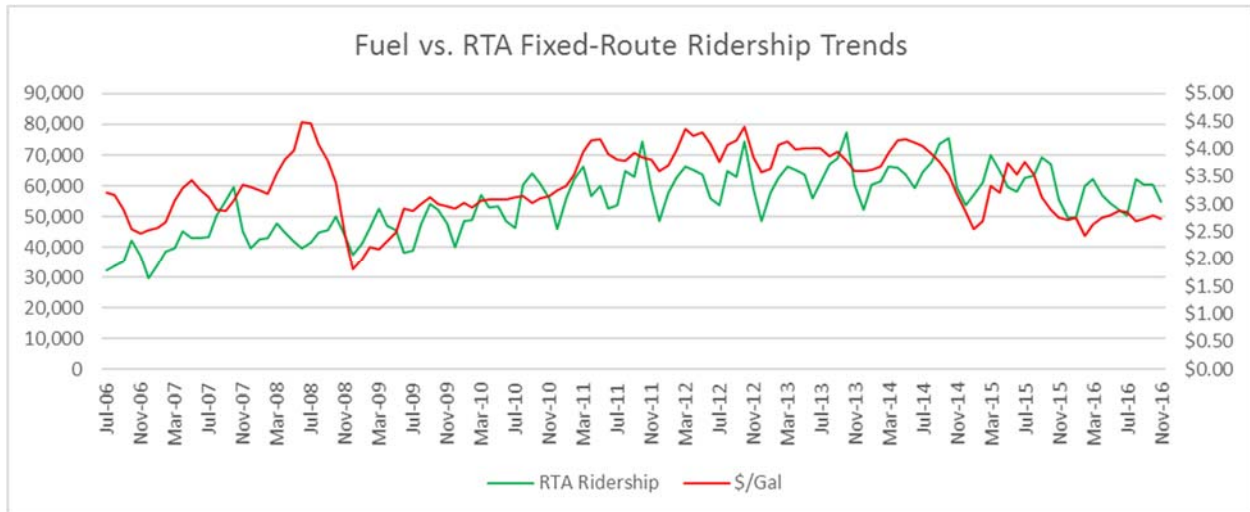
Several County-funded services (Dial-A-Ride services in Nipomo, Shandon and Templeton, as well as the Avila Beach Trolley) regularly do not meet the TDA-required farebox recovery ratio requirement. RTA and SLOCOG staff members are currently discussing the possibility of RTA becoming an Article 4.5 or Article 8 recipient in lieu of Article 4 for County services; this would allow SLOCOG to designate alternate performance measures instead of solely the farebox recovery ratio. In the case of Article 4.5, this would require SLOCOG to designate RTA as a Consolidated Transportation Service Agency (alongside Ride-On Transportation).

Staff has developed a preliminary year-to-date FY16-17 operating results as follows:

- Preliminary RTA core fixed route ridership totaled 287,877 one-way passenger-trips through November 30<sup>th</sup>, which is down 10.3% in comparison to the same period last year (317,613). As discussed in previous reports, declining fuel prices have resulted in transit ridership declines across the country – including recent declines at SLO Transit, which bucked the trend during its record ridership run in FY15-16.
- Runabout ridership is essentially the same as the previous year: 19,060 through November 30<sup>th</sup> vs. 18,944 last year, which is an increase of just 0.6 percent – despite the second-highest monthly total of 4,042 in October 2016. The record month remains October 2015, with 4,441 boardings. Overall, this is welcome relief from the double digit increases experienced over the previous two fiscal years.

Details on a route-by-route and by service are presented in the tables at the end of this report.

In an effort to better understand the relationship between fuel prices and transit ridership, staff downloaded average monthly gasoline from the U.S. Energy Information Administration website. Below is a graph depicting the relations between these two measures for RTA and for SCT fixed route services for July 2006 through November 2016. As shown, the trend-lines follow relatively closely for SCT, but the relationship is less direct for RTA. In any case, should fuel prices increase to 2011 to 2014 levels, we can expect fixed route ridership to increase as well.



RTA's year to date financial results through November 30<sup>th</sup> are summarized below and the line-item details are presented in the tables at the end of this report. Of the three largest-impact line-items:

- Labor costs combined for all three departments (administration, operations and maintenance) are essentially on-budget.
- Fuel costs are well below budget (28.4% vs. 41.7% YTD budget)
- Maintenance (parts, supplies, materials) costs are above budget (56.1%), despite operating fewer miles (38.7%) than budgeted). When combined with Maintenance Contract Costs, we are at 46% of budget. I recently negotiated reimbursement from the engine manufacturer for malfunctioning emissions equipment on our ten 2013 buses that are out of warranty, and this ~\$60k credit will be applied over time.

It should be noted that the annual premium for property insurance has been paid/reported, and workers compensation has been paid/reported through the first six months of the fiscal year.

The fixed route farebox recovery ratio (22.5%) is still well above the 16% standard, although it is 15% lower than last year's year to date result (26%). The Runabout farebox recovery ratio result is essentially the same as last year's.

	Amended Budget FY 2016-17	October Actual	November Budget	November Actual	November Variance	Year to Date FY 2016-17	Percent of Total Budget FY 2016-17
<b>Administration:</b>							
Labor	74,430	6,399	6,203	6,071	131	30,646	41.2%
Office Space Rental	1,734,770	141,399	144,564	133,469	11,095	672,209	38.7%
Labor - Administration Workers Comp	815,700	60,960	67,975	88,027	(20,052)	340,195	41.7%
Professional Technical Services	71,210	17,166	-	-	-	34,331	48.2%
Property Insurance	504,790	34,497	42,066	49,642	(7,576)	187,975	37.2%
Professional Development	17,420	-	-	-	-	16,340	93.8%
Operating Expense	79,560	2,093	6,630	1,395	5,235	35,788	45.0%
Marketing and Reproduction	37,850	8,311	3,154	4,874	(1,720)	18,229	48.2%
North County Management Contract	255,190	14,934	21,266	37,243	(15,977)	116,322	45.6%
County Management Contract	93,730	8,710	7,811	6,142	1,668	34,454	36.8%
SCT Management Contract	(40,320)	(3,360)	(3,360)	(3,360)	-	(16,800)	41.7%
	(82,110)	(6,843)	(6,843)	(6,843)	-	(34,213)	41.7%
	(114,900)	(9,575)	(9,575)	(9,575)	-	(47,875)	41.7%
<b>Total Administration</b>	<b>1,538,120</b>	<b>126,893</b>	<b>129,124</b>	<b>167,546</b>	<b>(38,422)</b>	<b>684,746</b>	<b>41.8%</b>
<b>Service Delivery:</b>							
Labor - Operations	4,100,660	304,899	341,722	423,783	(82,061)	1,612,161	39.3%
Labor - Operations Workers Comp	481,790	116,138	-	-	-	232,277	48.2%
Labor - Maintenance	947,680	67,647	78,973	117,546	(38,573)	397,803	42.0%
Labor - Maintenance Workers Comp	141,000	33,989	-	-	-	67,978	48.2%
Fuel	1,164,130	70,826	97,011	63,023	33,988	331,121	28.4%
Insurance	560,160	47,505	46,680	47,505	(825)	239,706	42.8%
Special Transportation (for SLOCAT and Paso)	57,300	2,982	4,775	3,061	1,714	15,612	27.6%
Avila Trolley	57,060	2,220	-	-	-	30,354	53.2%
Maintenance (parts, supplies, materials)	465,050	53,003	38,754	39,948	(1,194)	261,002	56.1%
Maintenance Contract Costs	138,910	4,996	11,576	1,478	10,098	17,473	12.6%
<b>Total Operations</b>	<b>8,113,740</b>	<b>704,204</b>	<b>619,491</b>	<b>696,343</b>	<b>(76,852)</b>	<b>3,205,684</b>	<b>39.5%</b>
<b>Capital/Studies:</b>							
Computer System Maintenance/Upgrades	62,250	-	-	-	-	3,986	6.4%
Miscellaneous Capital							
Facility Improvements	57,540	-	-	-	-	-	0.0%
Maintenance Software and Maintenance Equipment	57,690	-	-	-	-	29,103	50.4%
Passenger Protection 1300 buses	8,400	4,536	-	-	-	4,536	54.0%
Specialized Maintenance Tools	33,500	-	-	-	-	-	0.0%
Decks and Office Equipment	10,760	-	-	-	-	-	0.0%
Vehicle ITS/Camera System	668,090	-	11,000	10,975	25	132,834	19.9%
Bus Stop Improvements/Bus Stop Solar Lighting	277,230	1,843	15,500	15,017	483	16,861	6.1%
Bus Rehabilitation	126,000	-	-	-	-	-	0.0%
RouteMatch Call Back System	37,500	2,700	4,800	4,800	-	33,150	88.4%
Vehicles							
Support Vehicles	60,000	-	-	-	-	60,618	101.0%
Trolley Replacement Vehicle	200,000	-	-	-	-	-	0.0%
Runabout Vehicles	163,480	-	-	-	-	2,575	1.6%
<b>Total Capital Outlay</b>	<b>1,762,440</b>	<b>9,079</b>	<b>31,300</b>	<b>30,792</b>	<b>508</b>	<b>289,231</b>	<b>16.4%</b>
<b>Contingency</b>							
	117,020	-	9,752	10,898	(1,147)	10,898	9.3%
<b>Interest Expense</b>							
	44,590	3,038	3,716	2,443	1,273	14,496	32.5%
<b>Loan Paydown</b>							
Elks Lane Project	200,600	100,298	-	-	-	100,298	50.0%
Paso Property Improvements	710,480	-	-	-	-	-	0.0%
	1,000,000	2,260	-	-	-	2,260	0.2%
<b>Management Contracts</b>							
	237,330	19,778	19,778	19,778	-	98,888	41.7%
<b>TOTAL FUNDING USES</b>	<b>13,824,320</b>	<b>965,549</b>	<b>813,160</b>	<b>927,800</b>	<b>(114,640)</b>	<b>4,406,501</b>	<b>31.9%</b>
<b>TOTAL NON-CAPITAL EXPENDITURES</b>	<b>10,150,800</b>	<b>853,912</b>	<b>781,860</b>	<b>897,007</b>	<b>(115,147)</b>	<b>4,014,712</b>	<b>39.6%</b>



**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
YEAR TO DATE THRU NOVEMBER 30, 2016  
CURRENT FISCAL YEAR - 2016/2017**

	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	RT 7 PASO EXPRESS ROUTE A	RT 8 PASO EXPRESS ROUTE B	TOTAL PASO EXPRESS FIXED ROUTE	PASO EXPRESS DIAL A RIDE	RUNABOUT	SYSTEM TOTAL
<b>REVENUES:</b>												
FARES	155,289	158,604	117,121	9,994	16,672	457,681	29,034	30,839	59,873	2,927	63,257	583,737
<b>TOTAL ROUTE REVENUES</b>	155,289	158,604	117,121	9,994	16,672	457,681	29,034	30,839	59,873	2,927	63,257	583,737
<b>EXPENDITURES:</b>												
ADMINISTRATION	132,020	121,717	80,038	6,850	31,211	371,835	6,950	7,032	13,982	2,818	326,333	714,968
MARKETING	12,077	11,263	7,426	665	2,900	34,332	60	62	122	-	-	34,454
OPERATIONS/CONTINGENCY	432,758	404,172	258,441	22,904	100,716	1,218,989	122,588	124,255	246,843	47,792	987,938	2,501,561
FUEL	82,878	86,427	47,137	4,590	18,824	239,856	9,073	9,369	18,442	1,458	63,329	323,085
INSURANCE	50,355	52,528	28,666	2,755	11,420	145,724	6,295	6,516	12,812	1,854	72,825	233,215
<b>TOTAL EXPENDITURES</b>	710,087	676,107	421,706	37,764	165,071	2,010,736	144,966	147,234	292,200	53,922	1,450,424	3,807,282
<b>FAREBOX RATIO</b>	21.9%	23.5%	27.8%	26.5%	10.1%	22.8%	20.0%	20.9%	20.5%	5.4%	4.4%	15.3%
<b>RIDERSHIP</b>	101,837	92,890	76,687	7,164	9,299	287,877	23,654	22,782	46,436	1,341	19,060	354,714
<b>SERVICE MILES</b>	145,205.0	151,376.4	82,465.0	8,102.9	33,101.8	420,251.1	18,074.1	18,690.0	36,764.2	5,340.0	209,854.0	672,209.3
<b>SERVICE HOURS</b>	5,191.0	4,762.4	3,127.3	279.2	1,211.4	14,571.3	1,387.3	1,402.5	2,789.8	545.6	12,739.6	30,646.3
<b>RIDERS PER MILE</b>	0.71	0.61	0.96	0.88	0.32	0.69	1.31	1.22	1.26	0.25	0.09	0.53
<b>RIDERS PER HOUR</b>	19.7	19.4	25.2	25.7	8.0	19.8	17.1	16.2	16.6	2.5	1.5	11.6
<b>COST PER PASSENGER</b>	6.97	7.28	5.50	5.27	17.75	6.98	6.13	6.46	6.29	40.21	76.10	10.73
<b>SUBSIDY PER PASSENGER</b>	5.45	5.57	3.97	3.88	15.96	5.39	4.90	5.11	5.00	38.03	72.78	9.09

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**January 4, 2017**

**STAFF REPORT**

**AGENDA ITEM:** A-2

**TOPIC:** Strategic Business Plan Results

**ACTION:** Receive

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

**STAFF RECOMMENDATION:** Receive Annual Report on Performance Results Through November 30, 2016

**BACKGROUND/DISCUSSION:**

At its July 9, 2014 meeting, the RTA Board adopted the updated *RTA 2015-2017 Strategic Business Plan*. This plan includes several “stretch” performance standards to ensure RTA staff continually seeks to improve its services.

The attached report presents our annual results from July 1, 2016 through November 30, 2016 as well as comparative information in comparison to prior fiscal years. Please note that the financial figures are unaudited estimates, but they provide a reasonable representation of each applicable financial measure. For measurement purposes, the S RTP sets the base of RTA believes it can achieve, and the Strategic Business Plan sets the goal of RTA strives to achieve.

It should be noted that staff is currently planning for the next comprehensive RTA Customer Perception Survey projected to take place in March 2017, assuming the Joint SBCAG/SLOCOG Inter-County Transit Study can complete surveys in southern SLO County coincidentally in March 2017. This effort will include an employee survey, a Rider Survey for RTA and Runabout customers, and an Internet-based stakeholder/Non-Rider survey. Staff anticipates providing a summary of this effort at the July 2017 RTAC meeting, focusing on how it can assist us in updating our Strategic Business Plan, for final Board adoption in September 2017.

**Staff Recommendation:**

Receive the attached report on performance results achieved year to date in FY16-17.

## Mid-Year Report on RTA Performance Standards

July 2016 through November 2016

### Regional Transit Authority Standards of Excellence: Service Quality and Efficiency

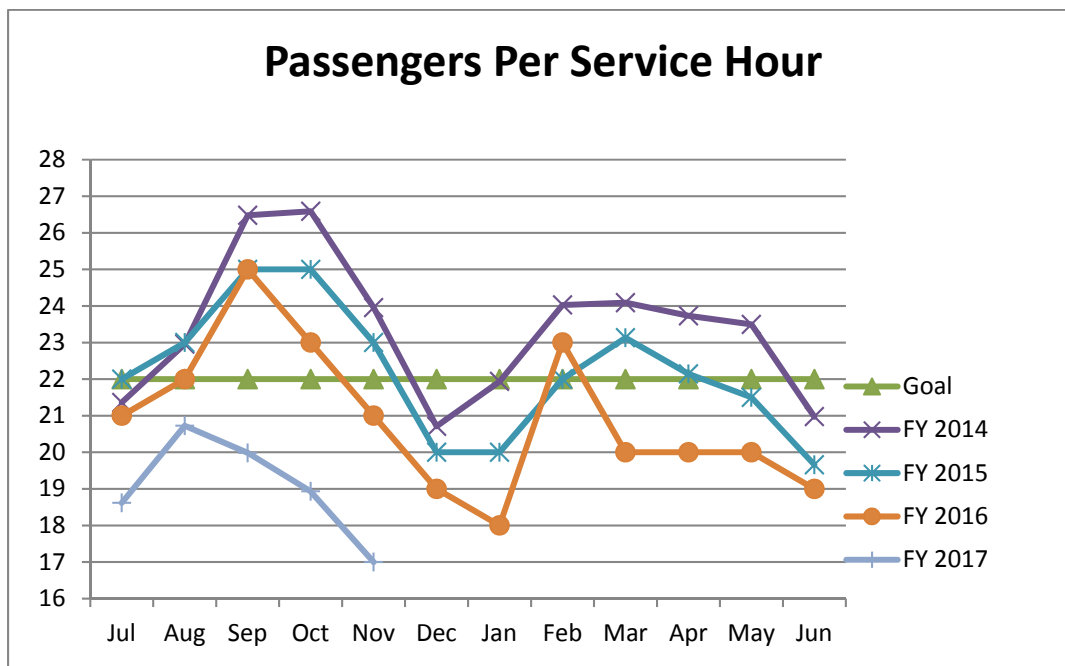
**Summary:** We will deliver dependable, customer focused and efficient transit services to the communities that we serve. Further, we will look for opportunities to deploy innovative new service within the resources available.

**Standard 1:** Fixed Route passengers per vehicle service hour will be 22 or greater.

*Measurement:* Objective.

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

RTA is at 19.1 riders per hour for the year, which is below our goal of 22. Lower fuel prices are considered the primary reason for the decline as some passengers appear to have chosen to use their private automobile in lieu of riding RTA fixed route buses.



**Standard 2:** Service delivery rate 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). A typical weekday includes a total of 138 bus trips, while each Saturday includes 50 trips and each Sunday includes 32. The service delivery goal is 99% or

## Mid-Year Report on RTA Performance Standards

July 2016 through November 2016

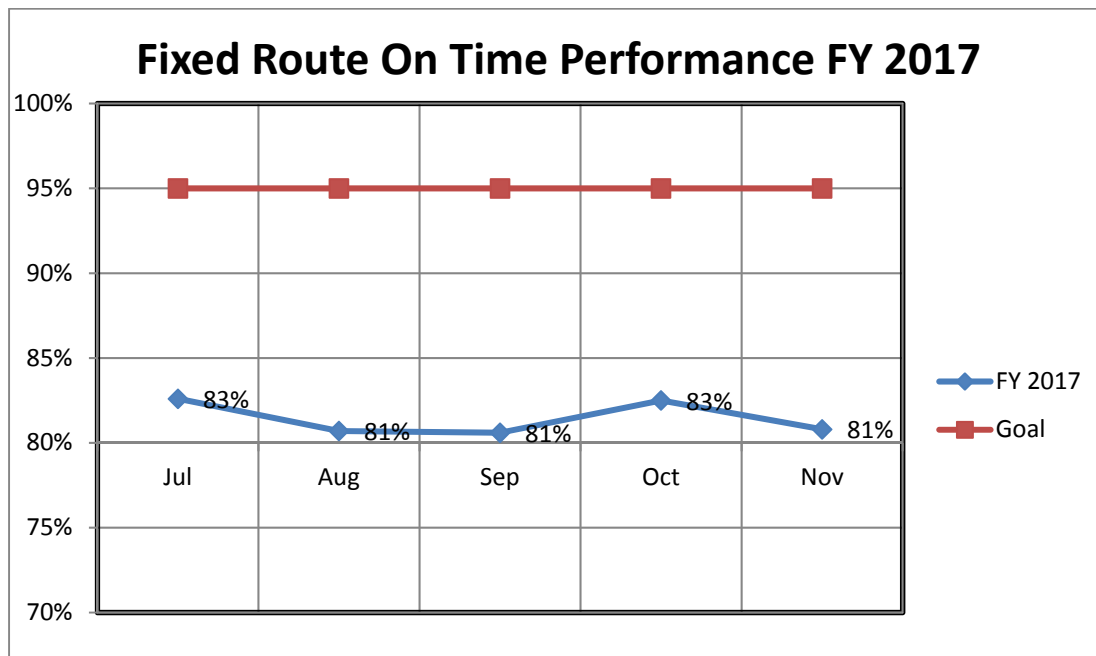
greater. Of 16,394 trips year-to-date, RTA missed one scheduled trip, or a service delivery achievement of 99.99%.

**Standard 3:** System wide On-Time Performance shall be 95% or greater.

*Measurement:* Objective.

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

Fixed route service is considered on-time if at no point the bus is six or more minutes late. The goal is 95% or greater. After one full year since the introduction of the automated ITS system, RTA OTP is hovering around 82%. The drop in the results is due to the more comprehensive and dependable process the ITS system uses for calculating OTP. During the development of the next Strategic Business Plan, the RTA Board should consider a revised goal that would represent a more achievable target.



**Standard 4:** Runabout On-Time Performance 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 through November Runabout has surpassed this goal in each month of FY 2017, achieving an OTP result of better than 98%. Staff will continue to monitor Runabout's OTP to ensure we continue to achieve this strong result.

## **Mid-Year Report on RTA Performance Standards**

July 2016 through November 2016

**Standard 5:** 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. Below are some interim findings:
  1. The Short Range Transit Plan adopted in September 2016 recommended that staff evaluate the Route 12 in an effort to improve service between Los Osos and San Luis Obispo. Currently, there are Bus Operator breaks scheduled at the Morro Bay transit center during non-peak travel periods, which results in a relatively long total trip time for some passengers. A plan to move all break time to Government Center is under consideration. If the plan is feasible, it will be implemented in the May or August seasonal service change in 2017.
  2. Staff continues to evaluate the MCI coaches to meet passenger load requirement during peak travel periods. These over-the-road (OTR) coaches provide a better customer experience and they have 57 seats as opposed to the 37 seats of a regular low-floor bus. OTR coaches cost approximately \$150k more than the regular Gillig transit bus. We have had some 2000 MCI buses in service since early 2016, and so far customers enjoy the experience – despite the relatively longer boarding/alighting dwell times due to the OTR coach's single passenger door.

**Standard 6:** The number of bus trips with passenger standees will not exceed 10% of the daily bus trips on that route.

*Measurement:* Objective.

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

There are currently no trips exceeding this metric. However, with APC data we can define a new standard that will be very customer experience centered. Staff will suggest a revised goal during discussions up updating the Strategic Business Plan in 2017.

### **Regional Transit Authority Standards of Excellence: Revenue and Resources**

We will live within our means. 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 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.

- Monthly financial statements and YTD budget expenses.

## Mid-Year Report on RTA Performance Standards

July 2016 through November 2016

**Fiscal Year 2012 Result: Operating Costs were 95% of the adopted budget**

**Fiscal Year 2013 Result: Operating Costs were 93% of the adopted budget**

**Fiscal Year 2014 Result: Operating Costs were 90% of the adopted budget**

**Fiscal Year 2015 Result: Operating Costs were 88% of the adopted budget**

**Fiscal Year 2016 Result: Operating Costs were 90% of the adopted budget**

**Fiscal Year 2016 Result: Operating Costs are 39.6% of the adopted budget (as of November 30, 2016, 41.6% into the fiscal year)**

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:** Fixed Route Farebox Recovery Ratio (FRR) shall be greater than 25%.

*Measurement:* Objective.

- Based upon monthly Route Productivity/Performance Report.

**Fiscal Year 2012 Result: 28.81%**

**Fiscal Year 2013 Result: 30.82%**

**Fiscal Year 2014 Result: 31.50%**

**Fiscal Year 2015 Result: 26.40% (including Paso Express)**

**Fiscal Year 2016 Result: 25.74% (including Paso Express)**

**Fiscal Year 2016 Result: 22.47% (including Paso Express through November 30, 2016)**

RTA consistently meets or exceeds this FRR goal, and ridership remains high. Staff will continue to closely monitor our FRR performance, particularly as the economy continues to improve, and gas prices continue to fall.

**Standard 3:** No significant financial audit findings.

*Measurement:* Objective.

- Finance and Administration will report negative audit findings (if any).

RTA consistently achieves positive annual fiscal and compliance reports with no significant financial audit findings. Staff strives for improved 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 bi-annual customer perception survey, feedback from communities and review of the annual capital program by staff and the Board.

## **Mid-Year Report on RTA Performance Standards**

July 2016 through November 2016

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.

### **Regional Transit Authority Standards of Excellence: 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 reported by Safety and Training.

In January 2014, the RTA Board tightened the standard from 2.0 collisions per 100,000 miles to only 1.0. For the first time since this revision to the standard, RTA is achieving this more challenging goal with a collision rate of 0.45 per 100,000 miles. Staff will continue to provide training and raise safety awareness in order to achieve positive results.

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

*Measurement:* Objective.

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

In FY15-16, the committee started with ten open items and ended with four open items. The committee resolved 39 employee suggestions over the course of last fiscal year. The four open items include the Heart-TA health awareness program, posting Safety Committee meeting minutes for all employees to see, posting quarterly Collision Statistics, and maintaining the preventable collision counter poster. Since July 2016, the committee has received 21 new agenda items and has closed 11.

**Standard 3:** Preventable workers compensation lost-time claims will not exceed 6 annually, and preventable medical-only claims will not exceed 10 annually.

*Measurement:* Objective.

- All work comp claims shall be duly investigated and reported by Finance and Administration.

**Fiscal Year 2010-11 Result: 10**

**Fiscal Year 2011-12 Result: 16 (includes 7 medical only)**

**Fiscal Year 2012-13 Result: 11**

**Fiscal Year 2013-14 Result: 9 (includes 5 medical only)**

**Fiscal Year 2014-15 Result: 10 (includes 5 medical only, 5 have been closed)**

**Fiscal Year 2015-16 Result: 1 lost-time claim (no medical only)**

**Fiscal Year 2016-17 Result: 2 lost-time claims (no medical only) as of November 30, 2016**

## **Mid-Year Report on RTA Performance Standards**

July 2016 through November 2016

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

*Measurement:* Objective.

- As measured by community survey, which shall be conducted at least every two years.

The first comprehensive Customer Perception Survey was completed in 2013. We completed passenger and stakeholder surveys as part of the joint Short Range Transit Plan effort in March 2015; the results of this effort is included in the final SRTP report and customer satisfaction remained high for RTA and Runabout. RTA plans to conduct a follow-up survey in 2017.

**Standard 5:** Total risk management costs shall not exceed 8.5% of total operating costs.

*Measurement:* Objective.

- Reported monthly by Finance and Administration in financials and YTD budget reports.

**Fiscal Year 2011 Result: 5.1% of total operating costs**

**Fiscal Year 2012 Result: 7.5% of total operating costs**

**Fiscal Year 2013 Result: 7.6% of total operating costs**

**Fiscal Year 2014 Result: 8.2% of total operating costs**

**Fiscal Year 2015 Result: 8.7% of total operating costs**

**Fiscal Year 2016 Result: 10.65 of total operating costs**

We achieved the goal during Fiscal Years 2010-11 to 2013-14. Fiscal Years 2014-15 and ensuing year results are higher as a result of significant development in liability and workers compensation claims, as well as generally higher liability costs in the public transit market. This includes property, workers compensation, liability, and auto physical damage insurance costs. Due to the tightening market in California, staff expects these 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 report developments back to the Board as information is collected.

### **Regional Transit Authority Standards of Excellence: 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.



## Mid-Year Report on RTA Performance Standards

July 2016 through November 2016

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

**2010 – 24%**

**2011 – 33%**

**2012 – 20%**

**2013 – 12%**

**2014 – 19%**

**2015 – 18%**

**2016 – 12% through November 30, 2016**

**Standard 2:** Provide continuous development of organizational skills through ongoing training and development programs that result in personal and professional growth.

*Measurement:* Objective.

- Departments have submitted training needs with budget process.
- Maintenance: 30 Hours per technician annually.
- Operations Supervisors: 24 Hours annually.
- Bus Operators: 8 Hours Annually
- Finance and Administration: 16 Hours per employee annually.

RTA is very fortunate to have had a relatively robust training budget over the last two years as we have emerged from the economic recession. It should be noted that this ongoing training is essential to what staff at RTA does on a daily basis to help both the organization and staff grow.

- Maintenance: As of November 30, 2016 the Technicians averaged 21 hours of training per person. During FY15-16 they averaged 43.75, and in FY14-15 they averaged 108.5. It should be noted that Technicians were provided an unusually high number of vendor-provided hours as part of the Gillig low-floor bus procurements that were completed in 2013 and early 2015.
- Operations Supervisors (24 Hours annually): Supervisors averaged 7.38 annual training hours per person year to date.
- Bus Operators training includes:
  - State-mandated minimum of 8 hours of *Verification of Transit Training* annually.
  - Six-month refresher for new Bus Operators.
  - Focused and customized training designed specifically for 2 year drivers.
- Finance and Administration: these training hours are used by each employee in various ways based on their responsibilities and in consultation with their direct supervisor. Staff believes that this standard has been met for the majority of finance and administration employees are on track to meet this standard in FY16-17.

## Mid-Year Report on RTA Performance Standards

July 2016 through November 2016

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

*Measurement:* Subjective.

To help connect with passengers on a more personal level, administrative staff and all managers have been issued nametags. This program will be carried forward on the buses in 2017, as soon as we determine the best method of posting the Bus Operator's first name inside the bus. We also continually stress the tenets of *Verbal Defense and Influence*, which focused us how to communicate more effectively with each other and our customers. A total of 13 RTA staff members and one SCT staff member also meet bi-weekly staff to discuss general items that may affect other departments; others are invited as needed and to address specific issues (when possible, including one Bus Operator and one Road Supervisor). Finally, the Executive Director and the three department heads meet weekly to ensure consistency in messaging and direction for the organization; these four employees also held an overnight retreat in July 2016 to plan for challenges and major projects facing 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 KPIs.

RTA currently completes formal annual evaluations for administration and management staff. Bus Operators are evaluated based on the requirements of the Collective Bargaining Agreement (CBA). Both Technicians and Bus Operators are evaluated as part of the RTA Safety Awards program on their individual anniversary dates.

### Regional Transit Authority Standard of Excellence: 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:** Replace 100% of all revenue vehicles no more than 40% beyond the FTA-defined useful life standard in terms of years or miles.

*Measurement:* Objective.

- As reported by Finance and Administration.

As of November 30, 2016, the average RTA fixed route vehicle age (including Paso Express fixed route vehicles) is just over 5 years with an average of 263,000 miles. The design life of a fixed route bus is 12 years/500,000 miles. The average demand response vehicle age (including Runabout and other Dial-A-Ride vans) is 2.5 years with an average of 69,000 miles. The design life of a demand response van is 4-years/100,000 miles, so we are currently within RTA's

## Mid-Year Report on RTA Performance Standards

July 2016 through November 2016

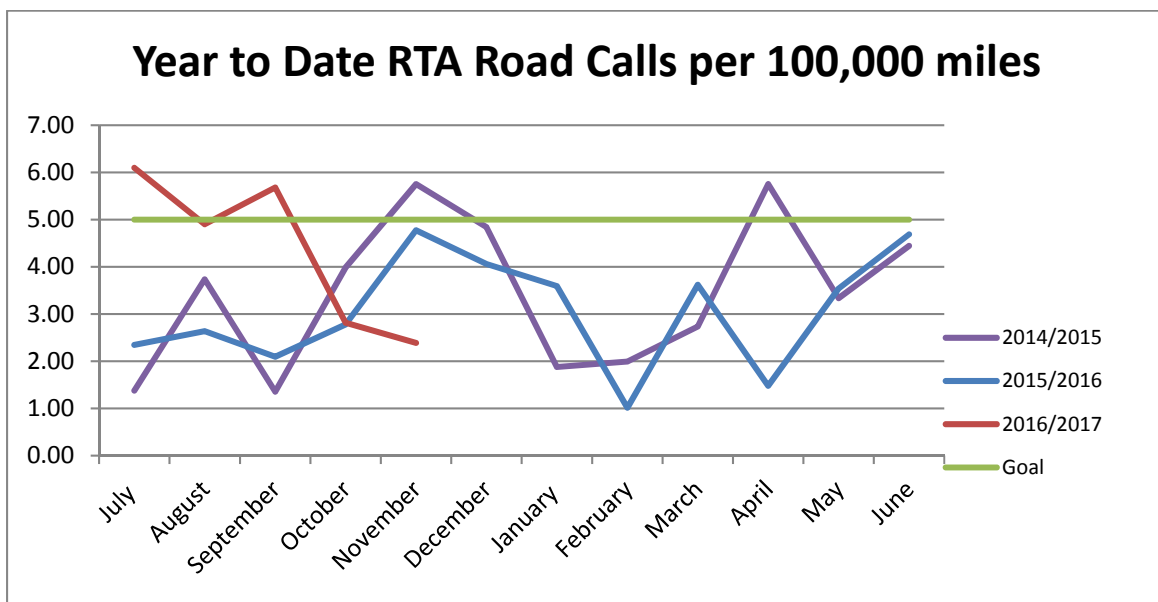
standard. Our capital program was updated as part of the SRTP update, which was adopted by the RTA Board in July 2016, and a five-year capital program is included in each annual budget document.

**Standard 2:** Road calls will not exceed 5 per 100,000 miles of vehicle service miles. A road call is defined as all 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 reported by the Maintenance Department.

This standard has been achieved in all but four months over the past three-plus fiscal years. The year-end average was 3.17 in FY13-14, 3.31 in FY14-15, 3.05 in FY15-16, and 4.38 so far in FY16-17. RTA's reporting matches the definition 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.

The first comprehensive Customer Perception Survey was completed in 2013. We completed passenger and stakeholder surveys as part of the Short Range Transit Plan in March 2015; the results were positive as part of the 2016 SRTP, too. Overall, passengers appear to be satisfied with the cleanliness of RTA vehicles and facilities.

## **Mid-Year Report on RTA Performance Standards**

July 2016 through November 2016

**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 Evaluation conducted by Marketing.

The first comprehensive Customer Perception Survey was completed in 2013. We completed passenger and stakeholder surveys as part of the Short Range Transit Plan in March 2015; the results were positive in the 2016 SRTP report, too. Overall, passengers appear to be satisfied with the state of RTA bus stops.

**Standard 5:** Achieve all federal, state-mandated maintenance practices, as well as vendor recommended maintenance schedules for our fleet and facilities.

*Measurement:* Objective.

- No negative FTA or TDA audit findings.
- Preventative maintenance schedules for all equipment shall be done on a timely basis (3,000 mile intervals or as mandated by equipment OEM vendor).

There were no negative findings in the previous 2014 TDA Triennial Audit nor in the recent 2016 FTA Triennial Review. RTA is currently working with SLOCOG's contractor to complete a TDA Triennial Audit, which should be completed in early 2017. Preventable maintenance has been completed on a timely basis with no CHP findings in at least the last four years.

### **Regional Transit Authority Standards of Excellence: 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, our community, with our stakeholders and 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 maintained strong relationships with most local, state and federal agencies. Staff has developed recommended updates for the South County Transit JPA, as well as a new agreement with SCT for RTA administrative oversight duties. Staff has also submitted a grant application to fund an update to the 2011 SCT SRTP. RTA staff continues to manage State and Federal grant programs for the region, including FTA Section 5307, 5311, 5339 and TIGER.

**Standard 2:** Develop partnerships with stakeholders, community leaders and decision makers 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.

## Mid-Year Report on RTA Performance Standards

July 2016 through November 2016

The Executive Director and other senior staff attend City Council and other policy board meetings throughout the county, as well as civic group meetings, as appropriate.

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

*Measure:* Subjective.

- To be evaluated by Executive Director.

This is area of organizational culture than can never be fully “completed” but is something that we continually strive to improve. We strive to include one RTA Bus Operator and one SCT Supervisor to our bi-weekly staff meetings to ensure the strategic issues we discuss include input from both the driver group and our SCT partners. The Team Strengthening session we conducted in February 2016 was universally supported by all participants, and it provided senior management with ideas to further improve internal communications and employee relations. The Executive Director and the three senior managers are currently working on a Succession Plan that focuses on the attributes and traits necessary for critical positions in the organization.

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

*Measurement:* Subjective.

- To be evaluated by Executive Director and RTA Board.

The Executive Director is recently completed his role as the Project Manager for the joint SLO Transit / RTA Short Range Transit Plan effort. In addition, he attends each bimonthly SLO Transit Mass Transit Committee meeting to ensure open communications between our two agencies. To ensure that each JPA jurisdiction’s policy board is informed about regional transit issues, the Executive Director occasionally attends City Council meetings or as requested. The RTA Executive Director also attends County Supervisor agenda review meetings with the SLOCOG Executive Director to ensure we understand and support each other’s efforts. Finally, RTA staff provides comments to City and County planning departments to ensure that transit amenities are considered in planning documents and development proposals.

# **SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**January 4, 2017**

## **STAFF REPORT**

**AGENDA ITEM:** B-1

**TOPIC:** Declare Vehicles Surplus, and Dispose of Vehicles

**ACTION:** Approve

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

**STAFF RECOMMENDATION:** Declare Vehicles Surplus, Authorize the Executive Director to Transfer Vehicles to Other Transportation Providers, Dispose of Remaining Vehicles, and Negotiate Use of Proceeds with FTA/AQMD

### **BACKGROUND/DISCUSSION:**

At its January 6, 2016 meeting, the RTA Board amended our Purchasing Policy by adding procedures for the declaration of and disposal of surplus equipment.

The Policy requires staff to identify equipment that was purchased for greater than \$5,000 each; each of the nine vehicles described below was purchased for more than \$5,000. The Policy also requires us to determine if any of the surplus equipment has a per-unit value greater than \$5,000. If a piece of equipment has a residual value greater than \$5,000 and it was originally purchased using Federal Transit Administration (FTA) funds, staff would need to work with FTA staff to determine how any proceeds could be used. Based on the condition and age of each piece of equipment proposed for surplus, each of the eight revenue service vehicles described below have an individual residual value greater \$5,000, while the utility van has a value less than \$5,000.

Staff has determined that, once the recently-ordered replacement vehicles are placed into revenue service in late-April, the following vehicles will have no practical, efficient or appropriate use for the equipment, nor will RTA or its partner agencies (SLOCAT and SCT) have such a use for the equipment in the future.

1. Vehicle 166: 2007 Supreme Corporation TR-31 29-passenger/2-wheelchair 32-foot replica Trolley bus with 109,055 miles. This vehicle was purchased by SLO County in 2007 for \$106,600, and it was purchased using State and local funds. Vehicle Identification Number (VIN) is 1F6NF53Y960A17510.
2. Vehicle 209: 2002 Supreme Corporation TR-31 29-passenger/2-wheelchair 32-foot replica Trolley bus with 211,339 miles. This vehicle was purchased by SLO

County in 2002 for \$106,465, and it was purchased using TDA funds. VIN is 1FCNF53S720A02801.

3. Vehicle 1201: 2012 Dodge Caravan BraunAbility 5-passenger/1-wheelchair minivan with 149,472 miles. This vehicle was purchased new in 2012 for \$45,008, and it was partially purchased using SLO AQMD funds. VIN is 2D4RN4DG7BR794997.
4. Vehicle 1202: 2012 Dodge Caravan BraunAbility 5-passenger/1-wheelchair minivan with 131,815 miles. This vehicle was purchased new in 2012 for \$45,008, and it was partially purchased using FTA funds. VIN is 2C4RDGBG7CR166959.
5. Vehicle 1203: 2012 Dodge Caravan BraunAbility 5-passenger/1-wheelchair minivan with 122,327 miles. This vehicle was purchased new in 2012 for \$45,008, and it was partially purchased using FTA funds. VIN is 2C4RDGBG6CR180660.
6. Vehicle 1204: 2012 Dodge Caravan BraunAbility 5-passenger/1-wheelchair minivan with 91,103 miles. This vehicle was purchased new in 2012 for \$45,008, and it was partially purchased using FTA funds. VIN is 1FDFE4FS3CDB24669. Note: this vehicle was involved in a serious collision that required removing it from service for several months while the repairs were being made; that is the reason its total miles are relatively low. Nonetheless, the title was not marked "salvage" by our insurance company.
7. Vehicle 1205: 2012 Dodge Caravan BraunAbility 5-passenger/1-wheelchair minivan with 133,219 miles. This vehicle was purchased new in 2012 for \$45,008, and it was partially purchased using FTA funds. VIN is 2C4RDGBGXCR398441.
8. Vehicle 1206: 2012 Dodge Caravan BraunAbility 5-passenger/1-wheelchair minivan with 148,905 miles. This vehicle was purchased new in 2012 for \$45,008, and it was partially purchased using FTA funds. VIN is 2C4RDGBG1CR398442.
9. Vehicle 509: 2002 Chevrolet Astro utility van with 137,135 miles (operational; available immediately). This vehicle was purchased from SLO County for \$6,000 in 2011 using TDA funds. VIN is 1GNDM19X72B144624.

All of the minivans have surpassed their FTA-defined 4-year/100,000-mile minimum economically-useful service lives, while the Trolleys have surpassed their 7-year/200,000-mile minimum service lives. The accumulated miles referenced above were current as of December 15, 2016, and the miles will continue to increase until such time that they are removed from revenue service (when the replacement vehicles are placed into service).

The Policy permits RTA to transfer surplus vehicles to other transportation providers in SLO County in the following order of priority:

1. Local governmental entities;
2. Local 501(c)3 non-profit transportation providers; and
3. Private for-profit transportation providers.

As noted above, all revenue vehicles have a residual value exceeding \$5,000. As such, staff is recommending that the local recipient of any of these high-value vehicles pay 80% of the market value so that RTA can remit that funding back to the FTA (or seek FTA's authority to reinvest those proceeds into other capital projects) or the AQMD, as appropriate. Market value will be established by discussing each vehicle with California used-vehicle vendors, as well as through reviews of like vehicles on public auction sites.

RTA staff reached out to each of the RTA jurisdictions to determine if any has a desire to acquire one or more of these vehicles; none replied with any interest by the December 21<sup>st</sup> deadline. RTA staff also reached out to Ride-On Transportation and CAPSLO, and asked that these organizations respond by end of business on December 23<sup>rd</sup> (this Staff Report was finalized on December 22<sup>nd</sup>). If any vehicles remain after the December 23<sup>rd</sup> deadline, staff will reach out to private for-profit firms that provide transportation services in the county. At a minimum, staff will reach out to Ventura Transit Systems (VTS), SLO Safe-Ride and American Star Trailways. Staff will provide an update at the January 4<sup>th</sup> meeting regarding any interest from these local organizations.

### **Staff Recommendation**

Declare the aforementioned vehicles surplus, authorize the Executive Director to transfer vehicles to interested local organizations that provide specialized transportation services in SLO County for a price no less than 80% of the market value. If any vehicles remain, authorize the Executive Director to dispose the remaining vehicles through our contracted auction vendor or salvage (as appropriate). Authorize the Executive Director to negotiate use of any transfer/sales proceeds with FTA and AQMD for RTA Board-authorized capital projects.





## San Luis Obispo Regional Transit Authority

### Executive Committee Meeting

**Draft** Minutes 10/12/2016

C-1

Members Present: Jan Howell Marx, President  
Lynn Compton, Vice President  
Debbie Arnold, Past President

Members Absent:

Staff Present: Geoff Straw, Executive Director  
Tania Arnold, Deputy Director & CFO  
Shelby Walker, Administrative Assistant  
Nina Negranti, County Counsel

Also Present: Eric Greening, Atascadero  
Pam Duffield, San Luis Obispo County Public Works

#### **1. Call to Order and Roll Call:**

**President Jan Marx** called the meeting to order at 12:28 a.m. Roll Call was taken and a quorum was present.

#### **2. Public Comments:**

**Mr. Eric Greening**, Atascadero, stated that he continues to get great service and enjoys great rides. He complimented the Atascadero Transit center on how it looks and the protection the shelters provide from all the different elements. He asked why the sycamore tree between the two shelters at the that stop was removed. It seemed like a healthy tree and was sad it was taken out. He hopes it does not happen to the other sycamore trees that are at that stop. He also asked for an update on the MOU that changed the location of the evacuation location in the South County Area in a Diablo Canyon evacuation event and if it is effective now. **President Marx** asked if RTA has authority over the landscaping of the Atascadero Transit Center where the tree was removed. **Mr. Geoff Straw** stated we do not have authority over it but he will follow up with the

City of Atascadero about the trees. In regards to the MOU for South County evacuation, he will check with **Mr. Phil Moores** to see if there is an update and will bring it to the RTA Board meeting on November 2<sup>nd</sup>.

### **3. Information Items**

#### **A-1 Executive Director's Report**

**Mr. Straw** stated that there are three items that he would like to discuss. Firstly, he gave an update on the environmental review of the 253 Elks Lane transit garage project. Staff has been working with Rincon Associates to deal with the floodplain issue and are developing a resolution. Originally, RTA was working off of two different floodplain maps. The project is three weeks behind but staff is hoping to bring some information to the RTA Board at the January meeting, and additionally staff is aiming to have a draft CEQA document by May 2017. Secondly, the Paso yard design/engineering RFP is moving forward, and one local company participated at the County Corp yard for an onsite pre-bid meeting. Questions from interested firms are due by the end of day October 12<sup>th</sup>, proposals are due October 21<sup>st</sup> and if necessary interviews will be conducted on October 28<sup>th</sup>. Lastly, SLOCOG and SBCAG are working together to conduct a corridor study for connecting services between the Ventura area and San Luis Obispo. He stated that is a two-year study and that himself and **Mr. Pete Rodgers** with SLOCOG will be on the interview panel. RTA staff will bring information to the Board throughout the process of the study. He then introduced **Ms. Pam Duffield** who will be the new representative for SLO County on the RTAC Board.

**Mr. Straw** concluded his report.

**President Marx** opened public and board comment.

**President Marx** explained to **Ms. Duffield** who is on the Executive Committee and how it works.

**President Marx** closed public and board comment.

#### **A-2 Present Financially Unconstrained Years 6 & 7 of the RTA Short Range Transit Plan (S RTP)**

**Mr. Straw** stated that this an item that was mentioned during public comment at the October 2016 SLOCOG Board meeting. The SRTPs for RTA and SLO Transit are financially constrained 5-year plans. Staff worked with the consultant to determine what the financially unconstrained plan for FY 2021-22 and FY 2022-23. The primary challenge facing the RTA is the need to replace eight Runabout vans in FY21-22, as well as fifteen fixed-route buses in FY22-23. Staff will be seeking financial assistance at the local, state and federal level to assist the RTA in replacing those revenue vehicles. It is also important to note that it takes two-years for construction and delivery of the buses once the contract is signed. We will try to spread out the purchases so we do not have similar "bunching" issues in the future.

**Mr. Straw** concluded his report.

**President Marx** opened public and Board comment.

**President Marx** asked if there was any way to break up the bus purchases. **Mr. Straw** stated that to some degree we can, but it depends on the state of the vehicles at the time they are eligible for replacement.

**Vice President Lynn Compton** asked why it takes two years for RTA to receive a bus. **Mr. Straw** stated that each bus is custom built. **Vice President Compton** asked if there is a generic or standardize one that can be purchased. **Mr. Straw** noted the customization is in regards to the technology and the mechanical requirements that differ slightly from each transit system. Further discussion ensued in regards to the customization and cost for the replacement buses.

**Mr. Greening** asked what the frequency will be for the midday express runs that were listed on the charts as well as how many runs would be added. **Mr. Straw** stated that he does not have the details but he will get that information for him; it is listed in the SRTP that was approved at the July 2016 RTA Board meeting and is available on our website. Mr. Straw noted that we do not currently have funding to implement the midday express runs; that service improvement should be considered “aspirational” at this point.

**President Marx** closed public and Board comment.

#### **4. Action Items**

##### **B-1 Fiscal Year 2016-17 Budget Amendment**

**Ms. Tania Arnold** presented the proposed Budget Amendment for Fiscal Year 2016-17. At this time staff is bringing back capital budget items that are being carried over to FY16-17 but no operational budget amendments are required. She discussed the expenditure changes that affect the capital budget, including facility improvements for the proposed new Paso parking facility as well as facility security improvements. Other capital carryover projects include maintenance software updates and maintenance equipment for the shop (forklift and a farebox test bench), and the balance of the maintenance computer equipment. Regarding the vehicle ITS carryover for unspent amount from FY15-16, there has been significant progress in the last few months and staff anticipates completing the project in FY16-17. Bus stop improvements are also carried forward, including improvements at the current transit center on Osos Street and the implementation of the Ticket Vending Machine once design plans are finalized. The RouteMatch Call-Back System was implemented and is expected to be completed by the end of October 2016. Support vehicle costs were also carried over; there was a delay due to timing between manufacturer model years, but the purchase was completed in August 2016. The Elks Lane environmental study project was delayed due to enhanced reviews of floodplain issues. The net effect for the above referenced budget adjustments is that there is no financial impact on the jurisdictions. She then noted where to find the numbers of the amended capital budget items in the charts on page B-1-3 and B-1-4.

Ms. Arnold concluded her report.

President Marx opened public and Board comment.

President Marx asked if there was any financial impact on any of the jurisdictions. Ms. Arnold stated that there is no impact on the jurisdictions.

President Marx closed public and Board comment.

Vice President Compton moved approval of action item B-1 and seconded by Board Member Debbie Arnold. The motion carried on a voice vote.

5. Consent Agenda Items

- C-1 Executive Committee Meeting Minutes of April 20, 2016
- C-2 Executive Committee Meeting Minutes of August 10, 2016

Board Member Arnold moved approval of the Consent Agenda and Vice President Compton seconded. The motion carried on a voice vote.

6. Agenda Review:

Mr. Straw briefly reviewed RTA Board Agenda items for November 2<sup>nd</sup> meeting.

7. Adjournment: President Marx adjourned RTA Executive Committee meeting at 12:54 p.m.

Respectfully Submitted,

Acknowledged by,



Shelby Walker  
Administrative Assistant



Lynn Compton  
RTA Vice President

**DRAFT**  
**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**  
**MINUTES OF NOVEMBER 2, 2016**  
**C-2**

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**BOARD MEMBERS PRESENT:**

JAN MARX, CITY OF SAN LUIS OBISPO (*President*)  
LYNN COMPTON, FOURTH DISTRICT, COUNTY OF SAN LUIS OBISPO (*Vice President*)  
DEBBIE ARNOLD, FIFTH DISTRICT, COUNTY OF SAN LUIS OBISPO (*Past President*)  
SHELLY HIGGINBOTHAM, CITY OF PISMO BEACH  
BRUCE GIBSON, SECOND DISTRICT, COUNTY OF SAN LUIS OBISPO  
JAMIE IRONS, CITY OF MORRO BAY  
TOM O'MALLEY, CITY OF ATASCADERO  
JIM GUTHRIE, CITY OF ARROYO GRANDE  
STEVE MARTIN, CITY OF PASO ROBLES  
FRANK MECHAM, FIRST DISTRICT, COUNTY OF SAN LUIS OBISPO  
JOHN SHOALS, CITY OF GROVER BEACH

**BOARD MEMBERS ABSENT:**

ADAM HILL, THIRD DISTRICT, COUNTY OF SAN LUIS OBISPO

**STAFF PRESENT:**

GEOFF STRAW, EXECUTIVE DIRECTOR  
TANIA ARNOLD, DEPUTY DIRECTOR & CFO  
TIM MCNULTY, SAN LUIS OBISPO COUNTY COUNSEL  
OMAR MCPHERSON, GRANTS MANAGER  
PHIL MOORES, OPERATIONS MANAGER  
LESLIE SANCHEZ, HUMAN RESOURCES OFFICER  
SHELBY WALKER, ADMINISTRATIVE ASSISTANT  
MARY GARDNER, MARKETING & COMMUNITY RELATIONS MANAGER  
TRENA WILSON, ADMINISTRATIVE ASSISTANT  
MICHAEL SEDEN-HANSEN, SPECIAL PROJECTS COORDINATOR  
LARRY BRAY, BUS OPERATOR  
JEFF GIBSON, BUS OPERATOR

**CALL TO ORDER AND ROLL CALL:** President Jan Marx called the meeting to order at 8:32 a.m. A roll call was taken and a quorum was present.

**PUBLIC COMMENTS:** Mr. Eric Greening, Atascadero, thanked the Board Member Shelly Higginbotham and Board Member Frank Mecham for their service on the RTA Board. He thanked Mr. Phil Moores for the detailed answers that he gave in regards to some questions he raised about the emergency

evacuation and the role of the drivers in the case of an emergency. He got some good information about it and suggests that this information be made an agenda item for the next Board meeting so new Board members and the public are aware of it.

**Ms. Andrea Seastrand**, Grover Beach, stated that it is interesting to note that the state legislature never prioritized the infrastructure of roads. In an article that she read recently, the Governor called a special session in regards to transportation infrastructure needs that does not end until the end of November. She mentioned that there is a \$7.4 billion transportation proposal which includes a \$.17 tax on gas. With all of that going on at the state level she does not believe that Measure J is needed on the ballot. She believes that Measure J is being overly promoted to the voters.

**Board Member Bruce Gibson** reminded the Board and public that this meeting is within a 100 feet of polling area and cautioned against electioneering on any item that is discussed.

**Ms. Sandi Tannler**, Morro Bay, stated that the Central Coast Tax Payers Association is made up of grassroots volunteers who represent the forgotten taxpayers of the County. They are concerned about the use of public money being used for the promotion of Measure J. There was a complaint filed against SLOCOG in regards to the over promotion of the measure.

**President Marx** closed public comment.

#### **A. INFORMATION AGENDA:**

**A-1 Executive Director's Report:** **Mr. Straw** stated that a copy of the semi-annual RTA Newsletter was provided to each Board member, please take a look at it when you can. He introduced **Mr. Phil Moores** who will be presenting the Outstanding Achievement and Employee of the Quarter awards. **Mr. Moores** stated that **Mr. Larry Bray** is the recipient of the Outstanding Achievement award. He mentioned that **Mr. Bray** was able to handle a difficult confrontation with a rider very well. **Mr. Bray** stated that since he has been with RTA he has seen a lot of positive changes, he credits RTA supervisors, in particular **Mr. Antonio Troncozo**, for the way he is able to handle difficult situations and be a better operator. **Mr. Moores** continued by introducing **Mr. Jeff Gibson** as the Employee of the Quarter, Mr. Gibson has worked the Nipomo Dial-A-Ride for seven years and is adored by his riders. **Mr. Gibson** thanked the Board and appreciates the recognition. **President Marx** thanked both of them for being such great drivers.

**Mr. Straw** continued his report. He stated that RTA and SCT conducted a joint Bus Rodeo on October 16, we were lucky that the rain cleared up just enough for the event. He thanked Teamsters Local 986 for its generous donation. The Teamsters did a great job with barbequing that day for the event. The SCT operations group took the overall team win, while RTA Bus Operator Jason Namla won the individual trophy. He also thanked all of the volunteer judges, including almost 20 Cal Poly students, a couple from Monterey-Salinas Transit, employees' family members and even a regular RTA rider. It was a great family event with a bounce house for the children. Members from our benefits providers were also on-hand to information to attendees. Rite-Aid Pharmacy provided flu-shots and general health information.

A new group of Bus Operators completed their training classes. Three of the four operators are now in service. Our next scheduled training class is planned for January 2017.

**Mr. Straw** stated that RTA expects to begin reviewing preliminary/interim findings reports in mid-November from Rincon Associates for the environmental planning services for a long-term operations, administration and maintenance facility. A more detailed update will be provided at the January 2017 RTA Board meeting.

**Mr. Straw** noted the Santa Barbara County Association of Governments (SBCAG) is seeking a qualified consultant to develop and deliver a SLO – Santa Maria Transportation Connectivity Plan to improve transit and ridesharing between Southern SLO County and the Santa Maria Valley. SBCAG is partnering with SLOCOG on the plan, and will closely involve Santa Maria Area Transit and the RTA in the development of the plan.

**Mr. Straw** stated that staff continues to work with Rademaker Design to refine layout options for replacing the existing shelters at the Government Center passenger facility to provide better shade for passengers. This design will also incorporate the ticket vending machine (TVM), as well as LED signs depicting real-time bus arrival information. Staff expects to bring recommendations to the January 2017 RTA Board meeting.

**Mr. Straw** mentioned that at the October 20th RTAC meeting, the Committee selected four members to serve as the ADA eligibility Appeals Committee.

**Mr. Straw** noted RTA and SCT conducted field inspections with our TDA Triennial Performance Auditors the week of October 24th. The audit period includes FY13-14 through FY 15-16, although the auditors also look at current operations to ensure compliance with TDA law. Staff believes we have provided the back-up information necessary to ensure no significant findings for the current audit period.

Staff has preliminary operating and financial data for the first two months of FY16-17. Ridership in July/August 2016 is down 10.6% in comparison to July/August 2015 on fixed route services. However, the 2016 vs. 2015 decline was far greater in July in comparison to August. Staff believes it is due to the decline in participants in the youth ride free program. Year to date Runabout ridership is down 5.1%.

In terms of financial results, the first two months of the fiscal year represent 16.7% of the year. Liability costs are higher than budgeted, and include line-items such as workers' compensation, property insurance, and vehicle liability insurance. Fuel costs remain below budget, while other relatively large-ticket variances include vehicle maintenance and professional technical services.

**Mr. Straw** stated that his annual performance review will be coming up soon and the Board and staff will be seeing an email soon to provide information. He also thanked the Board members that will be leaving the Board for all of their hard work.

**Mr. Straw** concluded his report.

**President Marx** opened to Board comment.

**President Marx** opened public comment.

**President Marx** closed public and Board comment.

**President Marx** closed Board comment.

**A-2** Present Financially Unconstrained Years 6 & 7 of SRTP: **Mr. Straw** stated that in May the Board approved the SRTP. The SRTP for RTA and SLO Transit was a financially constrained 5-year plan. Staff worked with the consultant to determine what the financially unconstrained plan for FY 2021-22 and FY 2022-23. The primary challenge facing the RTA is the need to replace eight Runabout vans in FY21-22, as well as fifteen fixed-route buses in FY22-23. There are a number of different ways in which staff will be seeking financial assistance at the local, state and federal level to assist the RTA in replacing revenue vehicles. It is also important to note that it takes two-years to get the buses. We will try to spread out the purchases so we do not have issues in those years or the years following. It is also important to note that in year five of the plan we will be seeking funding for our long-term operations facility and other capital projects.

**Mr. Straw** concluded his report.

**President Marx** opened Board comment.

**Board Member John Shoals** asked if all fifteen buses will be replaced at once or will there be a schedule for the replacements. **Mr. Straw** stated that it doesn't make sense to replace them early but we could stretch out the period in which we replace the buses. We would not stretch them out past 800,000 miles per bus.

**President Marx** stated that she wondered about the staggering of the replacement vehicles. **Mr. Straw** responded that yes we will try and stagger the purchases if possible.

**President Marx** opened public comment.

**Mr. Greening**, Atascadero, stated that the report was a good look ahead into the future years. He asked about what the assumptions there were about labor cost in these years. He stated that the contract will not be part of those years and we need to recognize that public safety professionals deserve more compensation and should not assume a status quo of what they should be paid. He stated that if Measure J passes, he would hope some of it would go to employee salaries.

**Mr. Ron De Carli**, SLOCOG, complimented staff for taking a further look beyond the five-year SRTP. We agree that we will see some troubles later when it comes to capital funding. This happened a few years back and SLOCOG staff worked well with RTA to find funding in that situation. Prop 1B funding is no longer available and the statewide funding is largely gone. The proposed ballot item Measure J would provide some funding for projects. We will continue to work with RTA staff, the Board, and legislatures to find funding.

**President Marx** closed public comment.

**President Marx** closed Board comment.

**Board Member Frank Mecham** moved to approve the Agenda Item A-2. **Board Member Gibson** seconded, and the motion carried on a voice vote with Board Member Adam Hill absent.



**B. ACTION AGENDA:**

**B-1** Fiscal Year 2016-17 Budget Amendment: **Ms. Tania Arnold** presented the proposed Budget Amendment for Fiscal Year 2016-17. At this time staff is bringing back capital budget items that are being carried over to FY16-17 but no operational budget amendments. She discussed the expenditure changes that effect the capital budget. Facility improvements for the proposed new Paso parking facility as well as facility security improvements. Other capital carryover projects include maintenance software updates and maintenance equipment for the shop forklift, farebox test bench, and the balance of the maintenance computer equipment. Regarding the vehicle ITS carryover for unspent amount from FY15-16, there has been large improvements in the last few months and staff anticipates completing the project in FY16-17. Bus stop improvements are also carried forward, including the current transit center on Osos Street and the implementation of the Ticket Vending Machine once design plans are finalized. The RouteMatch Call Back System was implemented and is expected to be completed by the end of October 2016. Support vehicle costs were also carried over; there was a delay due to timing between model years, but the purchase was completed in August 2016. The Elks Lane environmental study project was delayed due to enhanced reviews of floodplain issues. The net effect for the above referenced budget adjustments is that there is no impact on the jurisdictions. She then noted where to find the numbers of the amended capital budget items in the charts on page B-1-3 and B-1-4.

**Ms. Arnold** concluded his report.

**President Marx** opened Board comment.

**President Marx** opened public comment.

**President Marx** closed public comment.

**President Marx** closed Board comment.

**Board Member Bruce Gibson** moved to approve the Agenda Item B-1. **Board Member Mecham** seconded, and the motion carried on a roll call vote with Board Member Adam Hill absent.

**B-2** Agreement for Design and Engineering Services - Bus Parking Yard in Paso Robles: **Mr. Straw** noted, as mentioned previously, this project is moving quickly. We have been working closely with the County Public Works office on reviewing the technical and financial proposals and will be going out for construction bids. RTA received a single bid for the project from the Wallace Group. The consultant selection committee, comprised of RTA, City of Paso Robles and County staff, accepted the technical proposal as meeting the requirements of the RFP. Staff then opened the cost proposal and, at the deadline for publishing this staff report, staff was still negotiating the final agreement. It should be noted that County Public Works staff has agreed to assist RTA staff in finalizing important parameters of the agreement since this type of work is frequently undertaken by County staff that has expertise in design and engineering projects. He stated that he would like the authorization to execute an agreement with the Wallace Group for design and engineering services for the long-term bus parking yard in Paso Robles and not going over \$220,000 in cost.

**Mr. Straw** concluded his report.

**President Marx** opened Board comment.

**Board Member Shoals** asked if the recommendation is different than the one in the agenda. **Mr. Tim McNulty** stated that **Mr. Straw** is asking to execute the agreement and have it not exceed \$220,000.

**Board Member Gibson** stated that the cost seems to be a lot and asked if it included oversight on the construction. **Mr. Straw** stated that yes, it will include management oversight.

**President Marx** asked if the scope of work has changed. **Mr. Straw** stated that yes, the amount of work will actually be less than original proposed amount.

**President Marx** opened public comment.

**President Marx** closed public comment.

**President Marx** closed Board comment.

**Board Member Shoals** moved to approve the Agenda Item B-2. **Board Member Martin** seconded, and the motion carried on a roll call vote with Board Member Adam Hill and Board Member Jamie Irons absent.

**C. CONSENT AGENDA:**

- C-1 Executive Committee Meeting Minutes of April 20, 2016 (Approve)
- C-2 Executive Committee Meeting Minutes of August 10, 2016 (Approve)
- C-3 RTA Board Meeting Minutes of September 14, 2016 (Approve)
- C-4 RTAC Meeting Minutes of July 7, 2016 (Accept)
- C-5 Draft RTAC Meeting Minutes of October 20, 2016 (Accept)
- C-6 Resolution Authorizing Executive Director to Submit Application for Low Carbon Transit Operations Grant Funds (Approve)
- C-7 Annual Fiscal & Compliance Audit for Fiscal Year 2015-16 (Accept)
- C-8 Procure On-Bus Security Camera System and Backend System Upgrades

**Board Member Tom O'Malley** moved to approve the Consent Agenda. **Board Member Martin** seconded, and the motion carried on a roll call vote with Board Member Adam Hill and Board Member Jamie Irons absent.

**ADJOURNMENT:** **President Marx** adjourned RTA meeting at 9:38 a.m.

Respectfully Submitted,

Shelby Walker

RTA Administrative Assistant

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**January 4, 2017**

**STAFF REPORT**

**AGENDA ITEM:** C-3

**TOPIC:** Federal FY 2017 Certifications and Assurances for  
Federal Transit Administration Assistance  
Programs

**ACTION:** Approve

**PRESENTED BY:** Omar McPherson, Grants and Financial Manager

**STAFF RECOMMENDATION:** Authorize Executive Director and Counsel to  
execute and submit the 2017 Certifications and  
Assurances to the appropriate agencies on behalf  
of RTA

**BACKGROUND/DISCUSSION:**

Each year, the California Department of Transportation (Caltrans) and RTA must recertify to the Federal Transit Administration (FTA) that all applicable Federal requirements are adhered to when administering Federal grants. To this end, Caltrans and RTA obtain certification from sub-recipient agencies that they too will comply with applicable Federal requirements.

RTA needs to execute and submit the 2017 Certifications and Assurances document to the appropriate agencies to remain an eligible grantee and sub-recipient of FTA funds. RTA fulfills this requirement annually and ensures that these Federal requirements are followed.

**RECOMMENDATION:**

Staff recommends the Board authorize the Executive Director and Counsel to execute and submit the 2017 Certifications and Assurances to the appropriate agencies on behalf of RTA.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

### FEDERAL FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

(Signature pages alternative to providing Certifications and Assurances in TrAMS)

Name of Applicant: SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

The Applicant agrees to comply with applicable provisions of (Categories 01 – 23.   x  )

OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

<u>Category</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	_____
02.	Lobbying.	_____
03.	Procurement and Procurement Systems.	_____
04.	Private Sector Protections.	_____
05.	Rolling Stock Reviews and Bus Testing.	_____
06.	Demand Responsive Service.	_____
07.	Intelligent Transportation Systems.	_____
08.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
09.	Transit Asset Management Plan, Public Transportation Safety Program, and State Safety Oversight Requirements.	_____
10.	Alcohol and Controlled Substances Testing.	_____
11.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity Improvement).	_____
12.	State of Good Repair Program.	_____
13.	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs.	_____
14.	Urbanized Area Formula Grants Programs and Passenger Ferry Grant Program.	_____
15.	Enhanced Mobility of Seniors and Individuals with Disabilities Programs.	_____
16.	Rural Areas and Appalachian Development Programs.	_____
17.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
18.	State Safety Oversight Grant Program.	_____
19.	Public Transportation Emergency Relief Program.	_____
20.	Expedited Project Delivery Pilot Program.	_____
21.	Infrastructure Finance Programs.	_____
22.	Paul S. Sarbanes Transit in Parks Program.	_____
23.	Construction Hiring Preferences.	_____

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

### **FEDERAL FISCAL YEAR 2017 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**

(Required of all Applicants for federal assistance to be awarded by FTA and all FTA Grantees with an active Capital or Formula Award)

#### **AFFIRMATION OF APPLICANT**

Name of the Applicant: SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

Name and Relationship of the Authorized Representative: GEOFF STRAW, EXECUTIVE DIRECTOR

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2017, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2017.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature \_\_\_\_\_ Date: 1 / 4 / 2017

Name GEOFF STRAW  
Authorized Representative of Applicant

#### **AFFIRMATION OF APPLICANT'S ATTORNEY**

For (Name of Applicant): SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature \_\_\_\_\_ Date: 1 / 4 / 2017

Name TIMOTHY MCNULTY  
Attorney for Applicant

*Each Applicant for federal assistance to be awarded by FTA and each FTA Recipient with an active Capital or Formula Project or Award must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within FTA's electronic award and management system, provided the Applicant has on file and uploaded to FTA's electronic award and management system this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.*

**SAN LUIS OBISPO REGIONAL TRANIST AUTHORITY**  
**JANUARY 4, 2017**  
**STAFF REPORT**

**AGENDA ITEM:** C-4

**TOPIC:** Resolution Authorizing Executive Director to Submit Application for Rural Transit Funds

**ACTION:** Approve

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

**STAFF RECOMMENDATION:** Adopt Resolution

In 2003, the San Luis Obispo Council of Governments and RTA agreed to exchange Federal Transit Administration (FTA) Section 5311 funds for Transportation Development Act (TDA) funds to create the local Rural Transit Fund Program. The new program included the same eligibility of recipients and projects as the Section 5311 program, and made the access and availability of funds much easier for the rural transit operators, including RTA.

There is an estimated \$439,000 available for fiscal year 2017-18. Eligible recipients of the rural transit funds include the RTA, the City of Morro Bay, and San Luis Obispo County. Grants are due to SLOCOG by February 9, 2017.

**Staff Recommendation**

Approve the attached resolution authorizing the Executive Director to submit a grant application of up to \$439,000 for the purchase of various materials, supplies, equipment, and/or operations costs.

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
RESOLUTION NO. 17-\_\_\_\_\_**

**A RESOLUTION OF THE SAN LUIS OBISPO REGIONAL TRANSIT  
AUTHORITY BOARD OF DIRECTORS,  
AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE  
SAN LUIS OBISPO COUNCIL OF GOVERNMENTS  
RURAL TRANSIT FUND PROGRAM**

**WHEREAS**, the San Luis Obispo Regional Transit Authority is under contract to fully administer transit services for the County of San Luis Obispo; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo are eligible applicants for Rural Transit Program funds (formerly FTA Section 5311); and,

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo are in need of various materials, supplies, and equipment, all of which are eligible for purchase under the Rural Transit Fund Program Policies and Procedures; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo will continue to provide transportation services, including complementary ADA service, in San Luis Obispo County; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo are seeking grant funding to optimize the use of local TDA funds provided by the various agencies included in the Joint Powers Agency Agreement; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo are requesting up to **\$439,000** from the Rural Transit Fund Program for the purchase of various materials, supplies and equipment including proposed tenant improvements for a maintenance facility.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the San Luis Obispo Regional Transit Authority Board of Directors authorizes the Executive Director to submit a proposal to the San Luis Obispo Council of Governments for the Rural Transit Fund Program of up to **\$439,000** for the purchase of various materials, supplies and equipment.

**BE IT FURTHER RESOLVED**, that the President of the Board is directed to sign this resolution to authorize the submittal of said funding requests.

**BE IT FURTHER RESOLVED**, that the Executive Director is hereby authorized to submit said funding requests.

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

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

The foregoing resolution is hereby adopted this 4<sup>th</sup> day of January 2017.

\_\_\_\_\_  
President  
San Luis Obispo Regional Transit Authority

**ATTEST:**

\_\_\_\_\_  
Geoff Straw, Executive Director  
San Luis Obispo Regional Transit Authority

**APPROVED AS TO FORM AND LEGAL EFFECT:**

Rita L. Neal  
County Counsel

By: \_\_\_\_\_  
Timothy McNulty, Counsel  
San Luis Obispo Regional Transit Authority

Date: \_\_\_\_\_



**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**JANUARY 4, 2017**

**STAFF REPORT**

**AGENDA ITEM: C-5**

**TOPIC: Resolution Authorizing Executive Director to  
Submit Application for FTA Section 5339 Funds**

**ACTION: Approve Resolution**

**PRESENTED BY: Omar McPherson, Grants and Financial Manager**

**STAFF RECOMMENDATION: Adopt Resolution**

**BACKGROUND/DISCUSSION:**

The *Fixing America's Surface Transportation Act* (FAST Act) requires Metropolitan Planning Organizations to work cooperatively with public transit operators to develop Regional Transportation Plans and Transportation Improvement Programs for urbanized areas. These plans and programs are intended to further the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems. These systems should serve the mobility of people and freight, and foster economic growth and development within and through urbanized areas, while minimizing transportation-related fuel consumption and air pollution. Public transportation providers are eligible to apply for and receive Federal Transit Administration (FTA) Section 5339 funds for up to 80% of capital projects for the delivery of public mass transportation services.

The transit operators in San Luis Obispo County that are eligible to use FTA Section 5339 funds include RTA, South County Transit, San Luis Obispo County, and the Cities of Atascadero, Paso Robles and San Luis Obispo. To access the FTA Section 5339 funds, RTA must submit an annual grant application to FTA. Our grant application must include a resolution, approved by the RTA Board, authorizing submittal of the grant application and authorizing the Executive Director to execute and file all assurances and any other documentation required by the FTA.

Once approved, the attached resolution will become part of the grant application for FTA Section 5339 funding for the remainder of 2015-16 and 2016-17 fiscal years (combined) that will allow RTA to apply on behalf of Atascadero for purchase two cutaway vehicles and associated equipment as programmed in the Federal Transportation Improvement Program by SLOCOG.

**Staff Recommendation**

Approve the attached resolution authorizing the Executive Director to submit a grant application of up to the maximum amount available in San Luis Obispo County on behalf of Atascadero for purchase two cutaway vehicles and associated equipment.

<p style="text-align:center"><b>AUTHORIZING RESOLUTION</b> <b>STATE OF CALIFORNIA</b> <b>FTA SECTION 5339 PROJECT OPERATING ASSISTANCE APPLICATION</b></p>
--

**RESOLUTION NO. 17-\_\_\_\_**

RESOLUTION AUTHORIZING THE FEDERAL FUNDING UNDER FTA SECTION 5339  
WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

**WHEREAS**, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital assistance projects for public transportation systems under Section 5339 of the Federal Transit Act (**FTA Circular 9030.1B**); and

**WHEREAS**, the California Department of Transportation (Department) has been designated by the Governor of the State of California to administer Section 5339 grants for transportation projects for bus and bus facilities; and

**WHEREAS**, the *San Luis Obispo Regional Transit Authority* (RTA) desires to apply for said financial assistance to permit purchase of capital equipment in San Luis Obispo County; and

**WHEREAS**, the *San Luis Obispo Regional Transit Authority* has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the San Luis Obispo Regional Transit Authority does hereby authorize the Executive Director, to file and execute applications on behalf of the San Luis Obispo Regional Transit Authority with the Department to aid in the financing of capital assistance projects pursuant to Section 5339 of the Federal Transit Act (**FTA Circular 9030.1B**), as amended.

That Executive Director is authorized to execute and file all certification of assurances, contracts or agreements or any other document required by the Department.

That Executive Director is authorized to provide additional information as the Department may require in connection with the application for the Section 5339 projects.

That Executive Director is authorized to submit and approve request for reimbursement of funds from the Department for the Section 5339 project(s).

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 4<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
President of the RTA Board

ATTEST:

\_\_\_\_\_  
Geoff Straw  
Executive Director

APPROVED AS TO FORM AND LEGAL EFFECT:

By: \_\_\_\_\_  
Timothy McNulty  
RTA Counsel

Dated: \_\_\_\_\_  
(Original signature in BLUE ink)

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
JANUARY 4, 2017  
STAFF REPORT**

<b>AGENDA ITEM:</b>	<b>C-6</b>
<b>TOPIC:</b>	<b>Resolution Authorizing Executive Director to Submit Application on behalf of RTA for State Proposition 1B Safety and Security Funds</b>
<b>ACTION:</b>	<b>Approve</b>
<b>PRESENTED BY:</b>	<b>Geoff Straw, Executive Director</b>
<b>STAFF RECOMMENDATION:</b>	<b>Adopt Resolution</b>

California Proposition 1B was passed by voters in November 2006. Staff estimates that up to \$170,000 is available for safety/security projects. RTA is an eligible recipient for this funding source.

Besides RTA, eligible recipients of the Proposition 1B safety/security funds include the City of Morro Bay, the City of San Luis Obispo, the City of Atascadero, the City of Paso Robles, San Luis Obispo County, and South County Transit. Grants will be due to the San Luis Obispo Council of Governments by February 9, 2017. Projects must be transit-related capital projects.

**Staff Recommendation**

Approve the attached resolution authorizing the RTA Executive Director to submit a grant application for up to \$170,000 for potential Safety and Security Capital projects for the fiscal year 2016-17 apportionment. Please note that this amount is subject to a competitive application process for the entire region.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
RESOLUTION NO. 17-\_\_\_\_\_

A RESOLUTION OF THE SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
BOARD OF DIRECTORS, AUTHORIZING SUBMITTAL OF A GRANT APPLICATION  
TO THE SAN LUIS OBISPO COUNCIL OF GOVERNMENTS FOR  
CALIFORNIA PROPOSITION 1B SAFETY AND SECURITY PROGRAM FUNDS

**WHEREAS**, the San Luis Obispo Regional Transit Authority is an eligible applicant for California Proposition 1B Safety and Security Program funds; and,

**WHEREAS**, the San Luis Obispo Regional Transit Authority is in need of various capital-related materials, supplies, and equipment, all of which are eligible for purchase under the California Proposition 1B Fund Safety and Security Program; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority will continue to provide public transportation services in San Luis Obispo County; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority is seeking grant funding to optimize the use of Transportation Development Act funds provided by the various jurisdictions included in the Joint Powers Agency Agreement; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority is requesting up to \$170,000 for the FY16/17 funding year cycle from the Proposition 1B Fund Safety and Security Program for the purchase of various materials, supplies and equipment.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the San Luis Obispo Regional Transit Authority Board of Directors authorizes the Executive Director or his designee to submit a proposal to the San Luis Obispo Council of Governments from the California Proposition 1B Fund Program of up to \$170,000 for Safety and Security capital projects for the upcoming funding cycle.

**BE IT FURTHER RESOLVED**, that the President of the Board is directed to sign this resolution to authorize the submittal of said funding requests.

**BE IT FURTHER RESOLVED**, that the Executive Director or his designee is hereby authorized to submit said funding requests.

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

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

The foregoing resolution is hereby adopted this 4<sup>th</sup> day of January 2017.

\_\_\_\_\_  
President  
San Luis Obispo Regional Transit Authority

**ATTEST:**

\_\_\_\_\_  
Geoff Straw, Executive Director  
San Luis Obispo Regional Transit Authority

**APPROVED AS TO FORM AND LEGAL EFFECT:**

By: \_\_\_\_\_  
Timothy McNulty  
RTA Counsel

Date: \_\_\_\_\_

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**January 4, 2017**

**STAFF REPORT**

**AGENDA ITEM:** C-7

**TOPIC:** Conflict of Interest Update

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

**STAFF RECOMMENDATION:** Approve Updates to the Conflict of Interest Code

**BACKGROUND/DISCUSSION:**

Every public agency or entity is required to adopt a *Conflict of Interest Code* pursuant to the State Political Reform Act of 1974 (Government Code Section 81000, et seq.). The Act also requires every local government agency to review its "Conflict of Interest Code" biennially to determine if it is accurate or, alternatively, that the code must be amended. Working with SLO County officials, staff has slightly revised the previous Conflict of Interest Code that was adopted by the RTA Board at its November 2016 meeting.

RTA's Conflict of Interest Code was first adopted in September 1994 to reflect RTA as an independent, self-governing entity (separate from the County). In order to ensure conformity moving forward, RTA staff is hereby submitting a resolution to adopt the uniform Conflict of Interest Code.

Designated positions subject to this policy include each RTA delegate and alternate, the Executive Director, Deputy Director/CFO, and Grants and Financial Manager.

**Staff Recommendation**

Approve RTA adoption of the uniform Conflict of Interest Code.



**SAN LUIS OBISPO  
REGIONAL TRANSIT AUTHORITY**

4th day of January, 2017

**RESOLUTION NO. 2017-\_\_\_\_\_**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE SAN LUIS OBISPO COUNTY REGIONAL TRANSIT AUTHORITY  
REPEALING ITS EXISTING CONFLICT OF INTEREST CODE AND ADOPTING THE  
UNIFORM CONFLICT OF INTEREST CODE PROMULGATED  
BY THE FAIR POLITICAL PRACTICES COMMISSION**

The following resolution is now offered and read:

**WHEREAS**, Government Code section 87300 requires every local government agency to adopt and promulgate a conflict of interest code; and

**WHEREAS**, pursuant to the biennial review process set forth in Government Code section 87306.5, and a review of its current conflict of interest code, the Board of Directors of the San Luis Obispo County Regional Transit Authority (“the Board”) has determined that it is necessary to update the code; and

**WHEREAS**, the Fair Political Practices Commission (FPPC) has promulgated a model conflict of interest code for use by state and local agencies (hereafter “the model code”); and

**WHEREAS**, the Board has determined it advisable and efficient to adopt the model code, which will thereby ensure that the Regional Transit Authority’s conflict of interest code is consistent and current with the requirements of the Political Reform Act and regulations adopted by the FPPC; and

**WHEREAS**, Government Code section 82011(b) provides that the Board of Supervisors is the code reviewing body of all local agencies, other than cities, for purposes of review and approval of local conflict of interest codes; and

**WHEREAS**, the Board is required on behalf of the Regional Transit Authority to submit this code to the Board of Supervisors for approval pursuant to Government Code section 87303 and 87306.5;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of Directors of the San Luis Obispo County Regional Transit Authority as follows:

1. The current Conflict of Interest Code of the San Luis Obispo County Regional Transit Authority, attached hereto as Exhibit A is hereby repealed.
2. The Conflict of Interest Code of the San Luis Obispo County Regional Transit Authority, attached hereto as Exhibit B, which adopts and incorporates by reference the model code promulgated by the FPPC (Cal. Code Regs., Div. 6, Tit. 2, § 18730), including Appendices A and B, attached thereto, is hereby adopted as the Conflict of Interest Code of the San Luis Obispo County Regional Transit Authority.
3. The secretary of the Regional Transit Authority is hereby directed to transmit the newly adopted Conflict of Interest Code of the San Luis Obispo County Regional Transit Authority to the Board of Supervisors for approval pursuant to Government Code section 87303.

Upon motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_,

and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby 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 4<sup>th</sup> day of January 2017.

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President of the RTA Board of Directors

ATTEST:

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Geoff Straw  
RTA Executive Director

APPROVED AS TO FORM AND  
LEGAL EFFECT:

Timothy McNulty  
County Counsel

By: \_\_\_\_\_  
RTA Legal Counsel

Dated: \_\_\_\_\_

## Exhibit A

### **SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY (SLORTA)**

### **CONFLICT OF INTEREST CODE**

#### ARTICLE I

#### GENERAL

#### Section

#### ~~100. Purpose and Effect.~~

- ~~a) Pursuant to the provisions of Government Code Section 87300, the San Luis Obispo Regional Transit Authority (SLORTA) hereby adopts the following Conflict of Interest Code. This Code shall be interpreted in a manner consistent with Government Code Section 81000 — the “Political Reform Act of 1974,” et seq.; (the “Act”) and the Regulations adopted pursuant thereto by the Fair Political Practices Commission. The provisions of this Code are in addition to Government Code Sections 87100, 1090-1097, 1125-1127, Education Code Section 1171, et seq., and other laws pertaining to conflicts of interest.~~
- ~~b) This Code has the force and effect of law and any violation of this Code shall be deemed a violation of Chapter 7 of the Act, Government Code Section 87100, et seq., and will be subject to the enforcement and penalty provisions provided for in the Act.~~

#### ~~101. Definitions. Except as provided in subsections (a) and (b), the definitions contained in the Act — and the regulations adopted pursuant thereto are incorporated into this Code.~~

- ~~a) The definition of “Investment” contained in the Act (Government Code Section 82034) is incorporated herein, except that the term “investment” shall not include ownership of less than one-half (1/2) of one (1) percent of the outstanding securities of a business entity whose securities are registered with the Securities and Exchange Commission of the United States Government.~~
- ~~b) The definition of “Income” contained in the Act (Government Code Section 82030) is incorporated herein, except that “income” shall not include a designated employee’s compensation received from the Council.~~

#### ~~102. Effective Date of Code. This Code shall become effective on \_\_\_\_\_.~~

#### ~~103. Severability. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase or word of this Code is for any reason held to be invalid, unconstitutional or unenforceable, such decision shall not affect the validity of the remaining portions of this Code. It is hereby declared that this Code, and each section, subparagraph, sentence, clause, phrase and word thereof,~~

would have been adopted irrespective of the fact that one or more of such portions of this Code be declared invalid, unconstitutional or unenforceable.

104. ~~Statute of Limitations.~~ No action based on a disqualification provision of this Code shall be brought pursuant to Government Code Section 91003(b) to restrain the execution of, or to set aside official action of the SLORTA unless commenced within ninety (90) days following the official action.

## ARTICLE II

### DESIGNATED POSITIONS AND REPORTABLE FINANCIAL INTERESTS

#### Section

200. ~~Designated Positions and Designated Employees.~~ The positions within the SLORTA identified in Exhibit "A" of this Code are hereby established as "designated positions." Any officer, employee, governing board member (where appropriate) or consultant of the SLORTA whose position with the SLORTA is a "designated position" in Exhibit "A" of this Code is a "designated employee." A person is a designated employee when the person's position with the SLORTA entails the making or participation in the making of decisions, which may foresee ably have a material effect on a financial interest.
201. ~~Reportable Financial Interests.~~ In Exhibit "A" of this Code, each designated position is assigned disclosure category numbers, which correspond to specific financial disclosure categories set forth in Exhibit "B." Each designated employee shall disclose those financial interests required in the Exhibit "B" disclosure categories listed next to his/her designated position in Exhibit "A."
202. ~~Scope of Reportable Financial Interests.~~ Only "financial interests" can be made reportable by a conflict of interest code. For disclosure purposes, the Act divides financial interests into three groups: investments, interests in real property and income (Government Code Section 87302(b)). Except as modified in Section 101 of this Code, the broad definitions and limitations of the terms investment, interest in real property and income are found in the Act (Government Code Sections 82034, 82033, and 82030). If a financial interest does not fit within any of these three definitions, a designated employee cannot be required by a conflict of interest code to disclose that interest. In addition, the types and scope of investments, interests in real property and income made reportable by a designated employee's disclosure categories may, in many situations, be narrower than the basic definitions found in the Act. To prevent over disclosure, each designated employee should therefore consult the definitions of investments, interests in real property, and income, as well as his or her specific disclosure categories before filling out the statement of financial interests.
203. ~~Manner of Reporting Financial Interests.~~ Except as provided in subsections (a) & (b), the manner of reporting reportable investments, interests in real property and income shall be pursuant to Government Code Sections 87206 and 87207.
- (a) ~~Designated employees are not required to comply with Government Code Section 87206(e).~~
- (b) ~~For purposes of Government Code Section 87207(b)(2) and (3), the disclosure of the names of clients or customers who paid fees to the business entity is required only if it is~~

reasonably foreseeable that financial interest of the client or customer may be materially affected by any SLORTA related decisions made or participated in by the designated employee.

### ARTICLE III

#### FILING OF STATEMENTS OF FINANCIAL INTERESTS

##### Section

300. ~~Duty to File Statements of Financial Interests.~~ It shall be the duty of each designated employee to file statements of financial interests conforming to all applicable requirements of this Code. Such statements shall be on forms provided by the County Clerk upon request.

301. ~~Designation and Duties of Filing Officer; Place of Filing Statements.~~

- a) ~~The SLORTA herewith delegates authority and responsibility to the County Clerk for receipt of all statements of financial interests and for administration of the duties of the filing officer delineated in Government Code Sections 81008, 81010, and 91013.~~
- b) ~~Designated employees shall file any statements required by this Code with the County Clerk who shall retain the original and forward a copy to the SLORTA. Both the County Clerk and the SLORTA shall make statements accessible to the public in a manner consistent with Government Code Section 81008.~~
- c) ~~Upon request, the County Clerk shall supply copies of pertinent sections of the Act, this Code, disclosure forms and instruction manuals for filling out disclosure forms.~~

302. ~~Times of Filing and Periods Covered by Statements.~~

- a) ~~Initial Statements shall be filed by each designated employee within thirty (30) days after the effective date of this Code and shall disclose investments and interests in real property (but not income) held at the time of filing. Persons appointed, promoted, or transferred to designate positions shall file initial statements within thirty (30) days after the date of assuming the position.~~
- b) ~~Annual Statements shall be filed April 1 disclosing reportable investments, interests in real property and income held or received in the period since the closing date of the designated employee's previously filed statement and December 31<sup>st</sup>.~~
- c) ~~Leaving Office Statements shall be filed by every person who leaves a designated position specified in Exhibit "A" within thirty (30) days after leaving the position, disclosing his or her reportable investments, interests in real property and income during the period since the closing date of the previous statement filed pursuant to this Code. The statement shall include any reportable investments, interests in real property, and income held or received at any time during the period covered by the statement, whether or not still held at the time of filing.~~

ARTICLE IV  
DISQUALIFICATION

Section

~~400. Circumstance Requiring Disqualification.~~

- ~~a) A designated employee must disqualify himself or herself from making or participating in the making of any decision, or from using his or her official position to influence a SLORTA decision, if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from the decision's effect on the public generally, on any reportable\* financial interest (except gifts of less than \$250.00) or upon any business entity in which the designated employee holds a position of management or is a director, officer, partner, trustee, or employee.~~
- ~~b) No designated employee shall be prevented from making or participating in the making of any decision:
  - ~~1) Which relates to his or her compensation from the SLORTA, or the terms and conditions of his or her employment or contract with the SLORTA; or~~
  - ~~2) To the extent his or her participation is legally required for the decision to be made. The fact that an official's vote is needed to break a tie does not make his or her participation legally required for purposes of this section.~~~~

~~401. Manner of Disqualification.~~

- ~~a) If a person required to disqualify pursuant to Section 400 is a member of a decision-making board, commission or committee, he or she shall:
  - ~~1) Give notice of the existence of the conflict at the meeting during which consideration of the decision takes place, the notice to be made part of the official record; and~~
  - ~~2) Refrain from participating in the decision or in any way attempting to use his or her official position to influence the decision.~~~~
- ~~b) All other designated employees required to disqualify pursuant to Section 400 shall do so by notifying his or her supervisor in writing, describing with particularity the nature of the conflicting financial interest. Upon receipt of such statement, the supervisor shall reassign the matter to another employee.~~

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~~\* Although not required by this Code, under Government Code Section 87100 and other conflict of interest laws, a public official or employee (whether designated or not) may be required to disqualify himself or herself from making or participating in a decision in situations where a financial interest, although not subject to disclosure by a conflict of interest code, may foresee ably be materially affected by the decision.~~

~~SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY (SLORTA)~~  
~~Conflict of Interest Code~~

EXHIBIT A

Designated Position List

<u>Designated Position</u>	<u>Disclosure Category Numbers</u>
SLORTA Director	1,2,3
Alternate SLORTA Director	1,2,3
Regional Transit Manager	1,2,3
Accountant	1,2,3

~~(1) A SLORTA Director who is a Board of Supervisors Member reports under Conflict of Interest Code for the County Board of Supervisors and is not required to file a separate statement under the SLORTA Code.~~



~~SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY (SLORTA)~~  
~~Conflict of Interest Code~~

~~EXHIBIT B~~

~~Disclosure Categories~~

~~Category Number:~~ \_\_\_\_\_

- ~~1. Interests in real property<sup>(1)</sup> located within, or not more than one-half (1/2) mile outside the County boundary.~~
- ~~2. Investments<sup>(2)</sup> in, and income<sup>(3)</sup> from, any business entity doing business within the County.~~
- ~~3. Income<sup>(3)</sup> of any business entity in which the filer or spouse owns a 10% interest or greater, which is derived from client(s) or customer(s) who, with reasonable foresee ability, could be materially affected by the decisions made or participated in by the filer. Names of such client(s) or customer(s) must be reported under this category if the filer's pro rata share of fees from such client or customer was greater than \$1,000 in the reporting period in the case of businesses providing legal or brokerage services, or \$10,000 for all other types of businesses.~~

~~See Footnotes on following page.~~ \_\_\_\_\_

## FOOTNOTES

~~(Applicable to ALL Categories. See Referenced Sections of the Government Code for Complete Definitions.)~~

- ~~(1) — Interests in real property of the filer include those of the filer's spouse and dependent children as well as the filer's pro rata share of interests in real property owned by any business entity or trust in which filer or spouse owns a 10% interest or greater. Excluded are interests in real property with a fair market value of less than \$1,000 or property, which is used principally as the place of residence of the filer. (Government Code Sections 82033 and 87206.5)~~
- ~~(2) — Investments of a filer include those of the filer's spouse and dependent children as well as the filer's pro rata share of investments owned by any business entity or trust in which the filer or spouse owns a 10% interest or greater. Excluded are assets with the fair market value of less than \$1,000 or ownership of less than one-half (1/2) of 1% of the outstanding securities of a business entity whose securities are registered with the Securities and Exchange Commission. (Government Code Section 82034 and Section 101 of this Code)~~
- ~~(3) — Income includes a filer's community property interest in income of his or her spouse, as well as the filer's pro rata share of income of any business entity or trust in which the individual or spouse owns a 10% interest or greater. Income also includes non-family gifts worth more than \$25. (Government Code Section 82030)~~

## **Exhibit B**

### **CONFLICT OF INTEREST CODE**

#### **San Luis Obispo Regional Transit Authority**

The Political Reform Act, codified in Government Code section 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (“FPPC”) has adopted Title 2 of the California Code of Regulations, section 18730, which contains the terms of a standard conflict of interest code (“the model code”) that may be adopted by local agencies and its provisions incorporated by reference. The Fair Political Practices Commission, after public notice and a hearing, may amend section 18730 to conform to amendments to the Political Reform Act. The Board of Directors of the San Luis Obispo Regional Transit Authority has deemed it advisable to adopt the FPPC’s model code. Therefore, the terms of Title 2 of the California Code of Regulations, section 18730, and any future amendments to it duly adopted by the FPPC, along with attached disclosure categories (Appendix A) and designated position lists (Appendix B) set forth herein, constitute the conflict of interest code for the San Luis Obispo Regional Transit Authority.

Any person holding a position designated in Appendix B (Designated Position List) is required to file a Statement of Economic Interest in accordance with Title 2, section 18730 of the California Code of Regulations (a copy of which is attached hereto and incorporated herein by reference)<sup>1</sup>, disclosing those categories of interests designated in the applicable appendices and described in Appendix A (Disclosure Categories).

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<sup>1</sup>The attached model code is the most current version as of the date of this adoption of the model code. However, all persons filing pursuant to this code, should check the most current version of the model code, which may be found at section 18730 of Title 2, Division 6 of the California Code of Regulations.

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

**§ 18730. Provisions of Conflict of Interest Codes.**

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq . The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq .

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.<sup>1</sup>

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories

are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.<sup>2</sup>

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property<sup>3</sup> is required to be reported,<sup>4</sup> the statement shall contain the following:

1. A statement of the nature of the investment or interest;



2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,<sup>5</sup> the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,<sup>6</sup> the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$460.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected

officer has been elected or over which that elected officer's agency has direction and control.

This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

- a. The date the loan was made.
- b. The date the last payment of \$100 or more was made on the loan.
- c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

- 1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
- 2. A loan that would otherwise not be a gift as defined in this title.
- 3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
- 4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
- 5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$460 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be

made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.



This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

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<sup>1</sup> Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

<sup>2</sup> See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

<sup>3</sup> For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

<sup>4</sup> Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and

dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

<sup>5</sup> A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

<sup>6</sup> Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

#### HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).  
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).

7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).
9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).
18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
19. Editorial correction of subsection (a) (Register 98, No. 47).
20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).
22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).
23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third

Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate

District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

## Appendix A

### Disclosure Categories

#### Category Numbers:

1. Interests in real property located within or not more than two miles outside the County boundary.
2. Investments in, and income from, any business entity doing business within the County.
3. Income of any business entity in which the filer or spouse owns a 10% interest or greater that is derived from client(s) or customer(s) who, with reasonable foreseeability, could be materially affected by the decisions made or participated in by the filer. Names of such client(s) or customer(s) must be reported under this category if the filer's prorate share of fees from such client or customer was greater than \$10,000 for all types of investments.

See footnotes on the following page providing the definition of the above-referenced interests.

## Appendix B

### Designated Position Categories

<u>Position</u>	<u>Disclosure Category Numbers</u>
RTA Director <sup>1</sup>	1, 2, 3
Alternate RTA Director	1, 2, 3
Executive Director	1, 2, 3
Deputy Director/Chief Financial Officer	1, 2, 3
Grants and Financial Manager	1, 2, 3

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<sup>1</sup> A RTA Director who is a Board of Supervisors Member reports under Conflict of Interest Code for the County Board of Supervisors and is not required to file a separate statement under the RTA Code.



## FOOTNOTES

(Applicable to ALL Categories. See Referenced Sections of the Government Code for complete definitions.)

- (1) Interests in real property of the filer include those of the filer's spouse and dependent children as well as the filer's pro rata share of interests in real property owned by any business entity or trust in which filer or spouse owns a 10% interest or greater. Excluded are interests in real property with a fair market value of less than \$2,000 or property that is used principally as the filer's place of residence. (Government Code Sections 82033.)
- (2) Investments of a filer include those of the filer's spouse and dependent children as well as the filer's pro rata share of investments owned by any business entity or trust in which the filer or spouse owns a 10% interest or greater. Excluded are assets with the fair market value of less than \$2,000 and any other investment excluded under Government Code Section 82034 (Government Code Section 82034)
- (3) Income includes a filer's community property interest in income of his or her spouse, as well as the filer's pro rata share of income of any business entity or trust in which the individual or spouse owns a 10% interest or greater. Income also includes non-family gifts worth more than \$50.00 (including multiple gifts from single source which total \$50.00 or more in value). (Government Code Section 82030, 82028 and 87207)

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**January 4, 2017**

**STAFF REPORT**

**AGENDA ITEM: C-8**

**TOPIC: Resolution Authorizing Executive Director to  
Submit Application for FTA Section 5311 Funds**

**ACTION: Approve Resolution**

**PRESENTED BY: Omar McPherson, Grants and Financial Manager**

**STAFF RECOMMENDATION: Adopt Resolution**

**BACKGROUND/DISCUSSION:**

Beginning in FY03-04, SLOCOG and the San Luis Obispo Regional Transit Authority (RTA) agreed to program all federal funding from the FTA Section 5311 Program to RTA. In exchange, SLOCOG programs a similar amount of Transportation Development Act (TDA) funds for rural transit operators in the county.

In connection with the exchange program, RTA must submit an annual grant application to the FTA for the Section 5311 funds. The grant application must include a resolution, approved by the RTA Board, authorizing submittal of the grant application and authorizing the Executive Director to execute and file all assurances and any other documentation required by the FTA.

Once approved, the attached resolutions will become part of the grant application for FTA Section 5311 funding for FY17-18.

**Staff Recommendation**

Approve the attached resolution authorizing the Executive Director to submit a grant application for the entire amount of FTA Section 5311 funds apportioned in San Luis Obispo County for the purchase of various materials, supplies, equipment, and/or operations costs.

**AUTHORIZING RESOLUTION  
STATE OF CALIFORNIA  
FTA SECTION 5311 PROJECT OPERATING ASSISTANCE APPLICATION**

**RESOLUTION NO. 17-\_\_**

RESOLUTION AUTHORIZING THE FEDERAL FUNDING UNDER FTA SECTION 5311 (49 U.S.C. SECTION 5311) WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

**WHEREAS**, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act (**FTA C 9040.1F**); and

**WHEREAS**, the California Department of Transportation (Department) has been designated by the Governor of the State of California to administer Section 5311 grants for transportation projects for the general public for the rural transit and intercity bus; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority desires to apply for said financial assistance to permit operation of service in San Luis Obispo County; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the San Luis Obispo Regional Transit Authority does hereby authorize the Executive Director, to file and execute applications on behalf of San Luis Obispo Regional Transit Authority with the Department to aid in the financing of capital/operating assistance projects pursuant to Section 5311 of the Federal Transit Act (**FTA C 9040.1F**), as amended.

That Executive Director is authorized to execute and file all certification of assurances, contracts or agreements or any other document required by the Department.

That Executive Director is authorized to provide additional information as the Department may require in connection with the application for the Section 5311 projects.

That Executive Director is authorized to submit and approve request for reimbursement of funds from the Department for the Section 5311 project(s).

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 4<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
President of the RTA Board

ATTEST:

\_\_\_\_\_  
Geoff Straw  
Executive Director

APPROVED AS TO FORM AND LEGAL EFFECT:

By: \_\_\_\_\_  
Timothy McNulty  
RTA Counsel

Dated: \_\_\_\_\_  
(Original signature in BLUE ink)

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**January 4, 2017**

**STAFF REPORT**

**AGENDA ITEM:** C-9

**TOPIC:** Authorization to Open Bank Account

**PRESENTED BY:** Tania Arnold, CFO/Deputy Director

**STAFF RECOMMENDATION:** Approve Resolution Authorizing RTA CFO to Open Bank Account with Pacific Western Bank

**BACKGROUND/DISCUSSION:**

In November 2016, the County of San Luis Obispo transferred bank accounts from Rabobank to Pacific Western Bank. RTA uses the County Treasury department as our main bank account, but we also have a separate account for payroll purposes, which is currently with Rabobank. In order to keep banking streamlined, staff recommending that RTA open a new account with Pacific Western Bank and then close the current account with Rabobank.

**Staff Recommendation**

Approve resolution authorizing the RTA CFO/Deputy Director to open bank account with Pacific Western Bank.

**RESOLUTION NO. 17-\_\_\_\_\_**  
**A RESOLUTION AUTHORIZING SAN LUIS OBISPO**  
**REGIONAL TRANSIT AUTHORITY CHIEF FINANCIAL OFFICER**  
**TO OPEN ACCOUNT WITH PACIFIC WESTERN BANK**

**WHEREAS**, the San Luis Obispo Regional Transit Authority (RTA) is a Joint Powers Agency which has local bank accounts; and

**WHEREAS**, the RTA staff has requested formal authority from the RTA Board to authorize the RTA Chief Financial Officer / Deputy Director to change financial institutions from Rabobank to Pacific Western Bank and authorize staff signatory powers,

**THEREFORE, BE IT RESOLVED**, that the RTA Executive Director, the Deputy Director/Chief Financial Officer, and the Grants and Financial Manager be formally designated as the signatory for all San Luis Obispo Regional Transit Authority local bank accounts.

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 4<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
President of the RTA Board

ATTEST:

\_\_\_\_\_  
Geoff Straw  
Executive Director

APPROVED AS TO FORM AND LEGAL EFFECT:

By: \_\_\_\_\_  
Timothy McNulty  
RTA Counsel

Dated: \_\_\_\_\_