

**AGENDA
REGULAR MEETING
LOCAL TRANSPORTATION AUTHORITY**

DATE: Thursday, June 19, 2014
3:00 P.M.

LOCATION: **Board of Supervisors Chambers**
481 Fourth Street, Hollister, CA 95023

DIRECTORS: Chair Victor Gomez, Tony Boch, Anthony Botelho,
Jerry Muenzer and Robert Scattini
Alternates: San Benito County: Jaime De La Cruz;
City of Hollister: Pauline Valdivia; San Juan Bautista: Andy Moore

*Persons who wish to address the Board of Directors must complete a Speaker Card and give it to the Clerk prior to addressing the Board. Those who wish to address the Board on an agenda item will be heard when the Chairperson calls for comments from the audience. Following recognition, persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the Public Comment portion of the agenda item will be closed. **The opportunity to address the Board of Directors on items of interest not appearing on the agenda will be provided during Section B. Public Comment.***

3:00 P.M. CALL TO ORDER:

- A. **ACKNOWLEDGE** Certificate of Posting
- B. **PUBLIC COMMENT:** (Opportunity to address the Board on items of interest not appearing on the agenda. No action may be taken unless provided by Govt. Code Sec. 54954.2. **Speakers are limited to 3 minutes.**)

CONSENT AGENDA:

(These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent Agenda. Members of the public who wish to speak on a Consent Agenda item must submit a Speaker Card to the Clerk and wait for recognition from the Chairperson. Approval of a consent item means approval as recommended on the Staff Report.)

1. **APPROVE** Local Transportation Authority Draft Meeting Minutes Dated April 17, 2014 – Gomez
2. **APPROVE** LTA Transaction Report (Financial Claims) Dated April through May 2014 – Postigo
3. **AUTHORIZE** County Express Shuttle Service to the San Benito County Fair - LiOwen
4. **ADOPT** LTA Resolution 2014-01 Certifying the San Benito County Local Transportation Authority's Title VI Program – Lezama
5. **APPROVE** FY 2014/15 Local Transportation Authority Final Budget – Postigo

Adjourn to LTA Meeting on Thursday, July 17, 2014. Agenda deadline is July 8, 2014 at 12:00 p.m.

In compliance with the Americans with Disabilities Act (ADA), if requested, the Agenda can be made available in appropriate alternative formats to persons with a disability. If an individual wishes to request an alternative agenda format, please contact the Clerk of the Council four (4) days prior to the meeting at (831) 637-7665. The Local Transportation Authority Board of Directors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 637-7665 at least 48 hours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.

**San Benito County
LOCAL TRANSPORTATION AUTHORITY
REGULAR MEETING**

April 17, 2014 3:00 P.M.

DRAFT MINUTES

MEMBERS PRESENT:

Director Boch, Director Botelho, and Director Muenzer

MEMBERS ABSENT:

Chair Gomez, Director Scattini

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Executive Director, Lisa Rheinheimer; Administrative Services Specialist, Kathy Postigo; Transportation Planner, Veronica Lezama; Transportation Planner, Betty LiOwen, Transportation Intern, Regina Valentine; Secretary, Monica Gomez

CALL TO ORDER:

Upon a motion duly made by Director Muenzer, and seconded by Director Botelho, the Directors appointed Director Boch as Chair Pro-Tempore.

Chair Pro-Tempore Boch called the meeting to order at 4:40 p.m.

A. CERTIFICATE OF POSTING

Upon a motion duly made by Director Botelho, and seconded by Director Muenzer, the Directors unanimously acknowledged the Certificate of Posting.

B. PUBLIC COMMENT: None

CONSENT AGENDA:

- 1. Approve** Local Transportation Authority Draft Meeting Minutes Dated March 20, 2014 – Gomez
- 2. Approve** LTA Transaction Report (Financial Claims) dated February 2014 – Postigo
- 3. Approve and Release** Request for Proposals #2014-03 to Replace Phone Systems – LiOwen

There was no public comment on the Consent Agenda.

Upon a motion duly made by Director Muenzer, and seconded by Director Botelho, the Directors unanimously approved Items 1-3 of the Consent Agenda. Vote: 3/0 motion passes

REGULAR AGENDA:

- 4. Consider** Request from Transit Rider to Change Policy from Curb to Curb Service – (Verbal Report) LiOwen

Ms. LiOwen reported that staff received a request regarding the Curb to Curb Paratransit service. Ms. LiOwen explained that the Curb to Curb service means that the bus literally goes to the location to pick-up a rider at the curb. The driver does not get out of the bus to help the rider onto the bus, unless they require a wheelchair lift. The driver does the same thing when they arrive at the destination. The drivers are told not to provide any assistance to passengers with carrying items, such as groceries. Although,

some of the drivers do help some of the passengers who are elderly or disabled out of the kindness of their hearts.

Ms. LiOwen stated that this client is asking that it becomes policy that all drivers are required to provide assistance on the County Express Paratransit service. This client uses a wheelchair and has limited mobility. The client is asking that the policy is extended because the drivers who are not helping her are placing her groceries on the curb in front of her house and she is having to take the groceries into her house herself. The client is asking that the Board change the County Express Paratransit service to operate more like Jovenes de Antaño's (JDA) Medical Shopping Assistance Program, where the driver comes to the door, helps the client in and out of the vehicle, helps with shopping and carrying groceries onto the bus and then into the house.

Ms. LiOwen stated that under the ADA, the Paratransit service is supposed to compliment or mirror the Fixed Route service. The Fixed Route service does not offer the assistance of carrying groceries from the bus into the home, therefore the Paratransit services are not required to do that.

Ms. LiOwen spoke with Mary Leon, County Express Operations Manager, about any potential issues that may come up if the Paratransit service did change. Ms. Leon stated that there could be an increase in drivers getting hurt carrying groceries and liability issues that may occur if items are damaged. Also, it would require the driver to leave the bus completely unattended with possible passengers who may be young children, elderly, or disabled. There is also a potential to decrease productivity and increase the cost per passenger because it would take additional time to provide assistance.

Currently, the client is not able to use the JDA service because they operate the Medical Shopping Assistance program Monday-Friday and the client attends school Monday-Friday. Staff provided the following options:

- No changes, leave the policy as is.
- Modify JDA's contract to allow them to provide this service on the weekends, eliminating the need to change the Paratransit service.
- Staff also recommended taking this item to the Social Services Transportation Advisory Council to review and provide a more detailed policy recommendation to the Board.

Although, the Board sympathized with the elderly, and disabled clients they did not think that the County Express drivers should be required to provide the service due to the liability issues that were mentioned.

Ms. LiOwen stated that the option to extend the Medical Shopping Assistance program with Jovenes de Antaño would be a simple solution of a contract amendment. Staff would modify the JDA contract to extend the service through the weekend as long as they stay within the allowable hours are currently allowed under the contract.

The Board directed staff to bring back a proposed contract change with Jovenes de Antaño to extend to the weekend hours, provided that it stays within the current contracted hours.

There was no public comment on this item.

5. Receive Presentation on FY 2014/15 Local Transportation Authority Draft Budget -- Postigo

Ms. Postigo provided a report on the FY 2014/15 Local Transportation Authority Draft Budget.

Ms. Postigo noted that the LTA Draft Budget includes adjusting personnel to allow for an anticipated step increase. LTA staff is requesting to change classifications and add a part-time temporary position to better

serve the needs of LTA. The savings to personnel is between \$59,500 up to \$60,400. In summary, the LTA meets the goals and objectives of the agency and matches anticipated funding with expenses.

Ms. Postigo stated that staff will bring the Draft Budget back in May for a public hearing and back again in June for approval of the Final Budget.

There was no discussion or public comment on this item.

Upon a motion duly made by Director Botelho, and seconded by Director Muenzer, the Directors unanimously adjourned the LTA meeting at 4:58 p.m. Vote: 3/0 motion passes.

ADJOURN TO LTA MEETING MAY 15, 2014.

Council of San Benito County Governments
LTA Transaction Report
 April through May 2014

06/10/14

Date	Num	Name	Class	Amount
LTA				
4/4/2014	01241914	Tiffany Motor Company	LTA	65.36
4/4/2014	01241914	Tiffany Motor Company	LTA	38.34
4/4/2014	01241914	Tiffany Motor Company	LTA	65.36
4/4/2014	01241915	San Benito Tire Inc.	LTA	1,581.26
4/4/2014	01241915	San Benito Tire Inc.	LTA	260.45
4/4/2014	01241915	San Benito Tire Inc.	LTA	129.95
4/4/2014	01241915	San Benito Tire Inc.	LTA	20.00
4/4/2014	01241935	Majic Consulting Group	LTA	7,122.06
4/8/2014	01241984	Interstate Battery System	LTA	236.41
4/8/2014	01242003	MV Transportation	LTA	70,692.15
4/8/2014	01242003	MV Transportation	LTA	68,058.18
4/23/2014	01242559	Bay Area Bus Repair, Inc.	LTA	258.19
4/23/2014	01242562	MV Transportation	LTA	76,807.34
4/30/2014	01242808	Access Options Inc.	LTA	700.00
5/5/2014	01243013	Mission Uniform Service	LTA	34.17
5/5/2014	01243013	Mission Uniform Service	LTA	34.17
5/5/2014	01243013	Mission Uniform Service	LTA	34.17
5/8/2014	01243140	Jovenes de Antano	LTA	23,709.10
5/8/2014	01243140	Jovenes de Antano	LTA	21,390.62
5/9/2014	01243210	Tiffany Motor Company	LTA	99.62
5/9/2014	01243210	Tiffany Motor Company	LTA	199.25
5/9/2014	01243210	Tiffany Motor Company	LTA	83.96
5/9/2014	01243212	San Benito Tire Inc.	LTA	159.95
5/9/2014	01243212	San Benito Tire Inc.	LTA	273.41
5/9/2014	01243214	Hollister Auto Parts	LTA	1,203.70
5/12/2014	01243287	Tiffany Motor Company	LTA	1,183.00
5/12/2014	01243292	Safety-Kleen Systems, Inc.	LTA	224.73
5/12/2014	01243323	Cintas Corporation	LTA	55.92
5/12/2014	01243323	Cintas Corporation	LTA	25.00
5/12/2014	01243323	Cintas Corporation	LTA	25.68
5/12/2014	01243323	Cintas Corporation	LTA	58.94
5/12/2014	01243328	Coast Oil Company	LTA	44.34
5/12/2014	01243328	Coast Oil Company	LTA	88.69
5/13/2014	01243344	Mission Uniform Service	LTA	170.85
Total LTA				275,134.32
TOTAL				275,134.32

Staff Report

To: Local Transportation Authority
From: Betty LiOwen, Transportation Planner Telephone: (831) 637-7665
Date: June 19, 2014
Subject: County Express Service to San Benito County Fair

Recommendation:

AUTHORIZE County Express Shuttle Service to the San Benito County Fair.

Summary:

The Authority provided a shuttle service to the County Fair in 2013 and provided 231 rides. The County Fair will be held October 3 through October 5, 2014 and staff would like offer a shuttle service for fair attendees.

Financial Considerations:

The financial impact for this service is approximately \$1,055.

Background:

The San Benito County Fair is scheduled October 3 through October 5, 2014. Staff is asking for the Board to authorize shuttle service to the fair on those dates. Staff will work with the Hollister Airshow to select an appropriate schedule and stop locations, including the possibility of service to San Juan Bautista.

Staff Analysis:

The shuttle service would operate beginning at 9:30 A.M., with the last pick up at the County Fairgrounds at 6:00 P.M. Attendees will bypass the main gates and will be dropped off near the Pavilion. A coordinator will meet the attendees to pay the entrance fees. Staff anticipates the bus to arrive every hour. Staff is still working out details with San Benito County Fair on logistics. If approved, this would be the second year the Local Transportation Authority will be providing this service.

The additional shuttle service would allow the Local Transportation Authority to market its services to residents who are not familiar with County Express to try transit. Many times a person does not try transit because they do not understand how the system works or are afraid of something new. The shuttle service would provide them an opportunity to familiarize themselves to the vehicle, driver, and service levels. The driver on the vehicle would have service brochures on hand to provide attendees.

Staff does not recommend charging a fare for the service. Parking at the Fair is \$5.00 per vehicle. A family of two adults and children would pay \$7.00 in bus fares for a round trip; making it financially unreasonable for the family to take the shuttle service. By not charging a fare or having a third party pay for the service, the agency is exempt from Charter Bus regulations (49 CFR Section 604).

In addition to the marketing potential, the shuttle service would be a positive impact to the County Fair. The shuttle service has the potential to:

- Bring more attendees
Individuals without personal vehicles will be able to ride the shuttle to the County Fair, increasing the number of potential customers for vendors and sales tax generation.
- Increase safety
Alleviate the parking situation on the fairgrounds. In past years, attendees begin illegally parked their vehicles on the side of the road once the parking lot was full.

After the shuttle services were provided in 2013, staff learned areas in which the shuttle service could be improved upon. This included recommendations to increase marketing efforts and the services and will work on developing a

- Increase marketing of shuttle services
- Utilize a simple ridership survey to generate more data

After the fair, staff report on the ridership to the Board of Directors.

Executive Director Review:_____

Counsel Review: N/A

Staff Report

To: Local Transportation Authority
From: Veronica Lezama, Transportation Planner Telephone: (831) 637-7665
Date: June 19, 2014
Subject: Title VI Program

Recommendation:

ADOPT LTA Resolution 2014-01 certifying the San Benito County Local Transportation Authority's Title VI Program.

Summary:

The Federal Transit Administration (FTA) has updated the Title VI Circular to 4702.1B. FTA's revised circular provides guidance to grantees, such as the San Benito County Local Transportation Authority, on how to comply with Title VI regulations, as well as to ensure grantees provide meaningful language access to persons who are limited English proficient.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal funds.

Financial Impact:

In order to be eligible for Federal Transit Administration funds, such as the 5311, the Local Transportation Authority must adopt the Title VI Program certifying that it complies with Title VI Circular to 4702.1B. San Benito County receives \$363,178 annually in FTA Section 5311 funds.

Background:

The objective of the Title VI Program is to provide guidance and procedures to help FTA recipients:

- a. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
- b. Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
- c. Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

Staff Analysis:

The Federal Transit Administration (FTA) Office of Civil Rights recently updated its Circulars for Title VI of the Civil Rights Act of 1964. These circulars provide project evaluation guidance for transit agencies when they are considering changes in services and building new infrastructure.

Some of those proposed changes in the draft Circulars will not apply to San Benito County. However, it does require all recipients to submit the following to the FTA Office of Civil Rights:

- Title VI Notice to Public, Complaint Procedure, and Complaint Form
- Limited English Proficiency (LEP) Plan and a Public Involvement Plan
- A list of investigations, lawsuits, and complaints
- Information regarding the location of fixed route facilities
- Table depicting racial composition of membership of non-elected bodies
- Adoption of service standards and policies

Staff has prepared the Title VI Program, Attachment 2, in order to comply with the updated guidance from the Federal Transit Administration. As such, the San Benito County Local Transportation Authority Board of Directors is being asked to consider adopting LTA Resolution No. 2014-01 certifying that it complies with Title VI Circular to 4702.1B.

Executive Director Review:_____

Counsel Review: Yes

Attachments:

1. Resolution 2014-01
2. Title VI Program

BEFORE THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY

A RESOLUTION OF THE SAN BENITO COUNTY)
LOCAL TRANSPORTATION AUTHORITY BOARD)
OF DIRECTORS ADOPTING THE SAN BENITO)
COUNTY LOCAL TRANSPORTATION)
AUTHORITY'S TITLE VI COMPLIANCE PROGRAM)
_____)

Resolution No. 2014-01

WHEREAS, the San Benito County Local Transportation Authority (LTA) desires to comply with Title VI of the Civil Rights of 1964, including new provisions detailed in U.S. Department of Transportation's Federal Transit Administration Circular 4702.1B, "Title VI Requirement and Guidelines for the Federal Transit Administration Recipients."

WHEREAS, the LTA Board of Directors wishes to adopt the Title VI Compliance Program developed by staff, attached hereto and incorporated herein by reference as Exhibit A, in order to comply with the necessary provisions of the Civil Rights Act.

NOW, THEREFORE BE IT RESOLVED, by the San Benito County Local Transportation Authority Board of Directors as follows:

1. The Board of Directors hereby adopts the San Benito County Local Transportation Authority's Title VI Compliance Program (Exhibit A);
2. The LTA Executive Director or his/her designee is authorized to implement components of the Program in order to meet the federal requirements.
3. The LTA Executive Director or his/her designee is authorized to implement policies that may be necessary to comply with subsequent revisions to or interpretations of the Civil Right Act.

PASSED AND ADOPTED by the San Benito County Local Transportation Authority, on this 19th day of June, 2014.

AYES:
NOES:
ABSTAINING:
ABSENT:

Victor Gomez, Chair

ATTEST:
Lisa Rheinheimer, Executive Director

APPROVED AS TO LEGAL FORM:
SAN BENITO COUNTY COUNSEL'S OFFICE

By: _____

By: Shirley L. Murphy
Shirley L. Murphy, Deputy County Counsel

Dated: _____

Dated: June 13, 2014

San Benito County Local Transportation Authority's Title VI Program

**Approved and Adopted by Board of Directors
June 19, 2014**

SAMPLE Table of Contents*

Title VI Notice to the Public
List of Locations Where Title VI Notice Is Posted
Title VI Complaint Procedures
Title VI Complaint Form
List of Transit-Related Title VI Investigations, Complaints, and Lawsuits
Public Participation Plan
Summary of Outreach Efforts
Language Assistance Plan
Table Depicting the Membership of Non-Elected Committees And Councils
Description of Subrecipient Monitoring and Schedule of Subrecipient Title VI Program Submissions
Title VI Equity Analysis
Additional Information for Transit Providers that operate less than 50 fixed route vehicles in peak service and are not located in an Urbanized Area (UZA) of 200,000:
System-Wide Policies and Service Standards
Effective Practices to Fulfill the Service Standard Requirement
Effective Practices to Fulfill the Service Policy Requirement
Board of Directors Approval of [Agency]'s Title VI Program
Appendices

This document was prepared by Local Transportation Authority and approved by its Board of Directors to comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in U.S. Department of Transportation's FTA Circular 4702.1B, "Title VI Requirement and Guidelines for Federal Transit Administration Recipients."

* Caltrans DMT has developed a fillable PDF Title VI Program Checklist that should be consulted when organizing your Title VI Program. This checklist must be included with plans that are submitted to Caltrans and is available at <http://www.calact.org/assets/Title%20VI%20Program%20Checklist.pdf>

Contents

Title VI Notice to the Public.....	4
Policy.....	4
Location of Title VI Notice Posting.....	4
Complaint Procedure	5
Title VI Complaint Form	6
List of Transit-Related Title VI Investigations, Complaints, and Lawsuits	8
Public Participation Plan.....	8
Language Assistance Plan.....	13
Plan Summary	13
Four – Factor Analysis	14
Potential Number of LEP Persons Served.....	14
Service Contact Frequency of LEP Persons.....	15
Significance of Programs to LEP Persons.....	15
Available Resources for LEP Assistance	15
Implementation	15
Identifying LEP Individuals Who Need Language Assistance	16
Language Assistance Measures	16
Staff Training	17
Public Involvement	17
Monitoring and Updating the LEP Plan	17
Notice to LEP Persons.....	18
Membership of Non-Elected Committees and Councils	19

Title VI Notice to the Public

Notifying the Public of Rights Under Title VI

San Benito County Local Transportation Authority

The San Benito County Local Transportation Authority operates its programs and services ensuring that no person shall be excluded from the equal distribution of its services and amenities based on their race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminator practice under Title VI may file a complaint with the San Benito County Local Transportation Authority.

For more information on the San Benito County Local Transportation Authority's Civil Rights Program, and the procedures to file a complaint, contact 831.637.7665; or visit our Administration Office at 330 Tres Pinos Road, Suite C7, Hollister, CA 95023. For more information, visit www.SanBenitoCountyExpress.org.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE, Washington DC 20590.

Si la información es necesaria en otra idioma contacto 831.637.7665 para obtener ayuda o visite www.SanBenitoCountyExpress.org/home_es.php.

Policy

The San Benito County Local Transportation Authority operates its programs and services ensuring that no person shall be excluded from the equal distribution of its services and amenities based on their race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminator practice under Title VI may file a complaint with the San Benito County Local Transportation Authority.

Title VI of the Civil Rights Act of 1964 requires that no person in the United States, on the grounds of race, color or national origin be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency.

Location of Title VI Notice Posting

The San Benito County Local Transportation Authority's Title VI Notice to the Public is at the following locations:

Location Name	Address	City
Administration Office	330 Tres Pinos Road, Suite C7	Hollister
Operations Facility	3240 Southside Road	Hollister

The Title VI notice and program information is also provided on San Benito County Local Transportation Authority's website at: www.SanBenitoCountyExpress.org/TitleVI

Complaint Procedure

Any person who believes that they have been excluded from, denied the benefits of, or been subjected to discrimination may file a written complaint with the San Benito County Local Transportation Authority (LTA). Federal and State law requires complaints be filed within one-hundred eighty (180) calendar days of the last alleged incident.

To request additional information on LTA's nondiscrimination obligations or to file a Title VI Complaint, please submit your request to:

San Benito County Local Transportation Authority
Attn: Title VI Complaint
330 Tres Pinos Road, Suite C7
Hollister, CA 95023
Tel: 831.637.7665 Fax: 831.636.4160

Complaint Forms can also be obtained at the LTA Office at 330 Tres Pinos Road, Suite C7 in Hollister, CA or online at www.SanBenitoCountyExpress.org/TitleVI. A

A complainant may file a complaint directly with the Federal Transit Administration by submitting a complaint to:

Office of Civil Rights
Attention: Title VI Program Coordinator,
East Building, 5th Floor-TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

The LTA will begin an investigation within fifteen (15) working days of receipt of a complaint and will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed. If the complainant fails to provide the requested information in a timely basis, the LTA may administratively close the complaint.

LTA will complete the investigation within ninety (90) days of receipt of the complaint. If additional time is needed for investigation, complainant will be contacted. A written investigation report will be prepared by the investigator. This report shall include a summary description of the incident, findings and recommended corrective action.

A closing letter will be provided to the complainant and the respondent or respondent department. Parties will have five (5) working days from receipt of the closing letter to appeal. If neither party appeals, the complaint will be closed. If required, the investigation report will be forwarded to the appropriate federal agency.

Title VI Complaint Form

Section I: Please write legibly		
1. Name:		
2. Address:		
3. Telephone:	3.a. Secondary Phone (Optional):	
4. Email Address:		
5. Accessible Format Requirements?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other
Section II:		
6. Are you filing this complaint on your own behalf?	YES*	NO
*If you answered "yes" to #6, go to Section III.		
7. If you answered "no" to #6, what is the name of the person for whom you are filing this complaint? Name:		
8. What is your relationship with this individual:		
9. Please explain why you have filed for a third party:		
10. Please confirm that you have obtained permission of the aggrieved party to file on their behalf.	YES	NO
Section III:		
11. I believe the discrimination I experienced was based on (check all that apply):		
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin		
12. Date of alleged discrimination: (mm/dd/yyyy)		
13. Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.		

Section IV:		
14. Have you previously filed a Title VI complaint with the San Benito County Local Transportation Authority?	YES	NO
Section V:		
15. Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
[] YES* [] NO		
If yes, check all that apply:		
[] Federal Agency _____	[] State Agency _____	
[] Federal Court _____	[] Local Agency _____	
[] State Court _____		
16. If you answered "yes" to #15, provide information about a contact person at the agency/court where the complaint was filed.		
Name: _____		
Title: _____		
Agency: _____		
Address: _____		
Telephone: _____		Email: _____
Section VI:		
Name of Transit Agency complaint is against: _____		
Contact Person: _____		
Telephone: _____		

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date are required below to complete form:

Signature _____ Date _____

Please submit this form in person or mail this form to the address below:

San Benito County Local Transportation Authority
 Attn: Title VI Complaint
 330 Tres Pinos Road, Suite C7
 Hollister, CA 95023

List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

Type of Process	Date	Summary (including basis of complaint)	Status	Action(s) Taken
Investigations				
1. None				
2. None				
Lawsuits				
1. None				
2. None				
Complaints				
1. None				
2. None				

List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

The San Benito County Local Transportation Authority has not been involved in any transit-related Title VI investigations, complaints, or lawsuits.

Public Participation Plan

The San Benito County Local Transportation Authority is committed to inform and involving the public in the planning a delivery of its public transit services in its service area. In collaboration with the Association of Monterey Bay Area Governments (AMBAG), the *Monterey Bay Area Public Participation Plan* was created for member agencies to use in the Monterey Bay Area Region.

Purpose

The purpose of the *Monterey Bay Area Public Participation Plan* is to guide all public involvement activities to ensure that the community is informed and given a chance to be involved with the activities of San Benito County Local Transportation Authority.

Population of San Benito County

Service Area

County Express

County Express service area comprises the Cities of Hollister and San Juan Bautista, some areas of northern San Benito County and two bus stops in the City of Gilroy in Santa Clara County. The bus stops are located at Gavilan College and also the Gilroy Transit Station.

All County Express services are open to the public except for its Paratransit service. A person must have a disability that prevents him/her to from accessing Fixed Route services within $\frac{3}{4}$ of a

mile. The LTA is responsible for determining the eligibility for residents in San Benito County and authorizing visitor usage from other counties.

Specialized Transportation

The LTA provides door-through-door specialized transportation for persons over the age of 60 and/or have a disability. The service is open to all eligible residents of San Benito County, making the service area approximately 1,390 square miles. Eligibility of this service is determined by its operator.

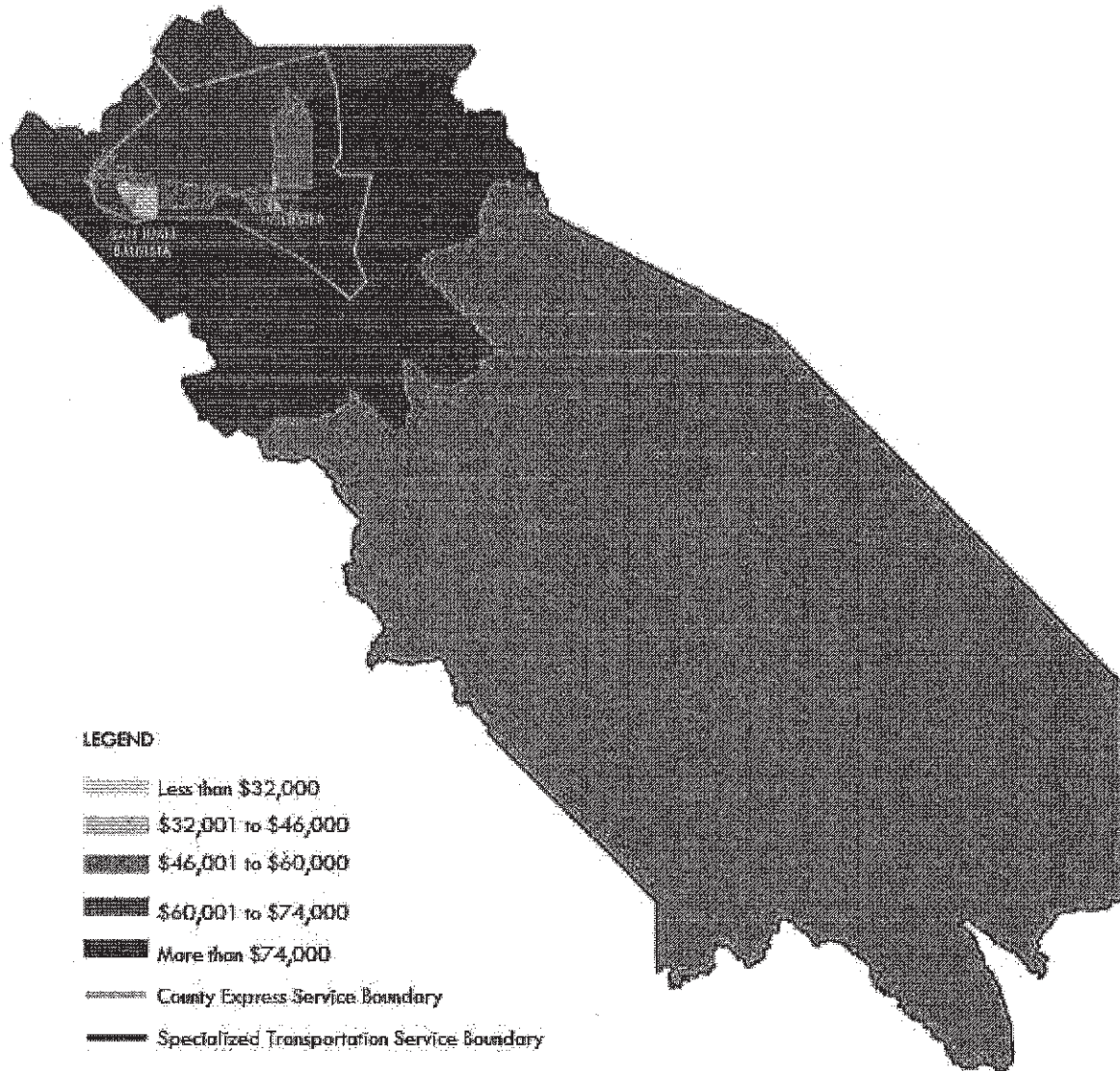


Figure 1 – Median Household Income within County Express and Specialized Transportation
Courtesy of ESRI¹

¹ ESRI. "Median Household Income 2011." ArcGIS Online. ESRI, 2012. Web. 14 Dec 2012.
<<http://www.arcgis.com/home/webmap/viewer.html?webmap=7aa2e079cdc04971b86992aba13c5d59>>.

Demographic

According to the 2010 United States Census³, San Benito County's population increased 3.8% from the previous census to 55,269. Approximately, 36% of the population is under the age of 18 and 10% of the population is 65 years old or older.

There are 16,785 households in San Benito County. The median household income was \$65,570 while the Per Capita Income was \$26,300. Additionally, 11.3% of the County's population is considered to be below or at the Federal Poverty Level. Of the total number of households, 646 households do not own a personal vehicle.

Data Deficiency

The LTA does not track the racial and ethnicity makeup of its riders, which resulted in the limited analysis. As result, the LTA is unable to fully analyze the impacts of the fare increase on minorities. The LTA plans to include additional questions regarding racial and ethnic makeup of its riders on new surveys it will conduct. The information would be used to in future analyses of fares and services.

Race and Ethnicity of San Benito County

Hispanic or Latin	
White Alone	25.4%
Black or African American Alone	0.2%
American Indian and Alaska Native Alone	1.2%
Asian Alone	0.3%
Native Hawaiian and Other Pacific Islander Alone	0.1%
Some Other Race Alone	26.1%
Two or More Races	3.2%
Not Hispanic or Latino	
White Alone	38.3%
Black or African American Alone	0.6%
American Indian and Alaska Native Alone	0.4%
Asian Alone	2.3%
Native Hawaiian and Other Pacific Islander Alone	0.1%
Some Other Race Alone	0.1%
Two or More Races	1.7%

Table 1 – San Benito County Demography² Courtesy of 2010 U.S. Census Bureau

² U.S. Census Bureau. "DP-1 Profile of General Population and Housing Characteristics: 2010 Demographic Profile Data ."American FactFinder. U.S. Census Bureau, 2010. Web. 14 Dec 2012.

<http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC_10_DP_DPDP1>.

³ U.S. Census Bureau. "DP-1 Profile of General Population and Housing Characteristics: 2010 Demographic Profile Data ."American FactFinder. U.S. Census Bureau, 2010. Web. 14 Dec 2012.

<http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC_10_DP_DPDP1>.

Public Participation Process

Approach to Public Participation

The public participation process should be considered at the earliest stages of any LTA project that may impact the surrounding community, its riders, and potential riders. As projects vary in time and size, the public participation process may vary for each, as well as the extent of public participation. The following outlines tools and strategies to ensure that public input is invited and all foreseeable impacts to the community are considered.

Outreach Requirements and Activities

The following activities are intended to serve as guidelines for minimum levels of outreach to ensure that all riders and potential riders in San Benito County have equal access and opportunity to participate in transportation planning and decision-making. These also provide strategies for soliciting input and engaging various communities.

Minimum Outreach Requirements

- ☐ Notice for public events may include media releases to local papers, social media, flyers at bus stops and onboard buses.
- ☐ Any notices will be posted prior to the public event.
- ☐ Notices may be posted at the LTA Office at key community centers with whom LTA has a relationship.
- ☐ Information about public participation opportunities will also be posted on LTA's website, Facebook, and Twitter accounts prior to the event.
- ☐ Comments will be accepted via public outreach events, via email, by mail, by fax, social media (i.e. Facebook and Twitter), and by phone to ensure that all populations have the opportunity to participate.

Summary of Outreach Efforts Made Since Last Title VI Submission

Outreach LTA efforts include:

- Conducted several public meeting on the development of the Short Range and Long Range Transit Plan
- Conduct public hearings and meeting on the development of the 2014 Regional Transportation Plan which includes a component on public transit
- Conducted several year round Ad hoc outreach efforts with the Social Services Transportation Advisory Council
- Conduct annual Unmet needs processes as required by state statute to conduct a formal hearing process that solicits information about transit needs. This allows the county San Benito Council of Governments in partnership with the LTA to make a determination as to whether these are unmet transit needs and whether these are transit needs that can be reasonably met.
- Outreach for Coordinated Plan Updates, as needed.

Outreach Methods to Engage Minority and Limited English Proficient Populations

1. Notices will be made bilingual or Spanish language notices will be developed and posted with English notices.
2. Spanish-language notices will be posted on vehicles.
3. Event information on LTA's website will be posted in English and Spanish.
4. LTA will distribute event information to community groups and agencies that work with LEP populations, if such contacts exist.
5. As identified in its Language Assistance Plan, the LTA has full time staff to provide language assistance for customers and callers that are Spanish speaking.
6. Spanish interpretation or translation are provided at any public meetings or workshop.

Currently, Spanish is the only quantifiable population within LTA's service area that is limited English proficient. The LTA will continue assessing the language needs of citizens in its service area through its Language Assistance Plan. At such time, as another group with limited English proficiency reaches significant mass, the LTA will review this plan and its strategies to engaging with non-English speaking populations.

Language Assistance Plan

The San Benito County Local Transportation Authority prepared a Language Assistance Plan (LAP) to address its responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. LAP has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1A dated May 13, 2007, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

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

Plan Summary

The LTA operates and administers County Express and Specialized Transportation and has developed the LAP to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by LTA. County Express operates traditional public transit services: Fixed Route, Paratransit, Dial-A-Ride, and Intercounty. Specialized Transportation provides personalized services: Out-of-County Non-Emergency Medical Services, Senior Lunch Transportation Program, and Medical Shopping Assistance Program.

The LAP outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify Limited English Proficiency (LEP) persons that assistance is available.

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

1. *Potential Number of LEP Persons Served* – The number or proportion of LEP persons in the service area who may be served or are likely to encounter a LTA program, activity or service.
2. *Service Contact Frequency of LEP Persons* – The frequency with which LEP persons come in contact with LTA programs, activities or services.
3. *Significance of Programs to LEP Persons* – The nature and importance of programs, activities or services provided by LTA to the LEP population.
4. *Available Resources for LEP Assistance* – Available resources to the LTA and overall costs to provide LEP assistance.

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

Four – Factor Analysis

Potential Number of LEP Persons Served

The LTA used past experiences and consulted to the 2000 U.S. Census to determine the likelihood that the LEP population would use an LTA program or service. Due to the rural population of San Benito County, the smallest geographical area for identification is the use of Census Tracts. Eight Census Tracts were fully, or partially, located in the service area for County Express. All eight Census Tracts were fully located in the service area for its Specialized Transportation Services.

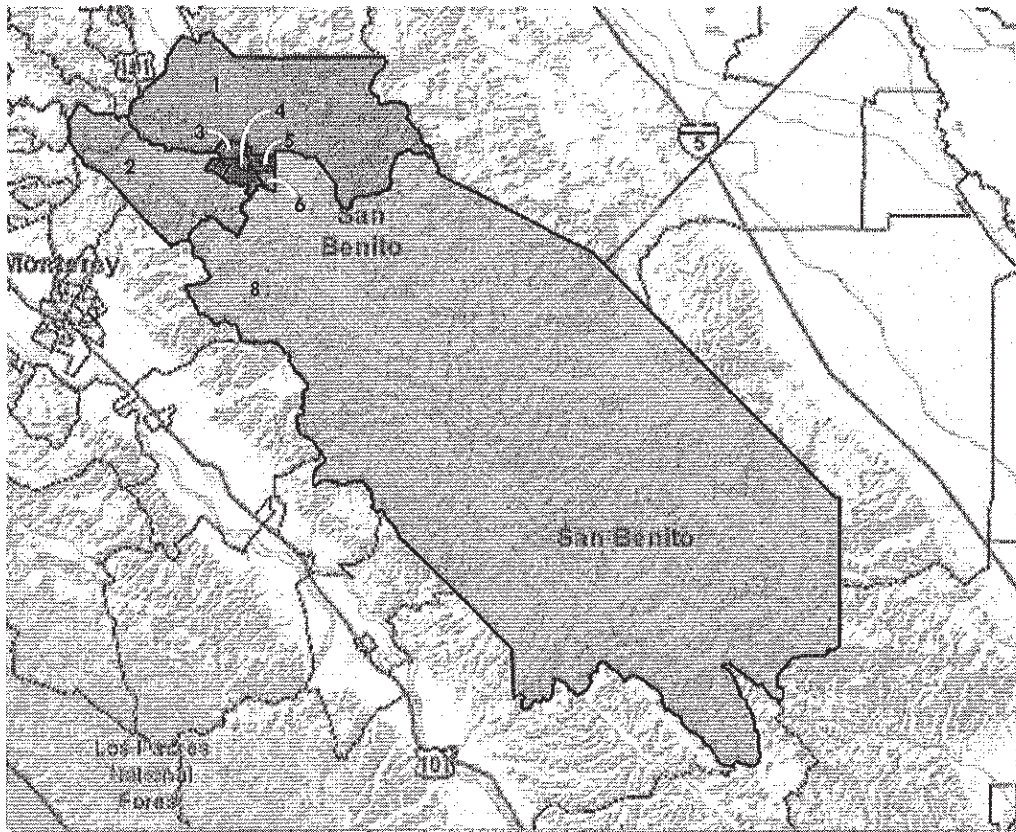


Figure 2 - San Benito County Census Tracts

According to the 2000 U.S. Census, Summary File 3, there are 30,248 individuals who speak only English and 18,375 spoke a language other than English. Table 1 shows the breakdown of the major language groups spoken in San Benito County by Census Tract.

	San Benito County Census Tract							
	1	2	3	4	5	6	7	8
Spanish	406	523	699	794	1141	205	912	161
Other Indo-European	5	0	0	2	20	9	23	6
Asian and Pacific Island	26	0	0	28	13	9	13	5
All Other	0	0	0	0	0	0	0	0

Table 1 - Number of Individuals That Speak English "Not Well" or "Not at All" By Census Tract in San Benito County

Service Contact Frequency of LEP Persons

The LTA has assessed the frequency in which staff, drivers, and dispatchers have, or could have, contact with LEP persons. This assessment included speaking with the staff, drivers, and dispatchers regarding their interactions with LEP persons. To date, drivers and staff have the most frequent in-person contact with LEP persons. The LTA requires its operations contractor to have at least 50% of its drivers and dispatchers to be bilingual in Spanish and English and to be available during service hours. Currently, LTA staff has two people that are bilingual in Spanish and English and are available throughout the day during business hours to LEP persons.

Information regarding fares and holiday service are posted in the vehicles, LTA Administration Office, and online (http://www.sanbenitocountyexpress.org/home_es.html) in Spanish. If LTA staff is not available to provide translation, an interpreter is used at various public meetings in which a large group of LEP persons are anticipated.

Significance of Programs to LEP Persons

San Benito County has two incorporated cities: Hollister and San Juan Bautista. However, three unincorporated towns and a large gated community are within the service area: Aromas, Tres Pinos, Paicines, and Ridgemark.

All County Express services are more likely to encounter LEP Individuals in Hollister, San Juan Bautista, Tres Pinos and Ridgemark due to its limited service area. The service area for Specialized Transportation encompasses the entire County and is likely to encounter LEP individuals in its service area. The LTA Administration office would also be a likely place to encounter LEP individuals because the office handles Paratransit eligibility and pre-purchased fare sales. According to the census, the largest concentration of LEP individuals in the entire service area speaks Spanish.

Available Resources for LEP Assistance

The LTA currently translates its printed materials regarding fares and service changes into Spanish for its LEP population. Basic translation and interpretation is provided to the LTA by staff. However, more complex professional interpretation or translation services are done on an as needed basis. The LTA will decide which documents would be most valuable to be translated, if the need arise.

The LTA will continue to include a clause that requires its operations contractor to employ bilingual staff to ensure that LEP riders have the opportunity to receive assistance in Spanish.

Implementation

The LTA developed its LEP Implementation Plan based upon the issues that were raised during the four-factor Analysis. The LEP Implementation Plan will provide details on how various items will be addressed by the LTA.

As demonstrated in Table 1 below, Spanish is the only language that falls outside of the Safe Harbor Provision of over 5% or 1,000 individuals (whichever is less). "Asian" is the next highest LEP language comprising 9.6% of the area's population that speaks English less than "Very Well." While the LTA will not immediately translate vital documents into Tagalog or other Asian languages, as this percentage is below the Safe Harbor Provision, it will continue to monitor the proportions of LEP individuals and corresponding languages.

**Table 1 - 2008-2012 American Community Survey 5-Year Estimates
San Benito County**

LANGUAGE SPOKEN AT HOME			
Population 5 years and over	34,781,281	(X)	51,392
English only	56.5%	+/-0.1	31,255
Language other than English	43.5%	+/-0.1	20,137
Speak English less than "very well"	19.6%	+/-0.1	10,515
Spanish	28.6%	+/-0.1	18,674
Speak English less than "very well"	13.1%	+/-0.1	9,794
Other Indo-European languages	4.4%	+/-0.1	568
Speak English less than "very well"	1.4%	+/-0.1	170
Asian and Pacific Islander languages	9.6%	+/-0.1	778
Speak English less than "very well"	4.7%	+/-0.1	494
Other languages	0.9%	+/-0.1	117
Speak English less than "very well"	0.3%	+/-0.1	57

Identifying LEP Individuals Who Need Language Assistance

The LTA will continually monitor the language needs of the LEP individuals within its service area. The LTA will do the following:

- Continue to monitor the languages and English proficiency encountered by front-line staff (dispatchers, drivers, and front-office staff).
- Continue to have a section regarding preferred language for Paratransit applicants. Current application materials have English, Spanish and Other. The applicant, or a person assisting the applicant, may write in an unlisted language.
- For languages other than Spanish, staff will attempt to identify the LEP person's preferred language using the 2010 U.S. Census "I Speak" Identification cards (Appendix A)
- Continue to use data available from the U.S. Census, state, and local demographic data.

Language Assistance Measures

The LTA has oral and written language assistance available to LEP persons on its vehicles, operations and administration offices. LTA staff can respond to LEP Persons inquiries in person, by telephone or in writing. To enhance the available language assistance, the LTA will provide the following:

- Work with local social services agencies and organizations to provide services to LEP persons to disseminate information about LTA's services
- Continually identify new agencies or organizations that can assist in disseminating information about LTA's services
- Include a statement in notices regarding the availability of interpreting services at community events, public hearings and Board of Directors meetings with seven day advance notice
- Communicate with drivers, dispatchers, and other front-line staff regarding their experience concerning contacts with LEP persons

- Post LTA's Title VI Policy and LEP Plan on the agency's website at www.SanBenitoCountyExpress.org
- Provide trip planning services, as requested to LEP persons with assistance of bilingual staff
- Contractually obligate operations contractors to maintain at least 50% of staff to be bilingual in Spanish and to be available throughout the service hours
- Continue to translate important notices regarding fares, service changes, and policies in Spanish
- When an interpreter is needed for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance from a professional translation service or qualified community volunteers. A list of volunteers will need to be developed.

Staff Training

The LTA will develop a standard training session for its staff and operations contractors on the following topics:

- LTA's Title VI Procedures and LEP responsibilities
- Description of language assistance services offered to the public
- Use of "I Speak" Identification cards (Appendix A)
- Documentation of language assistance requests
- Use of language line service
- How to handle a potential Title VI/LEP Complaint

Public Involvement

Should the LTA produce a document that LEP individuals may read or schedule an event that may have LEP individuals in attendance, or may have interest in, the LTA shall have the documents, meeting notices or flyers, printed in an alternate language based on the known LEP population. Interpreters will be available on an as needed basis.

Monitoring and Updating the LEP Plan

The LTA will update the LEP Plan as required by the U.S. DOT. At a minimum, the Plan will be reviewed and updated when new data from the most current U.S. Census is available, or when the concentrations of LEP Individuals presence in the LTA service area is observed. Updates may include, but will not be limited to, the following:

- Description of any new concentrations of LEP individuals based on ongoing monitoring of front-line staff interactions with clients
- Updated analysis of the current LEP population within the service area
- Assessment of the need for translation services
- Assessment of the effectiveness and success of current language assistance programs
- Determine whether financial resources are sufficient to fund language assistance resources
- Determine whether the LTA has fully complied with the goals of this LEP Plan
- Determine whether complaints received are an effect of the LTA's inability to meet the needs of the LEP individuals
- Update procedures or contact information

Notice to LEP Persons

A link to the LTA's Title VI Procedures and LEP Plan is available on the County Express website at www.SanBenitoCountyExpress.org. Any person or agency with internet access will be able to access and download the Plan from the abovementioned website. Alternatively, any person or agency may request a copy of the Plan via telephone, fax, mail, or in person and shall be provided a copy of the Plan at no cost. LEP individuals may request copies of the Plan in translation which LTA will provide, if feasible.

La Autoridad de Transporte Local se traducirá el Plan de Dominio Limitado de Inglés en español, si se le pide.

Questions or comments regarding the LEP Plan may be submitted to the San Benito County Local Transportation Authority's Title VI Administrator:

San Benito County Local Transportation Authority
Attn: Title VI Administrator
330 Tres Pinos Road, Suite C7
Hollister, CA 95023

Phone: 831.637.7665
Fax: 831.636.4160

Membership of Non-Elected Committees and Councils

The San Benito County Local Transportation Authority strives to appoint diverse group of community representatives to its advisory committees.

The Board of Directors is comprised of locally elected officials that were appointed to the San Benito County Local Transportation Authority's Board of Directors from their respective jurisdictions. The Board is comprised of two representatives from the Board of Supervisors, two representatives from the City of Hollister and one representative from the City of San Juan Bautista.

The Social Service Transportation Advisory Council (SSTAC) advises the Council of Governments and the Local Transportation Authority on matters related to transportation accessibility for the elderly, the disabled, and persons of limited means. Transit issues that may require the Advisory Council to look into are specialized transportation services, planning, and studies. Members are appointed by the Council of San Benito County Governments.

The San Benito County Bicycle and Pedestrian Advisory Committee (BPAC) was established to advise the Council of Governments on bicycle and pedestrian needs and concerns in the San Benito County area. The San Benito County Local Transportation Authority also seeks the Committees' comments on transit projects that could potentially affect bicyclists and pedestrians. Members are appointed by the Council of San Benito County Governments.

The Technical Advisory Committee (TAC) was established to provide technical assistance, advice, and recommendations to the Council of Governments on transportation planning studies and related transportation projects. Members consists of staff from local government agencies and are appointed to by the Council of San Benito County Governments.

	Board of Directors	Social Services Transportation Advisory Council	Bicycle and Pedestrian Advisory Committee	Technical Advisory Committee
African American	0%	0%	0%	0%
Asian American	0%	0%	0%	0%
Caucasian	60%	16.67%	62.50%	55.56%
Latino	20%	33.33%	0%	11.11%
Native American	0%	0%	0%	0%
Other	20%	0%	0%	0%
Decline to State	0%	50%	37.50%	33.33%
Hispanic, Latino Descent	20%	33.33%	12.50%	22.22%

Title VI Facilities Equity Analysis

Per 49 CFR 21.9(b)(3), the San Benito County Local Transportation Authority may not select the site or location of facilities with the purpose or effect of excluding persons from, denying the benefits of, or subjecting them to discrimination on the basis of race, color, or national origin. Per 49 CFR 21, (The Public Participation Plan), the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.

Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, and operations centers. Bus shelters are not included in this provision as they are considered transit amenities. Transit stations, power substations and similar facilities are not included in this provision as they are evaluated during project development and the NEPA process.

For facilities covered by this provision, the San Benito County Local Transportation Authority is required to:

- 1) Complete a Title VI equity analysis during the planning state with regard to where a project is located to ensure the location is selected without regard to race, color, or national origin, and engage in outreach to persons potentially impacted by site of the facilities. The Title VI equity analysis must compare the equity impacts of various site alternatives, and the analysis must occur before the selection of the preferred site.
- 2) Give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure proper analysis of localized impacts.
- 3) Provide substantial legitimate justification for locating a project in a location that will result in a disparate impact on the basis of race, color, or national origin, and show that there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. In order to show that both tests have been met, the recipient must consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

The San Benito County Local Transportation Authority has no current or anticipated plans to develop new transit facilities covered by these requirements.

System-Wide Standards and Policies

The San Benito County Local Transportation Authority strives to meet the following system-wide standards so no person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of service of transportation service on the basis of race, color, or national origin (49 CFR 21, Appendix C). Specifically, frequency of service, age and quality of

transit vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.

Vehicle Load Standards

Vehicles during the peak period should exceed 1.5 passengers per seat. During off peak periods, vehicles should not exceed 1.0 passengers per seat.

Vehicle Headway Standards

Vehicle headways are determined based on ridership demand, service type, time of day, and day of the week.

Weekday (Monday-Friday)

For Fixed Route services, vehicle headways are 35-50 minutes. For Intercounty Gavilan, AM peak period headways are 20 minutes and PM Peak period is 60 minutes. Intercounty Caltrain is dependent on the Caltrain train schedule.

Weekend (Saturday-Sunday)

There is no Fixed Route, Intercounty Gavilan, or Intercounty Caltrain service during the weekend. Intercounty Greyhound has a total of four roundtrips. There are two in the morning and two in the afternoon.

On-Time Performance Standards

At least 85% of scheduled arrivals will be on-time (within 5 minutes).

Service Availability Standards

90% of dwelling units in areas having six or more units per acre shall be located within 1/4 mile of Fixed Route Bus Stop.

Vehicle Assignment Policy

Vehicles are assigned to routes based on ridership demands. Specific vehicles are assigned to routes only when required by operating conditions. For example, in cases where a smaller bus is required to provide service on narrower street.

Transit Amenities Policy

New bus stop amenity locations follow adopted guidelines, subject to constraints related to safety, ADA compliance, and other factors.

Board of Directors Approval of [AGENCY]'s Title VI Program

Staff Report

To: Local Transportation Authority
From: Kathy Postigo, Administrative Services Specialist **Telephone:** (831) 637-7665
Date: June 19, 2014
Subject: Local Transportation Authority Final Budget FY 2014/15

Staff Recommendation:

APPROVE FY 2014/15 Local Transportation Authority Final Budget.

Summary:

The Local Transportation Authority Final Budget – FY 2014/15 has been prepared using funding assumptions that are consistent with information provided through State and Federal programs. Expenditures match anticipated funding. A second fiscal year is included to the Final Budget for financial planning purposes.

Financial Considerations:

The Local Transportation Authority's total Final Budget – FY 2014/15 is \$1.89 million. This Final Budget includes contracts for transit operations including County Express and Jovenes de Antano. The Final Budget includes personnel and services to support transit operations.

Overall, the Final Budget is \$638,060 (or 25.3%) below the FY 2013/2014 Budget. This decrease is mainly attributed to the Capital line item. This is due to the purchase of capital in 2013/2014.

The Final Budget includes adjusting Personnel to allow for an anticipated step increase. LTA is requesting to change classifications and add a part-time temporary position to better serve the needs of LTA. The savings to Personnel is between \$59,500 and \$60,400.

Background:

The San Benito County Local Transportation Authority (LTA) administers and operates public transportation services in the County. County Express provides local Fixed Route service, General Public Dial-a-Ride, ADA Paratransit, and commuter services to the residents of San Benito County. Jovenes de Antano provides transportation for the Senior Lunch Program, Medical & Shopping Assistance Program and Out of County Medical Transportation.

The most important component of the Final Budget focuses on aligning spending with anticipated funding and financing transit operations. The Local Transportation Authority is funded through the Transportation Development Act, Federal Transit Act and various local grants.

Pending grant applications will be amended into the Budget at a future date if the funds become available.

Staff Analysis:

Currently LTA has a Supervising Mechanic and a Heavy Equipment Mechanic I budgeted to provide maintenance of the transit fleet. The Final Budget proposes to change the Supervising Mechanic position to a Heavy Equipment Mechanic I, II, III, (flexibly staffed) and the Heavy Equipment Mechanic I to a Heavy Equipment Mechanic Assistant – Part-Time Temporary position. The Final Budget also proposes to add a Transportation Planning Technician – Part-Time Temporary position.

The Transportation Planning Technician would assist the Transportation Planner I with the day to day administrative transit needs. With new federal and state reporting requirements, there is a need for additional office staffing to comply with these new requirements. This would allow the Transportation Planner I to implement projects and apply for transit grants. The Transportation Planning Technician would fall in range 15.4 of the county's pay plan.

Changing the Supervising Mechanic position to a Heavy Equipment Mechanic I, II, III and the Heavy Equipment Mechanic I to a Heavy Equipment Mechanic Assistant – Part-Time Temporary will have a savings of \$59,500 to \$60,400. This savings would fund the Transportation Planning Technician at \$19,334 - \$24,675. This change still would be a total saving of \$35,725 to \$40,166 to the LTA Personal line item.

The Local Transportation Authority limits personnel costs to 17 percent and directs agency funds to Services and Supplies, Operations, and Capital.

Services and Supplies represents 23.6 percent of the budget. This category includes large expenditures in maintenance and fuel. The fuel estimate is the largest unknown in the Authority's Final Budget. Fluctuations at the gas pump are difficult to predict. The Authority must also pay a 10 percent administrative fee to the County Public Works Road Department to purchase fuel.

Operations represent 60.8 percent of expenditures. This category includes contracts with MV Transportation for County Express and Jovenes de Antaño for Specialized Transportation.

There is no capital budget for fiscal year 2014/15.

The Local Transportation Authority set up a separate account for the Public Transportation Moderation, Improvements and Service Enhancements Account (PTMISEA), the American Recovery and Reinvestment Act (ARRA) funding and the California Transit Assistance Fund (CTAF). The Final Budget for this account is \$143,890. This funding is available for various transit capital needs which were previously approved by the Board of Directors.

The Final Budget is balanced with revenues matching expenditures.

In summary, the Local Transportation Authority meets the goals and objectives of the agency and matches anticipated funding with expenses.

Executive Director Review:_____

Counsel Review: N/A

Attachment: LTA Final Budget – FY 2014/15

San Benito County Local Transportation Authority

Final Budget Fiscal Year 2014/15

June 19, 2014

Prepared and Compiled by:

Kathy Postigo
Administrative Services Specialist

Contact Information:

330 Tres Pinos Road, Suite C7
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(831) 637-7665

www.SanBenitoCountyExpress.org

LOCAL TRANSPORTATION AUTHORITY FINAL BUDGET FISCAL YEAR 2014/2015

Published by Order of the:
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County of San Benito

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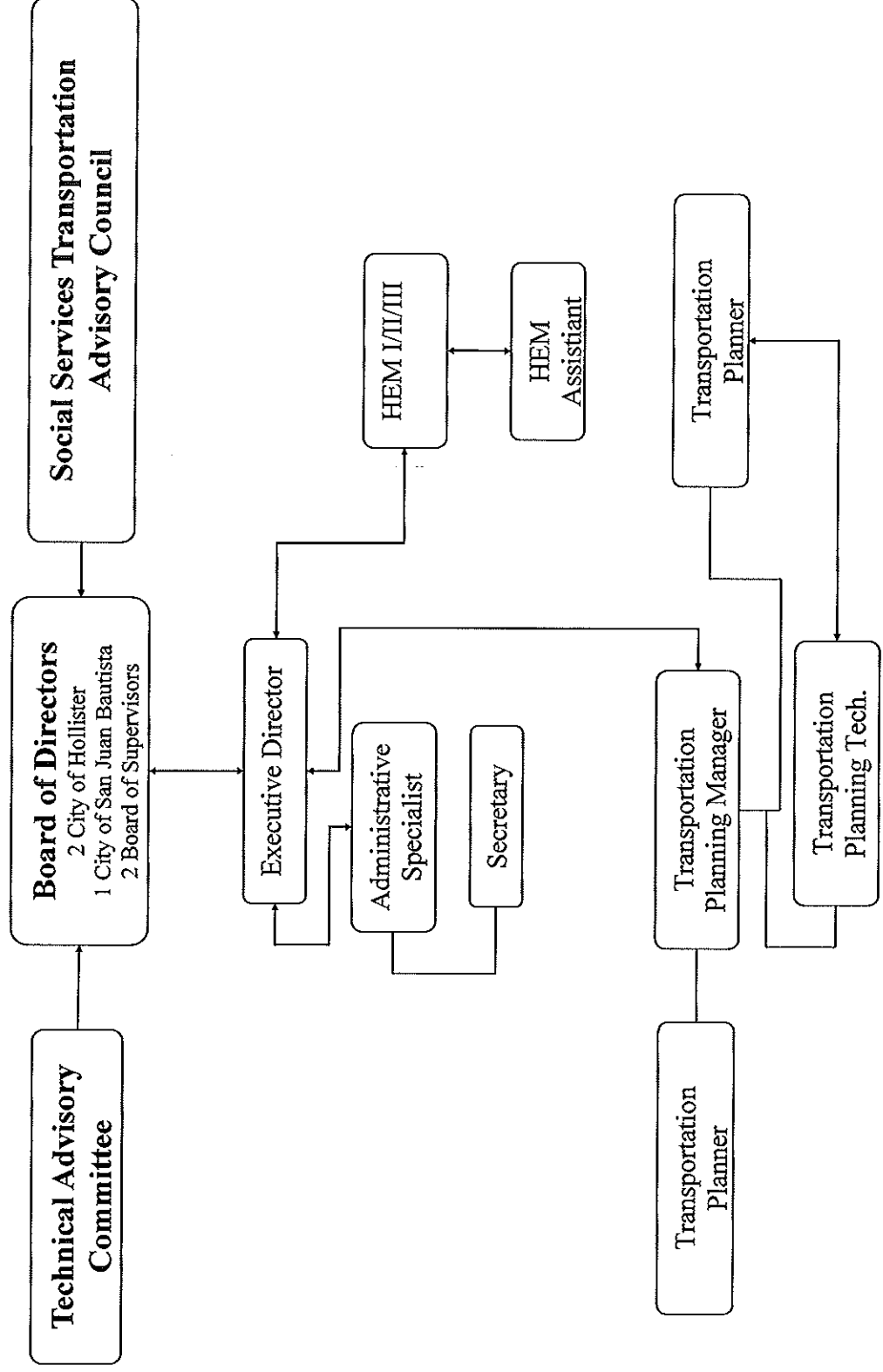
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TABLE OF CONTENTS

<i>Organization Chart</i>	<i>1</i>
<i>Local Transportation Authority Executive Summary</i>	<i>2</i>
<i>Local Transportation Authority Goals and Objectives</i>	<i>3</i>
<i>Revenue Summary and Expenditure Summary</i>	<i>4-5</i>
<i>Local Transportation Authority Budget</i>	<i>6-8</i>
<i>PTMISE & Stimulus</i>	<i>9-12</i>
<i>Appendix</i>	
<i>Purchasing Policies for the Local Transportation Authority</i>	<i>13-17</i>
<i>Policies for Amending the Local Transportation Authority's Budget</i>	<i>18</i>
<i>Budget Adjustment/Transfer Form</i>	<i>19</i>

San Benito County Local Transportation Authority Organizational Chart

Council of San Benito County Governments (RTPA) San Benito County Local Transportation Authority (CTSA)



LOCAL TRANSPORTATION AUTHORITY



Executive Summary

The Local Transportation Authority (LTA) administers and operates public transportation services in San Benito County under the name of County Express and Jovenes de Antaño. County Express offers public bus service on routes in Hollister and to Gilroy. Additionally, County Express offers complementary Paratransit and Dial-a-Ride service in Hollister and San Juan Bautista. The Local Transportation Authority contracts with Jovenes de Antaño, a non-profit organization, to provide specialized transportation services for the elderly and people with disabilities.

The Local Transportation Authority's total proposed budget for FY 2014/2015 is \$1.89 million. This Budget includes contracts for transit operations for County Express and Jovenes de Antaño.

The FY 2014/2015 Budget proposes an overall decrease in expenditures. The Personnel line item has decreased by 10%. The Personnel line item has decreased due a proposal to reorganize staffing. The draft budget proposes to change the change the Supervising Mechanic Position to a Heavy Equipment Mechanic I, II, III (flexibly staffed) and the Heavy Equipment Mechanic I to a Heavy Equipment Mechanic Assistant – Part-Time Temporary position. The draft budget is also requesting to add a Transportation Planning Technician – Part-Time Temporary position. The Transportation Planning Technician would assist the Transportation Planner I with to day to day transit needs. With new federal and state reporting

requirements, there is a need for additional office staffing to assist staff. This would free up the Transportation Planner I to implement projects and apply for additional transit grants. The Transportation Planning Technician would fall in range 15.4 as the Planning Technician. Changing the Supervising Mechanic position to a Heavy Equipment Mechanic I, II, III and the Heavy Equipment Mechanic I will have a savings of \$59,500 to \$60,400. This saving would fund the Transportation Planning Technician at \$19,334 - \$24,675 for a part-time temporary position. The Services & Supplies line item has increased due to the award of the Public Transportation Modernization, Improvement and Service Enhancement Account funding for \$143,890. The Contracts line item decreased due to the completion of the Triennial Performance Audit and completion of a grant for intercounty service. The Capital line item has increased slightly due to funding to purchase computer hardware.

The Local Transportation Authority FY 2014/2015 Budget is balanced and supports the policies of the Board of Directors and the needs of the community.

San Benito County
**LOCAL
TRANSPORTATION
AUTHORITY**

COUNTY EXPRESS

Goals and Objectives

The Local Transportation Authority goals are to continue transit operations, implement any unmet transit needs, and implement recommendations of the Short Range Transit Plan to streamline services and maximize funding. The Local Transportation Authority also develops and maintains a comprehensive regional transit system that serves the needs of the community, with particular emphasis on serving transit dependent populations and improving the multimodal transportation network.

In FY 2012/2013 the Local Transportation Authority received a Federal Transit Administration Section 5304 grant to update the Short Range Transit Plan and develop a Long Range Transit Plan. The development of these plans will continue in FY 2014/15.

**Local Transportation Authority
Final Budget - FY 2013/14**

EXPENDITURES VS REVENUES	Adopted Budget FY13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
EXPENDITURES					
Personnel	342,399	330,764	298,020	378,011	(44,380)
Services & Supplies	584,591	412,430	444,261	228,400	(140,330)
Contracts	1,167,246	1,112,016	1,147,461	1,182,461	(19,786)
Capital	433,565	433,565	-	-	(433,565)
Other	-	-	-	-	-
TOTAL EXPENDITURES	2,527,801	2,288,775	1,889,741	1,788,872	(638,060)
REVENUES					
Revenues	1,389,866	1,148,627	843,068	443,735	(546,798)
Operating Transfers (in)	1,137,935	1,181,778	1,046,673	1,345,137	(91,262)
TOTAL REVENUE	2,527,801	2,330,405	1,889,741	1,788,872	(638,060)
TOTAL PROPOSED BUDGET	2,527,801	2,288,775	1,889,741	1,788,872	(638,060)
FUND BALANCE	-		-		
DESIGNATED FUND BALANCE	-		-		
UNDESIGNATED FUND BALANCE	-		-		

The Local Transportation Authority's budget accounts include:

- PTMISEA: Public Transportation Modernization, Improvement and Service enhancement Program
- ARRA: American Recovery and Reinvestment Act
- CTAF: California Transit Assistance Fund

**Local Transportation Authority
Final Budget - FY 2013/14**

EXPENDITURE DESCRIPTION		Adopted Budget FY13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
Personnel						
610101	Salaries	330,999	311,141	298,020	378,011	(32,980)
610101	Salaries (SRTP & LRTP)	-	7,900	-	-	-
610101	Salaries (Intern)	11,400	11,723	-	-	(11,400)
Total		342,399	330,764	298,020	378,011	(44,380)
Services and Supplies						
620202	Magazines and Subscriptions	-	-	-	-	-
620301	Clothing and Safety	1,911	1,750	1,600	2,000	(311)
620501	Communications	-	-	-	-	-
620701	Computer Maintenance	100	-	100	100	-
620702	Computer Supplies	-	-	-	-	-
620703	Computer Software	-	30,000	10,000	-	10,000
640701	General Insurance	3,827	3,767	5,706	5,750	1,879
621501	Maintenance of Equipment	55,000	59,000	60,000	39,000	5,000
621502	Maintenance of Equipment - Oil and Gas	185,000	200,000	200,000	165,000	15,000
621503	Maintenance of Equipment - Auto	-	-	-	-	-
621701	Maintenance of Structures and Grounds	-	-	-	-	-
623619	Marketing	-	-	-	300	-
621901	Medical/Dental/Lab Supplies and Services	-	-	-	-	-
622101	Membership Dues	375	375	375	375	-
622501	Office Furniture under \$700	-	-	-	-	-
622505	Special Project Supplies - Printing	7,000	7,000	2,000	150	(5,000)
622504	Supplies	200	300	300	350	100
622503	Postage and Delivery	25	25	25	25	-
623501	Professional Service - Legal	9,000	7,500	8,000	2,500	(1,000)
623502	Professional Services - Accounting	-	-	-	-	-
623507	Professional Services - Other Consultants	-	-	-	-	-
622701	Public and Legal Notices	265	265	265	300	-
622901	Rent Equipment	-	-	-	-	-
622902	Rent Structures	-	-	-	-	-
622903	Rent Space	-	-	-	-	-
623101	Small Tools	-	-	-	-	-
623613	Special Dept Expense - Other	-	23,500	-	-	-
623302	Travel Lodging	-	-	-	100	-
623303	Travel Meals	100	50	-	100	(100)
623301	Training	-	-	-	200	-

**Local Transportation Authority
Final Budget - FY 2013/14**

EXPENDITURE DESCRIPTION CONT.

	Adopted Budget FY13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
623304 Travel Transportation	-	-	-	150	-
623701 Utilities	12,000	-	12,000	12,000	-
Total	274,803	333,532	300,371	228,400	25,568
Contracts					
623601 Special Dept Expense - Contracts	1,167,246	1,112,016	1,147,461	1,182,461	(19,786)
Total	1,167,246	1,112,016	1,147,461	1,182,461	(19,786)
Capital					
650304 Furniture and Fixtures	-	-	-	-	-
650302 Equipment other than Computer	-	-	-	-	-
650303 Computer Hardware	20,565	20,565	-	-	(20,565)
650301 Automobiles, Trucks, Vans	413,000	413,000	-	-	(413,000)
Total	433,565	433,565	-	-	(433,565)
Other					
640513 Operating Transfers	-	-	-	-	-
Total	-	-	-	-	-
TOTAL PROPOSED BUDGET	2,218,013	2,209,877	1,745,851	1,788,872	(472,162)

**Local Transportation Authority
Final Budget - FY 2013/14**

REVENUE DESCRIPTION

	Adopted Budget FY13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
570003 Sale of Fixed Assets	-	-	-	10,000	-
551113 Misc (FTA 5311 Operating Assistance)	363,178	363,178	363,178	218,735	-
551113 FTA 5310(Vehicles & Dispatch Software)	163,000	213,565	10,000	-	(153,000)
551113 FTA 5304 (SRTP & LRTP)	87,500	55,000	45,000	-	(42,500)
551113 FTA 5304 (Bus Sto Improvement Plan)	-	-	70,000	-	70,000
551113 FTA 5304 (IT Tech for Safety & Efficiency)	-	-	10,000	45,000	10,000
570015 AB2766 (Continuation of Intercounty)	25,000	29,000	21,000	-	(4,000)
551113 STIP Transit Projects	250,000	-	-	-	(250,000)
576012 STA/LTF transfer	1,137,935	1,181,778	1,046,673	1,345,137	(91,262)
551113 Transportation Planning Grant Interns	11,400	11,723	-	-	(11,400)
551412 RSTP (Bus Stop Shelters)	-	20,000	-	-	-
562803 County Express Fares	180,000	170,000	180,000	170,000	-
TOTAL REVENUE	2,218,013	2,044,244	1,745,851	1,788,872	(472,162)

Local Transportation Authority
Final Budget - FY 2013/14

BUDGET NOTES

Personnel		
Personnel includes salaries, administrative support, and professional services. These costs include regular staff salaries, executive director services and temporary help.		
Total		298,020
Services and Supplies		
Services and Supplies include normal budget items to support transit operations. The largest expenses include general insurance, maintenance, and fuel.		
Total		444,261
Contracts		
Contracts includes transit operations for fixed route, intercounty route, dial-a-ride, (County Express \$843,740) out of county medical and senior lunch program (Jovenes de Antano \$236,006).		
Total		1,147,461
Capital		
No Capital expenditures are proposed in this Draft Budget.		
Total		-
Other		
No Other expenditures are proposed in this Draft Budget.		
Total		-
TOTAL PROPOSED BUDGET		1,889,741

SRTP: Short Range Transit Plan
LRTP: Long Range Transit Plan

**Local Transportation Authority - PTMISEA, ARRA, and CTAF
Final Budget - 2014/15**

EXPENDITURE DESCRIPTION	Adopted Budget FY 13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
Personnel					
610101 Salaries(Brochures)	-	-	-	-	-
623510 Administrative Support	-	-	-	-	-
623508 Outside Labor	-	-	-	-	-
Total	-	-	-	-	-
Services and Supplies					
620202 Magazines and Subscriptions	-	-	-	-	-
620301 Clothing and Safety	-	-	-	-	-
620501 Communications	-	-	-	-	-
620701 Computer Maintenance	-	-	-	-	-
620702 Computer Supplies	-	-	-	-	-
640701 General Insurance	-	-	-	-	-
621501 Maintenance of Equipment	-	-	-	-	-
621502 Maintenance of Equipment - Oil and Gas	-	-	-	-	-
621503 Maintenance of Equipment - Auto	-	-	-	-	-
621701 Maintenance of Structures and Grounds	-	-	-	-	-
623619 Marketing	-	-	-	-	-
621901 Medical/Dental/Lab Supplies and Services	-	-	-	-	-
622101 Membership Dues	-	-	-	-	-
622501 Office Furniture under \$700	-	-	-	-	-
622502 Office Equipment under \$300	-	-	-	-	-
622505 Special Project Supplies - Printing	-	-	-	-	-
622504 Supplies	-	-	-	-	-
622503 Postage and Delivery	-	-	-	-	-
623501 Professional Service - Legal	-	-	-	-	-
623502 Professional Services - Accounting	-	-	-	-	-
623507 Professional Services - Other Consultants	-	-	-	-	-
622701 Public and Legal Notices	-	-	-	-	-
622901 Rent Equipment	-	-	-	-	-
622902 Rent Structures	-	-	-	-	-
622903 Rent Space	-	-	-	-	-
623101 Small Tools	-	-	-	-	-
623613 Special Dept Expense - Other	-	-	-	-	-
623302 Travel Lodging	-	-	-	-	-
623303 Travel Meals	-	-	-	-	-
623301 Training	-	-	-	-	-
	309,788	78,898	143,890	-	(165,898)

Local Transportation Authority - PTMISEA, ARRA, and CTAF
Final Budget - 2014/15

EXPENDITURE DESCRIPTION CONT.

		Adopted Budget FY 13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
623304	Travel Transportation	-	-	-	-	-
623701	Utilities	-	-	-	-	-
	Total	309,788	78,898	143,890	-	(165,898)
Contracts						
623601	Special Dept Expense - Contracts	-	-	-	-	-
	Total	-	-	-	-	-
Capital						
650304	Furniture and Fixtures	-	-	-	-	-
650302	Equip other than Computer(CTSGP/CTAF)	-	-	-	-	-
650303	Computer Hardware	-	-	-	-	-
650301	Automobiles, Trucks, Vans	-	-	-	-	-
	Total	-	-	-	-	-
Other						
640513	Operating Transfers	-	-	-	-	-
	Total	-	-	-	-	-
	TOTAL PROPOSED BUDGET	309,788	78,898	143,890	-	(165,898)

**Local Transportation Authority - PTMISEA, ARRA, and CTAF
Final Budget - 2014/15**

REVENUE DESCRIPTION	Adopted Budget FY 13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
551401 CTSGP - CTAF (State)	-	-	-	-	-
551401 PTMISEA (Proposition B)	263,079	-	-	-	(263,079)
556301 ARRA (Bus Stop Shelters)	-	-	-	-	-
Fund Balance (carryover previous years)	46,709	284,961	143,890	-	97,181
541001 Interest	-	1,200	-	-	-
	-	-	-	-	-
TOTAL REVENUE	309,788	286,161	143,890	-	(165,898)

EXPENDITURES VS REVENUES	Adopted Budget FY 13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
EXPENDITURES					
Personnel	-	-	-	-	-
Services & Supplies	309,788	78,898	143,890	-	(165,898)
Contracts	-	-	-	-	-
Capital	-	-	-	-	-
Other	-	-	-	-	-
TOTAL EXPENDITURES	309,788	78,898	143,890	-	(165,898)
REVENUES					
Revenues	309,788	286,161	143,890	-	143,890
TOTAL REVENUES	309,788	286,161	143,890	-	143,890
TOTAL PROPOSED BUDGET	309,788	78,898	143,890	-	(165,898)
FUND BALANCE					
DESIGNATED FUND BALANCE					
UNDESIGNATED FUND BALANCE					

**Local Transportation Authority - PTMISEA, ARRA, and CTAF
Final Budget - 2014/15**

BUDGET NOTES

		Proposed Budget FY 14/15
Personnel		
No Personnel expenditures are proposed in this Draft Budget.	Total	-
Services and Supplies		
Services and supplies include funds for Bus Stop shelters and fuel station. Customer services enhancements, transit maintenance and operational enhancements.	Total	143,890
Contracts		
No Contract expenditures are proposed in this Draft Budget.	Total	-
Capital		
No Capital expenditures are proposed in this Draft Budget.	Total	-
Other		
No Other expenditures are proposed in this Draft Budget.	Total	-
TOTAL PROPOSED BUDGET		143,890

PTMISEA: Public Transportation Modernization, Improvement and Service Enhancement Program
ARRA: American Recovery and Reinvestment Act
CTAF: California Transit Assistance Fund

APPENDIX

LOCAL TRANSPORTATION AUTHORITY

BUDGET

FISCAL YEAR 2014/2015

PURCHASING POLICIES FOR THE LOCAL TRANSPORTATION AUTHORITY

A. DEFINITIONS

For the purpose of this article, the following words and phrases shall have the meaning respectively ascribed by this section:

- 1) Agency: Local Transportation Authority
- 2) Board of Directors: The governing body of the agency.
- 3) Contractual services: Any telephone, gas, water, electric light and power services; the rental of equipment and machinery; insurance; the services of attorneys, physicians, electricians, engineers, consultants or other individuals or organizations possessing a high degree of technical skill; and all other types of agreements under which the contract provides services which are required by the agency, but not furnished by its own employees. Purchase of space for legal advertising shall not be subject to the provisions of this chapter.
- 4) Fixed Assets: Any piece of tangible personal property having an estimated useful life of one calendar year or more, capable of being permanently identified as an individual unit of property, and belonging to one of the general classes of property considered a fixed asset in accordance with generally accepted accounting practices (i.e., equipment, machinery, vehicles, furnishings,) with an accounting value of \$3,000 or more.
- 5) Local Business: any person or entity that regularly maintains a place of business and transacts business in, or maintains an inventory of merchandise for sale in, the County of San Benito.
- 6) Professional Services: An independent contractor's expert advice or professional services that involve extended analysis, personal expertise, the exercise of discretion and independent judgment in their performance, which are of an advisory nature, provide a recommended course of action, and have an end product transmitting information which is related to LTA programs. Providers are selected on the basis of qualification, subject to the negotiation of a fair and reasonable compensation. Classification as professional services may also require an advanced, specialized type of knowledge, expertise, technical skill or training customarily acquired either by a prolonged course of study or equivalent experience, such as accountants, financial advisors, auditors, grant writers, program specialists, labor consultants and negotiators, investigators, law enforcement retained certified laboratories, attorneys and other litigation-related specialist, environmental consultants, appraisers, architects, landscape architects, surveyors, engineers, design professionals, and construction project management firms.
- 7) Supplies and equipment: Any personal property, such as physical articles, materials or things, which

property shall furnished to, or shall be used by the agency.

B. PURPOSE OF CHAPTER

The purpose of this chapter is to adopt policies and procedures governing purchases of supplies, equipment and contractual services by the agency in accordance with section 54200 et seq. of the Government Code. This chapter is not intended to conflict with applicable provisions of state law and shall be interpreted as supplementary thereto.

C. DESIGNATION OF THE PURCHASING AGENT

The Board of Directors appoints the Executive Director or designee to serve as the Purchasing Agent for Local Transportation Authority.

D. PURCHASING AGENT – POWERS AND DUTIES

The Purchasing Agent shall have all the duties and powers prescribed by the laws of the state including the following duties:

1. Acquisition of Personal Property – To purchase equipment, materials, supplies and all other personal property and services for LTA where funding has been approved and budgeted by the Board, unless specified otherwise in the Purchasing Policy.
2. Professional Service Contracts – To engage independent contractors to perform professional services through contracts for the LTA with or without furnishing of material where the aggregate cost does not exceed \$10,000. Contracts shall not be split between fiscal years to circumvent this dollar limitation.

3. Renewal/Extension of Contracts – To renew or extend contracts for professional services that are critical to ongoing LTA projects provided the financial obligation falls within his/her preview of authority.

4. Rental of Real Property – To negotiate and execute in the name of LTA, contracts to lease or rent for the LTA real property or storage space where funding has been approved by the LTA Board, with an annual rent not to exceed \$10,000.

E. DESIGNATION OF ASSISTANT PURCHASING AGENTS

The Purchasing Agent has the authority to designate such assistants and limit or rescind authority. The Purchasing Agent may delegate the authority to purchase to a deputy or assistant.

F. ASSISTANT PURCHASING AGENT – POWERS AND DUTIES

The Assistant Purchasing Agent shall have all the duties and powers prescribed by laws of the state relating to LTA purchasing agents, and orders of the Board of Directors to include the following duties:

1. Acquisition of Personal Property – To purchase, equipment, materials, supplies and all other personal property and services for LTA where funding has been approved and budgeted by the Board unless specified otherwise in the LTA Purchasing Policy.
2. Professional Service Contracts – To engage independent contractors for professional services through contracts where the cost does not exceed \$3,000, where funding has been approved and

budgeted. Contracts shall not be split between fiscal years to circumvent this dollar limitation.

3. Rental of Real Property – To negotiate and execute in the name of LTA, contracts to lease or rent for LTA real property or storage space, with an annual rent not to exceed \$3,000, where funding has been approved and budgeted by the Board.

G. PURCHASING METHODS AND PROCEDURES

In the performance of his/her function hereunder, the Purchasing Agent or Assistant Purchasing Agent shall comply with all applicable statutes and regulations. Purchases shall be made using such methods and procedures to secure the lowest price consistent with the quality desirable for the use intended.

H. EXCEPTIONS TO THE COMPETITIVE PROCESS

Except as otherwise directed by law, or as directed by the Board of Directors, competitive process is not required for the following purchases:

1. Expert and professional services which involve extended analysis: the
exercise of discretion and independent judgment in their performance; and an advanced, specialized type of knowledge, expertise, or training customarily acquired either by a prolonged course of study or equivalent experience as defined under Definitions – Professional Services.
2. Legal brief printing, stenographic services, and transcripts.
3. Books, publications, subscriptions, recordings, motion picture films, and annual book and periodical contracts.

4. Insurance.
5. Contracts for services which by law when some other office or body is specifically charged with obtaining.
6. Public utility services.
7. Ordinary travel expenses.
8. Personal property or services obtainable through master contracts or purchasing association pools identified for the use and benefit of all local agencies.
9. Where law fixes the price of property or services.
10. Training, seminars, and classes for LTA personnel.
11. Sole source procurement, defined as an award for a commodity or service which can only be purchased from one supplier, usually because of its technological, specialized, or unique character.
12. Emergency purchases necessary when unforeseen circumstances require an immediate purchase in order to avoid a hazard to life or property or serious interruption of the operation of LTA, or the necessary emergency repair of LTA equipment.
13. When the product/services are needed by LTA pending a contract award and a contractor agrees to provide such product/services at the same contract price as a previous award, until a new contract has been awarded. Such interim period contracts shall not exceed six months.

I. CONTRACTUAL PROCEDURES

All Contracts are binding legal documents that are subject to the following provisions:

1. All contracts, leases and any amendments or modifications shall be reviewed and approved as to legal form by the County Counsel's Office prior to execution of the Purchasing Agent, Assistant Purchasing Agents and/or Board of Directors.
2. Prior approval shall be obtained from County Counsel's Office before any contracts for professional services relating to outside attorney services are executed.

J. PREFERENCE FOR PRODUCTS CONTAINING RECYCLED MATERIALS

1. The Purchasing Agent shall establish and maintain procedures and specifications to ensure that LTA gives preference, in its purchasing decisions, to products containing the maximum amount of recycled materials, where the quality and fitness of such products is equal to those of products containing no recycled materials, or a lesser amount of recycled materials, and where the total cost of such products is reasonable in comparison to the total cost of those products is reasonable in comparison to the total cost of those products containing no recycled materials, or a lesser amount of recycled materials.

2. "Product containing recycled materials" means, with respect to a paper product, a "recycled paper product" as that term is defined in Section 12301© of the Public Contract Code, and means, with respect to other products, a "recycled product," as

that term is defined in Section 12301(d) of the Public Contract Code.

3. To the extent that the Public Contract Code or other provisions of state law provide for purchasing preferences which are more extensive than those established herein, or for additional procedures to increase the use of recycled materials, the provisions of state law shall prevail.

K. PREFERENCE FOR LOCAL BUSINESSES

When all other factors are determined to be equal, preference shall be given to individuals or firms having a bona-fide place of business within the County of San Benito. Any responsive, responsible bid, proposal or quote for materials and supplies from a local business which is within the percent (10%) of the lowest responsive, responsible bid, proposal or quote for materials and supplies shall be considered equal to the amount of the lowest responsive, responsible bid, proposal or quote. If the business has additional places of business located outside of the County of San Benito, the designated point of sale for all resulting purchases shall be the bona-fide place of business located within the County of San Benito.

L. UNLAWFUL PURCHASES

Failure of the Purchasing Agent or Assistant Purchasing Agent to adhere to the provisions of this policy may incur costs not meriting the definition of county charges and therefore becoming the personal responsibility of the Purchasing Agent or Assistant Purchasing Agent. Except as otherwise provided by law, no purchase of Materials, supplies, furnishings, equipment, other personal property or contractual services shall be made in excess of the amount of the appropriations allowed by the budget.

M. EMERGENCY PURCHASES WITHOUT PRIOR APPROVAL

Emergency purchases may be made by the Purchasing Agent or Assistant Purchasing Agent when a generally unexpected occurrence or unforeseen circumstances require an immediate purchase of material, supplies or equipment:

1. in order to avoid a hazard to life or property;
2. in order to avoid a serious interruption or discontinuance of essential services or operation of LTA;
3. in order to make necessary emergency repairs of LTA equipment required to provide essential services or for the operation of LTA; or
4. in order to avoid economic loss to LTA.

Emergency purchases shall be submitted to the Board of Directors for ratification at its next meeting.

N. PROTEST PROCEDURES

Any aggrieved potential provider of supplies, equipment or contractual services may file a written protest against a potential purchase by the board of directors. The protest shall be filed with the Executive Director one (1) day before the day of the meeting at which the board of directors is initially scheduled to consider the subject purchase. The exact basis for the protest and proof that the

protester is a viable and responsible provider of the supplies, equipment or services sought shall be specified in writing and filed with the Executive Director who shall render a written decision in response to the protest not later than five (5) days after the day of the meeting at which the board of directors is initially scheduled to consider the subject purchase. Any protester disagreeing with the decision of the Executive Director may file an appeal not later than five (5) days after the date of the Executive Director's decision. The appeal shall state the basis of error that the Executive Director allegedly made. The board of directors shall hear the appeal at the next meeting when the appeal may be placed on the agenda.

O. ACCEPTANCE OF GRATUITIES

The acceptance of any gratuity in the form of cash, merchandise or any other thing of value by an official or employee of the agency, or by an official or employee of a public agency contracting with the agency, from a vendor or contractor, or prospective vendor or contractor, is prohibited and shall be a cause for disciplinary action in the case of an agency employee or official, or in the case of an official or employee of the contracting public entity, cause for termination of the contract between the agency and the public entity.

Policies for Amending the Local Transportation Authority's Budget

Periodically, it may be necessary for the Executive Director to take financial steps to support administrative functions. A transfer of funds from one item to another may sometimes be needed due to inadequate budget allocations or unforeseen circumstances. Below are the policies for amending the Local Transportation Authority's Budget.

1. BUDGET TRANSFER REQUEST FORM

- a. A Budget Adjustment/Transfer Form must be completed to initiate any budget transfer. (See Attachment 1)
- b. The Budget Adjustment/Transfer Form must be signed by the Executive Director and/or the Administrative Services Specialist.

2. EXECUTIVE DIRECTOR APPROVAL OF BUDGET TRANSFERS

- b. The following Budget Transfers may be made with prior approval of the Executive Director.

Interdepartmental transfers of less than \$10,000.
Interobject transfers of less than \$10,000.
Intraobject transfers of any amount.

3. BOARD APPROVAL OF BUDGET TRANSFERS

- a. The following Budget Transfers can only be made with prior approval of the Board of Directors.

Transfers of revenue increases.

Interdepartmental transfers of more than \$10,000.

Interobject transfers of more than \$10,000.

Note: Intraobject is within object titles example within Services and Supplies. Interobject is between object titles example between Contracts and Personnel.

.....

☐ **Appropriation/Est. Revenue Increase**
(Requires Board Approval)

☐

☐

☐ **Interdepartmental Transfer or Interobject Transfer>\$10,000**
(Requires Board Approval)

☐ **Interobject Transfer<\$10,000**
(Requires Executive Director and Admin Ser Spe)

☐ **Intraobject Transfer**
(Requires Executive Director)

Comments: _____

Date _____

Date _____

Date _____

Date _____

Vote: _____ Yes