



MEETING NOTICE & AGENDA

DATE: Thursday, May 18, 2023

TIME: 4:00 P.M.

PLACE: Yuba County Government Center
Board of Supervisors Chambers
915 Eighth Street
Marysville, California

A remote option for audience participation is being provided only as a courtesy. Members of the Yuba-Sutter Transit Board of Directors must attend in person. If the remote connection fails for any reason, the meeting will continue as noticed so the public must attend in person to assure access to the meeting.

To join the meeting from your computer, tablet, or smartphone, please use the Zoom Meeting link below.

<https://us02web.zoom.us/j/88570974664?pwd=R0xVOXRRclptYUV2VXc1c0xjTE1sUT09>

To join by telephone conference call: 1-669-900-6833

Meeting ID: 885 7097 4664

Password: 119001

The public will be muted by default. The following options are available to speak during the public comment portions of the meeting:

Online: Raise your hand or use the Q&A panel to submit your comments.

Phone: Press *9 to raise your hand or press *6 to send a request to be unmuted to submit comments.

I. Call to Order & Roll Call

Bains (Chair), Blaser, Buttacavoli, Flores, Fuhrer (Vice-Chair), Hudson, Kirchner, and Shaw

II. Closed Session

A. Public Employee Appointment (Pursuant to Government Code Section 54597)

Position Title: Executive Director

III. Public Business from the Floor

Members of the public may address the Authority on items of interest that are within the Authority's jurisdiction and are not on the agenda for this meeting. Public comment regarding agenda items will be permitted as each agenda item is considered by the Board.

IV. Consent Calendar

All matters listed under the Consent Calendar are considered routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff, or public request specific items to be discussed or removed from the Consent Calendar for specific action.

- A.** Minutes from the Regular Meeting of April 20, 2023. (Attachment)
- B.** Minutes from the Special Meeting of May 1, 2023. (Attachment)
- C.** Disbursement List for April 2023. (Attachment)
- D.** Monthly Performance Report for April 2023. (Attachment)

V. Reports

A. Final Draft Yuba-Sutter NextGen Transit Plan. (Attachment)

RECOMMENDATION: Adopt the 2023 Yuba-Sutter NextGen Transit Plan as proposed.

B. Yuba-Sutter Transit Operating and Capital Budget for FY 2024. Review and approval consideration of the final draft budget for the next fiscal year. (Attachment)

RECOMMENDATION: Adopt Resolution No. 8-23 approving the FY 2024 budget as proposed or amended.

C. Local Transportation Fund (LTF) Apportionment for FY 2024. (Attachment)

RECOMMENDATION: Adopt Resolution No. 9-23 establishing the LTF contributions for each member jurisdiction for FY 2024 as proposed or amended.

D. Set a Public Hearing on Yuba-Sutter Transit's FY 2024 Federal Funding Applications.

RECOMMENDATION: Set a public hearing for Thursday, July 20, 2023, to receive comments on Yuba-Sutter Transit's FY 2024 federal funding applications.

E. Yuba County Airport Lease Agreement. Review and consideration of a short-term lease agreement for off-site parking to accommodate the Caltrans Highway 70 (B Street) construction project. (Attachment)

RECOMMENDATION: Authorize execution of a short-term lease agreement with Yuba County as proposed.

F. Local Agency Investment Fund (LAIF) Signature Authority Title Changes. (Attachment)

RECOMMENDATION: Adopt Resolution No. 10-23 changing the titles of the authorized signers on Yuba-Sutter Transit's LAIF account as proposed or revised.

G. Storer Transit Systems Drug and Alcohol Policy and Procedures. (Attachment)

RECOMMENDATION: Adopt Resolution No. 11-23 adopting the Storer Transit Systems Drug and Alcohol Policy and Procedures for the Yuba-Sutter Division effective June 1, 2023.

H. Yuba-Sutter Transit Executive Director Employment Agreement. Consideration of an employment agreement to appoint a new Executive Director. (Attachment)

RECOMMENDATION: Direct staff as desired.

I. Third Quarter Performance Report. (Attachment)

RECOMMENDATION: Information only.

J. Project & Program Updates.

1. Yuba-Sutter Next Generation Zero-Emission Transit Facility (Grant Awards)
2. Caltrans Approval of Two-Year Storer Transit Systems Extension Effective October 1, 2023
3. Zero-Emission Roll-Out Plan (Due July 1, 2023)

VI. Correspondence / Information

VII. Other Business

VIII. Adjournment

**THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, JUNE 15, 2023
AT 4:00 P.M. IN THE YUBA COUNTY BOARD OF SUPERVISORS CHAMBERS**

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If you need assistance to attend the Yuba-Sutter Transit Board Meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the Board, please contact the Yuba-Sutter Transit office at (530) 634-6880 or (TTY) 634-6889 at least 72 hours in advance so such aids or services can be arranged.

AGENDA ITEM IV – A

**YUBA-SUTTER TRANSIT AUTHORITY
MEETING MINUTES
APRIL 20, 2023**

I. Call to Order & Roll Call (4:00 P.M.)

Present: Bains (Chair), Blaser, Buttacavoli, Fuhrer (Vice-Chair), Hudson and Shaw
Absent: Kirchner

II. Closed Session

A. Conference with Real Property Negotiators (Pursuant to Government Code Section 54956.8)

The Board adjourned to closed session at 4:00 p.m.

The Board reconvened at 4:45 p.m. stating that direction had been given to the agency negotiator.

III. Public Business from the Floor

None.

IV. Consent Calendar

Director Blaser made a motion to approve the consent calendar. Director Hudson seconded the motion and it carried unanimously.

V. Reports

A. Yosemite Area Regional Transportation System (YARTS) Bus Lease Agreement.

Martin stated that Yosemite Area Regional Transportation System (YARTS) operated by the Merced County Association of Governments has a short-term need for some highway coaches due to significantly delayed delivery of new buses. As a result, they have reached out to Yuba-Sutter Transit regarding the lease of up to three commuter buses for five months starting May 1st. The agenda packet included a draft lease agreement that has been reviewed by counsel. This same agreement was approved by YARTS on Monday, May 17th.

Director Hudson made a motion to authorize execution of the YARTS bus lease agreement as proposed. Director Flores seconded the motion and it carried unanimously.

B. Storer Transit Systems Contract Extension.

Martin stated that the current contract with Storer Transit Systems is set to expire on September 30, 2023, but the original four-year agreement includes two two-year extension options which allow for CPI-based cost adjustments of from 2 to 4 percent each year. To exercise any of the two options, Storer must be notified by May 1st for the new term to begin October 1, 2023. Martin noted that the maximum contractual obligation under the proposed extension would average approximately \$6.9 million annually, but that this figure is based upon the 95,000 service hours that were included in the original contract. The actual estimated cost per year,

however, will likely be closer to \$6.1 million based on the current operation of approximately 75,000 hours a year which is not expected to change over the next two years.

Martin stated that Storer has been a great partner over the last four years and that they have been extremely helpful through the pandemic to keep drivers unlike many other transit systems that continue to struggle to hire, train, and retain staff.

Director Fuhrer made a motion to authorize a conditional notice to extend the Storer Transit Systems contract pending Caltrans approval. Director Shaw seconded the motion and it carried unanimously.

C. Temporary Construction Easement Agreement for 2100 B Street, Marysville, CA.

This item was not discussed.

D. Granite Construction Soil Transfer License Agreement.

Martin noted that Granite Construction, the general contractor for the Caltrans State Route 70 Binney Junction project, will soon be doing excavation work to build pump houses for the project resulting in the need to dispose of approximately 7,000 cubic yards of excess soil. Granite has requested permission to place and stabilize that soil at the future site of the NextGen Transit Facility at which point ownership would be transferred to Yuba-Sutter Transit for future use on that property.

Director Hudson made a motion to authorize execution of the soil transfer license agreement as proposed. Director Fuhrer seconded the motion and it carried unanimously.

E. Federal Zero-Emission Bus (ZEB) Transition Plan Update.

Martin stated that the attached plan, which is required per the 2021 Infrastructure Investments & Jobs Act, has already been submitted as part of a federal bus facilities grant application and is now being provided for information purposes. Any federal funds that are used for zero-emission vehicles must have a zero-emission transition plan and the attached version is simply an update of the 2022 plan that was prepared last year for the same purpose. The next step in this journey will be the adoption of a state mandated Zero-Emission Bus Roll Out Plan, which is due by July 1, 2023. That plan will be on the agenda for Board consideration at the June 15th meeting.

F. Discount Monthly Pass Program Grant Close-Out Report.

Martin stated that we are required to bring this information to our board per our FRAQMD grant which ended March 2023. Per the report in 2020 there was three months when passes were not being sold, since ridership had dropped due to COVID. In 2019 we sold 12,335 passes which we have not been near that number in the last three years.

The FRAQMD has been extended to March 2024 and the board agreed to support addition funds for the program to be extended until July 2024.

G. Project & Program Updates.

1. NextGen Transit Plan (Final Draft Plan Presentation & Adoption Consideration at the May 18th Meeting)

Martin stated that the final draft plan, which is now available on the project website, will be presented to the Board for adoption consideration at the May 18th meeting.

2. Next Generation Zero-Emission Bus Facility Project (Three Pending Grant Award Announcements)

Martin noted that we have three pending grant applications for a total of nearly \$30 million. Award announcements are expected by Monday, April 24th on the State TIRCP grant, by early May on the SACOG Regional Funding Round grant, and by June 28th on the federal bus facility grant application.

3. Executive Director Recruitment

Martin reminded the Board of the special meeting on Monday, May 1st for the interviewing of finalists for the Executive Director position.

VII. Correspondence / Information

None.

VIII. Other Business

None.

IX. Adjournment

The meeting was adjourned at 4:58 pm.

THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, MAY 18, 2023 AT 4:00 PM IN THE YUBA COUNTY BOARD OF SUPERVISORS CHAMBERS UNLESS OTHERWISE NOTICED.

AGENDA ITEM IV – B

**YUBA-SUTTER TRANSIT AUTHORITY
SPECIAL MEETING MINUTES
MAY 1, 2023**

I. Call to Order & Roll Call (12:33 p.m.)

Present: Bains (Chair), Blaser, Buttacavoli, Fuhrer (Arrived at 12:45 p.m.), Hudson, Kirchner, and Shaw
Absent:

II. Public Business from the Floor

None.

III. Closed Session

A. Public Employee Appointment (Pursuant to Government Code Section 54957)

Position Title: Executive Director

The Board adjourned to closed session at 12:34 p.m.

Director Fuhrer left the meeting at approximately 3:50 p.m.

The Board reconvened at 4:35 p.m. stating that no reportable action had been taken other than to give direction to staff.

IV. Adjournment

The meeting was adjourned at 4:37 pm.

THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, MAY 18, 2023 AT 4:00 PM IN THE YUBA COUNTY BOARD OF SUPERVISORS CHAMBERS UNLESS OTHERWISE NOTICED.

**AGENDA ITEM IV - C
YUBA-SUTTER TRANSIT
DISBURSEMENT LIST
MONTH OF APRIL 2023**

CHECK NO.	AMOUNT	VENDOR	PURPOSE
EFT	\$ 7,620.69	PERS HEALTH	HEALTH INSURANCE
EFT	\$ 3,506.24	PERS RETIREMENT	RETIREMENT PAYMENT (EMPLOYER SHARE)
EFT	\$ 600.00	CALPERS 457 PLAN	EMPLOYER CONTRIBUTION
EFT	\$ 38,986.66	PAYROLL	PAYROLL
EFT	\$ 1,573.75	PRINCIPAL MUTUAL LIFE INSURANCE	L/D/LTD INSURANCE
EFT	\$ 36.89	CALIFORNIA WATER SERVICE	FIRE SUPPRESSION - APRIL 2023
EFT	\$ 290.88	CALIFORNIA WATER SERVICE	WATER
EFT	\$ 376.00	CALIFORNIA DEPT OF TAX & FEE ADMIN	FUEL TAX JAN - MAR 2023
EFT	\$ 1,467.99	PG&E	GAS MARCH 2023
EFT	\$ 100.00	DON BLASER	AD HOC COMMITTEE MEETING 4/10/2023
EFT	\$ 100.00	KARM BAINS	AD HOC COMMITTEE MEETING 4/10/2023
EFT	\$ 100.00	WADE KIRCHNER	AD HOC COMMITTEE MEETING 4/10/2023
EFT	\$ 1,246.53	CARDMEMBER SERVICES	CREDIT CARD -SUBSCRIPTIONS, ANNUAL DUES, DRIVER APPRECIATION GIFT
EFT	\$ 228.38	UTILITY MANAGEMENT SERVICES	SEWER
EFT	\$ 198.72	PRIMEPAY	PAYROLL FEES - MARCH 2023
EFT	\$ 108.54	ELAVON	MERCHANT SERVICE FEE - APRIL 2023
18370	\$ 63.19	ADVANCED DOCUMENTS CONCEPTS	500 POSTBASE POSTAGE LABELS
18371	\$ 395.00	ALL SEASONS TREE & TURF CARE	BI-ANNUAL SPRAYING FOR WEED CONTROL
18371	\$ 175.00	ALL SEASONS TREE & TURF CARE	LANDSCAPING & WEED CONTROL MARCH 2023
18372	\$ 1,707.20	CONNECT CARD REGIONAL SERVICE CENTER	CONNECT CARD SALES - MARCH 2023
18373	\$ 405.00	HOTSY OF SACRAMENTO	SERVICE OF WASH BAY - PRESSURE WASHER
18374	\$ 500.00	KEITH MARTIN	VISION REIMBURSEMENT - KM & RM
18374	\$ 16.00	KEITH MARTIN	PARKING REIMBURSEMENT
18375	\$ 23,941.30	LAKEVIEW PETROLEUM COMPANY	BUS FUEL - DYED DIESEL
18376	\$ 103.41	QUILL CORPORATION	OFFICE SUPPLIES: RECEIPT BOOKS & BINDER
18377	\$ 1,100.00	RC JANITORIAL	JANITORIAL SERVICES - MARCH 2023
18378	\$ 7,796.99	RAMOS OIL COMPANY	BUS FUEL - GAS
18379	\$ 1,340.00	RICH, FUIDGE, BORDSEN & GALYEAN, INC	LEGAL SERVICES 2/16/2023 - 3/15/2023
18380	\$ 88,017.00	SC FUELS	DEF FLUID
18381	\$ 565.47	SECURITAS TECHNOLOGY CORPORATION	SECURITY SERVICES - MAY 2023
18382	\$ 280.00	SIMONE REED	REIMBURSEMENT - CPA LICENSE RENEWAL
18383	\$ 258.89	STAPLES CREDIT PLAN	OFFICE SUPPLIES: 4 FARGO PRINTER RIBBONS
18384	\$ 472,232.04	STORER TRANSIT SYSTEMS	CONTRACT SERVICES & VEHICLE INSURANCE 2/23
18385	\$ 450.00	STREAMLINE	WEBSITE SERVICES - APRIL 2023
18386	\$ 52.80	SUTTER COUNTY LIBRARY	CONNECT CARD SALES COMMISSION - MAR 2023
18387	\$ 1,650.84	T-MOBILE	WIFI SERVICES ON BUSES - MARCH 2023
18388	\$ 5,205.60	TEHAMA TIRE SERVICES INC	TUBES/TIRES
18389	\$ 272.79	TIAA COMMERCIAL FINANCE INC	COPIER LEASE - MARCH 2023
18390	\$ 471.29	ADVANCED DOCUMENTS CONCEPTS	COPY MACHINE CHARGES - MARCH 2023
18391	\$ 7,475.10	AECOM TECHNICAL SERVICES INC	BUSES & BUS FACILITIES GRANT 7/2/2022 - 3/24/2023
18391	\$ 6,909.49	AECOM TECHNICAL SERVICES INC	TIRCP GRANT 12/6/2022 - 1/6/2023
18391	\$ 14,366.16	AECOM TECHNICAL SERVICES INC	TIRCP GRANT 1/7/2023 - 2/3/2023
18391	\$ 7,448.79	AECOM TECHNICAL SERVICES INC	TIRCP GRANT 2/4/2023 - 3/3/2023
18392	\$ 1,870.00	ALLIANT NETWORKING SERVICES INC	IT SERVICES & SERVER MAINTENANCE - MAY 2023
18393	\$ 100.00	BRUCE BUTTACAVOLI	AD HOC COMMITTEE MEETING 4/10/2023
18394	\$ 180.00	CHRIS JAEGER TESTING	BACKFLOW TESTING
18395	\$ 381.75	COMCAST BUSINESS	TELEPHONE SERVICES - APRIL 2023.
18396	\$ 356.96	COMCAST BUSINESS	INTERNET SERVICES - APRIL 2023
18397	\$ 110.00	HANCOCK PETROLEUM ENGINEERING	FACILITY REPAIR - REPAIR ON PUMP SYSTEM
18398	\$ 621.25	LAMAR ADVERTISING	CAMPAIGN ADS ON 10 COMMUTER BUSES
18399	\$ 1,059.77	QWEST	MAINTENANCE OF BUS STOPS/SHELTERS - 3/23
18400	\$ 229.45	QUILL CORPORATION	OFFICE SUPPLIES - COPY PAPER & FILE FOLDERS
18400	\$ 493.28	QUILL CORPORATION	JANITORIAL SUPPLIES - PAPER TOWELS, TOILET PAPER, TRASH LINERS
18401	\$ 1,100.26	SC FUELS	DEF FLUID
18402	\$ 55.00	SHELBY'S PEST CONTROL	PEST CONTROL SERVICES - APRIL 2023
18403	\$ 561.25	STATE COMPENSATION INSURANCE FUND	WORKERS COMP PREMIUM - 4/1/2023 - 7/1/2023
18404	\$ 75.00	STATE WATER RESOURCES CONTROL BOARD	ANNUAL PERMIT FEE 4/1/2023 - 3/31/2024
18405	\$ 24,583.24	TACENERGY	BUS FUEL - DYED DIESEL
18406	\$ 395.03	TEHAMA TIRE SERVICES INC	TUBES/TIRES
18407	\$ 1,250.00	BROWNSVILLE SAND & GRAVEL INC	FACILITY - PARKING LOT ASPHALT REPAIR
	\$ 733,162.86		

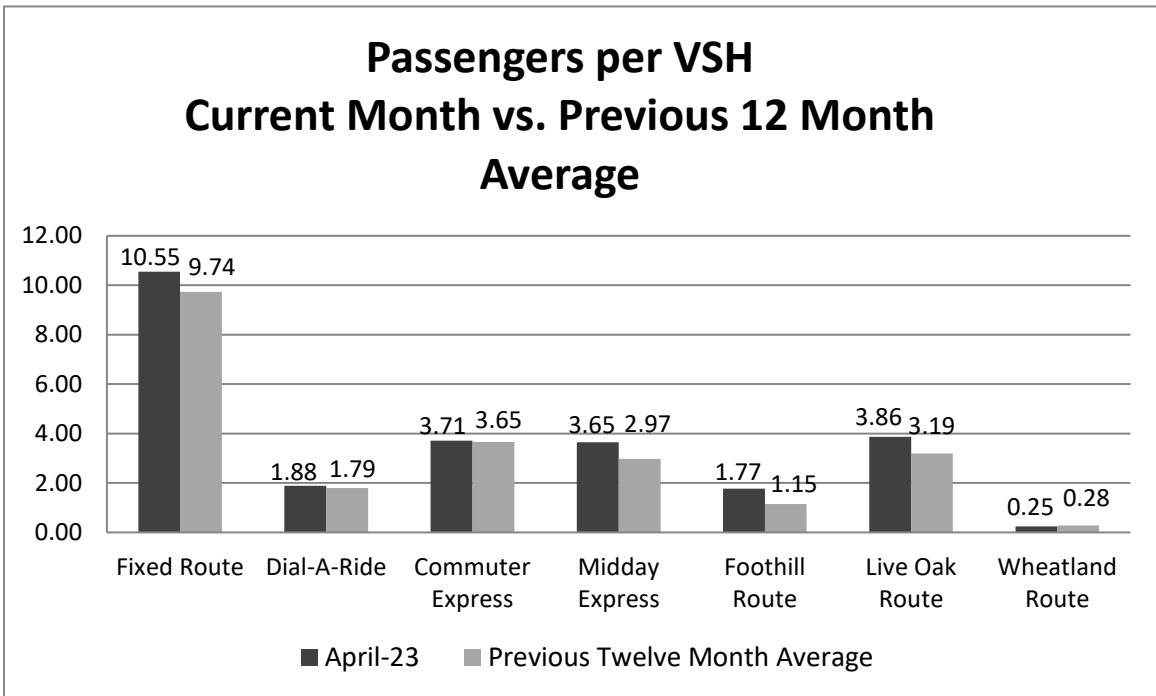
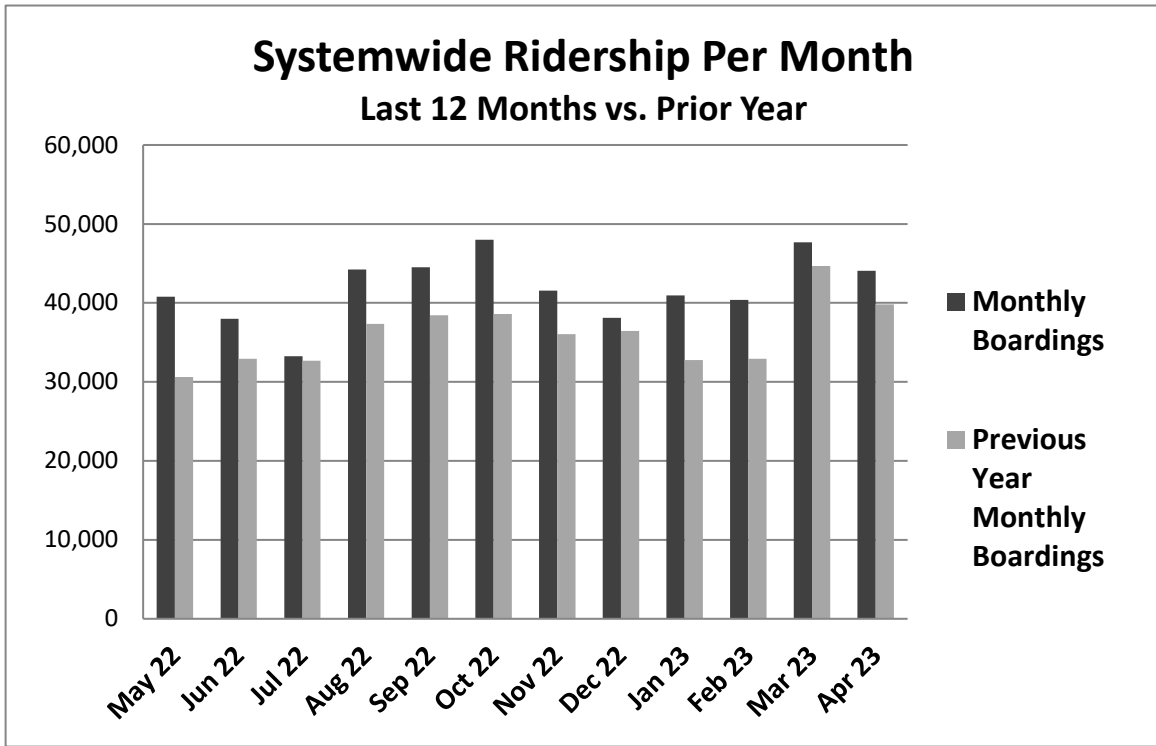
**LAIF
TRANSFERS**

4/5/2023 \$ 400,000.00 TRANSFERRED FROM LAIF TO CHECKING

AGENDA ITEM IV- D
APRIL 2023 PERFORMANCE REPORT

	April-23	Previous Twelve Month Average	Fiscal YTD	Previous Fiscal YTD
Ridership:				
Fixed Route	37,763	35,498	362,623	318,074
Dial-A-Ride	2,686	2,477	24,782	23,912
Commuter Express	2,611	2,636	26,657	19,162
Midday Express	562	475	4,922	4,102
Foothill Route	142	99	1,044	731
Live Oak Route	309	241	2,560	1,734
Wheatland Route	11	13	136	100
Oroville Route	0	0	0	1,975
Total Ridership:	44,084	41,438	422,724	369,790
Vehicle Service Hours:				
Fixed Route	3,579.71	3,644.95	36,300.16	36,428.38
Dial-A-Ride	1,428.32	1,381.30	13,568.71	14,611.52
Commuter Express	703.35	721.15	7,160.33	7,225.06
Midday Express	154.11	159.98	1,592.17	1,549.49
Foothill Route	80.25	85.60	848.63	855.82
Live Oak Route	79.96	75.32	752.28	737.52
Wheatland Route	44.50	47.47	481.59	438.40
Oroville Route	0.00	0.00	0.00	427.39
Total VSH's:	6,070.20	6,115.76	60,703.87	62,273.58
Passengers Per Hour:				
Fixed Route	10.55	9.74	9.99	8.73
Dial-A-Ride	1.88	1.79	1.83	1.64
Commuter Express	3.71	3.65	3.72	2.65
Midday Express	3.65	2.97	3.09	2.65
Foothill Route	1.77	1.15	1.23	0.85
Live Oak Route	3.86	3.19	3.40	2.35
Wheatland Route	0.25	0.28	0.28	0.23
Oroville Route	0.00	0.00	0.00	4.62
Total Passengers Per VSH:	7.26	6.78	6.96	5.94

APRIL 2023 PERFORMANCE REPORT



AGENDA ITEM V – A
STAFF REPORT

FINAL DRAFT YUBA-SUTTER NEXTGEN TRANSIT PLAN

Summary

The Final Draft NextGen Transit Plan is now being presented for Board discussion and adoption consideration. The specific service and financial recommendations from the plan were discussed in detail at the March 16th meeting at which time it was the consensus of the Board to proceed with the development of the final draft plan as presented. A copy of the Executive Summary for the 400+ page draft plan is attached for ease of reference, but the entire plan including appendices is now available for public review or download from the home page of the project website at www.yubasutternextgen.com. These materials have been posted on the website for approximately one month for public comment. It should be noted that adoption of the plan does not commit the Board to implementation as each of the specific service and program recommendations will require future Board authorization including formally noticed public hearings as appropriate.

Background

Yuba-Sutter Transit received a \$199,192 Fiscal Year 2021/22 Sustainable Communities Planning Grant from the California Department of Transportation (Caltrans) to develop a Comprehensive Operational Analysis (COA)/Short Range Transit Plan (S RTP). Transit plans are normally conducted every four to six years as a guide for future transit improvements and system modifications. A current transit plan is required to remain eligible for federal funding and the last Yuba-Sutter Transit S RTP was adopted in April 2015. The \$225,000 project budget includes the Caltrans grant and the required local match of \$25,808.

On April 21, 2022, a consulting team led by Innovate Mobility, LLC was selected to develop the now Yuba-Sutter NextGen Transit Plan in close collaboration with the Board of Directors, member jurisdictions, community stakeholders, and the public at large. The resulting plan will shape the Yuba-Sutter Transit system for the next 5 to 10 years through pandemic recovery; construction of a new transit operating, maintenance, and administration facility; and transition to the large-scale operation of zero-emission buses. This top-to-bottom examination of the entire system (local, rural and commuter routes along with the Dial-A-Ride service) was intended to form a set of specific recommendations that could include modifications to existing routes, new service areas, alternative service models, and more modern technology-based transportation delivery tools. The purpose is to develop an operational plan that will improve the customer travel experience by reducing travel time; improving service frequencies and connections (where possible); and introduce new and innovative transit options (where feasible).

This year-long process included numerous public and Board input opportunities. These included an early progress report to the Board who was meeting as a committee on October 20, 2022, due to the lack of a quorum. That presentation included a review of the existing conditions data that was being analyzed as well as an update on public outreach, stakeholder interviews, and general system observations. Critical to the planning process was the extensive public outreach effort that included an initial public survey, two rounds of community open houses, multiple Board workshops including a special alternatives workshop on January 12th, and on-going solicitation of public input. Innovate Mobility President, Rahul Kumar, will be available online during the meeting to review the Executive Summary and receive any feedback on the final draft plan.

Major Plan Recommendations

The NextGen Transit Plan is intended to not only be an overall service plan, but also to guide how and when specific services will be deployed and what measures will be used to measure their success. As a refresher, the project team previously presented the following themes to guide the overall service recommendation framework:

- **Improve Rider Experience** - Provide better information, faster travel time, and connections to previously unserved areas.
- **Provide More Regional Connections** - Connect more communities that are farther away and create a network where riders can seamlessly travel to these locations.
- **Improve Local Access** - Serve new, growing areas and connect them with fast, modern, cost-effective transit solutions.
- **Improve Operating Performance** - Reduce delays from bridge crossings and speed up routes to ensure layover time and more predictable travel times.

These themes along with the data analyses and public feedback gathered throughout this project resulted in the following general service concepts:

Service Concept 1 – New on-demand zones throughout Yuba and Sutter Counties

Service Concept 2 – A redesigned fixed route system to connecting major trip generators

Service Concept 3 – A Volunteer Driver Program to extend rural service into more communities

Service Concept 4 – A new service to Placer County and the Roseville Galleria Transit Center

These concepts were chosen from an exhaustive list of options including increased fixed routes, decreased commuter service, serving new areas, etc. Ultimately, these four concepts were settled on because, when combined, they appear to best address the four project goals which have been generally well received by both the Board and the public.

The NextGen Transit Plan is broken into four phases as detailed below. When fully implemented, Yuba-Sutter Transit's ridership is projected to increase by 45 percent and its coverage area will increase by 60 percent at approximately the same inflation adjusted operating cost.

Phase 0 – Beginning July 1, 2023

- No operating cost changes
- +\$250,000 in staffing costs

Phase 0 is designed to prepare for the deployment of the major service changes by procuring new technology and beginning the recruitment of new staff. The major tasks in this phase are as follows:

- Transit technology continues to evolve at a rate faster than before. As a result, the plan calls for the recruitment of a Transit Technology Manager. Yuba-Sutter Transit is leanly staffed and major changes such as those envisioned by the NextGen Transit Plan call for the simultaneous deployment of technology and service. Combined with the new facility project, this dictates a

need for the recruitment of a Transit Technology Manager – the position is planned to come on board in Q3 of FY 2024.

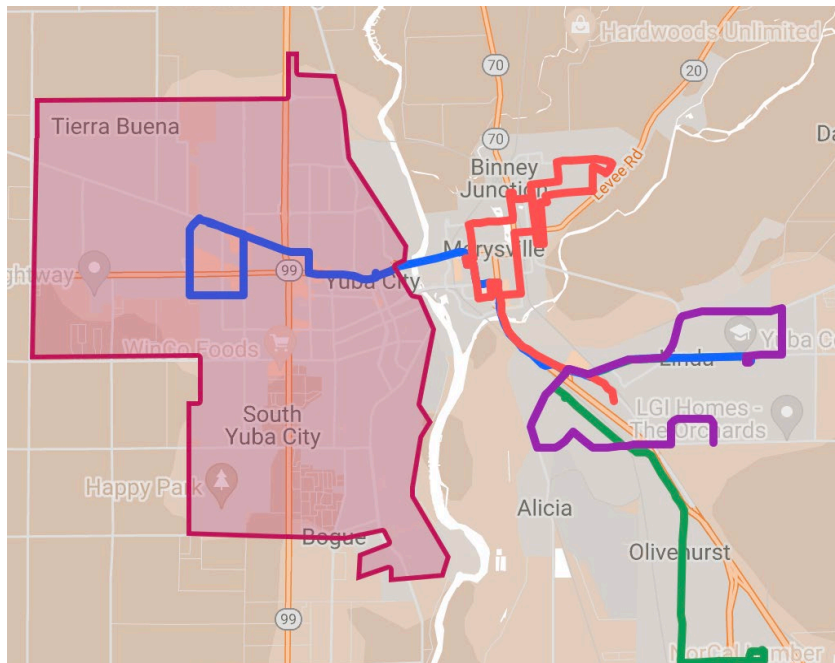
- Given the heightened need for community involvement when deploying a large-scale change such as that envisioned by the plan, the plan would also recommend recruiting a Community Relations Manager. This position can be delayed to Q4 of FY 2024 but should be brought on prior to the start of roll out of the Community on-demand zones.
- The plan also calls for beginning the procurement for the technology necessary to support the transition from fixed route to on-demand service. The technology has become much more widely available in the past 10 years with more than 10 prospective vendors.
- Finally, in Phase 0, the plan recommends consolidating the existing commuter services to permanently remove the trips that are no longer being operated from the schedule as well as reducing one additional AM and PM trip from the existing schedule to transition those resources to the new Highway 65 corridor service to the Roseville Galleria Transit Center which will occur in Phase 1.

Phase 1 – Beginning August 1, 2024

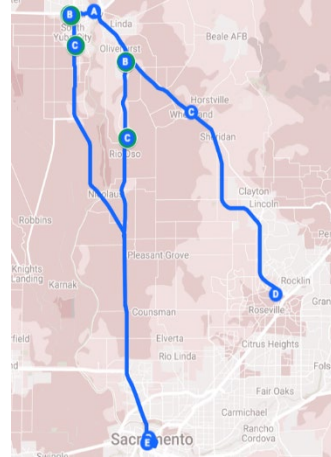
- 76,781 annual operating hours (slightly more than what is now being operated for FY 2023)
- \$115.99 fully loaded cost per hour
- \$9.2M annual operating budget

Phase 1 of the plan includes major changes in Yuba City including the deployment of the first on-demand Community Zone and expanding the span of service from 6:30 to 8:00 p.m. on weekdays. The major tasks in this phase are as follows:

- In Yuba City, the plan recommends streamlining Route 1 to reduce total travel time between Yuba City and Yuba College by up to 20%. In addition, in this phase, the plan recommends deploying the first Community on-demand zone in Yuba City. This zone will replace the existing Routes 2 and 5.



- In Phase 1, the plan also recommends deploying a new service to the Roseville Galleria Transit Center. This would initially be just one trip AM and PM to be funded by the savings from the consolidation of the Sacramento service in Phase 0. A second trip could possibly be funded through an intercity grant program.
- Yuba-Sutter Transit to begin procurement of 15 electric 14-16 seat “cutaway” buses. These buses are expected to cost approximately \$400,000 per vehicle. This procurement is generally in line with the authority’s fleet replacement plan and the recently awarded state TIRCP grant. The expected delivery time of these vehicles is 18-24 months and would be scheduled to coincide with the full deployment of the plan. Yuba-Sutter Transit is expected to begin construction of its NextGen Transit Facility in Summer 2025 with an expected completion date in Spring 2027. Should this schedule change, the authority would need to consider alternatives to the electric vehicles as there will be no charging infrastructure to support these vehicles without the new facility.
- Finally, in Phase 1, the plan calls for the elimination of the lightly used evening Dial-A-Ride service. This change will not have a material impact because of the deployment of the Yuba City Community on-demand zone and the expansion of the span of service to 8:00 p.m.

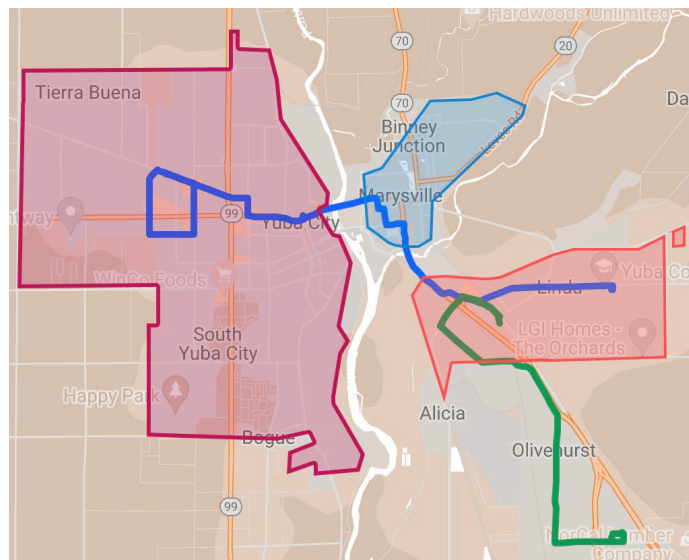


Phase 2 – Beginning July 1, 2025

- 75,354 annual operating hours
- \$122.07 fully loaded cost per hour
- \$9.2M annual operating budget

Phase 2 includes an expansion of the Community on-demand zones to Marysville and Linda and supporting the volunteer driver program in Challenge and Dobbins. The major tasks in this phase include:

- New Community on-demand zones in Marysville and Linda replacing Routes 4 and 6 in those areas. With these new zones, Route 3 will be truncated at the Peachtree Clinic (Yuba County Health & Human Services) for direct service from Olivehurst to this location.



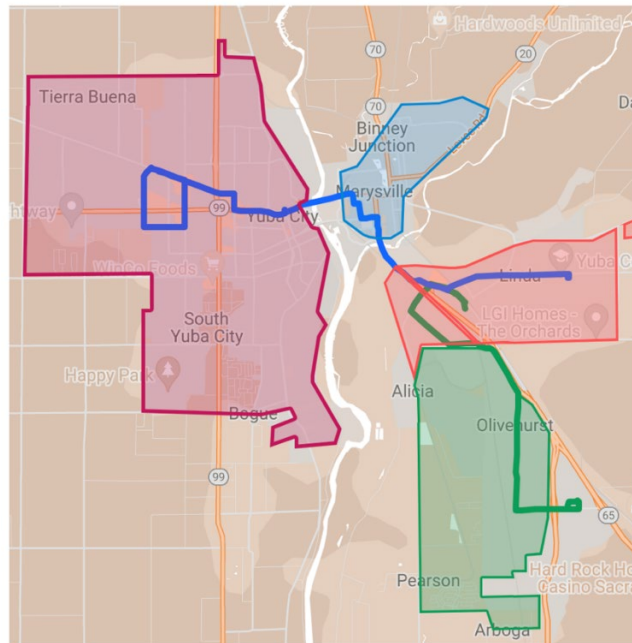
- With the near full deployment of the Community on-demand zones, the existing Dial-A-Ride (ADA) service will be comingled with the new on-demand services providing ADA-eligible residents of Yuba and Sutter Counties a faster and better experience.

Phase 3 – Beginning July 1, 2026

- 75,268 annual operating hours
- \$127.27 fully loaded cost per hour
- \$9.6M annual operating budget (Yuba-Sutter Transit’s operating contract is expected to be renewed in FY27 and the plan has incorporated an expected industry-standard rate increase)

The final phase of the plan recommends the creation of a fourth Community on-demand zone in Olivehurst and expansion of the Roseville service (if demand warrants)

- The final Community on-demand zone in Olivehurst provides residents of that area with expanded services over Route 3 increasing and significantly expanding the coverage of Yuba-Sutter Transit’s services especially to the Yuba County Airport Industrial Park and new housing developments in North Arboga.



- Should the Roseville service be successful, Phase 3 of the plan calls for an additional AM and PM trip to and from the Roseville Galleria Transit Center which could possibly be provided with additional grant funding.

Next Steps

Staff is now recommending that the Board adopt the final draft 2023 NextGen Transit Plan as submitted. Based on Board and public input on the plan recommendations at the March meeting, staff has included allowances for Phase 0 implementation activities in the Final Draft FY 2024 Operating and Capital Budget that will also be considered on this same agenda. Assuming Board approval, staff intends to prepare a more detailed implementation plan for Board discussion and direction at the June meeting. This will

include the possible setting of dates and times for necessary public hearings to consider making the pandemic related Route 2 service reductions permanent and the consolidation of the Sacramento service.

Staff and members of the project team will be prepared at the meeting to discuss the Yuba-Sutter NextGen Transit Plan in detail.

RECOMMENDATION: Adopt the 2023 Yuba-Sutter NextGen Transit Plan as proposed.

Attachment: Yuba-Sutter NextGen Transit Plan Executive Summary

A set of three yellow icons: a person in a wheelchair, an electric bus with a lightning bolt symbol, and three stylized human figures.

NEXTGEN
TRANSIT PLAN

May 2022-May 2023



Executive Summary



innovate mobility

BACKGROUND

Yuba-Sutter Transit received a \$199,192 Fiscal Year 2021/22 Sustainable Communities Planning Grant from the California Department of Transportation (Caltrans) to develop a Comprehensive Operational Analysis (COA)/Short Range Transit Plan (SRTP). Transit plans are normally conducted every three to five years as a guide for future transit improvements and system modifications. A current transit plan is required to remain eligible for federal funding and the last Yuba-Sutter Transit SRTP was adopted in April 2015. The \$225,000 project budget includes the Caltrans grant and the required local match of \$25,808.

On April 21, 2022, a consulting team led by Innovate Mobility, LLC was selected to develop the now Yuba-Sutter NextGen Transit Plan in close collaboration with the Board of Directors, member jurisdictions, community stakeholders, and the public at large. The resulting plan is expected to shape the Yuba-Sutter Transit system for the next 5 to 10 years through pandemic recovery; construction of a new transit operating, maintenance, and administration facility; and transition to the large-scale operation of zero-emission buses. This top-to-bottom examination of the entire system (local, rural and commuter routes along with the Dial-A-Ride service) will result in recommendations that could include modifications to existing routes, new service areas, alternative service models, and more modern technology-based transportation delivery tools.

The project purpose is to develop an operational plan that will improve the customer travel experience by reducing travel time; improving service frequencies and connections (where possible); and introduce new and innovative transit options (where feasible). Critical to the planning process is the extensive public outreach effort that includes an initial public survey, two rounds of community open houses, stakeholder interviews, general system observations, multiple Board workshops, and on-going solicitation of public input. Three Board workshops on held on October 20th, January 12th, and February 16th, and community open houses were held on October 20th and February 16th.

EXISTING CONDITIONS

Yuba-Sutter Transit provides public transit to the cities in the sister counties of Yuba and Sutter. The majority of the population in these counties live in the cities of Yuba City and Marysville and the unincorporated communities of Linda and Olivehurst. Divided by the Feather and Yuba Rivers, the communities in Yuba and Sutter counties both act as a bedroom community for Sacramento, Placer Counties and beyond.

SERVICE LEVELS

In FY 2019, Yuba-Sutter Transit operated 42,423 revenue hours weekdays and 9,344 on Saturdays on the local fixed route service. Yuba-Sutter Transit also operated 19,911 revenue hours weekdays and 4,380 hours on Saturday for the Dial A Ride service. The Authority operated 14,060 revenue hours on Sacramento Commuter and Midday routes. Rural service accounted for 2,404 revenue hours.

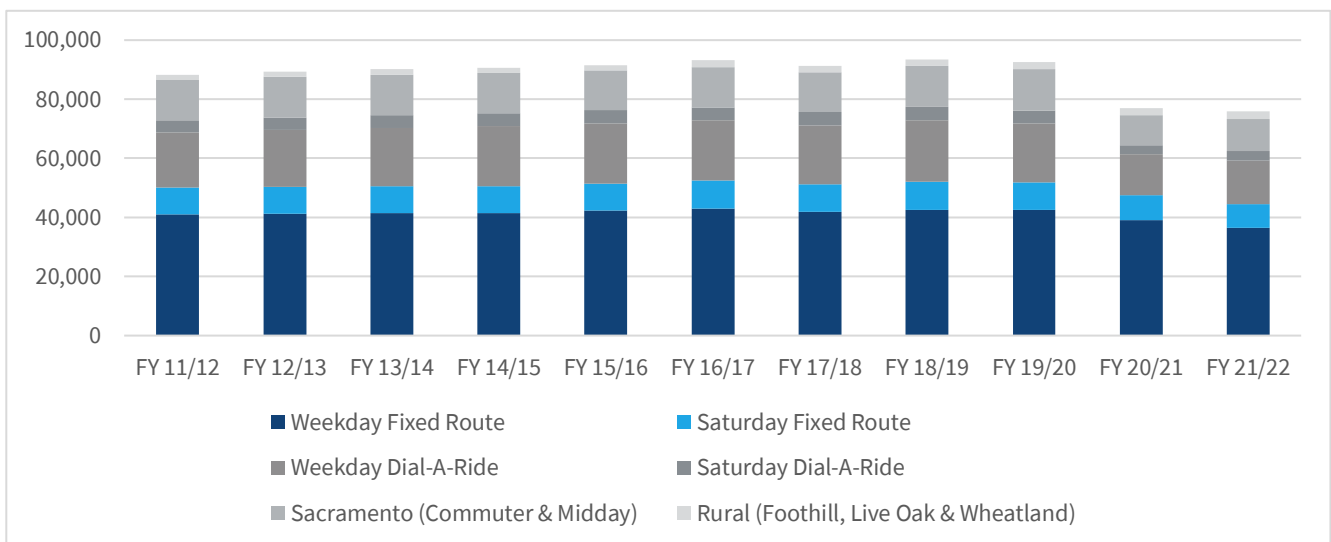


Figure 1 - Service Hours

SYSTEM RIDERSHIP

Like many other agencies throughout the country, COVID-19 had a significant impact on Yuba-Sutter Transit's daily ridership across the entire network. Overall, Yuba-Sutter Transit's ridership is projected to be 38% below pre-pandemic levels in FY 21/22. This does represent a 29% improvement over the previous year's totals. Commuter services have been hit the hardest in terms of ridership drops. Commuter ridership is projected to be 72% below pre-pandemic levels in FY 21/22. This does represent a 50% improvement over FY 20/21 indicating some riders are returning to the service. The Authority is operating 17 of 23 scheduled commuter trips currently.

On the fixed-route side, ridership is projected to be 32% below pre-pandemic levels. This does represent a 25% improvement over FY 20/21. Similarly, ridership on dial-a-ride services is projected to be approximately 28% below FY 19/20, but it appears that ridership on dial-a-ride is rebounding faster than other modes.

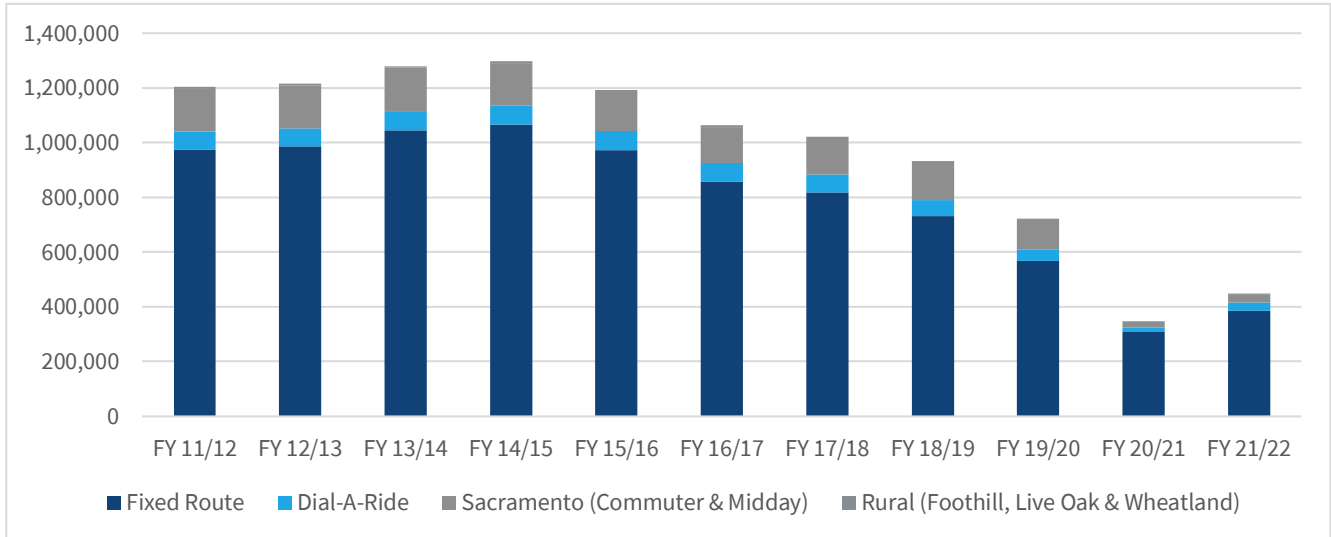


Figure 2 - Passenger Trips by Mode by Year

POST-PANDEMIC TRIP ORIGIN AND DESTINATION

In the post-pandemic time frame, the majority of trips in both counties either originate in or end in Yuba City. However, travel appears to be more significant throughout both counties. There is evidence of new trip intensity from Olivehurst to Linda, within Marysville and between Linda and Yuba City. Overall, there is significantly more travel in Sutter County than prior to the pandemic. Much of this new travel originates within the county itself rather than coming from Yuba City. Although cross-bridge travel between counties still continues to be the largest portion of travel demand in both counties.

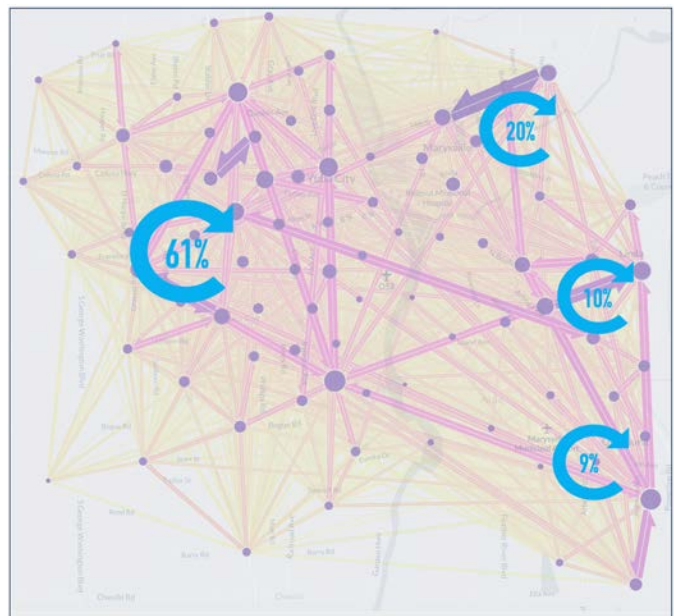


Figure 3 - Post-Pandemic Trip Origin and Destination

TRAVEL PATTERNS FOR VULNERABLE POPULATIONS

The major trip generators for the region where vulnerable populations reside are in North Yuba City, southern Marysville and portions of Linda and Olivehurst. For vulnerable residents, travel times to and from these locations are well over 40 minutes each way. This indicates an opportunity to improve access by introducing new or more direct transit services to better serve these communities.

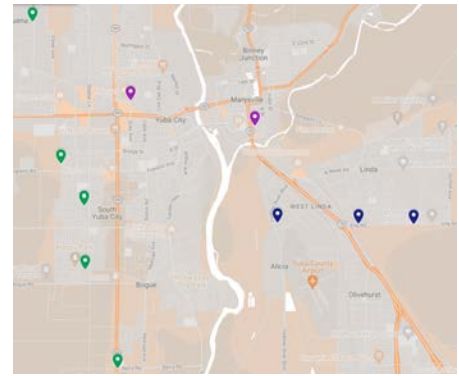


Figure 4 - Travel Time for Vulnerable Populations

SUMMARY

Overall, Yuba-Sutter Transit has faced the same issues that most transit agencies in the U.S. have. From ridership dropping for the five years leading up to the COVID-19 pandemic, to the significant drop in ridership in the pandemic years of 2020 and 2021. While ridership is bouncing back on Yuba-Sutter Transit in 2022, there are still areas for improvement. Based on the findings in the Existing Conditions Report the major areas of focus for the NextGen Transit Plan service recommendations will be:

- 1) Aligning fixed route service provided to service demanded – The NextGen Transit Plan recommendations will look at how people move around the service area now and align Yuba-Sutter Transit’s fixed route services accordingly. In some cases, this will mean changing timetables, others could involve re-routing existing service.
- 2) Introduce new services to support existing fixed routes – New modes such as microtransit may help provide greater coverage in areas where there is no fixed route service or provide a cost-effective replacement for fixed route service if it is underperforming.
- 3) Find solutions to bring back commuter ridership – Commuter services have been the most impacted by the COVID-19 pandemic. While riders are coming back, ridership remains 65-70% below pre-pandemic levels. The NextGen Transit Plan will look at ways to better feed existing services and determine what other opportunities exist to grow ridership.

TRANSIT EFFECTIVENESS

To determine how effective the existing Yuba-Sutter Transit network is in meeting trip demand in the region, this study reviews the proximity of trip generators to existing transit services. Then, potential transit trips were calculated by comparing the total population within ½ mile from each bus stop and total travel demand within that same area, to the actual ridership numbers. This analysis found that a total of 432,470 trips are taken on an average weekday, across all modes of transportation. With all the public transit services available in the area, approximately 57% of these trips could be completed using the current local transit route network (potential trips). Yuba-Sutter Transit’s current route network carries approximately 29% of the total trips taken in the service area, as shown in Figure 1 below. The data indicates that there is some room to increase ridership and utilization of the transit system as it is currently configured, and that there is also a relatively large percentage (43%) of trips that are taking place that are not accessible via public transportation (i.e. more than ½ mile from transit). These trip generators are shown in Figure 2. While this may seem like a large percentage of trips that aren’t covered, there will always be a percentage of trips that are not well suited for fixed route transit for a variety of reasons. There is also a relatively large number of people who will continue to drive, regardless of how efficient the transit network is. In order to make the most effective improvements to the transit network, the additional analysis later in this section will help determine where Yuba Sutter Transit should focus its efforts.

The darker areas in Figure 5 indicate trip generators that are more than ½ mile from a transit stop, making these destinations less accessible using public transit. Assessing the number of trips to these locations will provide insights into where route adjustments or expansions might be the most impactful and will draw the highest numbers of new riders.

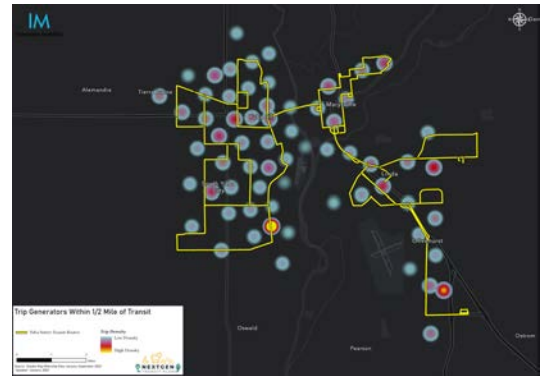


Figure 6 - Trip Generators Currently Served by Transit

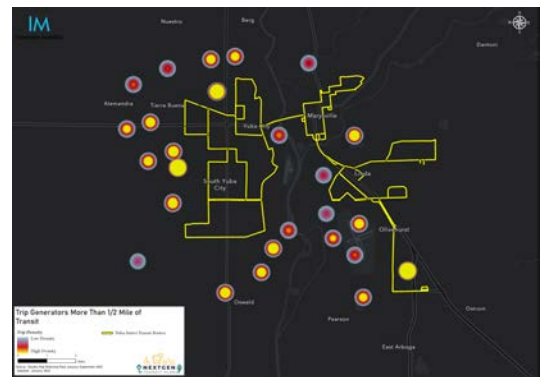


Figure 5 - Trip Generators More than 0.5 Miles from Transit

For example, extending a transit route to the area near the yellow dot on the west side of the map, which appears to be an elder care residential area including a skilled nursing facility, assisted living and an Alzheimer’s care facility, would likely result in increased ridership, as there is a high density of trips starting and ending in that location.

ROUTE PERFORMANCE BENEFIT INDEX

The Route Performance Benefit Index shown in Table 2 was developed to identify which routes, with changes could result in the greatest impact from route adjustments or increases in service frequency. To do this, it takes into consideration several data points, including trip generators, potential vs actual ridership, transit coverage, cost/benefit based on reductions in subsidy per passenger of potential vs actual ridership, and route performance which looks at improvements in productivity (riders per hour) of potential vs actual ridership.

From this we can see that the Yuba City loop (Route 2) has the greatest overall potential for growth, indicating that improvements should be focused on this route. This route has high potential for performance improvements given that transit coverage for this route is currently only about 15%. This comes from the fact that total potential ridership based on population density/proximity to the route is very high, over 430,000 annually, as compared to the number of actual rides, coming in at only about 66,000 per year. Route 2 previously operated at a 30-minute frequency which was decreased to hourly in June 2020. It is not realistic to expect the current or even a significantly improved transit route, can carry 430,000 riders per year. However, the goal of the recommendations section of this report is to attract as much of the potential ridership as possible through changes in travel time, wait time and access to major trip generators.

Table 1 - Route Performance Benefit Index

Route	Hours	Annual Ridership		Potential Ridership		Coverage	Cost/Benefit	Performance	Performance Benefit Index
		Current	Potential	Weekday	Weekend				
Yuba City Loop	6,881	66,483	435,572	1572.5	629.0	15%	1	8	5.7
Southwest Yuba City	3,478	27,492	209,714	757.1	302.8	13%	2	7	4.3
Marysville Loop	6,753	43,089	299,938	1082.8	433.1	14%	2	5	2.6
Yuba City to Yuba College	13,684	156,486	226,157	816.5	326.6	69%	2	4	1.8
Olivehurst to Yuba College	6,884	68,853	112,081	404.6	161.8	61%	3	4	1.5
Linda Shuttle	3,415	25,197	51,325	185.3	74.1	49%	4	4	1.0

RECOMMENDATIONS FRAMEWORK

Given the data presented above, the following four guiding principles helped focus the project team on the service recommendations:

- **Improve Rider Experience:** Provide better information, faster travel time, and connections to previously unserved areas.
- **More Regional Connections:** Connect more communities that are farther away and create a network where riders can seamlessly travel to these locations.
- **Improve Local Access:** Serve new, growing areas and connect them with fast, modern, cost-effective transit solutions.
- **Improve Operating Performance:** Reduce delays from bridge crossings and speed up Routes to ensure layover time and expected travel times.

Based on the above guiding principles, the following framework supports the service recommendations. The framework below defines the new service types and the expected performance standards.

	Crosstown	Community	Commuter
Segment Overview	Crosstown Services service the major communities of Yuba City, Marysville, Linda and Olivehurst	Community services connect smaller, more distant areas with the Crosstown. These services will be technology enabled allowing riders to book online (or via telephone). Paratransit eligible customers will get curb-to-curb service, all others will get connections to mobility hubs and major transfer points.	Peak only outbound and return service to major regional locations. Connect to Crosstown and Community services at hubs.
Performance Standards	12-20 PAX per hour 15%+ farebox recovery 0.75-2 seat turnover per trip	3-7 PAX per hour 10%+ farebox recovery 20%+ trip sharing	25-30 PAX per hour 25%+ farebox recovery 0 seat turnover
Span of Service	6:30am-8:00pm Weekdays 8:00am-6:00pm Saturdays	6:30am-8:00pm Weekdays 8:00am-6:00pm Saturdays	5:20am-5:30pm Weekdays
Frequency/Wait/Travel Time	30-minute frequency	15-30-minute wait time 10-30-minute travel time	Commuter services arrive at pre-scheduled times.
Other	Connects to other segments at mobility hubs	Non-paratransit customers cannot travel to destinations on Crosstown Services (other than to hubs)	
Vehicles req. (at full plan)	5 fixed route	10-11 On Demand+2 Flex+2-3 DAR	8 Commuter Buses

Figure 7 - Service Framework Recommendations

As this is a major functional change, the following section describes each mode and how it is different from today's service framework:

- **Crosstown Service** – This service type replaces what is currently known as “fixed-route”. It will be referred to as both fixed-route and crosstown as they are interchangeable throughout the rest of the report. What is important is the guiding criteria behind what constitutes a crosstown service. Crosstown services should traverse more than one city or community and provide connections at major stops known as “super stops” or “mobility hubs”. These are locations where the Community services can transfer to these Routes. Stop spacing will be based on population density and should operate and no higher than a 30-minute frequency.
- **Community Services** – The Community services segment encompasses what is currently known as “Dial-a-Ride” and “Rural” services. The current dial-a-ride system provides daytime service to ADA-eligible customers **within ¾ of a mile of existing fixed-routes**. Yuba-Sutter Transit goes beyond this ¾ mile requirement with its current dial-a-ride service and includes seniors as an eligible population. As Yuba-Sutter Transit launches its future on-demand zones this will also be under the banner of “Community” services. These services are designed for short point to point service connecting riders to longer crosstown Routes. They also serve less dense populations such as Live Oak, the Foothills, and Wheatland. These services generally operate in an on-demand fashion or flex routing as the current rural service is operated.
- **Commuter Services** – The last criteria of service is Yuba-Sutter Transit’s existing Commuter service. Apart from the expansion to a new destination (Roseville Galleria Transit Center) and consolidation of some schedules, no changes are recommended to this service criteria.

PLAN RECOMMENDATIONS

The plan calls for a phased rollout of changes beginning with a preparatory phase beginning in July 2023. All major changes would be concluded by FY2028 coinciding with the construction completion of Yuba-Sutter Transit's NextGen Transit Facility. Details as to the costing of each phase can be found in the Cost Estimation section of this report.

PHASE 0 – JULY 1, 2023

This phase is about preparing for the deployment of the major service changes by procuring new technology and beginning the recruitment of new staff. The major tasks in this phase are as follows:

- Transit technology continues to evolve at a rate faster than before. As a result, the plan calls for the recruitment of a Transit Technology Manager. Yuba-Sutter Transit is staffed leanly and major changes such as those envisioned by the NextGen Transit Plan call for simultaneous deployment of technology, and service. This combined with the new facility dictates a need for the recruitment of a Transit Technology Manager – the position is planned to come on board by Q2 FY 2024.
- Given the heightened need for community involvement when deploying a large-scale change such as that envisioned by the plan, we are recommending recruiting a Community Relations Manager as well. This position can be delayed to Q4 or later but should be brought on prior to the start of roll out of the Community on-demand zones.
- The plan also calls for beginning the procurement for the technology necessary to support the transition from fixed-route to on-demand service. The technology has become much more widely available in the past 10 years with more than 10 prospective vendors.
- Finally, in Phase 0, it is recommended that Yuba-Sutter Transit consolidate its existing commuter services. This consolidation will include removing the trips that are no longer operated from the schedule as well as reducing one AM and PM trip from the existing schedule to transition it to the new Roseville service which will launch in Phase 1. There is adequate capacity in the commuter schedule to carry current passenger loads as well future loads should ridership on these services grow.

PHASE 1 – AUGUST 1, 2024

Phase 1 of the plan includes major changes in Yuba City including the deployment of the first on-demand Community Zone and expanding the span of service to 8pm on weekdays. The major tasks in this phase are as follows:

- In Yuba City, the plan recommends streamlining Route 1 to reduce total travel time between Yuba City and Yuba College by up to 20%. In addition, in this phase, the plan recommends deploying the first Community on-demand zone in Yuba City. This zone will replace the existing Routes 2 and 5.
- In Phase 1, the plan recommends deploying new service to the Roseville Galleria Transit Center. The plan calls for one initial trip to be funded by the commuter service consolidation that took place in Phase 0. A second trip can be funded through an intercity grant that Yuba-Sutter Transit can apply for. If this application is successful, the Authority would launch the Roseville service with two trips.
- Yuba-Sutter Transit to begin procurement of 10 electric 14-16 seat “cutaway” buses. These buses are expected to cost between \$350,000 and \$450,000 per vehicle. This procurement is in line with the authority’s fleet replacement plan. The expected delivery time of these vehicles is 18-24 months coinciding with the full deployment of the plan. Yuba-Sutter Transit will begin construction of its NextGen Facility in Summer 2025 with an expected completion date in Fall 2027. Should this schedule change, the authority would need to consider alternatives to the electric vehicles as there will be no charging infrastructure to support these vehicles.
- Finally, in Phase 1, the plan calls for the elimination of the evening Dial-A-Ride service. With the deployment of the Yuba City Community on-demand zone and the expansion of the span of service to 8pm, and the current limited utilization of the evening DAR – the change will not result in a material impact.

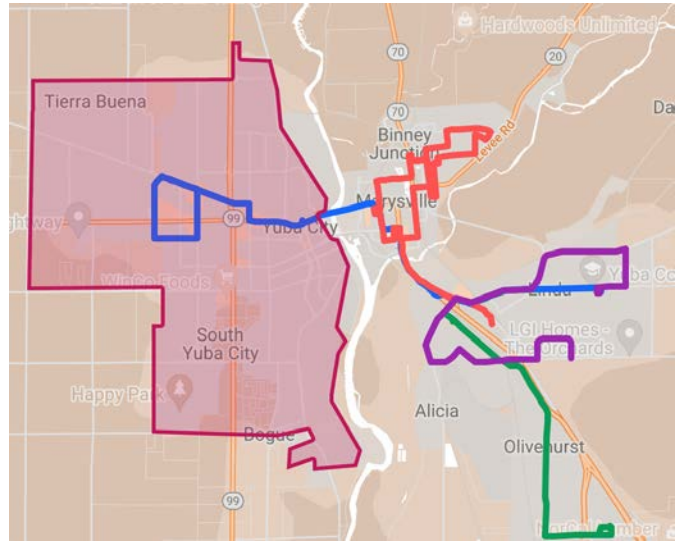


Figure 8 - Phase 1 Proposed Changes

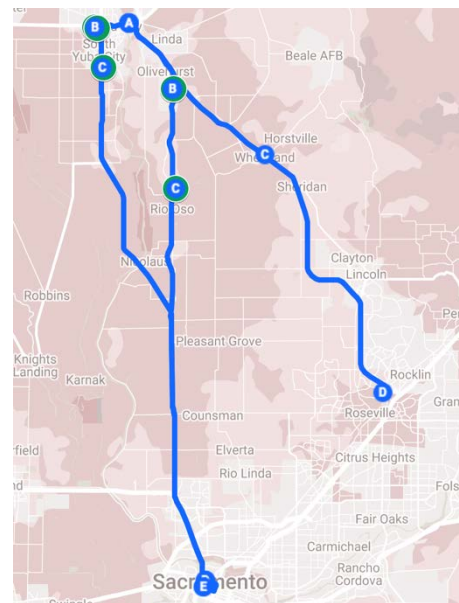


Figure 9 - Phase 1 Commuter Service Map

PHASE 2 – JULY 1, 2025

Phase 2 includes an expansion of the Community on-demand zones to Marysville and Linda and supporting the volunteer driver program in Challenge and Dobbins. The major tasks in this phase include:

- New Community on-demand zones in Marysville and Linda that will replace Routes 4 and 6 in those communities. With these new zones, Route 3 will be truncated at Peachtree Clinic/HHS providing riders from Olivehurst a direct Route to this location.
- With the near full deployment of the Community on-demand zones, the existing DAR/ADA service will be comingled with the new on-demand services providing ADA-eligible residents of Yuba and Sutter Counties a faster and better experience.

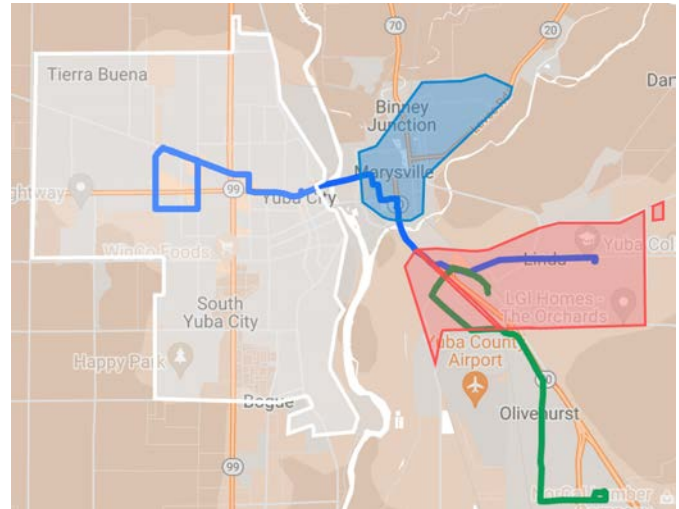


Figure 10 - Phase 2 Proposed Changes

PHASE 3 – JULY 1, 2026

The final phase of the plan recommends the creation of a Community on-demand zone in Olivehurst and expansion of the Roseville service (if necessary and if not funded in a previous phase).

- The final Community on-demand zone in Olivehurst provides residents of that area expanded services over Route 3 increasing the coverage of Yuba-Sutter Transit's services.
- Should the Roseville service be successful, phase 3 of the plan calls for an additional trip to and from the Roseville Galleria Transit Center. This would only be necessary if the grant application the Authority is pursuing is not successful.

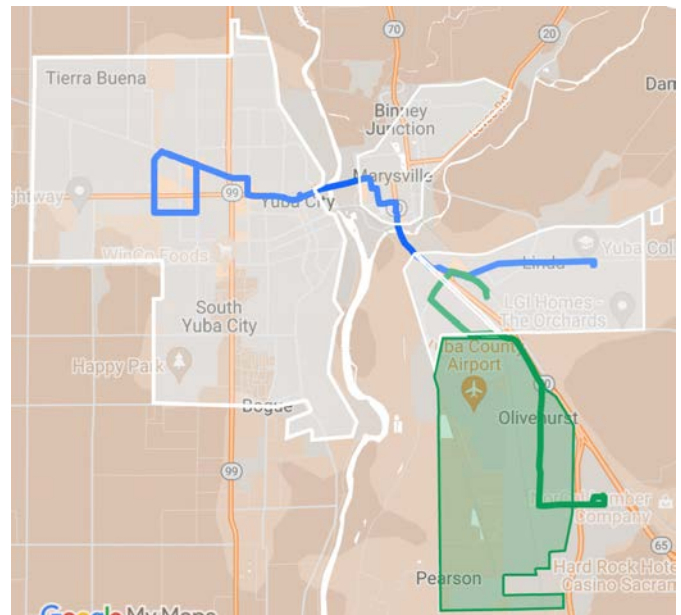


Figure 11 - Phase 3 Proposed Service Changes

PLAN COST ESTIMATION

As stated previously, it was Yuba-Sutter Transit’s goal to redesign service and reallocate existing operational costs with a potential for increasing costs as necessary. The service plan is predicated on increased costs at the beginning of the plan and adjusting costs for inflation. The following table breaks down the major cost drivers of the plan and their anticipated spend date:

Table 2 - Operating Cost Items

Phase.Quarter	Date	Change	Anticipated Cost
FY 2024			
0.1	July 2023	Recruit Transit Technology Manager	\$0.00
0.1	September 2023	Hire Transit Technology Manager	\$104,167
0.1	September 2023	Consolidate Commuter Service	-\$165,269
0.2	January 2024	Recruit Community Relations Manager	\$0.00
0.3	March 2024	Hire Community Relations Manager	\$41,667
0.3	March 2024	Award On-Demand Technology Contract	\$25,000
FY 2024 Total		\$5,565	
FY 2025			
1.1	July 2024	Deploy On-Demand Technology	\$30,450
1.1	July 2024	Full year of staffing costs (annual)	\$250,000
1.1	July 2024	Previous phase service changes	-\$198,293
1.1	August 2024	Streamline route 1. Launch Yuba City Community On-Demand Zone and cancel routes 2,5 and Evening Dial-A-Ride	-\$34,092
1.1	August 2024	Extend service to 8pm (annual)	\$288,750
1.1	September 2024	Launch Roseville Service (2 runs)*	\$583,188
FY 2025 Total		\$920,003	
FY 2026			
2.1	July 2025	On-Demand Technology	\$57,600
2.1	July 2025	Previous phase service changes	\$715,721
2.1	July 2025	Full year of staffing costs (annual)	\$250,000
2.1	August 2025	Launch Linda and Marysville Community On-Demand Zones and cancel routes 4,6.	\$47,579
FY 2026 Total		\$1,070,900	

FY 2027			
3.1	July 2026	Full year of staffing costs (annual)	\$250,000
3.1	July 2026	Previous phase(s) service changes	\$767,725
3.1	August 2026	Launch Olivehurst Community On-Demand Zone. Additional software licenses.	\$213,101
3.1	August 2026	On-Demand Technology	\$72,000
FY 2027 Total		\$1,302,726	

* - Yuba-Sutter Transit will be applying for a competitive grant to expand the Roseville service. Should this application be successful, the Authority could add a second run to the service.

The above table does not include inflation adjustments that are expected to average \$260,000 per year over the life of the plan. Additionally, in FY 2028, Yuba-Sutter Transit is expected to rebid its operating contract and will see between a 7.5% and 10% increase resulting in an additional \$225,000 per year over the life of the plan.

SERVICE PLAN COSTING AND OPERATIONS PROJECTIONS BY PHASE

The following tables break down the service costs by type for the first three years of the plan.

Table 3 - FY 2025 - Phase 1 Service Costing

	Weekday Cost	Saturday Cost	Annual Cost	Annual Hours	Annual Miles
Route 1	\$ 1,364,146	\$ 272,829	\$ 1,636,975	13,113	196,700
Route 3	\$ 688,625	\$ 137,725	\$ 826,350	6,557	104,906
Route 4	\$ 668,969	\$ 133,794	\$ 802,763	6,557	85,236
Route 6	\$ 701,728	\$ 140,346	\$ 842,074	6,557	118,020
DAR/Rural	\$ 1,964,870	\$ 392,974	\$ 2,357,843	21,173	169,380
Commuter	\$ 934,814	\$ -	\$ 934,814	8,325	232,801
On-Demand	\$ 1,335,735	\$ 267,147	\$ 1,602,883	13,113	236,040
		Annual Totals	\$ 9,003,702	75,395	1,153,083
		Cost per Hour	\$ 119.42		

Table 4 - FY 2026 - Phase 2 Service Costing

	Weekday Cost	Saturday Cost	Annual Cost	Annual Hours	Annual Miles
Route 1	\$ 1,374,117	\$ 274,823	\$ 1,648,940	13,113	170,473
Route 3	\$ 1,050,931	\$ 210,186	\$ 1,261,117	6,557	98,350
DAR/Rural	\$ 1,568,347	\$ 313,669	\$ 1,882,017	16,468	131,740
Commuter	\$ 1,485,380	\$ -	\$ 1,485,380	12,949	243,661
On-Demand	\$ 2,743,674	\$ 548,735	\$ 3,292,409	26,227	472,079
		Annual Totals	\$ 9,569,863	75,314	1,103,303
		Cost per Hour	\$ 127.07		

Table 5 – FY 2027 - Phase 3 Service Costing

	Weekday Cost	Saturday Cost	Annual Cost	Annual Hours	Annual Miles
Route 1	\$ 1,450,550	\$ 290,110	\$ 1,740,660	13,113	196,700
Route 3	\$ 732,294	\$ 146,459	\$ 878,752	6,557	104,906
DAR/Rural	\$ 972,647	\$ 194,529	\$ 1,167,176	9,865	78,923
Commuter	\$ 1,532,045	\$ -	\$ 1,532,045	12,949	297,836
On-Demand	\$ 3,550,292	\$ 710,058	\$ 4,260,350	32,783	590,099
		Annual Totals	\$ 9,578,984	75,268	1,268,463
		Cost per Hour	\$ 127.27		

FARE RECOMMENDATIONS

Under the proposed recommendations, Yuba-Sutter Transit would transition away from monthly passes on Crosstown/fixed route and Community services. The Authority would instead create monthly fare caps. These fare caps would act as a makeshift pass and allow riders who ride frequently to still receive a discount for their patronage. Those who ride often (2-3 days per week) would see some level of capping and those who ride infrequently would pay the full fare for each ride. Discounts would still be offered to eligible riders under this scenario. This scenario includes increasing fares in line with the on-demand systems reviewed earlier. Under this option, fares would increase in FY27 when all the Community on-demand zones would be deployed.

Table 6 – Fare Recommendations Key Performance Indicators

	Ridership	Fare Revenue	Productivity	Average Fare	Farebox Recovery	Subsidy per Passenger
FY25	607,413	\$998,337.47	7.9	\$1.64	11%	\$13.44
FY26	634,515	\$956,944.06	8.4	\$1.51	10%	\$12.99
FY27	759,147	\$1,116,342.10	10.1	\$1.47	12%	\$11.15
FY28	762,285	\$1,170,096.42	10.0	\$1.53	12%	\$11.60
FY29	787,804	\$1,209,268.37	10.2	\$1.53	12%	\$11.46
FY30	807,687	\$1,239,788.56	10.3	\$1.53	12%	\$11.43
FY31	828,159	\$1,271,213.34	10.4	\$1.53	12%	\$11.40
FY32	850,754	\$1,305,895.25	10.5	\$1.53	12%	\$11.34
FY33	865,157	\$1,328,003.45	10.5	\$1.53	12%	\$11.41

RECOMMENDED FARE STRUCTURE

The plan recommends implementing a fare increase in FY 27 when the Olivehurst Community on-demand zone launches. In addition to the fare increase, the plan recommends the following changes.

- Eliminate monthly passes and introduce fare capping for monthly (30-day) fares. This must coincide with the future contactless payment technology deployment currently under consideration.
- Increase commuter single ride and monthly fares and eliminate midday discounts. While this is a small change, it would create consistency and simplicity in the structure by reducing fare complexity.

The proposed fare structure would be as follows:

Table 7 – Comparing Proposed Fares to Existing Fares

Fare	Current Fares	FY 2025 Fares	FY 2027 Fares
Crosstown Single Ride/Discount	\$1.50/\$0.75	\$1.50/\$0.75	\$2.00/\$1.00
On-Demand Single Ride /Discount	N/A	\$1.50/\$0.75	\$2.00/\$1.00
Daily Cap/Discount *	\$3.00/\$1.50	\$5.00/\$2.50	\$6.00/\$3.00
Monthly Cap (30-days)/Discount *	N/A	\$50.00/\$25.00	\$60.00/\$30.00
Commuter Single Ride	\$4.50	\$4.50	\$5.00
Commuter Midday Single Ride/Discount	\$4.50/\$2.25	\$4.50	\$5.00
Commuter Monthly Pass/Combined	\$135/\$185	\$135/\$185	\$150/\$200
DAR Single Ride	\$3.00	\$3.00	\$4.00
Evening Dial-a-Ride/Discount	\$4.00/\$2.00	N/A	N/A
Rural Single Ride/Discount	\$3.00/\$1.50	\$3.00/\$1.50	\$4.00/\$2.00
Monthly Pass	\$30/\$15 (temporarily discounted to \$10/\$5)	N/A	N/A

* - Daily and monthly caps do not apply to Dial-a-Ride, Rural, and Commuter fares

Under this proposal, farebox recovery would increase 28% over the base scenario, however, it would still be below the required threshold. This could be offset by inflation being below the expected level and elasticity not materializing. Both are realistic options as the plan includes conservative estimates for both items. Ridership is projected to increase 23% and fares are projected to increase by 56% under this proposed plan over the current fare structure.

RIDERSHIP ESTIMATION

This section covers ridership estimation for the proposed changes in the plan. To set a baseline, a review of existing ridership was completed. Like many other agencies throughout the country, COVID-19 had a significant impact on Yuba-Sutter Transit’s daily ridership across the entire network. Overall, Yuba-Sutter Transit’s ridership is projected to be 46% below pre-pandemic (FY 18/19) levels in FY 22/23. This does represent a 44% improvement over FY 20/21 totals. Commuter services have been hit the hardest in terms of ridership drops. Commuter ridership is projected to be 72% below FY 22/23 levels. This represents a 90% improvement over FY 20/21, indicating some riders are coming back. On the fixed-route side, ridership is projected to be 41% below pre-pandemic levels. This does represent a 40% improvement over FY 20/21. Similarly, ridership on dial-a-ride services is projected to be approximately 51% below FY 19/20 but is over 65% higher than FY 20/21 indicating riders are returning to the service.

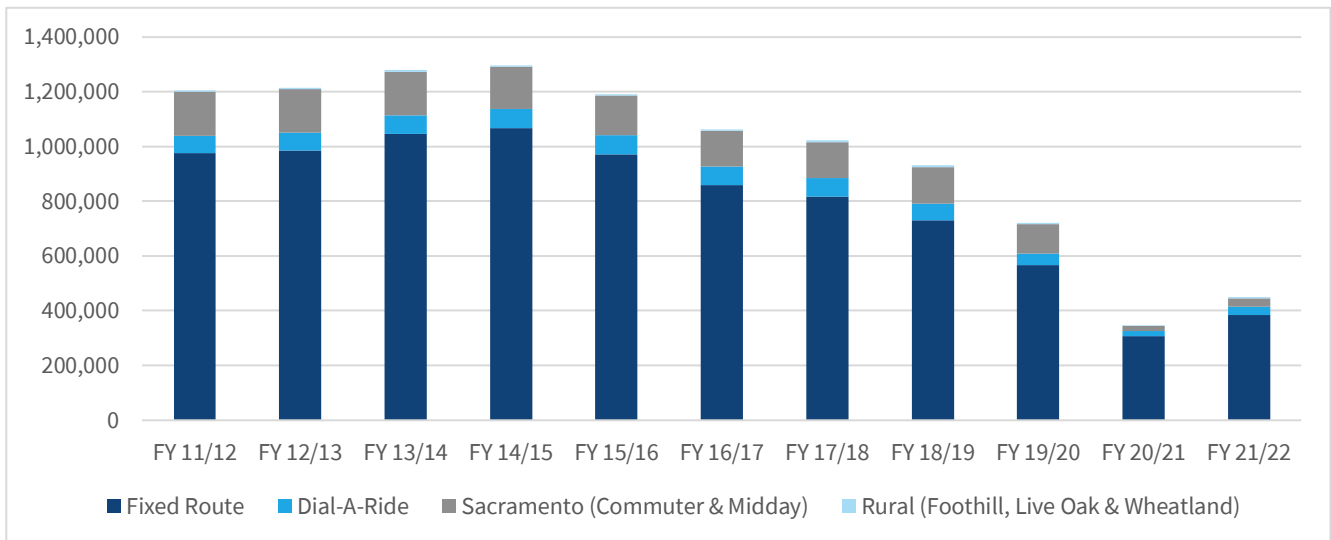


Figure 12 - Passenger Trips by Mode by Year

The plan calls for a dramatic change in the types of services (new on-demand service) offered and a restructuring of modes (Community, Crosstown, and Commuter). Under the proposed plan, ridership would begin rising with Phase 0 and continuing to increase regularly as more demand services are added and travel patterns are met.

Ridership is projected to increase 20% in the first year of the plan as new Yuba City services are launched (FY 2025). By deploying on-demand zones throughout the service area, Yuba-Sutter Transit is projected to see a 40% increase in ridership. To note: The addition of new on-demand services and the changes recommended in this plan will not add any meaningful service hours. In other words, the system will operate more effectively. Productivity systemwide should increase 30-40%. With the fare plan proposed in the Cost Estimation section of this report, both average fares and farebox recovery are projected to increase. While ridership is not projected to return to pre-covid levels during the plan, this is more of a result of current work from home patterns and less service being operated. There is no data to support that work from home levels will drop appreciably during the plan period, however, anecdotally more and more employers are requiring employees to be in the office 3-5 days per week. Should this occur, Yuba-Sutter Transit would see a gradual annual increase of approximately 50,000 trips which would return ridership to FY 14/15 levels before the end of the plan period.

Beyond the next three years, the plan models increasing service each year in line with population and demand growth.

Table 8 – Plan Projected Ridership and Service Levels

	Ridership	Hours	Miles	Fare Revenue	Annual Cost	Productivity	Average Fare	Cost per Hour	Farebox Recovery	Subsidy per Passenger
FY25	607,413	76,781	1,153,083	\$998,337.47	\$ 9,159,499	7.9	\$1.64	\$119.29	11%	\$13.44
FY26	634,515	75,354	1,152,478	\$956,944.06	\$ 9,198,562	8.4	\$1.51	\$122.07	10%	\$12.99
FY27	759,147	75,268	1,268,463	\$1,116,342.10	\$ 9,578,984	10.1	\$1.47	\$127.27	12%	\$11.15
FY28	762,285	76,397	1,282,271	\$1,170,096.42	\$10,014,349	10.0	\$1.53	\$131.08	12%	\$11.60
FY29	787,804	77,543	1,291,895	\$1,209,268.37	\$10,240,799	10.2	\$1.53	\$132.07	12%	\$11.46
FY30	807,687	78,706	1,301,745	\$1,239,788.56	\$10,472,369	10.3	\$1.53	\$133.06	12%	\$11.43
FY31	828,159	79,887	1,311,825	\$1,271,213.34	\$10,709,175	10.4	\$1.53	\$134.05	12%	\$11.40
FY32	850,754	81,085	1,322,136	\$1,305,895.25	\$10,951,336	10.5	\$1.53	\$135.06	12%	\$11.34
FY33	865,157	82,301	1,332,682	\$1,328,003.45	\$11,198,973	10.5	\$1.53	\$136.07	12%	\$11.41

AGENDA ITEM V – B
STAFF REPORT

**YUBA-SUTTER TRANSIT
OPERATING AND CAPITAL BUDGET FOR FY 2024**

Background

Attached for Board review and approval consideration is the final draft Yuba-Sutter Transit Operating and Capital Budget for FY 2024 including the detailed assumptions being used for each revenue and expense line item. The Yuba Sutter Transit Authority Joint Powers Agreement (JPA) stipulates that a proposed budget be submitted to the Board by the end of March prior to the start of each fiscal year and that a final budget be adopted by the end of May. This schedule is designed to provide early notice to the member jurisdictions of the annual apportionment of Local Transportation Fund (LTF) contributions for inclusion in their own budget process.

Current Year-End Budget Estimates

Year-end operating expenses for FY 2023 are now projected to be \$435,000 (5 percent) lower than the adopted budget of \$8,855,000. While most of the major expense line items are close to or less than the amount budgeted, contracted services costs, which represents about 70 percent of all budgeted expenses, are projected at \$314,000 (5 percent) below budget primarily due to the operation of less than the expected number of vehicle service hours (VSH) and a reduction in pandemic related expenditures. Fuel expenses are currently projected to end the year at \$193,000 (16 percent) below the amount budgeted due to lower-than-expected fuel prices combined with the operation of fewer than expected service hours. Tire expenses are up 20 percent over budget due to price increases based on supply chain availability, but staff is working with suppliers to stabilize prices going forward. Other overages include utilities (up 21 percent) due to increased energy costs; administrative salaries (up 8 percent) due to actual and projected payout for unused leave as well as an allowance for the Executive Director transition; and miscellaneous professional services (up 5 percent) for consultant expenses related to grant applications, the Comprehensive Operational Analysis (COA), and the staff classification and compensation study.

Fare revenue for FY 2023 is expected to come in slightly higher than the amount budgeted due primarily to higher-than-expected fare receipts from increased ridership. Interest revenue jumped significantly due to an increase in Local Agency Investment Fund (LAIF) interest rates that jumped from 0.75 percent at 6/30/22 to 2.74 percent at 3/31/2023. Non-Transportation Revenue is up \$65,000 (130 percent) due to additional receipts from the consulting agreement with the Regional Waste Management Authority and projected bus lease revenue for May and June. State Cash Grant Reimbursements are up due to the timing of the FY 2022 NextGen Transit Plan project and projected completion of LCTOP funded projects. Any savings resulting from the combination of lower than budgeted expenses and higher than budgeted revenues will allow more State Transit Assistance (STA) Funds from FY 2023 to be carried over to FY 2024 assuming current trends through June.

Capital expenditures in FY 2023 are for the completed surveillance system repairs and enhancements (State SGR funds) that were continued from FY 2022. Additional capital expenditures through the end of the fiscal year are an allowance for facility and office equipment and furnishings (STA). The six demand response/rural route buses that were ordered for delivery early this summer (Federal, PTMISEA, STA) are now not expected to arrive before this fall, but a partial payment of \$550,000 in state PTMISEA funds will be made in FY 2023 to keep these funds from lapsing. The FY 2023 budget was adopted assuming the commencement of the environmental and early design and engineering work on the facility project using Federal, State SGR, and STA funds in the last half of the year, but this will not occur until FY 2024 due to project funding and timing issues.

FY 2024 Operating Budget

The final draft FY 2024 operating budget of \$8,937,000 represents an increase of \$82,000 (0.9 percent) over the budgeted amount for FY 2023 and an increase of \$517,000 (6 percent) over the projected year-end figure for the current fiscal year. The final draft budget was prepared using an estimated 74,000 vehicle service hours (VSH) which is 1,700 (2.4 percent) more than the projected year-end figure of 72,300 VSH for FY 2023 and 6,300 less than the 80,300 VSH that was budgeted for FY 2023. Most significantly, this figure is 20 percent below the 92,571 VSH that was operated in the last full pre-pandemic fiscal year (FY 2019). The budgeted VSH figure assumes a combination of some additional Dial-A-Ride ridership recovery during the year and minor service reductions resulting from early implementation of the NextGen Transit plan.

The most significant revenue assumption in the preliminary draft operating budget is based on continued modest growth in systemwide ridership and fare revenue through FY 2024. Also assumed are the non-transportation revenues derived from leasing three buses to the Yosemite Area Regional Transportation System (YARTS) through September 2023; state and local economic stability; and on-going federal funding at the authorized levels of the Infrastructure Investments and Jobs Act (IIJA). Based on these and other assumptions, the combined Local Transportation Fund (LTF) contribution from the member jurisdictions is being budgeted at \$4 million for FY 2024 which would be an increase of 2.6 percent (\$100,000) over what was budgeted for FY 2023. Prior to FY 2023, the LTF contribution was held stable since FY 2019 due to the availability of federal CARES Act and American Rescue Plan funds that were used to off-set the loss of fare revenue from the pandemic.

In addition to the above, the final draft FY 2024 operating budget makes other significant expense and revenue assumptions including:

- Extension of the expiring Storer Transit Systems contract. The initial four-year Storer contract, which will expire on September 30, 2023, was extended with the first of two two-year options through September 30, 2025. The contract provides for cost adjustments during each extension year based on changes in the Consumer Price Index with a minimum of two percent and a maximum of four percent each year. In the first year of the extension, contract costs will be increased by the full four percent.
- Implementation of the Yuba-Sutter NextGen Transit Plan which will be considered for adoption earlier on this agenda. While the service recommendations are not expected to have a dramatic net cost impact, significant changes to the existing operation are expected

but most of these will not be implemented before early in FY 2025. FY 2024 cost projections include allowances for staffing and related furnishings, branding related professional services, and capital start-up costs of the on-demand service.

- Continued consultant support for the preparation and submission of major grant applications (if needed) for the design and construction of the replacement transit facility.
- Previously approved staff classification and salary adjustments effective July 1, 2023.
- Conversion of the long-standing shared staffing agreement with the Regional Waste Management Authority (RWMA) effective July 1, 2023, to a time-and-materials relationship primarily to assist with year-end financial reporting which will significantly reduce the number of hours charged to this account.
- Pass subsidies from continued funding from the Feather River Air Quality Management District (FRAQMD) for the deeply discounted monthly pass program for youth, seniors, and persons with disabilities through March 31, 2024; and continued funding from the Low Carbon Transit Operations Program (LCTOP) for regular monthly pass subsidies through August 31, 2024. LCTOP funding has also been requested to extend the discount monthly pass subsidy program to August 31st as well. Without these funding sources, a higher out-of-pocket cost for passengers would likely have a significant impact on both ridership and fare revenue.

FY 2024 Capital Budget

The primary component of the \$3,310,000 final draft capital budget for FY 2024 is a \$2.5 million allowance to commence the environmental and design phases of the facility project. This allowance assumes that this work begins by January 2024 assuming adequate funding. The FY 2024 vehicle project, which reflects an early payment of \$550,000 in FY 2023, was first identified in FY 2021 is for the delivery of six smaller low-floor demand response/rural route buses that were ordered in FY 2023 and now projected for delivery in FY 2024. The FY 2024 miscellaneous capital expenditures budget includes start-up costs for the NextGen Transit Plan proposed on-demand service (\$30,000) and an allowance for facility and office equipment and furnishings (\$50,000).

The highest priority capital issue continues to be the replacement of Yuba-Sutter Transit's existing maintenance and operations facility to comply with the state's zero-emission bus mandate which for Yuba-Sutter Transit will kick-in with buses ordered after December 31, 2025. For this reason, the most important immediate task is to acquire the necessary funding for the estimated \$47.5 million facility project to avoid jeopardizing future fleet replacement plans. The largest outside funding commitments to date for this project include the 2021 award of \$8.5 million from the state Affordable Housing & Sustainable Communities (AHSC) program; the 2022 award of a \$15 million USDOT RAISE grant; and the recent award of a \$13.725 million (\$10.0 million for the facility) from the state Transit & Intercity Rail Capital Program (TIRCP). In addition, the SACOG Board of Directors will be considering a staff recommendation at their May 18th meeting to award Yuba-Sutter Transit \$3.5 million from their Maintenance & Modernization Regional Funding program. Finally, an award

announcement is expected by the end of June regarding a grant application for \$12.5 million from the Federal Transit Administration (FTA) under the Buses & Bus Facilities Program.

Staff will be prepared at the meeting to discuss the above issues as well as the budget assumptions in as much detail as desired.

RECOMMENDATION: Adopt Resolution No. 8-23 approving the FY 2024 budget as proposed or or amended.

Attachment: Yuba-Sutter Transit Authority Board Resolution No. 8-23
Final Draft FY 2024 Operating and Capital Budget
Final Draft FY 2024 Budget Assumptions

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YUBA-SUTTER TRANSIT AUTHORITY
RESOLUTION NO. 8-23

FISCAL YEAR 2024 BUDGET ADOPTION

WHEREAS, *The Yuba-Sutter Transit Authority was formed in 1975 for the purpose of providing public transit services to the residents of the Bi-County Area; and,*

WHEREAS, *Pursuant to Paragraph 4 of the Yuba-Sutter Transit Authority Joint Powers Agreement, as amended, the Board of Directors shall adopt a final budget on or before May 31 of each year for the fiscal year commencing July 1; and*

WHEREAS, *The proposed budget for the fiscal year ending June 30, 2024 reflects operating expenditures of \$8,937,000 and capital expenditures of \$3,310,000.*

NOW, THEREFORE, BE IT RESOLVED that the Yuba-Sutter Transit Authority Board of Directors does hereby adopt the Fiscal Year 2024 budget by the following vote:

Ayes:

Noes:

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY INTRODUCED, PASSED AND ADOPTED BY THE YUBA-SUTTER TRANSIT AUTHORITY AT A REGULAR MEETING HELD ON MAY 18, 2023.

Chairman of the Board

ATTEST:

*Lisa O'Leary
Secretary to the Board*

YUBA-SUTTER TRANSIT AUTHORITY
FY 2024 FINAL DRAFT OPERATING BUDGET

Prepared May 2, 2023

		FY 2021 Budget	FY 2021 Audited	FY 2022 Budget	FY 2022 Audited	FY 2023 Budget	FY 2023 Projected	FY 2024 Final Draft
Operations Expenditures								
010.50300	Services - Other Maintenance	\$ 200,000	\$ 169,776	\$ 200,000	\$ 207,736	\$ 220,000	\$ 220,000	\$ 236,000
010.50401	Fuel and Lubricants	596,000	499,026	680,000	840,523	1,193,000	1,000,000	1,005,000
010.50402	Tires and Tubes	57,000	42,043	51,000	77,136	75,000	90,000	90,000
010.50499	Other Materials and Supplies Consumed	90,000	94,826	100,000	53,095	75,000	75,000	112,000
010.50500	Utilities - Electric and Gas	52,000	45,439	52,000	49,038	52,000	66,000	67,000
010.50501	Utilities - Water and Sewer	6,500	7,296	9,000	7,671	9,000	8,000	9,000
010.50600	Casualty and Liability Costs - Operations	270,500	270,402	280,100	280,041	287,000	284,000	293,000
010.50800	Services - Contract Operations	5,780,000	5,435,685	5,883,000	5,474,770	5,850,000	5,560,000	5,805,000
010.50801	Services - Out of Contract	17,000	106,663	120,000	68,965	45,000	24,000	43,000
	Subtotal - Operations	\$ 7,069,000	\$ 6,671,156	\$ 7,375,100	\$ 7,058,975	\$ 7,806,000	\$ 7,327,000	\$ 7,660,000
Administration Expenditures								
160.50102	Salaries and Wages - Admin. Staff	\$ 411,000	\$ 413,008	\$ 433,500	\$ 429,259	\$ 455,000	\$ 490,000	\$ 670,000
160.50200	Fringe Benefits - Admin. Staff	155,000	148,556	160,000	158,510	175,000	175,000	250,000
160.50201	Fringe Benefits - Unfunded CalPERS Liability Payments	-	-	2,300	2,314	3,800	3,800	5,000
160.50301	Services - Accounting	3,000	4,300	4,500	3,827	4,800	5,000	6,000
160.50302	Services - Legal	12,000	8,573	12,000	6,804	12,000	12,000	12,000
160.50303	Services - Printing and Copying	20,000	11,929	20,000	15,772	20,000	17,200	24,000
160.50309	Services - Miscellaneous Professional	170,000	131,108	200,000	142,406	285,000	300,000	200,000
160.50499	Materials and Supplies - Office & Postage	16,000	7,732	15,000	6,063	10,000	12,000	12,000
160.50502	Utilities - Telephone & Internet	10,000	8,104	9,000	8,295	9,000	9,000	9,000
160.50900	Miscellaneous Expense - Insurance and Bond	36,000	31,546	37,000	31,821	37,000	40,000	45,000
160.50901	Miscellaneous Expense - Dues & Subscriptions	5,000	5,843	6,000	5,608	6,000	6,500	7,000
160.50902	Miscellaneous Expense - Travel, Meetings and Training	5,000	2,398	5,000	3,904	5,000	3,500	6,000
160.50903	Miscellaneous Expense - Board of Directors	5,000	4,400	10,800	5,650	10,400	10,000	11,000
160.50904	Miscellaneous Expense - Media Adv. and Promo.	10,000	10,330	15,000	9,383	10,000	4,000	15,000
160.50909	Miscellaneous Expense - Other	6,000	2,329	6,000	2,729	6,000	5,000	5,000
	Subtotal - Administration	\$ 864,000	\$ 790,156	\$ 936,100	\$ 832,345	\$ 1,049,000	\$ 1,093,000	\$ 1,277,000
	Total Expenditures	\$ 7,933,000	\$ 7,461,312	\$ 8,311,200	\$ 7,891,320	\$ 8,855,000	\$ 8,420,000	\$ 8,937,000

		FY 2021 Budget	FY 2021 Audited	FY 2022 Budget	FY 2022 Audited	FY 2023 Budget	FY 2023 Projected	FY 2024 Final Draft
Operating Revenue								
40100	Passenger Fares	\$ 120,000	\$ 513,940	\$ 550,000	\$ 699,559	\$ 742,000	\$ 760,000	\$ 790,000
40200	Special Transit Fares	17,000	22,032	21,000	63,397	25,000	30,000	30,000
40600	Auxiliary Revenue (Bus, Shelter & Bench Advertising)	42,000	38,773	36,000	46,979	40,000	40,000	40,000
40700	Non-Transportation Revenue (Interest)	15,000	15,392	8,000	17,076	8,000	72,000	55,000
40709	Non-Transportation Revenue (RWMA, Misc.)	36,000	49,513	40,000	68,864	50,000	115,000	125,000
40900	Local Transportation Funds (LTF)	2,800,000	2,651,032	3,100,000	2,961,752	3,900,000	4,022,513	4,000,000
40901	Local Cash Grants/Reimbursements	35,000	35,538	28,000	34,632	39,000	42,000	43,000
41100	State Transit Assistance Funds (STA)	-	-	-	-	1,375,483	624,970	1,454,000
41109	State Cash Grants/Reimbursements	289,000	215,292	288,000	210,161	248,000	286,000	
41300	General Operating Assistance - FTA Sect. 5307 (Urban)	-	-	-	-	1,500,000	1,500,000	2,200,000
41300	General Operating Assistance - FTA Sect. 5307 CARES Act (Urban)	4,284,000	3,673,115	2,693,010	2,693,010	-	-	-
41300	General Operating Assistance - FTA Sect. 5307 ARP (Urban)	-	-	1,297,190	845,890	727,517	727,517	-
41301	General Operating Assistance - FTA Sect. 5311 (Rural)	-	84,240	-	-	200,000	200,000	200,000
41301	General Operating Assistance - FTA Sect. 5311 CARES Act (Rural)	295,000	162,445	250,000	250,000	-	-	-
	Total Operating Revenue	\$ 7,933,000	\$ 7,461,312	\$ 8,311,200	\$ 7,891,320	\$ 8,855,000	\$ 8,420,000	\$ 8,937,000

	FY 2021 Budget	FY 2021 Audited	FY 2022 Budget	FY 2022 Audited	FY 2023 Budget	FY 2023 Projected	FY 2024 Final Draft
Deferred TDA Revenues, July 1	\$ 3,979,359	\$ 4,048,639	\$ 4,014,005	\$ 5,145,965	\$ 4,204,813	\$ 4,343,061	\$ 3,580,415
LTF Revenues Received	2,800,000	2,800,000	3,100,000	3,100,000	3,900,000	3,900,000	4,000,000
STA Revenues Received	1,602,620	966,676	1,216,354	-	-	-	353,000
LTF Revenues Allocated - Operating	(2,800,000)	(2,651,032)	(3,100,000)	(2,961,752)	(3,900,000)	(4,022,513)	(4,000,000)
STA Revenues Allocated - Operating	-	-	-	-	(1,375,483)	(624,970)	(1,454,000)
LTF Revenues Allocated For Local Capital Outlays	-	-	-	-	-	-	-
STA Revenues Allocated For Local Capital Outlays	(40,000)	(18,318)	(1,346,477)	(941,152)	(351,948)	(15,163)	(303,629)
Proceeds from Sale of Vehicles	-	-	-	-	-	-	-
Deferred TDA Revenues, June 30*	\$ 5,541,979	\$ 5,145,965	\$ 3,883,882	\$ 4,343,061	\$ 2,477,382	\$ 3,580,415	\$ 2,175,786
Local Transportation Funds (LTF)	\$ 1,323,283	\$ 1,516,352	\$ 1,367,384	\$ 1,654,600	\$ 1,516,352	\$ 1,532,087	\$ 1,532,087
State Transit Assistance Funds (STA)	\$ 4,218,696	\$ 3,629,613	\$ 2,516,498	\$ 2,688,461	\$ 961,030	\$ 2,048,328	\$ 643,699

<i>Deferred STA Detail (Carryover revenues available and required for cash flow, contingencies, and local capital match)</i>							
Yuba-Sutter Transit Portion	\$ 4,000,466	\$ 3,454,480	\$ 2,341,365	\$ 2,513,328	\$ 917,497	\$ 2,009,198	\$ 631,430
City of Live Oak Portion	152,737	122,363	122,363	122,363	16,363	14,812	6,580
City of Wheatland Portion	65,493	52,770	52,770	52,770	27,170	24,318	5,689
Total Deferred STA Revenue	\$ 4,218,696	\$ 3,629,613	\$ 2,516,498	\$ 2,688,461	\$ 961,030	\$ 2,048,328	\$ 643,699
Additional STA Cumulative Balances at SACOG Available for Claim							
Yuba-Sutter Transit Portion				\$ 1,494,755	\$ 2,851,824	\$ 3,664,290	\$ 5,430,479
City of Live Oak Portion				\$ 78,094	\$ 147,274	\$ 189,302	\$ 201,392
City of Wheatland Portion				\$ 30,907	\$ 59,281	\$ 76,240	\$ 109,959

**YUBA-SUTTER TRANSIT AUTHORITY
FINAL DRAFT CAPITAL BUDGET
FY 2024**

PREPARED MAY 2, 2023

	FY 2022 BUDGET	FY 2022 AUDITED	FY 2023 BUDGET	FY 2023 PROJECTED	FY 2024 DRAFT	FINAL
EXPENDITURES						
Maintenance and Operations Facility (1)	\$ 1,217,000	\$ 941,152	\$ 2,500,000	\$ -	\$ 2,500,000	
Vehicle Purchase/Replacement (2)	570,000	-	960,000	550,000	730,000	
Miscellaneous Capital (3)	100,000	1,341	50,000	88,822	80,000	
	<u>\$ 1,887,000</u>	<u>\$ 942,493</u>	<u>\$ 3,510,000</u>	<u>\$ 638,822</u>	<u>\$ 3,310,000</u>	
REVENUES						
Federal (5307, 5310, 5311, 5317, 5339)	\$ 490,523	\$ -	\$ 2,037,569	\$ -	\$ 2,037,569	
State Transit Assistance (STA)	1,346,477	941,152	351,948	15,163	303,629	
State Transit Assistance (SGR)	50,000	1,341	1,120,483	73,659	968,802	
State PTMISEA	-	-	-	550,000	-	
Other Local	-	-	-	-	-	
	<u>\$ 1,887,000</u>	<u>\$ 942,493</u>	<u>\$ 3,510,000</u>	<u>\$ 638,822</u>	<u>\$ 3,310,000</u>	

Notes:

- The FY 2024 budget assumes the commencement of the design phase of the facility project programmed in FY 2024 (\$1,328,120 Federal / \$968,802 State SGR / \$203,078 STA).
- The FY 2024 vehicle project, which was first identified in FY 2021 for funding purposes, is for the programmed replacement of six 2014 model demand response/rural route buses with six smaller low-floor buses ordered in FY 2023 and now projected for delivery in FY 2024 (\$709,449 Federal / \$550,000 PTMISEA / \$20,551 STA of which the \$550,000 of PTMISEA funds is projected to be paid in FY 2023).
- FY 2024 miscellaneous capital expenditures budget includes start-up costs for the on-demand service (\$30,000 STA) and an allowance for facility and office equipment and furnishings (\$50,000 STA). FY 2023 expenditures include the completion of the FY 2022 surveillance system repairs and enhancement project (\$73,659 State SGR / \$5,163 STA), which began in FY 2022 and an allowance for facility and office equipment & furnishings (\$10,000 STA).

**YUBA-SUTTER TRANSIT
FY 2024 OPERATING & CAPITAL BUDGET ASSUMPTIONS
PREPARED MAY 2, 2023**

OPERATIONS EXPENDITURES

Services – Other Maintenance (Acct. #010.50300)

This account is available for a variety of outside maintenance and operations related services. These include radio maintenance and repeater contracts; on-bus Wi-Fi service; AVL license fees; CHP inspection certificates; FRAQMD permit fees; Reclamation District levee assessments; minor facility repairs and services; landscape maintenance; janitorial expenses; bus stop shelter and sign maintenance, repairs, and relocations; mechanical warranties; storm water/pollution prevention related planning, permitting, monitoring, and reporting expenditures; and Yuba-Sutter Transit's share of operating expenses for the regional Connect Card electronic fare card system. The audited amounts for prior years may include the labor portion of state grant funded project expenditures below the capitalization threshold.

Fuel & Lubricants (Acct. #010.50401)

This account is based on the budgeted operation of 74,000 vehicle service hours (VSH) in FY 2024 at a combined average price of \$13.59 per VSH for diesel, diesel emission fluid, gasoline, and any applicable taxes. This hourly allowance is similar to the projected year-end figure for the current year. Because fuel expenses are so volatile and represent such a significant share of the budget, this account will always be among the greatest expenditure risks each year. For the period June 2023 through January 2024, this figure includes an allowance for additional fuel costs resulting from the Temporary Construction Easement (TCE) off-site parking arrangement coordinated with Caltrans. Offsetting revenue for consumables related to the TCE are reflected in account 40709 Non-Transportation Revenue.

Tires & Tubes (Acct. #010.50402)

This account is based on the projected year-end expenditures for FY 2023, the budgeted operation of 74,000 VSH in FY 2024 and projected tire replacement needs. Tire expenditures can vary significantly from year-to-year depending on when vehicles are replaced.

Other Materials & Supplies Consumed (Acct. #010.50499)

This account is available to fund miscellaneous maintenance and operations materials and supplies such as the purchase of replacement vehicle components and non-capital maintenance equipment. The amount budgeted is based on recent expenditure levels with an allowance for major unforeseen expenses during the fiscal year. Most significant are the repair and replacement costs for major components (engines, transmissions, and differentials) on older Yuba-Sutter Transit buses. Though not included in the budget or year-end projections, the audited amounts may include non-labor state grant funded project expenditures below the capitalization threshold.

Utilities – Electric & Gas (Acct. #010.50500)

Based on the projected year-end expenditures for FY 2023.

Utilities – Water & Sewer (Acct. #010.50501)

Based on the projected year-end expenditures for FY 2023.

Casualty & Liability Costs – Operations (Acct. # 010.50600)

This account is based on the current fleet of 51 revenue vehicles and the vehicle insurance rates that are provided in the current and extended operating contracts with Storer Transit Systems adjusted for any savings that may result from leasing out three buses to YARTS from May through September 2023.

Services – Contract Operations (Acct. #010.50800)

This figure is based on the rates in the existing Storer Transit Systems service contract assuming the operation of 74,000 VSH. This figure is similar to the approximately 73,000 VSH now being projected for FY 2023 considering service changes related to the NextGen Transit Plan, continued service reductions in the commuter routes, and an assumed increase in service demand for Dial-A-Ride service. The current Storer contract, which will expire September 30, 2023, has been extended through September 2025 in the first of two two-year extension options with indexed cost increases of between two and four percent.

Services – Out of Contract (Acct. #010.50801)

This account is available for the provision of out-of-contract service hours for special events and community services that are provided in partnership with a wide variety of organizations consistent with the applicable service procedures. While this figure can vary from year to year depending on community demand, audited figures for FY 2021 through FY 2023 include an allowance for COVID-19 related costs resulting from Amendment #1 to the Storer contract which ended in FY 2023. For FY 2024, this figure includes an allowance for additional labor costs resulting from the off-site parking arrangement due to the Caltrans Temporary Construction Easement (TCE) for Caltrans use of a portion of the north bus parking area of the existing Marysville facility. Offsetting revenue for consumables related to the TCE are reflected in account 40709 Non-Transportation Revenue.

ADMINISTRATIVE EXPENDITURES

Salaries & Wages – Administrative Staff (Acct. #160.50102)

The budgeted amount is based on the projected total salary figure for the five existing administrative staff positions including any available step increases and longevity adjustments. This amount also includes allowances for additional staffing for the Executive Director transition, implementation of the NextGen Transit Plan (one new FTE), and payouts of accrued annual leave.

Fringe Benefits – Administrative Staff (Acct. #160.50200)

Fringe benefit expenses have been adjusted to account for known or anticipated changes in benefit rates based on the above salary assumptions and both current and projected employee demographics.

Fringe Benefits – Unfunded CalPERS Liability Payments (Acct. #160.50201)

Employer contributions to the CalPERS retirement program are made up of two components – the normal annual costs of benefits earned by employees currently working which are included in the fringe benefits account above and an amortized payment toward the employer's Unfunded Accrued Liability (UAL). The UAL is the amortized dollar amount needed to fund past service credit earned (or accrued) for members (both Classic PERS and PEPRAs) who are currently receiving benefits, active members, and for members entitled to deferred benefits, as of the valuation date. The required UAL payment for FY 2024 is \$5,000.

Services – Accounting (Acct. #160.50301)

Based on past expenditures including payroll and miscellaneous accounting services. This account varies from year to year due to the need for Other Post-Employment Benefits (OPEB) actuarial services for which more in-depth services are required every other year or for additional professional services such as those that are required every ten years to audit financial reporting to the National Transit Database (NTD).

Services – Legal (Acct. #160.50302)

An allowance for contract legal services and notices based on recent expenditures with an allowance for unforeseen future legal services especially entering the facility project.

Services – Printing & Copying (Acct. #160.50303)

This account is for the lease and operating expenses for two office copiers as well as for the outside printing of ticket sheets, brochures and other miscellaneous materials based on projected current year expenses with an allowance for new passenger information materials.

Services – Miscellaneous Professional (Acct. #160.50309)

This account is for miscellaneous professional services such as computer/internet/website support and subscription services; graphic design work; and other administrative support services or consultants. For FY 2024, this account also includes a combined \$160,000 allowance for consultant expenses related to grant applications (\$25,000), technology RFPs (\$25,000), recruiting (\$10,000), and for NextGen Transit Plan branding related professional services (\$100,000). For FY 2023, this account includes a projected \$180,000 for consultant expenses related to the COA; an estimated \$80,000 for grant application related professional services; and \$5,000 for the staff classification and compensation study.

Materials & Supplies – Office & Postage (Acct. #160.50499)

This account is for supplies and postage based on past expenditures which includes furnishings and equipment below the capitalization threshold.

Utilities – Telephone & Internet (Acct. #160.50502)

This account is based on current service agreements.

Miscellaneous Expense – Insurance & Bond (Acct. #160.50900)

As we work to secure a new carrier, this account is based on the existing facility damage and liability insurance policies, with an allowance for increased cost.

Miscellaneous Expense – Dues & Subscriptions (Acct. #160.50901)

This account is based on past expenditures. Current memberships include the California Transit Association, the California Association for Coordinated Transportation (CalACT), the nationwide Bus Coalition, the Association of Government Accountants (AGA), and the Government Finance Officers Association. This account also includes biennial CPA renewal fees. Paid subscriptions include the Transit Access Report, a digest related to compliance with the Americans with Disabilities Act (ADA) and the domain name annual fee.

Miscellaneous Expense – Travel, Meetings and Training (Acct. #160.50902)

This account is available to fund travel, lodging and meeting expenses on an as needed basis for staff and board. The budgeted amount is based on past expenditures and an allowance for expected future staff travel and training expenses.

Miscellaneous Expense – Board of Directors (Acct. #160.50903)

This account is based on an average of 12 regular Board meetings a year and up to four ad hoc committee meetings of two to four members each at a rate of \$100 per meeting. Current policy limits compensation to a maximum of 15 regular, special, or ad hoc committee meetings per member each fiscal year.

Miscellaneous Expense – Media Advertising & Promotion (Acct. #160.50904)

This account is an allowance for a wide range of marketing and promotional expenses including specialized point of use passenger informational materials for bus stop shelters and information panels; special event promotional pieces; telephone directory advertising; and other marketing opportunities. When applicable, promotional expenses for grant funded services are reimbursed. Yuba-Sutter Transit's marketing activities have always been modest compared to similarly sized systems where such activities are typically 1 – 2 percent of the operating budget which would represent an annual marketing budget of at least \$89,000 for FY 2024. This account is expected to increase significantly in future years with implementation of the NextGen Transit Plan.

Miscellaneous Expense – Other (Acct. #160.50909)

This account is an allowance for miscellaneous expenses such as banking and merchant account fees; NSF check charges; annual CalPERS report expenses; and other undesignated expenses such as intergovernmental contributions for joint projects such as the installation of concrete bus pads at bus stops.

OPERATING REVENUES

Passenger Fares (Acct. #40100)

This account assumes continuation through FY 2024 of the currently reduced service levels for the local fixed route and Sacramento services; current passenger fares and fare policies; and a gradual increase in ridership over the year. The budgeted increase in vehicle service hours is due primarily to the impact of NextGen Transit Plan service changes and an off-setting increase in Dial-A-Ride service due to an anticipated increase in Dial-A-Ride ridership.

Special Transit Fares (Acct. #40200)

This account is used for direct fare payments by FREED Center for Independent Living, Yuba County Employment Services, Yuba County Child Protective Services (CPS) and other miscellaneous special transit services.

Auxiliary Transportation Revenue – Advertising (Acct. #40600)

This account is for revenue received through the contract with Lamar Advertising (formerly Stott Outdoor Advertising) for the placement of advertisements on bus exteriors, bus stop shelters and bus stop benches which includes a guaranteed minimum payment of \$3,000 per month (\$36,000 annually). The projected FY 2023 and budgeted FY 2024 income from this source have both been set at \$40,000 based on recent sales activity. A total of 32 advertising bus stop shelters and 68 advertising bus stop benches are located throughout the service area and exterior ads are available on all 51 buses.

Non-Transportation Revenue – Interest (Acct. #40700)

This account represents the estimated interest earnings on available cash for FY 2024. Interest income is derived from the investment of operating and capital reserves (which varies from year to year) that are available for cash flow, contingencies, and future capital expenditures. This income source increased significantly in FY 2023.

Non-Transportation Revenue – RWMA & Miscellaneous (Acct. #40709)

This account includes receipts from the consulting agreement with the Regional Waste Management Authority (RWMA) along with miscellaneous income from photo I.D. fees and bike locker rentals. This account has been adjusted to reflect the RWMA's transition to full-time staffing and includes an allowance for the anticipated revenue from leasing out three buses from May through September 2023. In addition,

this account includes approximately \$40,000 from Caltrans, being spread over eight months from June 2023 through January 2024 for a Temporary Construction Easement (TCE) and a reimbursement allowance for consumables such as fuel (account #010.50300) and additional labor costs (account #010.50801) due to relocating a portion of our vehicle fleet off-site.

Local Transportation Funds (Acct. #40900)

The Local Transportation Fund (LTF) is a 0.25 percent portion of the state sales tax that is returned to the county of origin and distributed therein by population to meet “unmet transit needs that are reasonable to meet” after which the remainder, if any, can be used to maintain local streets and roads. Until FY 2021, the Yuba-Sutter Transit allocation of LTF revenue was historically based on the amount required to balance the budget after all other revenues are calculated. Since that time, due to the use of urban and rural pandemic related federal stimulus funds to off-set for the sudden loss of passenger fare revenues and the strategic shift of State Transit Assistance (STA) funding to capital reserves. The urban and rural CARES Act funding that was set aside for operating purposes was exhausted in FY 2022 though a small amount from the American Rescue Plan (ARP) allocation was carried over and exhausted in FY 2023.

For FY 2024, the fifth fiscal year to be impacted by the pandemic, the annual LTF contribution to Yuba-Sutter Transit is being budgeted at \$4 million which is up just 2.6 percent (\$100,000) over the FY 2023 allocation of \$3.9 million. This figure is actually down 0.6 percent (\$22,513) from the FY 2023 projection of \$4,022,513 which resulted from using the balance of FY 2022 LTF funds on a first in, first out basis as calculated during the financial audit from FY 2022. For reference purposes, SACOG’s draft LTF apportionments for FY 2024 project a total of over \$7.9 million in the combined amount available to the four member jurisdictions which is a decrease of \$1.8 million (18.5 percent) below FY 2023. Even with the reduced amount of LTF available, the budgeted \$4 million LTF allocation for Yuba-Sutter Transit in FY 2024 represents just 50 percent of the amount available (up from 40 percent for FY 2023, but still much lower than the peak of 60 percent in FY 2018). As indicated in recent years, a still greater percentage of LTF revenue for Yuba-Sutter Transit will likely be necessary going forward to back-fill for federal and state funds that may be needed at least in part for the facility project and to comply with the state’s zero-emission bus purchase mandate.

Prior to FY 2021, any LTF funds received over the amount needed to balance the operating budget were added to the deferred LTF revenue balance from prior years and any shortfall is shored up from the same source. These reserves are shown at the bottom of the operating budget as deferred TDA revenue (LTF and STA) with the STA further broken out to include the amounts that are restricted for Live Oak and Wheatland. Yuba-Sutter Transit’s STA reserves are typically used for capital purposes while LTF reserves are primarily used for contingency and cash flow. The LTF reserve is budgeted at 17.2 percent of budgeted operating expenditures for FY 2024 which is nearly identical to the budgeted 17.1 percent figure for FY 2023. In addition to a contingency fund for unforeseen expenses, wild spikes in fuel prices, or a major economic crisis for which federal relief is not provided; an adequate cash reserve is essential due to the high level of federal funding used for operations since most of these funds are not typically received until the end or even after the fiscal year.

Local Cash Grants/Reimbursements (Acct. #40901)

This account is available for local contract service payments and other contributions for services or programs including reimbursements from Mercy Housing that are received from the City of Wheatland to off-set the cost of the December 2015 expansion of the Wheatland Route from three to five days a week.

State Transit Assistance (STA) Funds (Acct. #41100)

Now derived from a tax on diesel fuel, the State Transit Assistance (STA) program is the only on-going state funding source for public transportation. Available with minimal restrictions for operating and capital purposes, STA funds have historically been the primary source of local matching funds for federal capital grants though more was being committed to the operating budget in recent years especially since Senate Bill 1 (2017) provided more certainty to this funding source. After wildly fluctuating allocations from FY 2020 to FY 2023 due to the anticipated and actual impact of the pandemic on diesel fuel sales, SACOG's apportionments for FY 2024 includes a total of \$2,274,998 in STA funds for Yuba-Sutter Transit. This figure is down 2 percent (\$51,078) from the revised FY 2023 apportionment. The revised draft budget assumes the use of \$1,454,000 in STA funding for operations and \$303,629 for capital expenditures. A portion of these expenditures may be funded with deferred STA amounts claimed in prior years. It should be noted that a portion of the STA apportionment and funding being budgeted for operating expenses is derived from specific allocations to Live Oak and Wheatland for the operation of the contract services that Yuba-Sutter Transit provides to these non-member jurisdictions.

State Cash Grants/Reimbursements (Acct. #41109)

This account is available for the receipt or accrual of state grant related reimbursement payments. There are no such budgeted projects for FY 2024. For FY 2023, this account is for the receipt or accrual of miscellaneous state grant related reimbursements for Low Carbon Transit Operations Program (LCTOP) grant funded operating expenditures for the regional Connect Card electronic fare card system and Enhanced Peak-Hour Sacramento Commuter Service. This account also includes reimbursements from a state grant for the completion of the Comprehensive Operational Analysis (COA) that began in FY 2022. Also included are year-end postings of state funding for capital expenditures below the capitalization threshold, when applicable.

Federal Urban General Operating Assistance / CARES Act / ARP – FTA Section 5307 (Acct. #41300)

This account is for federal operating assistance that is provided to transit systems in small urban areas. For FY 2024, these funds come through the five-year federal Infrastructure Investments and Jobs Act (IIJA) of 2021. Nearly \$3.6 million in Section 5307 funding is expected to be available to Yuba-Sutter Transit for FY 2024 which is up 1.86 percent over the amount that was available for FY 2023. Section 5307 funds can typically be used for up to 50 percent of eligible operating expenses and up to 80 percent of eligible capital expenses, but COVID-19 stimulus funds (CARES Act and ARP funds) were available without restriction with no match requirement. As COVID-19 stimulus funds neared exhaustion in FY 2022, the federal share of the budget began being reduced to pre-pandemic federal funding levels especially as some portion of these funds will likely be needed to meet the needs of the transit facility project and to comply with the state zero-emission bus purchase mandate.

The FY 2024 budget assumes \$2.2 million being allocated from this source for operating purposes. This is the same amount of Section 5307 funds that were allocated for operating assistance prior to the pandemic. The FY 2023 budget assumed a total of \$2,227,517 million from this source including \$1,500,000 of regular Section 5307 funds along with the final balance of \$727,517 in American Rescue Plan (ARP) ARP funds for operating assistance.

Federal Rural General Operating Assistance / CARES Act / CRRSAA – FTA Section 5311 (Acct. #41301)

This account is for federal operating assistance that is provided specifically to rural transit systems. Yuba-Sutter Transit's rural services include the Foothill, Live Oak and Wheatland Routes and the Plumas Lake stop on the Sacramento Commuter and Midday Express service. These funds can be used for both operating and capital assistance subject to a 55.33 percent federal funding limitation for operations and 88.53 percent for capital expenditures though COVID-19 stimulus funding (CARES Act, CRRSAA) did not require any match. This funding source has grown significantly in recent years, but the limited amount of rural service provided by Yuba-Sutter Transit limits the amount used for operations though the balance can be used for any capital needs associated with rural services.

Under a new two-year call for projects program, SACOG apportioned the combined two-county figures for Yuba-Sutter Transit at \$473,841 for FFY 2022 and \$483,317 for FFY 2023 for a combined two-year allocation of \$957,158 for the rural service program. For comparison, a total of \$364,492 was received from this source for FY 2021. The two-year grant application included \$200,000 for FY 2024 and \$200,000 for FY 2023 in Section 5311 funds for operating assistance with the balance of the two-year apportionment to be used for the programmed FY 2025 demand response/rural route bus replacement project. It should be noted that the preliminary FY 2024 and the FY 2023 capital budgets include the previously Board approved amounts of \$963,628 in Section 5311 rural funding from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and the entire regular FY 2021 Section 5311 allocation of \$364,492 for the facility project.

DEFERRED REVENUE DETAIL

1. Deferred TDA Revenues (July 1) – Carried forward from projected year-end figures for FY 2023 with LTF and STA revenues combined.
2. LTF Revenues Received – Amount set in annual apportionment adjusted for any prior year audit findings.
3. STA Revenues Received – Amount of STA revenues that are available and claimed for Yuba-Sutter Transit, Live Oak and Wheatland.
4. LTF Revenues Allocated (Operating) – Anticipated local share of actual or projected expenditures as set by the budget.

5. STA Revenues Allocated (Operating) – Amount allocated in the budget for operating expenditures, if any.
6. LTF Revenues Allocated for Local Capital Outlays – Amount of deferred or current year LTF revenues budgeted for capital acquisitions during the fiscal year, if any.
7. STA Revenues Allocated for Local Capital Outlays – Amount of deferred or current year STA revenues budgeted for capital acquisitions during the fiscal year, if any.
8. Proceeds from Sale of Vehicles (As Necessary).
9. Deferred TDA Revenues (June 30) – Amount available for cash flow, contingencies and future local capital expenditures itemized by LTF and STA share of the total available.
10. Additional STA Cumulative Balances at SACOG Available for Claim – Sacramento Area Council of Governments (SACOG) allocations of STA funds that are available to be claimed as projects are known or budgeted. Balances shown are cumulative total amounts available.

CAPITAL PROGRAM SUMMARY

The capital budget of \$3,310,000 includes \$2.5 million for the environmental phase of the facility project; the first half of the design and engineering phase of the facility project; and the projected balance of \$730,000 for completion of the purchase of six small profile low-floor buses that are currently on order. Other capital projects include \$30,000 for start-up costs related to the planned on-demand service and an allowance for miscellaneous equipment and furnishings or for unforeseen facility repairs. The projected year-end capital budget for FY 2023 includes a payment of \$550,000 towards the commencement of the vehicle replacement project; the completion of the surveillance system repairs and enhancements (\$78,822); and an allowance for miscellaneous equipment & furnishings (\$10,000).

AGENDA ITEM V – C
STAFF REPORT

LOCAL TRANSPORTATION FUND (LTF) APPORTIONMENT FOR FY 2024

Pursuant to the Yuba-Sutter Transit Joint Powers Agreement (JPA), staff has prepared the Annual Apportionment of Local Transportation Fund (LTF) contributions for Board review and approval consideration. Based on the draft budget that is being submitted for review and approval consideration earlier on this same agenda, the annual LTF contribution to Yuba-Sutter Transit for FY 2024 would be \$4,000,000. Despite just a 0.9 percent (\$82,000) increase in budgeted operating costs over FY 2023, the draft budget assumes a 2.6 percent (\$100,000) increase in the annual LTF allocation for FY 2024. The proposed increase in the LTF allocation is due in part to the exhaustion of all available federal relief funding in FY 2023.

The JPA specifies a two-part process to be followed in the apportionment of the annual LTF contribution among the member jurisdictions. First, a funding formula with four equally weighted factors is applied to determine the relative shares of the total LTF contribution necessary to balance the budget. These factors are: (1) service area population; (2) amount of LTF available to each jurisdiction; (3) fixed route miles; and, (4) demand response boardings. Second, if this formula results in a calculated contribution from one or more jurisdictions exceeding the amount of LTF available to such jurisdictions for the following fiscal year, the shortfall is then allocated to the remaining jurisdictions using the relative values of each funding formula component for the remaining jurisdictions. For the first time since FY 2021, this second step was needed for FY 2024 as the calculated LTF apportionment for the City of Marysville would exceed the amount available.

The following table summarizes the calculations for each of the four funding formula factors for FY 2024. The column labeled “Base Formula Share of LTF” is the relative share (derived by averaging the four equally weighted factors) of the total amount of LTF required without regard to the amount of LTF actually available to any one or more jurisdictions. Based on this calculation, the base share for the City of Marysville would be \$456,489 which is \$35,949 more than the \$420,540 available to Marysville for FY 2024. The reallocation of the Marysville shortfall amount the remaining three jurisdictions is reflected in the final column which is the actual proposed LTF apportionment for FY 2024.

**YUBA-SUTTER TRANSIT
FUNDING FORMULA CALCULATIONS FOR FY 2024**

	DIAL-A-RIDE TRIP ORIGINS	FIXED ROUTE MILES	SERVICE AREA POPULATION	LTF AVAILABLE	BASE FORMULA SHARE OF LTF	REALLOCATED FY 2024 LTF SHORTFALL	PROPOSED FY 2024 LTF APPORTIONMENT
Marysville	17.3579%	12.6844%	10.3058%	5.30090%	11.4122%	(\$35,949)	\$420,540
Yuba City	55.9140%	46.3068%	56.8002%	52.39652%	52.8544%	\$21,511	\$2,135,686
Yuba County	24.8080%	39.8761%	28.2767%	27.19354%	30.0386%	\$12,216	\$1,213,759
Sutter County	1.9201%	1.1327%	4.6174%	15.10904%	5.6948%	\$2,222	\$230,015
Total*	100.0000%	100.0000%	100.0000%	100.0000%	100.0000%	\$0	\$4,000,000

*Any variance in percentages is due to rounding and has no effect on the dollar amounts calculated.

Staff will be prepared at the meeting to discuss the funding formula process in detail as desired. The detailed documentation for the funding formula calculation is available in the Yuba-Sutter Transit office and will be made a part of the permanent apportionment file.

RECOMMENDATION: Adopt Resolution No. 9-23 establishing the LTF contributions for each member jurisdiction for FY 2024 as proposed or amended.

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YUBA-SUTTER TRANSIT AUTHORITY
RESOLUTION NO. 9-23

FISCAL YEAR 2024 LOCAL TRANSPORTATION FUND (LTF) APPORTIONMENT

- WHEREAS, *The member jurisdictions of the Yuba-Sutter Transit Authority Joint Powers Agreement receive Local Transportation Fund (PUC 99230) monies for the provision of public transit services in the Marysville, Yuba City, Sutter County and Yuba County Area; and,*
- WHEREAS, *Pursuant to Paragraph 5 of the Yuba-Sutter Transit Authority Joint Powers Agreement, the Board of Directors must adopt an Annual Apportionment of those Local Transportation Fund monies for the operation of the Yuba-Sutter Transit Authority; and,*
- WHEREAS, *The total amount of Local Transportation Fund monies required by the Yuba-Sutter Transit Authority for Fiscal Year 2024 is \$4,000,000; and,*
- WHEREAS, *The net apportionment of Local Transportation Fund monies for Fiscal Year 2024 shall be as follows: City of Marysville, \$420,540; Yuba City, \$2,135,686; Yuba County, \$1,213,759; and Sutter County, \$230,015.*

NOW, THEREFORE, BE IT RESOLVED that the Yuba-Sutter Transit Authority Board of Directors approve the Fiscal Year 2024 Apportionment of Local Transportation Fund (PUC 99230) monies by the following vote:

Ayes:

Noes:

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY INTRODUCED, PASSED AND ADOPTED BY THE YUBA-SUTTER TRANSIT AUTHORITY AT A REGULAR MEETING HELD ON MAY 18, 2023.

Chairman of the Board

ATTEST:

*Lisa O'Leary
Secretary to the Board*

AGENDA ITEM V – E
STAFF REPORT

YUBA COUNTY AIRPORT LEASE AGREEMENT

A Temporary Construction Easement (TCE #37882-4) was recently executed with Caltrans District 3 to allow access to a major portion of Yuba-Sutter Transit's northern bus parking area from June 1, 2023, through January 31, 2024, for the State Route 70 Binney Junction Roadway and Complete Streets Project. The first part of the project includes construction of a pump house at each railroad undercrossing and the contractor, Granite Construction, will use the easement area to store equipment and materials as the pump house is built between the parking lot and Highway 70 (B Street). Because up to 15 buses will be displaced from their normal overnight parking stall as a result, staff have been working to secure an alternative parking location.

For that purpose, attached for Board review and approval consideration a lease agreement with Yuba County for a 0.75-acre semi-improved parking lot at the Yuba County Airport from June 1, 2023, to January 31, 2024. The subject lot shown in Exhibit A of the agreement is a fenced, secured, and lighted area making it an ideal location to store buses that are not in use during the eight-month construction period. The lot is shared with another business which should help keep the parked buses more secure at that location. The lease amount of \$1,800 per month will be paid directly by Caltrans along with costs associated with utilizing the parking lot for bus storage such as additional staff time for our service contractor, fuel consumed, and any additional insurance costs that may occur.

The lease agreement has been reviewed by counsel and Board authorization to execute the agreement is now being recommended. Staff and counsel will be prepared at the meeting to discuss the agreement and potential impacts in as much detail as desired.

RECOMMENDATION: Authorize execution of a short-term lease agreement with Yuba County as proposed.

Attachment

AIRPORT GROUND LEASE

THIS LEASE made and entered into this 1st day of June 2023 by and between the COUNTY OF YUBA, a political subdivision of the State of California, hereinafter designated "Lessor," and Yuba-Sutter Transit, hereinafter called "Lessee."

WITNESSETH

WHEREAS, Lessor owns and operates the public airport facilities situated in the County of Yuba, California, hereinafter referred to as "Airport"; and

WHEREAS, said real property is devoted to and held for airport development; and

WHEREAS, pursuant to the provisions of Section 25536, Government Code, Lessor is authorized to enter into leases of all or any portion of said property without complying with the provisions of Section 25526 of the Government Code ("Sale or Lease of County Property"); and

NOW, THEREFORE, IT IS HEREBY AGREED:

1. LEASED PREMISES: Lessor hereby sets over, leases, and demises to Lessee, and Lessee hereby hires from Lessor, all that certain real property situated in the County of Yuba, State of California, and more particularly described as follows:

A. That certain property shown on Exhibit "A" as "Area A", containing 32,670 square feet of Unimproved Storage Yard enclosed by a chain link fence and secured with a County issued padlock to be used as a Parking Area. Attached to this Lease and marked "Exhibit A" is the subject map showing the specific location of the property herein demised, which for this purpose is incorporated herein and by this reference made a part hereof.

2. TERM:

A. The term of this Lease shall commence on the 1st day of June 2023 and terminate on January 31, 2024, unless earlier terminated under the provisions of this Lease. Lessee shall be entitled, but not obligated, at its sole option, to request an extension on a month to month basis. If only a partial month is needed prior to termination, Lessee shall pay a pro-rated amount of rent through the revised lease termination date.

3. CONSIDERATION:

A. Lessee hereby agrees to pay as rent for said premises the sum of \$1,800.00 per month and, payable without deduction, setoff, prior notice, or demand, on or before the first day of each calendar month during the term hereof. Said rent and fee shall be paid in lawful

money of the United States of America and shall be paid to Lessor at the address set forth herein for notices, or to such other person or persons, or at such other places, as Lessor may designate in writing. Rent for any period less than a calendar month shall be a pro rata portion of the monthly installment.

4. LATE CHARGES AND RETURN CHECK CHARGE:

A. Lessee hereby acknowledges that late payment by Lessee to Lessor of rent or other sums due hereunder will cause Lessor to incur costs not contemplated by this Lease, the exact amount of which are not limited to, administrative processing of delinquent notices and accounting charges. Accordingly, if any installment of rent or of a sum due from Lessee is not received by Lessor or postmarked within ten (10) days after said amount is due, then Lessee shall be assessed a late fee based upon the fee schedule set forth every July by the Yuba County Board of Supervisors under the Airport – Code Section 13.00.070. A late charge shall be applied each month rent is delinquent. The parties hereby agree that such late charges represent a fair and reasonable estimate of the cost that Lessor will incur by reason of the late payment by Lessee. Acceptance of late charges by Lessor shall in no event constitute a waiver of Lessee's default with respect to such overdue amount, nor prevent Lessor from exercising any of the other rights and remedies granted hereunder.

B. Lessee agrees to pay Lessor a special handling charge or late fee as specified in the County Master Fee Ordinance adopted annually by the Yuba County Board of Supervisors for a check dishonored by the bank for any reason. This charge shall be added to and become part of Lessee's obligations hereunder, and shall be in addition to any charge for late payment provided for herein. Lessee agrees to pay Lessor immediately upon request any and all charges for dishonored checks.

5. OTHER CHARGES AND FEES: Lessee shall meet all expenses and payments in connection with the use of the premises and the rights and privileges herein granted, including taxes, permit fees, license fees, and assessments lawfully levied or assessed upon the premises or property at any time situated therein and thereon. Lessee may, however, at their sole expense and cost, contest any tax, fee, or assessment.

6. OPERATIONS:

A. The premises shall be used and occupied by Lessee solely for the purpose of transit bus parking/storage.

B. All of Lessee's activities conducted on Airport must be in accordance with appropriate federal and state statutory and decisional laws, Yuba County ordinances, rules and

regulations, and the requirements of any other duly authorized government agency; however, in the event any such law, rules, regulations or requirement is changed subsequent to the execution of this lease and Lessee's activities are affected thereby, Lessee shall be allowed a reasonable time within which to comply with such change. Lessee shall conform and comply with all noise abatement rules and regulations applicable to Airport.

7. STANDARDS: In providing any of the required and/or authorized services or activities specified in this Lease, Lessee shall operate for the use and benefit of the public and shall meet or exceed the following standards:

A. Lessee shall control the conduct, demeanor, and appearance of its employees, who shall be trained by Lessee, and who shall possess such technical qualifications and hold such certificates of qualification as may be required in carrying out assigned duties. It shall be the responsibility of Lessee to maintain close supervision over its employees to assure a high standard of service to customers of Lessee.

8. USE OF PREMISES: Except as otherwise specifically limited herein, the leased premises shall be used by Lessee only for the purpose of parking and storage of transit buses. Except for Lessor's obligations specifically set forth in this Lease, Lessee shall promptly comply with all laws, ordinances, orders, and regulations affecting the leased premises and its cleanliness, safety, occupation, and use. Lessee shall not do or permit anything to be done in or about the leased premises, or bring or keep anything on the leased premises, that (i) would invalidate any liability insurance of Lessor, (ii) would be in violation of any county, state, federal or other jurisdictional ordinance, regulation, statute or law that applies to Lessee, or (iii) may be a nuisance or menace to other tenants or users of the Airport provided.

9. USE AT LESSEE'S OWN RISK: Lessor shall have no obligation to monitor the use of the Parking Area. Lessee and its employees' use of the Parking Area shall be at the sole risk of Lessee and its employees. Unless caused by the willful harmful act of Lessor, Lessor shall have no responsibility or liability for any injury or damage to any person or property by or as a result of the use of the Parking Area by Lessor and its employees, whether by theft, collision, criminal activity, or otherwise, Lessee hereby assumes, for itself and its employees, all risks associated with any such occurrences in or about the Parking Area.

10. INSURANCE: Lessee shall throughout the existence of this Lease, at its own cost and expense, procure and maintain in full force and effect comprehensive general liability insurance in the minimum amounts of ONE MILLION DOLLARS (\$1,000,000.00) combined single limit as specified in Exhibit B. The provisions of Exhibit B attached hereto are

incorporated herein by reference.

11. INDEMNITY: Lessee shall indemnify and defend the County, its boards, commissions, committees, officers, employees, agents and assigns against and hold it harmless from any and all loss, damage, and liability for damages, including attorneys' fees and other costs of defense incurred by County, whether for damage to or loss of property, or injury to or death of person, including properties of County and injury to or death of County's officers, County's boards, County's commissions, County's committees, County assigns, agents and employees, which shall in any way arise out of or be connected with Lessee's operations hereunder, unless such damage, loss, injury or death shall be caused solely by the negligence of County.

12. MAINTENANCE: Lessee shall be responsible for the maintenance and repair of the premises and shall keep and maintain the premises in good condition, order, and repair, and shall surrender the same upon the expiration of this lease in the condition in which they are required to be kept, reasonable wear, tear, and damage by the elements not caused by Lessee's negligence excepted.

13. ASSIGNMENT OR SUBLEASE:

A. Lessee shall not assign or transfer in whole or in part by operation of law or otherwise this Lease or any of the Lessee's rights, duties, or obligations hereunder nor sublet any portion or all of the premises leased hereunder without Lessor's consent to assignment of this Lease, and the Lessor shall not unreasonably withhold his consent to assignment. Lessor retains the right at time of proposed assignment to terminate this Lease and renegotiate a new Lease with proposed assignees at Lessor's option.

14. DEFAULT: In the event Lessee is in default in the payment on any amount due under the terms of this Lease or defaults in the performance of any of the covenants or conditions on Lessee's part to be performed, then Lessor, at its option, may terminate this Lease and re-enter upon the premises. Lessor shall have the right to retain all rents and any other sums owing and unpaid to the date of termination hereunder.

15. BREACH OR NONCOMPLIANCE: The waiver of any breach or noncompliance with any terms, covenants, conditions, or provisions of this Lease or any rules, regulations, or decisions adopted pursuant thereto shall not constitute the waiver of any subsequent breach thereof whether such breach or noncompliance be the same or of a different kind or character.

16. ATTORNEY'S FEES: In case Lessor, without fault on its part, be made a party to any litigation commenced by or against Lessee, Lessee shall pay all costs, reasonable

attorney's fees, and expenses which may be incurred or imposed on Lessor by or in connection with such litigation. Should either party hereto bring any action at law or in equity to enforce any of the rights hereunder, the prevailing party in such action shall be entitled to recover reasonable attorney's fees and any other relief that may be granted by the court, whether or not the party prevailing in such action be the party who instituted the same.

17. JURISDICTION: Any action brought to enforce any of the provisions hereof or for declaratory relief hereunder shall be filed and remain in a Court of competent jurisdiction in the County of Yuba, State of California.

18. CONTROLLING LAW: The validity, interpretation, and performance of this agreement shall be controlled by and construed under the laws of the State of California.

19. COMPLIANCE WITH SPONSOR'S FEDERAL GRANT ASSURANCES: To the extent applicable, Permittee shall comply with all Federal Aviation Administration (FAA) assurances as shown on Exhibit C, attached hereto and made a part hereof.

20. NOTICES: Any notice, demand, request, consent, or approval that either party desires or is required to give to the other party pursuant to this Lease shall be in writing and either served personally or sent by prepaid, first-class mail. Such matters shall be addressed to the other party at the following address:

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To County At:
Airport Manager
YUBA COUNTY AIRPORT
1364 Sky Harbor Drive
Olivehurst, CA 95961

To Lessee At:
Keith Martin
Yuba-Sutter Transit
2100 B Street
Marysville, CA 95901

A copy to:
County Counsel
County of Yuba
915 8th Street, Suite 123
Marysville, CA 95901

IN WITNESS WHEREOF, the parties have signed this Agreement the day and year first above written

By _____
"Lessee"

COUNTY OF YUBA

By _____
Andy Vasquez Jr.
Chairman, Board of Supervisors

ATTEST: MARY PASILLAS
Clerk of the Board of Supervisors

REVIEW OF INSURANCE:

Risk Manager

APPROVED AS TO FORM:
MICHAEL J. CICCOTZI
YUBA COUNTY COUNSEL

By: _____
Sims Ely, Deputy

EXHIBIT A
LEASED PREMISES

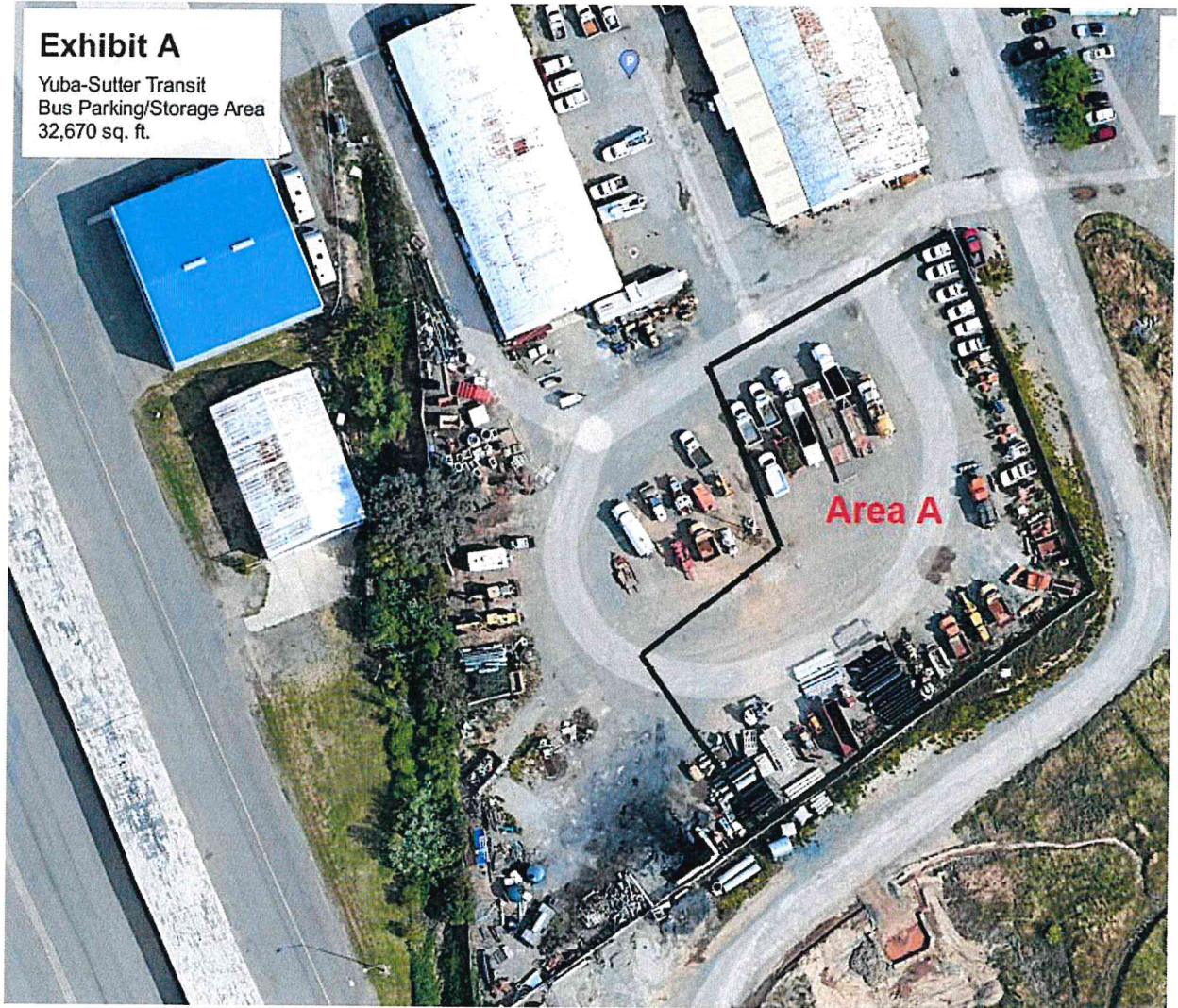


EXHIBIT B
INSURANCE PROVISIONS

LESSEE shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the LESSEE, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office Form CG 00 01 covering CGL on an “occurrence” basis for bodily injury and property damage, including products-completed operations, personal injury and advertising injury, with limits no less than \$1,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if LESSEE has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than \$1,000,000.00 per accident for bodily injury and property damage.
3. **Worker’s Compensation** insurance as required by the State of California, with Statutory Limits, and Employer’s Liability Insurance with limit of no less than \$1,000,000.00 per accident for bodily injury or disease. (Not required if LESSEE provides written verification it has no employees.)
4. **Professional Liability (Errors and Omissions)** Insurance as appropriate to LESSEE’s profession, with limits no less than \$1,000,000.00 per occurrence of claim, \$2,000,000.00 aggregate.
5. **Pollution Legal Liability** with limits no less than \$1,000,000.00 per occurrence or claim, and \$2,000,000.00 policy aggregate.

If the LESSEE maintains higher limits than the minimums show above, LESSOR requires and shall be entitled to coverage for the higher limits maintained by LESSEE.

OTHER INSURANCE PROVISIONS

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

LESSOR, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of LESSEE; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of LESSEE including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the LESSEE's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used.)

Primary Coverage

For any claims related to this contract, **LESSEE's insurance coverage shall be primary** insurance as respect to LESSOR, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by LESSOR, its officers, officials, employees, or volunteers shall be excess of LESSEE's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall state that **coverage shall not be canceled, except with notice to the LESSOR.**

Waiver of Subrogation

LESSEE hereby grants to LESSOR a waiver of any right to subrogation which any insurer of said LESSEE may acquire against LESSOR by virtue of the payment of any loss under such insurance. LESSEE agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not LESSOR has received a waiver of subrogation endorsement from the insurer. These Waiver of Subrogation provisions only apply to the property/casualty/workers' compensation insurance policies.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by LESSOR. LESSOR may require LESSEE to provide proof of ability to pay losses and related investigations claim administration, and defense expenses within the retention.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the LESSOR.

Claims Made Policies

If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract of the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, LESSEE must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

Verification of Coverage

LESSEE shall furnish LESSOR with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by LESSOR before work commences. However, failure to obtain the required documents prior to the work, beginning shall not waive LESSEE's obligation to provide them. LESSOR reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors

LESSEE shall require and verify that all subcontractors maintain insurance, meeting all the requirements stated herein.

Special Risks or Circumstances

LESSOR reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

EXHIBIT C

FEDERAL AVIATION ADMINISTRATION ASSURANCES

COMPLIANCE WITH SPONSORS FEDERAL GRANT ASSURANCES: To the extent applicable, Lessee shall comply with all Federal Aviation Administration (FAA) assurances below:

1. The Lessee for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenants and agree that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this Agreement for a purpose for which a DOT program or activity is extended or for another purpose involving the provision of similar services or benefits, the Lessee shall maintain and operate such facilities and services in compliance with all other

requirements imposed pursuant to Title 49, Code of Federal Regulations, COT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

2. The Lessee for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that (in the case of leases add "as a covenant running with the land") that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subject to discrimination, (3) that the (Lessee, licensee, Lessee, etc. shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

3. That in the event of breach of any of the above nondiscrimination covenants, the County of Yuba shall have the right to terminate the permit and to reenter and repossess said land and the facilities thereon, and hold the same as if said permit had never been made or issued. This provision does not become effective until the procedures of 49 CFR Part 21 are followed and completed including expiration of appeal rights.

4. Lessee shall furnish its accommodations and/or services on a fair, equal and not unjustly discriminatory basis to all users thereof and it shall charge fair, reasonable and not unjustly discriminatory prices for each unit or service; PROVIDED, THAT the Lessee may be allowed to make reasonable and nondiscriminatory discounts, rebates or other similar type of price reductions to volume purchasers.

5. Non-compliance with Provision 4 above shall constitute a material breach thereof and in the event of such non-compliance the County of Yuba shall have the right to terminate

this permit and the estate hereby created without liability therefore or at the election of the County of Yuba or the United States either or both said Governments shall have the right to judicially enforce Provisions.

6. Lessee agrees that it shall insert the above five provisions in any permit by which said Lessee grants a right or privilege to any person, firm or corporation to render accommodations and/or services to the public on the premises herein permitted.

7. The Lessee assures that it will undertake an affirmative action program as required by 14 CFR Par 152, Subpart E, to insure that no person shall on the grounds of race, creed, color, national origin, or sex be excluded from participating in any employment activities covered in 14 CFR Part 152, Subpart E. The Lessee assures that no person shall be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by this subpart. The Lessee assures that it will require that its covered sub organizations provide assurances to the Lessee that they similarly will undertake affirmative action programs and that they will require assurances from their sub organizations, as required by 14 CFR 152, Subpart E, to the same effort.

8. The County of Yuba reserves the right to further develop or improve the landing area of the airport as it sees fit, regardless of the desires or view of the Lessee and without interference or hindrance.

9. The County of Yuba reserves the right, but shall not be obligated to the Lessee to maintain and keep in repair the landing area of the airport and all publicly-owned facilities of the airport together with the right to direct and control all activities of the Lessee in this regard.

10. This lease shall be subordinate to the provisions and requirements of any existing or future agreement between the County of Yuba and the United States, relative to the development, operation, or maintenance of the airport.

11. There is hereby reserved to the County of Yuba, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the premises herein permitted. This public right of flight shall include the right to cause in said airspace any noise inherent in the operation of any aircraft used for navigation or flight through the said airspace or landing at, taking off from or operation on the Yuba County Airport.

12. Lessee agrees to comply with the notification and review requirements covered in Part 77 of the Federal Aviation Regulations in the event future construction of a building is planned for the permitted premises, or in the event of any planned modification or alteration of any present or future building or structure situated on the permitted premises.

13. The Lessee by accepting this expressly agrees for itself, its successors and assigns that it will not erect nor permit the erection of any structure or object, nor permit the growth of any tree on the land leased hereunder above the mean sea level elevation of 65 feet. In the event the aforesaid covenants are breached, the owner reserves the right to enter upon the land permitted hereunder and to remove the offending structure or object and cut the offending tree, all of which shall be at the expense of the Lessee.

14. The Lessee by accepting this Lease agrees for itself, its successors and assigns that it will not make use of the permitted premises in any manner which might interfere with the landing and taking off of aircraft from the Yuba County Airport or otherwise constitute a hazard. In the event the aforesaid covenant is breached, the owner reserves the right to enter upon the premises hereby permitted and cause the abatement of such interference at the expense of the Lessee.

15. It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section 308a of the Federal Aviation Act of 1958 (49 U.S.C. 1349a).

16. This lease and all the provisions hereof shall be subject to whatever right the United States Government now has or in the future may have or acquire, affecting the control, operation, regulation and taking over of said airport or the exclusive or non-exclusive use of the airport by the United States during the time of war or national emergency.

AGENDA ITEM V – F
STAFF REPORT

**LOCAL AGENCY INVESTMENT FUND (LAIF)
SIGNATURE AUTHORITY TITLE CHANGES**

Staff is requesting a change in title in signature authority for Yuba-Sutter Transit's Local Agency Investment Fund (LAIF) account to reflect the staff titles that have changed since the current authorizing resolution was adopted in August 2013. The Transit Manager and Finance Program Manager, or their successors in office, are the currently authorized positions. While the staff holding these positions have not changed since that time, the titles of the staff positions have been revised from Transit Manager and Finance Program Manager to Executive Director and Finance Manager.

The title of Transit Manager was revised to Executive Director effective July 1, 2021, and the Finance Program Manager is being reclassified to Finance Manager effective July 1, 2023. The attached resolution would simply replace the previous titles with the new titles for the same positions.

With the on-boarding of a new Executive Director considered earlier on this same agenda, this is only one of many documents being updated for either titles or names. As many of the documents being updated for the Executive Director also involve one or both Program Managers, staff requests the use of the reclassified Finance Manager and Planning Manager titles effectively immediately on all updates to documents comingled with the Executive Director position, thus saving staff time in filing duplicative documents in July.

Staff will be prepared to discuss this issue in more detail at the meeting.

RECOMMENDATION: Adopt Resolution No. 10-23 changing the titles of the authorized signers on Yuba-Sutter Transit's LAIF account as proposed or revised.

YUBA-SUTTER TRANSIT AUTHORITY

RESOLUTION NO. 10-23

**AUTHORIZING INVESTMENT OF MONIES
IN THE LOCAL AGENCY INVESTMENT FUND**

WHEREAS, The Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Yuba-Sutter Transit Authority Board of Directors hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interests of the Authority;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the deposit and withdrawal of Authority monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein.

BE IT FURTHER RESOLVED, as follows:

Section 1. The following Yuba-Sutter Transit Authority officers holding the titles(s) specified hereinbelow **or their successors in office** are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated hereby:

1. Executive Director

2. Finance Program Manager/
Finance Manager

Section 2. This resolution shall remain in full force and effect until rescinded by the Board of Directors by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

THE FOREGOING RESOLUTION WAS DULY INTRODUCED, PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE YUBA-SUTTER TRANSIT AUTHORITY AT A REGULAR MEETING THEREOF HELD ON MAY 18, 2023 BY THE FOLLOWING VOTE:

Ayes:

Noes:

Chair, Board of Directors

ATTEST:

Lisa O'Leary
Secretary to the Board

AGENDA ITEM V – G
STAFF REPORT

STORER TRANSIT SYSTEMS DRUG AND ALCOHOL POLICY AND PROCEDURES

The Federal Transit Administration (FTA) requires all transit operators to certify compliance with applicable Federal drug and alcohol regulations. These regulations apply to any transit agency receiving Federal financial assistance and by extension, any contractors or sub-contractors that employ people in safety sensitive positions (i.e., drivers, dispatchers, and maintenance personnel). As Yuba-Sutter Transit's operating contractor, Storer Transit Systems is required to fully comply with all applicable provisions of these regulations as they may be amended from time to time.

Attached for Board review and adoption consideration is the updated version of the Storer Transit Systems Drug and Alcohol Policy and Procedures Guidebook effective June 1, 2023. This replaces the version that was adopted in August 2022. The minor updates from the previous version include an amendment to DOT's regulated industry drug testing program to include oral fluid testing. By adoption of the attached resolution and Storer implementation of their drug and alcohol program, Yuba-Sutter Transit will be in full compliance with the related drug and alcohol testing and training provisions of the applicable Federal regulations.

Storer and Yuba-Sutter Transit staff will be available at the meeting to respond to any questions regarding specific provisions of the drug and alcohol program.

RECOMMENDATION: Adopt Resolution No. 11-23 adopting the Storer Transit Systems Drug and Alcohol Policy for the Yuba-Sutter Division effective June 1, 2023.

YUBA-SUTTER TRANSIT AUTHORITY

RESOLUTION NO. 11-23

**ADOPTING THE STORER TRANSIT SYSTEMS
DRUG AND ALCOHOL POLICY FOR THE YUBA-SUTTER DIVISION
EFFECTIVE JUNE 1, 2023**

WHEREAS, *The Federal Transit Administration (FTA) requires compliance with federal testing and training provisions of 49 CFR, Parts 40 and 655; and,*

WHEREAS, *The State Department of Transportation is responsible for FTA drug and alcohol compliance by all sub-grantees:*

NOW, THEREFORE, BE IT RESOLVED that the Yuba-Sutter Transit Authority, through adoption of the Storer Transit Systems Drug and Alcohol Policy for the Yuba-Sutter Division effective June 1, 2023, is in full compliance with the related federal testing and training provisions of 49 CFR Parts 40 and 655 and does hereby authorize the Executive Director to certify same by the following vote:

Ayes:

Noes:

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY INTRODUCED, PASSED AND ADOPTED BY THE YUBA-SUTTER TRANSIT AUTHORITY AT THE MEETING THEREOF HELD ON MAY 18, 2023.

Chair, Board of Directors

ATTEST:

*LISA O'LEARY
Secretary to the Board*

STORER TRANSIT SYSTEMS

FTA

Drug and Alcohol Policy and Procedures
Adopted as of May 2023

Zero Tolerance

[In accordance with the U.S. Department of Transportation
Federal Regulations Title 49 Part 40, 655]

Table of Contents

Page

3 **Policy**

4 **Purpose**

4 **Applicability**

5 **Definitions**

9 **Education and Training**

9 **Prohibited Substances**

10 **Prohibited Conduct**

11 **Drug Statute Conviction**

11 **Testing Requirements**

11 **Drug Testing Procedures**

13 **Alcohol Testing Requirements**

14 **Pre-Employment Testing**

15 **Reasonable Suspicion Testing**

16 **Post-Accident Testing**

17 **Random Testing**

18 **Return-To-Duty Testing**

18 **Follow-Up Testing**

18 **Results of Verified Drug/Alcohol Test**

20 **Grievance and Appeal**

20 **Proper Application of the Policy**

20 **Information Disclosure**

21 **Revisions to the Policy and Program**

21 **Storer Transit Systems Contacts**

22 **Medical Review Officers**

23 **Appendix A, Information on Alcohol and Drugs**

30 **Post-Accident Check List**

31 **Post-Accident Assessment**

32 **Post-Accident Testing Chart**

33 **After Hours Drug & Alcohol Testing**

35 **Substance Abuse Professionals**

36 **Test Notification**

Storer Transit Systems
FTA Drug and Alcohol Testing Policy

1.0 Policy

Storer Transit Systems provides a safe, dependable service to its clients. Storer Transit Systems employees are our most valuable resource. This policy is inclusive of all agreements for Transit services for which Storer Transit Systems is under contract. It is our policy (1) to take appropriate action to assure that employees are not impaired in their ability to perform their assigned duties in a safe, productive and healthy manner; (2) to promote and maintain drug and alcohol-free environment for all employees and the general public; and (3) to prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances.

To achieve the goal of a substance-free workplace, this policy incorporates two integrated components.

1.1 Prevention through education and training:

Education and training will communicate and clarify this policy to all safety sensitive employees, assist employees in recognizing substance abuse problems and in finding solutions to those problems.

1.2 Detection, deterrence, and enforcement:

Federal regulations require that all safety sensitive employees will be subject to reasonable suspicion, post-accident, random, return to duty and follow-up drug and alcohol testing. Applicants for a safety sensitive position will not be eligible for those positions unless they undergo and pass a pre-employment drug test. As a “zero tolerance” employer, any positive drug or alcohol tests will result in a termination of employment.

This Policy was adopted by Storer Transit Systems May 5, 2023

Maryann E. Myers, HR/Compliance Manager / DAPM

Tracy McKee, DER

Maryann E. Myers, HR/Compliance Manager
Drug and Alcohol Program Manager (DAPM)

Tracy McKee, Compliance Specialist
Designated Employer Representative (DER)

Drug and Alcohol Testing Policy FTA

A. PURPOSE

Storer Transit Systems provides public transit and paratransit services for the residents of several counties throughout California. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol to promote the health and safety of employees and the general public. In keeping with this mission, Storer Transit Systems declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine **or oral fluid** drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety sensitive functions when there is a positive test result, or test refusal. The U.S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine, **oral fluid** and breath specimens.

Any provisions set forth in this policy that are included under the sole authority of Storer Transit Systems and are not provided under the authority of the above-named Federal regulations are underlined. Tests conducted under the sole authority of Storer Transit Systems will be performed on non-USDOT/Company Authority forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full or part time) when performing safety sensitive duties. Storer Transit Systems employees that do not perform safety-sensitive functions may be covered under this policy under the sole authority of Storer Transit Systems.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any other transit employee who operates a non-revenue vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL or receive remuneration for service in excess of actual expense.

C. DEFINITIONS

Accident: An occurrence associated with the operation of a transit vehicle even when not in revenue service, if as a result-

- 1) An individual dies;
- 2) An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or
- 3) One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, disabling damage means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Adulterated specimen: A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing. It is taken as a sample representing the whole specimen.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine or oral fluid specimen to further support a validity test result.

Covered Employee Under FTA Authority: An employee who performs a safety sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function.

Covered Employee Under Company Authority: An employee, applicant or transferee that will not perform a safety-sensitive function as defined by FTA but is included under the company's own authority.

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

Department of Transportation (DOT): Department of the federal government which includes the Federal Transit Administration, Federal Railroad Administration, Federal Motor Carriers Safety Administration, Pipeline & Hazardous Materials Safety Administration, for purposes of 49 CFR Part 40, the United States Coast Guard, in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes and the Office of the Secretary of Transportation.

Dilute Specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs, Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Evidentiary Breath Testing Device (EBT): A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations. Approved devices are listed on ODAPC's website at <https://www.transportation.gov/odapc>.

Initial Drug Test: (Screening Drug Test) The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid.

Invalid Result: The result reported by an HHS certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Limit of Detection (LOD): The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has

knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS certified laboratory to an MRO when a specimen contains no drug, or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative test result: A urine specimen that is reported as adulterated, substitute, invalid, or positive for drug/drug metabolites.

Oral Fluid Specimen: An oral fluid specimen is collected from the donor's oral cavity and is a combination of physiological fluids produced primarily by the salivary glands.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety sensitive function): A covered employee is performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine, at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

Rejected for Testing: The result reported by an HHS-certified laboratory or (for urine) HHS-certified IITF when no tests are performed for a specimen because of a fatal flaw or unrecovered correctable error.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions: Employee duties identified as: (a) the operation of a transit revenue service vehicle even when the vehicle is not in revenue service; (b) the operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Driver's License (CDL); (c) maintaining a revenue service vehicle or equipment used in revenue service; (d) controlling the movement of a revenue service vehicle and (e) carrying a firearm for security purposes.

Safety Sensitive Employees: applies to all safety-sensitive Storer Transit employees, including paid part time employees who perform or could be called upon to perform any transit related safety-sensitive functions for both drug and alcohol testing, *this policy applies to off-site lunch periods or breaks* when an employee is scheduled to return to work.

Split Specimen Collection: A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen Collection (for Urine): A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

Split Specimen Collection (for Oral fluid): A collection in which two specimens [primary (A) and split (B)] are collected, concurrently or serially, and independently sealed in the presence of the donor; or a collection in which a single specimen is collected using a single collection device and is subdivided into a primary (A) specimen and a split (B) specimen, which are independently sealed in the presence of the donor.

Test Refusal: The following are considered a refusal to test if the employee:

- 1) Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer.
- 2) Fails to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- 3) Fails to attempt to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations. An employee who does not provide a urine or breathe specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- 4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen.
- 5) Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- 6) Fails or declines to take a second test the employer or collector has directed you to take.
- 7) Fails to undergo a medical examination or evaluation, as directed by the MRO, or as directed by the DER.
- 8) Fails to cooperate with any part of the testing process.
- 9) If the MRO reports that there is verified adulterated or substituted test result.
- 10) Failure or refusal to sign Step 2 of the alcohol testing form.

- 11) Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- 12) Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- 13) Admit to the collector or MRO that you adulterated or substituted the specimen.
- 14) Fail to remain readily available following an accident.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

D. EDUCATION AND TRAINING

Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

- 1) **Prohibited substances** addressed by this policy include the following.
 - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not

limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy.

- b. Federal Transit Administration drug testing regulation (49 CFR Part 655) requires that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in Section H of this policy. Employees that may be covered under company authority will also be tested for these same substances. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.
- c. **Legal Drugs:** The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Storer Transit Systems supervisor, and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety sensitive functions.
- d. **Alcohol:** The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited. A random, follow up or reasonable suspicion alcohol test can only be performed on a covered employee under 49 CFR Part 655 just before, during, or just after the performance of safety sensitive job functions. Under Storer Transit Systems authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

F. PROHIBITED CONDUCT

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol.
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
 - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has

a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:

- i. The employee's alcohol concentration measures less than 0.02; or
 - ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.
- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
 - 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
 - 7) Storer Transit Systems, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
 - 8) Consistent with the Drug-free Workplace Act of 1988, all Storer Transit employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the workplace including Transit Department premises and transit vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

H. TESTING REQUIREMENTS

- 1) Analytical urine or **oral fluid** drug testing and breath testing for alcohol will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing a safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up. Any employees that may be covered under company authority will also be subject to testing for reasonable suspicion, post-accident, random and return to duty/follow-up using non-DOT testing forms.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, follow-up and random alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under the authority of Storer Transit Systems, Non-DOT alcohol test can be performed any time a covered employee is on duty.
- 3) All covered employees will be subject to urine drug testing and breathe alcohol testing as a condition of ongoing employment with Storer Transit Systems. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

I. DRUG TESTING PROCEDURES

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures

- will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opioids (codeine, morphine, heroin, hydrocodone, hydromorphone, oxycodone and oxymorphone), amphetamines (including methamphetamine and ecstasy), and phencyclidine. After the identity of the donor is checked using picture identification, a urine **or oral fluid** specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a Federal Drug Testing Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine **or oral fluid** specimen. For those specimens that are negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) or Liquid Chromatography/Mass Spectrometry (LC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS or LC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.
 - 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to Storer Transit Systems. If a legitimate explanation is found, the MRO will report the test result as negative.
 - 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
 - 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Storer Transit will ensure that the cost for the split specimen is covered in order for a timely analysis of the sample, however **Storer Transit Systems** will seek reimbursement for the split sample test from the employee.

- 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.
- 7) The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the MRO, or by the employer, by the MRO, or by the relevant DOT agency.
- 8) **Observed Collections:** Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender **if applicable**) with no advance notice will occur if:
 - a. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Storer Transit Systems that there was not an adequate medical explanation for the result;
 - b. The MRO reports to Storer Transit Systems that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
 - c. The collector observes materials brought to the collection site or the employees conduct clearly indicates an attempt to tamper with a specimen;
 - d. The temperature on the original specimen was out of range;
 - e. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation (see Section 40.197 (b)(1));
 - f. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with;
 - g. All follow-up tests; or
 - h. All return-to-duty tests

J. ALCOHOL TESTING PROCEDURES

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved Evidential Breath testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC's Web page for "Approved Evidential Breath Measurement Devices". Alcohol screening tests may be performed using a non-evidential testing device (Alcohol screening device (ASD) which is also approved by NHSTA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids". If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-

approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

- 2) An employee who has a confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the workday whichever is longer and will be subject to the consequences described in Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Storer Transit Systems affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 at the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

All applicants for covered transit positions shall undergo urine **or oral fluid** drug testing test prior to performance of a safety-sensitive function.

- 1) All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.
- 2) An employee shall not be placed, transferred or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.
- 3) If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded and the applicant will be provided a list of at least two USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral evaluation and treatment plan as described in Section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
- 4) When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a

verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q, herein.

- 5) If a pre-employment/pre-transfer test is cancelled, Storer Transit Systems will require the applicant to take and pass another pre-employment drug test.
- 6) In instances where a FTA covered employee does not perform any safety-sensitive functions for a period of 90 consecutive days or more regardless of reason, and is not in the random testing pool during that time the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- 7) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 8) Applicants are required (even if ultimately not hired) to provide Storer Transit Systems with signed written releases requesting DOT drug and alcohol records from all previous, DOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. Storer Transit is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a DOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the applicant must provide Storer Transit proof of having successfully completed a referral, evaluation and treatment plan as described in Section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

- 1) All Storer Transit covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Storer Transit Systems authority, a NON-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to Storer Transit Systems and shall be attached to the forms reporting the test results.
- 3) Storer Transit Systems shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q of this policy.

- 4) When there are no specific, contemporaneous, articulable, objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment, and treatment consistent with Section Q of this policy. Storer Transit Systems shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of the Storer Transit Systems. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.

M. POST ACCIDENT TESTING

FATAL ACCIDENTS - A covered employee will be required to undergo urine **or oral fluid** and breath testing if they are involved in an accident with a transit vehicle regardless of whether or not the vehicle is in revenue service that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.

NON-FATAL ACCIDENTS - A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:

- The accident results in injuries requiring immediate transportation to a medical treatment facility away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident; or
- One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the Post-Accident Testing Chart and a Post-Accident Drug and Alcohol Test Decision Documentation Form. All Supervisors and Safety Officers will follow these procedures.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than thirty-two (32) hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within eight (8) hours, or the drug test within thirty-two (32)

hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Storer Transit Systems is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Storer Transit may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees that may be covered under company authority will be selected from a pool of non-DOT covered employees.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates established by Federal regulations for those safety-sensitive employees subject to random testing by Federal regulations. **The current random testing rates meet or exceed the minimal annual percentage rate set each year by the FTA Administrator** for covered employees in the pool.
- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of employees that are not included solely under Storer Transit authority.

- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety-sensitive duty. However, under Storer Transit Systems authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. RETURN-TO-DUTY TESTING

Storer Transit Systems will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of this policy. However, in the rare event an employee is reinstated with a court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions.

All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol free and there are no undo concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

P. FOLLOW-UP TESTING

Covered employees that have returned to duty following a positive or refused a test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-Up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing. In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR, Part 40, as amended. However, all non-USDOT follow-up tests and all paperwork, associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations and will be conducted under company authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

- 1) Any covered employee that has a verified positive drug test, an alcohol test result of 0.04 or above, or a test refusal will be removed from his/her safety sensitive position, informed of educational and rehabilitation programs available and provided a list of at least two (2)

- USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.
- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
 - 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a SAP. A test refusal includes the following circumstances:
 - a. Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer
 - b. Fails to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
 - c. Fails to provide a urine **or oral fluid** or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations. An employee who does not provide a urine **or oral fluid** or breathe alcohol specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
 - d. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen.
 - e. Fails to provide a sufficient amount of urine, **oral fluid** or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
 - f. Fails or declines to take a second test the employer or collector has directed you to take.
 - g. Fails to undergo a medical examination or evaluation, as directed by the MRO, or as directed by the DER.
 - h. Fails to cooperate with any part of the testing process.
 - i. If the MRO reports that there is verified adulterated or substituted test result.
 - j. Failure or refusal to sign Step 2 of the alcohol testing form.
 - k. Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
 - l. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
 - m. Admit to the collector or MRO that you adulterated or substituted the specimen.
 - n. Fail to remain readily available following an accident.
 - 4) An alcohol test result of 0.02 or greater but less than 0.04 BAC shall result in the removal of the employee from duty for eight hours or the remainder of the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NON-DOT alcohol test with a result of less than 0.02 BAC. If the employee has an alcohol test result of >0.02 to \square 0.039 two or more times within a six month period, the employee will be removed from duty and referred for an assessment and treatment consistent with Section Q of this policy.
 - 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:

- a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return to work agreement.
 - b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from Storer Transit employment.
 - c. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in Section P of this policy.
 - d. Refusal to submit to a periodic unannounced follow up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return to work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
 - e. **A self-referral or management referral to the employer's approved counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy.**
 - f. Periodic unannounced follow-up drug/alcohol test conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.
 - g. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Storer Transit.
 - h. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal are not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

Storer Transit Systems is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

- 1) Drug/Alcohol testing records shall be maintained by the Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need-to-know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, State or local safety agency with regulatory authority over Storer Transit or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended necessary legal steps to contest the issuance of the order will be taken.
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

U. REVISIONS TO THE POLICY AND PROGRAM.

This policy and program is subject to revision as determined by the DAPM and as changes are made the Department of Transportation / ODAPC.

V. STORER TRANSIT SYSTEMS CONTACTS

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s):

Maryann E. Myers, HR/Compliance Manager / Drug and Alcohol Program Manager (DAPM)
(209) 609-8755 / (209) 609-8755

Tracy McKee: Designated Employer Representative (DER) (719) 354-8762

Joe Perry: Safety Officer / (209) 758-7929

W. MEDICAL REVIEW OFFICERS (MRO)

Donald Bucklin, MD-MRO

Dana Carasig, MD-MRO

APPENDIX A

ALCOHOL AND DRUG EFFECTS

49 CFR Part 655 mandates that all employees be provided with training material discussing the effects of alcohol and controlled substance use on an individual's health, work, and personal life.

This attachment is intended to help individuals understand the personal consequences of substance abuse.

ALCOHOL

Although used routinely as a beverage for enjoyment, alcohol can also have a negative physical and mood-altering effects when abused. These physical or mental alterations in a driver may have serious personal and public safety risks.

Health Effects

An average of three or more servings per day of beer (12 oz.), whiskey (1 oz.), or wine (6 oz.) over time may result in the following health hazards:

- * Dependency
- * Fatal liver disease
- * Kidney disease
- * Pancreatitis
- * Ulcers
- * Decreased sexual functions
- * Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma
- * Spontaneous abortion and neonatal mortality
- * Birth defects

Social Issues

- * 2/3 of all homicides are committed by people who drink prior to the crime.
- * 2-3% of the driving population are legally drunk at any one time. This rate doubles at night and on weekends.
- * 2/3 of all Americans will be involved in an alcohol-related vehicle accident during their lifetime.
- * The separation and divorce rate in families with alcohol dependency problems is 7 times the average.
- * 40% of family court cases are alcohol related.
- * Alcoholics are 15 times more likely to commit suicide.
- * More than 60% of burns, 40% of falls, 69% of boating accidents, and 76% of private aircraft accidents are alcohol related.
- * Over 17,000 fatalities occurred in 1993 highway accidents, which alcohol related. This was 43% of all highway fatalities.
- * 30,000 people will die each year from alcohol caused liver disease.

- * 10,000 people will die each year due to alcohol-related brain disease or suicide.
- * Up to 125,000 people die each year due to alcohol-related conditions or accidents.

Workplace Issues

- * It takes one hour for the average person (150 pounds) to process one serving of alcohol from the body.
- * Impairment can be measured with as little as two drinks in the body.
- * A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.

ALCOHOL'S TRIP THROUGH THE BODY

Mouth and Esophagus: Alcohol is an irritant to the delicate linings of the throat and food pipe. It burns as it goes down.

Stomach and Intestines: Alcohol has an irritating effect on the stomach's protective lining, resulting in gastric or duodenal ulcers. This condition, if it becomes acute, can cause peritonitis, or perforation of the stomach wall. In the small intestine, alcohol blocks absorption of such substances as thiamin, folic acid, fat, vitamin B1, vitamin B12, and amino acids.

Bloodstream: 95% of the alcohol taken into the body is absorbed into the bloodstream through the lining of the stomach and duodenum. Once in the bloodstream, alcohol quickly goes to every cell and tissue in the body. Alcohol causes red blood cells to clump together in sticky wads, slowing circulation and depriving tissues of oxygen. It also causes anemia by reduction of red blood cell production. Alcohol slows the ability of white cells to engulf and destroy bacteria and degenerates the clotting ability of blood platelets.

Pancreas: Alcohol irritates the cells of the pancreas, causing them to swell, thus blocking the flow of digestive enzymes. The chemicals, unable to enter the small intestine, begin to digest the pancreas, leading to acute hemorrhagic pancreatitis. One out of five patients who develop this disease dies during the first attack. Pancreatitis can destroy the pancreas and cause the lack of insulin thus resulting in diabetes.

Liver: Alcohol inflames the cells of the liver, causing them to swell and block the tiny canal to the small intestines. This prevents bile from being filtered properly through the liver. Jaundice develops, turning the whites of the eyes and skin yellow. Each drink of alcohol increases the number of liver cells destroyed, eventually causing cirrhosis of the liver. This disease is eight times more frequent among alcoholics than among non-alcoholics.

Heart: Alcohol causes inflammation of the heart muscle. It has a toxic effect on the heart and causes increased amounts of fat to collect, thus disrupting its normal metabolism.

Urinary Bladder and Kidneys: Alcohol inflames the lining of the urinary bladder making it unable to stretch properly. In the kidneys, alcohol causes increased loss of fluids through its irritating effect.

Sex Glands: Swelling of the prostate gland caused by alcohol interferes with the ability of the male to perform sexually. It also interferes with the ability to climax during intercourse.

Brain: The most dramatic and noticed effect of alcohol is on the brain. It depresses brain centers, producing progressive in coordination: confusion, disorientation, stupor, anesthesia, coma, death. Alcohol kills brain cells and brain damage is permanent. Drinking over a period of time causes loss of memory, judgment and learning ability.

DRUGS

Marijuana

The common name for a crude drug made from the chopped leaves, stems and flowering tops of a plant called Cannabis Sativa. The active ingredient in marijuana (THC) is stored in body fat and is retained for days to weeks after use.

Immediate Effects

Reddened eyes
Increased heart rate
Dry mouth and throat

Chronic and Long-Term Effects

Reduction in efficiency of the respiratory, cardiovascular, reproductive and immunological systems
Impaired short-term memory
Altered sense of time
Slowed reaction time
Reduced ability to concentrate
Impaired motor skills
Addiction

Effects on Driving

A person operating a motor vehicle while using marijuana is likely to experience:

- * Impaired reaction time – Reaction time is increased, and braking time is slowed. Thinking and reflexes are slowed, making it difficult to respond to sudden, unexpected events.
- * Impaired short-term memory – The learning process is slowed. Remembering a sequence of numbers or memorizing and following a series of directions becomes difficult.
- * Reduced concentration – Inability to display continuous attention or process complex information occurs. There is difficulty with complex decisions.
- * Impaired tracking – The act of following a moving stimulus is significantly and consistently diminished. Tracking can be affected up to ten hours after use.
- * Distorted time and distance sense – The ability to perceive accurately the passage of time is adversely affected. The user typically over-estimates the time that has elapsed.
- * Lack of control of vehicle velocity and proper positioning – Responding to wind gusts, driving through curves, and maintaining speed and proper following distance is impeded.
- * Lengthened glare recovery and blurred/double vision.
- * Distorted visual and depth perception – Confusion is created about traffic movement and appropriate drivers response.

Cocaine

A powerful stimulant drug extracted from the leaves of the Erythroxylon coca plant. It is the most powerful central nervous system stimulant known to mankind. (Crack is a form of cocaine).

Immediate Effects

Euphoria
Dilated pupils
Increase in blood pressure, heart rate, respiration rate, and body temperature

Chronic and Long-Term Effects

Short attention span
Irritability, anxiety and depression
Seizure and heart attack
Loss of appetite and sleeplessness
Psychological problems and dependence
Hallucinations of touch, sight, taste, and/or smell

Effects on Driving

- A person operating a motor vehicle while using cocaine is likely to experience:
- * Lapses in attention and concentration – Driving awareness is adversely affected regardless of the amount used.
 - * Aggressive behavior – The result manifestations are anger and hostility toward other drivers as well as impatience and inappropriate risk-taking. The driver often overreacts to minor traffic irritations.
 - * Tendency to overreact and overcompensate – Acceleration, braking, shifting, ect., are affected by over stimulated reflexes.
 - * Impaired motor coordination – A decrease in hand-steadiness and eye/hand coordination affects proper driving response.
 - * Periods of loss of consciousness – This is the result of fatigue due to lack of sleep and food.
 - * False sense of alertness and security – Drivers become overly confident in driving judgment and skill. This affects their ability to perceive impending danger.
 - * Convulsions, seizures, cardiac arrest and/or stroke – These effects can obviously result in a collision.
 - * Distorted vision and difficulty in seeing – The pupils are so dilated that sunlight or bright head lights cause pain and discomfort. Glare recovery is also affected.
 - * Auditory and visual hallucinations as well as cocaine psychosis – Changes in perception are experienced. The driver is out of touch with reality and loses sight of where he is going.
 - * Profound depression, anxiety, irritability, and restlessness – Cocaine is a fast acting drug. The euphoria ends in less than an hour. The user is more depressed after using cocaine than before use. The higher the “high” the lower the “low”.

Opioids

Opioids (codeine, morphine, heroin, hydrocodone, hydromorphone, oxycodone and oxymorphone) are substances that act on opioid receptors to produce morphine-like effects. Medically they are primarily used for pain relief, including anesthesia.

Immediate Effects

Relaxation and induced sleep
Reduction of pain
Decrease in size of pupils
Cold, moist and bluish skin

Chronic and Long-Term Effects

Restlessness, nausea and vomiting
Breathing slows down, and death may occur
User may go “on the nod” going back and forth from feeling alert to drowsy
Loss of appetite
Addiction even with occasional use
Infections of the heart lining and valves, skin abscesses, and congested lungs
Infections from non-sterile solutions, illness such as liver disease, tetanus, serum hepatitis and AIDS from use of needles

Effects on Driving

A person operating a motor vehicle while using Opioids is likely to experience:

- * Effects of intoxication – These effects are similar to those produced by alcohol abuse.
- * False sense of security – This state of mind will cause the driver to take more chances and risks.
- * Euphoric high followed by a period of stuporous inactivity – The driver daydreams while in this state of mind. Attention is not given to the road conditions and/or traffic situations. This subsequently creates the probability of a collision.
- * Difficulty in focusing – The pupils are so constricted (pinpoint size) that vision is impaired.
- * Visual distortion – Blurred and/or double vision occurs as it does with any depressant drug.
- * Loss of consciousness – This is due to extreme fatigue and drowsiness.
- * Coma – This creates an obvious safety risk.

Amphetamines

Drugs which are central nervous system stimulants used to increase alertness and physical activity. In pure form they are yellowish crystals that are manufactured into tablets or capsules. The three amphetamines include: Amphetamine, Dextroamphetamine and Methamphetamine (free based methamphetamine is called ICE).

Immediate Effects

Increased heart rate and respiration
Increased blood pressure
Dilated pupils
Dry mouth

Chronic and Long-Term Effects

Sweating, headache, blurred vision, and dizziness
Decreased appetite
Sleeplessness and anxiety
Rapid or irregular heartbeat
Tremors
Loss of coordination
Physical collapse

Depression
Addiction and brain damage
Amphetamine psychosis: hallucinations, delusions, or paranoia

Effects on Driving

(Very similar to the effects of Cocaine/Crack, except intensity decrease and duration increases.)

A person operating a motor vehicle while using amphetamines is likely to experience:

- * Over-estimation of performance capabilities – Driver takes more risks as the result of this attitude.
- * A likelihood of being more accident-prone – Actual driving records indicate that drivers who take amphetamines are more accident-prone.
- * Anxiety, irritability and frequent overreaction – Minor irritations effect inappropriate driver reactions.
- * Extreme mental and physical fatigue – This occurs during the “down” period. During this time the driver is unable to concentrate and make sound judgments.
- * Food and sleep deprivation – Leads to inappropriate increased vehicle speed. Amphetamine psychosis can also result in: the driver is out of touch with reality and does not know where he/she is going.
- * Impaired motor coordination – Responses necessary for hand/eye coordination are impaired.
- * Stimulant drugs (including cocaine) – Used to combat fatigue and keep driver awake, make the driver edgy, less coordinated and more likely to be involved in traffic collisions.

A DRIVER WHO USES STIMULANTS IS FOUR TIMES MORE LIKELY TO BE INVOLVED IN A COLLISION THAN A NON-USER

Phencyclidine (PCP)

PCP was first developed as an anesthetic in the 1950's and was taken off the market because it sometimes caused hallucinations. Most often called “angel dust”, it is available in various forms: a white crystal-like powder, a tablet or capsule.

Immediate Effects

Increased heart rate and blood pressure
Flushing, sweating, dizziness and numbness

Chronic and Long-Term Effects

Stimulation (speeding up) of body functions (may also act as a depressant, pain killer, anesthetic, or hallucinogenic drug)
Change in user's perception of own body and other forms
Changes in speech, muscle coordination and vision
Slowing of body movements
Dulled sense of touch and pain
“Spacing out” of time
Drowsiness, convulsions and coma (effects of large doses)
Death from repeated convulsions, heart and lung failure or ruptured blood vessels in the brain
Signs of paranoia, fearfulness and anxiety
Flashbacks or PCP psychosis

Effects on Driving

The driver using this drug is extremely dangerous on the road. Its effects are varied and so bizarre that the dangers are unpredictable.

A person operating a motor vehicle while using PCP is likely to experience:

- * A feeling of owning the road and he/she is the superior being on the road.
- * Sense of invulnerability and power thus takes more risks on the road.
- * Aggressive behavior caused from the drug – The driver becomes hostile and violent with very little patience and no fear of death.
- * Auditory and visual hallucinations which create the likelihood of the driver reacting to something not there, that results in a collision.
- * Visual distortion – Blurred and/or double vision can occur
- * Convulsions, coma and/or death, loss of perception of time.
- * Impaired coordination and dull senses.

Post-Accident Check List

- | | |
|---|---------------------------|
| <p>1. Can you discount the driver?
Yes ___ No ___</p> | <p>1. _____
_____</p> |
| <p>2. Can you discount the dispatcher?
Yes ___ No ___</p> | <p>2. _____
_____</p> |
| <p>3. Can you discount the mechanic?
Yes ___ No ___</p> | <p>3. _____
_____</p> |
| <p>4. Can you discount the bus washer?
Yes ___ No ___</p> | <p>4. _____
_____</p> |
| <p>5. Can you discount the supervisor?
Yes ___ No ___</p> | <p>5. _____
_____</p> |
| <p>6. Can you discount the safety officer?
Yes ___ No ___</p> | <p>6. _____
_____</p> |

Other forms that must be filled out:

- | | |
|--|---------------------------|
| <p>1. DMV Insurance Information-Form SR-1
Yes ___ No ___</p> | <p>1. _____
_____</p> |
| <p>2. STS Accident Report-(National)
Yes ___ No ___</p> | <p>2. _____
_____</p> |
| <p>3. Donald's Report
Yes ___ No ___</p> | <p>3. _____
_____</p> |
| <p>4. Were pictures taken and diagram made?
Yes ___ No ___</p> | <p>4. _____
_____</p> |
| <p>5. Statements given by Witness / Passenger

Yes ___ No ___</p> | <p>5. _____
_____</p> |
| <p>6. Traffic Accident File Number
(Specific agency traffic collision report)
Yes ___ No ___</p> | <p>6. _____
_____</p> |
| <p>7. Driver Statement
Yes ___ No ___</p> | <p>7. _____
_____</p> |
| <p>8. Drug and Alcohol Testing Forms
Yes ___ No ___</p> | <p>8. _____
_____</p> |

STORER Transportation Service
Post-Accident Discount Assessment

Accident Report Number: _____

Location of Accident: _____

Accident Date: _____ Time: _____

Report Date: _____ Time: _____

Name of Employee: _____

Identification Number: _____

Position: _____

Result of Accident: ___ Fatality
(check all that apply) ___ Disabling Damage* to One or More Vehicles
___ Injury Requiring Immediate Transport to Medical Facility

Can you discount the employee? _____ Yes _____ No

If No, Explain: _____

Decision to Test: DOT Authority _____ Yes _____ No
FTA Authority _____ Yes _____ No
Company Authority _____ Yes _____ No

Type of Test: ___ Drug ___ Alcohol

Supervisor Making Determination: _____

Notification of Test: Date _____ Time _____

Test Conducted: Alcohol Drug Date _____ Date _____ Time _____ Time _____

Storer Post Accident Testing Chart

(All Divisions)

Updated: 12.2020

	Transit Division	Charter Division	School Bus Division	
	All Transit & DAR Drivers	All Drivers	Drivers of 15 or more Pass. Buses	Drivers of 14 or less Pass. Buses
Start Here ↓ Was there a fatality? If Yes - Go to Action 1 If No - Go to Step 2	FTA Action 1: Must test driver ASAP (within 8 hours for alcohol & 32 hours for drugs). *Document IMPORTANT NOTE: If other SS Employees * could have contributed to the accident you must test them as well.	DOT/FMCSA Action 1: Must test driver ASAP (within 8 hours for alcohol ** & 32 hours for drugs.) *Document *If a required alcohol test is not administered within 2 hours following the accident, document why.	DOT Action 1: Must test driver ASAP (within 8 hours for alcohol ** & 32 hours for drugs.) *Document *If a required alcohol test is not administered within 2 hours following the accident, document why.	Non-DOT No Testing Required, *Document.
Step 2: Was anyone immediately transported to a medical treatment facility? If Yes - Go to Action 2 If No - Go to Step 3	Action 2: Can you completely the driver as a contributing factor in this accident? If No - Go to Action 1 If Yes - Go to Action 3 IMPORTANT NOTE: If other SS Employees * could have contributed to the accident you must test them as well.	Action 2: Was a citation issued to the driver within 8 hours of the accident? If Yes - Go to Action 1 If No - Go to step 3.	Action 2: Was a citation issued to the driver within 8 hours of the accident? If Yes - Go to Action 1 If No - Go to step 3.	No Testing Required, *Document.
Step 3: Was there any disabling damage to any vehicle & can you completely discount the driver as a contributing factor in this accident?	Yes - disabling damage and I cannot discount the driver - Go to Action 1 Yes- disabling damage and I can discount the driver - Go to Step 4 No disabling damage to any vehicle - Go to Step 4	Was a citation issued to the driver within 8 hours of the accident? If Yes - Go to Action 1 If No - Go to Action 3	Was a citation issued to the driver within 8 hours of the accident? If Yes - Go to Action 1 If No - Go to Action 3	No Testing Required, *Document.
Step 4 Federal Testing Prohibited *Document. END		Action 3: No testing required, *Document. End	Action 3: No testing required, *Document. End	No Testing Required, *Document.

* SS Employee = Safety Sensitive Employee (i.e. dispatcher, mechanic, supervisor, etc.)

* Document = Reasons why employees were tested or not tested. Include date and time of testing and an explanation if testing wasn't done within the testing period

After Hours Drug & Alcohol Testing

DNT Health Check

400 12th St #23

Modesto, Ca

95364



Business Phone

209-492-9549

Nathan Ramos Cell

209-613-2883

Business Fax

209-492-9473

Dee Paule Cell

209-606-7195

Alternate – Mobile / After Hours Testing Companies

USA Mobile Drug Testing

Kevin Wiedman, Owner

kwiedeman@USAMDT.com

www.USAMDT.com/EastBay

USA Mobile Drug Testing of the East Bay

Anyone ~ Anytime ~ Anywhere

4847 Hopyard Road, Suite 4-424

Pleasanton, CA 94588

Office 925-336-1397

Fax 888-908-6129

Nor Cal Drug and Alcohol Testing

870 West Onstott Road, Suite A

Yuba City, Ca 95991

(530) 315-0491

tom@norcaldrug.com

Brenda Lerma

5209 Amaro Way

Salida, CA 95368

(209) 604-3921

brendalerma13@gmail.com

Location & Name of Substance Abuse Professionals:

San Joaquin County

**Dellena Hoyer
Stockton Satellite Office
916-231-4640**

Stanslaus County

**Central Psychology Services
Daniel Bruce
2020 Standiford Ave
Modesto, Ca 95350
(209) 529-2084**

Yuba Sutter County

**Dellena Hoyer
2715 K Street, Suite 200
Sacramento, CA 95816
Yuba City Satellite Office Available**

ALCOHOL AND/OR DRUG TEST NOTIFICATION

PART 382 – Controlled Substances and Alcohol Use Testing applies to drivers of this company
***382.113** Requirement for notice:
 Before performing an alcohol or controlled substances test under this part, each employer shall notify a driver that the alcohol or controlled substances test is required by this part. No employer shall falsely represent that a test is administered under this part.
PART 655 - Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations
 The basic components of the regulation including the testing of safety-sensitive employees for the use of controlled substances and the misuse of alcohol, and the requirement for a policy statement, education, and consequences remain virtually the same

Driver/Applicant Name: _____
(Print: First, M.I., Last)

You are hereby notified the following test will be administered in compliance with the Federal Motor Carrier Safety Regulations or Federal Transit Administration Regulations.

Test Scheduled: Date _____
Location _____
Time _____

- Testing Authority: USDOT-FMCSA USDOT-FTA Company Authority (NON-DOT)
- Type of Test: Directly Observed Alcohol Controlled Substance
- Reason for Test: Pre-Employment Random Reasonable Suspicion
 Post-Accident Return to Duty Follow-Up

I understand as a condition of my employment with this company, the above identified test is required.

Driver/Applicant Signature Date

Witnessed By: _____
Company Representative Signature Date

RETAIN IN EMPLOYEE'S CONFIDENTIAL FILE

Acknowledgement

I have received a copy of the Storer Transit Systems **FTA Drug and Alcohol Policy and Procedures Adopted May 5, 2023**. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the updated policy handbook.

****On May 02, 2023, the Department of Transportation (DOT) published a final rule in the Federal Register ([88 FR 27596](#)). This final rule, among other items, amends the DOT's regulated industry drug testing program to include oral fluid testing. The final rule is effective June 1, 2023. DOT oral fluid testing cannot be implemented until the Department of Health and Human Services (HHS) certifies at least two laboratories (one to serve as a primary laboratory, and a second to serve as a split specimen laboratory).****

Employee's Signature _____

Employee Name (printed) _____

Date _____

AGENDA ITEM V – H
STAFF REPORT

YUBA-SUTTER TRANSIT EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

The purpose of this agenda item is to consider the appointment of a new Executive Director and authorize execution of a related employment agreement.

Staff and legal counsel will be prepared to discuss this issue in detail at the meeting.

RECOMMENDATION: Direct staff as desired.

AGENDA ITEM V – I
STAFF REPORT

THIRD QUARTER PERFORMANCE REPORT

Attached is the systemwide performance report for the services operated by Yuba-Sutter Transit for the first nine months of FY 2023 (July 2022 through March 2023) presented in comparison to the same period in the previous fiscal year. Because FY 2021 was the first full fiscal year for the COVID-19 pandemic and the lowest point of the related operational and financial impacts of the pandemic that started locally in March 2020, FY 2023 well illustrates the extent to which the system is (or is not) recovering now three years later. It is important to note for this comparison that the Oroville Employee Shuttle service to Pacific Coast Producers, Inc. that operated for just six weeks early in FY 2022 masks the positive systemwide financial growth being experienced through three quarters of FY 2023. In addition, both the Dial-A-Ride and rural route services operated fare free for July and August of 2021 which would exaggerate the financial growth on those services in FY 2023.

For perspective, systemwide ridership finally stabilized a bit near the end of FY 2021 from the initial pandemic-induced collapse and then it improved significantly with FY 2022 ridership up 29 percent over FY 2021. While such a steep growth trend was not sustainable, ridership through the first three quarters of FY 2023 is still up almost 15 percent compared to the same period in FY 2022 (a two-year ridership increase of over 50 percent). Compared to pre-pandemic ridership, however, there is still plenty of room for growth as the 378,640 systemwide passenger trips provided in the first nine months of FY 2023 were just 54 percent of the 695,588 passenger trips that were provided in same period of FY 2019 (the last full pre-pandemic fiscal year). Yuba-Sutter Transit's pandemic recovery rate generally mirrors that of other transit systems whether regionally or across the country especially when comparing similar services as local services have generally responded much better than commuter services. This pattern is reflected in the third-quarter ridership figures for Yuba-Sutter Transit's three major services with local fixed route at 68 percent, Dial-A-Ride at 58 percent, and Sacramento at 28 percent of FY 2019 levels.

Despite the increase in ridership, the number of vehicle service hours (VSH) operated systemwide was still down 2.4 percent compared to the same period in FY 2022. After adjusting for the absence of the Oroville service in FY 2023, virtually all the decrease was due to the 7.5 percent reduction in the number of Dial-A-Ride service hours being provided as more efficient group trips and shared rides being provided have resulted in significant performance improvements on this service. Due to the combination of higher ridership and fewer service hours being operated, all systemwide financial indicators are up significantly through the first half of the year even with the significant fare subsidy that was provided by Pacific Coast Producers for the employee shuttle in the first quarter of FY 2022.

Looking forward, while the positive systemwide growth trend is expected to continue though at gradually declining percentages, ridership is still expected to remain well below pre-pandemic levels into FY 2024 and probably well beyond. This assumption is based on how far ridership dropped and the continued uncertainty on what the "new normal" will be for in-person classrooms, offices, stores, restaurants, medical offices, and support programs and when that might be reached.

Staff will be prepared to discuss the performance summary in detail at the meeting.

RECOMMENDATION: Information only.

Attachment

**THIRD QUARTER PERFORMANCE REPORT
FISCAL YEAR 2022-2023**

Fixed Route:	Passenger Trips	Vehicle Serv. Hours	Pass. Trips Per VSH	Est. Fare Revenue	Fare Rev. Per VSH	Est. Farebox Ratio
July 2022 - March 2023	324,860	32,720.45	9.93	\$404,569	\$12.36	11.2%
July 2021 - March 2022	284,199	32,727.07	8.68	\$358,356	\$10.95	11.5%
Percent Change	14.3%	0.0%	14.4%	12.9%	12.9%	-2.3%
Dial-A-Ride:						
July 2022 - March 2023	22,096	12,140.39	1.82	\$71,395	\$5.88	5.3%
July 2021 - March 2022	21,267	13,126.75	1.62	\$48,867	\$3.72	3.9%
Percent Change	3.9%	-7.5%	12.3%	46.1%	58.1%	37.1%
Sacramento Services (Commuter & Midday):						
July 2022 - March 2023	28,406	7,895.04	3.60	\$146,495	\$18.56	16.9%
July 2021 - March 2022	20,290	7,888.95	2.57	\$112,770	\$14.29	15.0%
Percent Change	40.0%	0.1%	40.0%	29.9%	29.8%	12.5%
Foothill Route:						
July 2022 - March 2023	902	768.38	1.17	\$827	\$1.08	1.0%
July 2021 - March 2022	637	773.65	0.82	\$738	\$0.95	1.0%
Percent Change	41.6%	-0.7%	43.2%	12.0%	13.2%	-2.2%
Live Oak Route:						
July 2022 - March 2023	2,251	672.32	3.35	\$1,548	\$2.30	2.1%
July 2021 - March 2022	1,495	660.21	2.26	\$1,602	\$2.43	2.6%
Percent Change	50.6%	1.8%	48.1%	-3.4%	-5.2%	-19.5%
Wheatland Route:						
July 2022 - March 2023	125	437.09	0.29	\$99	\$0.23	0.2%
July 2021 - March 2022	95	397.18	0.24	\$88	\$0.22	0.2%
Percent Change	31.6%	10.0%	19.2%	11.9%	2.4%	2.4%
Oroville Shuttle Service:						
July 2021 - Sept 2021	1,975	427.39	4.62	\$46,680	\$109.22	115.0%
Systemwide Summary:						
July 2022 - March 2023	378,640	54,633.67	6.93	\$624,932	\$11.44	10.4%
July 2021 - March 2022	329,958	56,001.20	5.89	\$569,101	\$10.16	10.7%
Percent Change	14.8%	-2.4%	17.6%	9.8%	12.6%	-2.8%

Notes:

1. All financial calculations are estimates pending final fiscal audits.