



MEETING NOTICE & AGENDA

DATE: Thursday, March 17, 2022

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/87453628001?pwd=Q3AzNkFNckZTQWxJbGcvellodUVEQT09>

Meeting ID: 874 5362 8001
Passcode: 866898

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

II. 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.

III. Consent Calendar

All matters listed under 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 February 17, 2022. (Attachment)
- B. Disbursement List for February 2022. (Attachment)
- C. Monthly Performance Report for February 2022. (Attachment)

IV. Reports

- A. **Preliminary Draft Yuba-Sutter Transit Operating and Capital Budgets for FY 2022-23.** Review and possible direction regarding development of the final draft budget. (Attachment)

RECOMMENDATION: Direct staff as desired.

B. Authorizing Resolution for Federal Transit Administration (FTA) Grant Documents. (Attachment)

RECOMMENDATION: Adopt Resolution No. 2-22 authorizing the Executive Director, or their designee, to execute all federal grant and contract documents under Sections 5307, 5309, 5310, 5311, 5317, 5339 and RAISE.

C. Annual Authorization for the Executive Director to Certify as Counsel for Federal Transit Administration (FTA) Grants. (Attachment)

RECOMMENDATION: Adopt Resolution No. 3-22 authorizing the Executive Director to certify as counsel for FTA grants.

D. State Low Carbon Transit Operations Program (LCTOP) Project Selection. Review and consideration of project alternatives/approaches for use of State Greenhouse Gas Reduction Fund revenue. (Attachment)

RECOMMENDATION: 1.) Authorize the submittal of specified project(s) for LCTOP funding as proposed or amended.

2.) Adopt Resolution No. 4-22 authorizing execution of the related LCTOP Certifications and Assurances including designation of the Executive Director as the Authorized Agent.

E. State of Good Repair (SGR) Project Designation. Project discussion and consideration for use of SGR funding under the California Road Repair and Accountability Act of 2017 (SB 1). (Attachment)

RECOMMENDATION: Adopt Resolution No. 5-22 approving the submittal of Yuba-Sutter Transit's SGR Project List as proposed or amended.

F. Federal Transit Administration (FTA) Section 5311 FFY 2022 and FFY 2023 Two-Year Cycle Consolidated Grant Application Program of Projects. (Attachment)

RECOMMENDATION: Authorize the submittal of a consolidated two-year grant application and Program of Projects for the available FFY 2022 and FFY 2023 FTA Section 5311 funding as proposed.

G. Amended Yuba-Sutter Transit / Regional Waste Management Authority (RWMA) Consulting Agreement. (Attachment)

RECOMMENDATION: Authorize execution of the amended Yuba-Sutter Transit / RWMA Consulting Agreement as proposed.

H. June Board of Directors Meeting Date Change. (Attachment)

RECOMMENDATION: Cancel the regular Board meeting on Thursday, June 16, 2022, and set a special meeting for 4:00 p.m. on Thursday, June 23, 2022.

I. Project & Program Updates.

1. COVID-19 Impact, Response & Recovery
2. Next Generation Transit Facility Project (Grant Submissions & Awards)
3. Yuba-Sutter Comprehensive Operational Analysis & Short-Range Transit Plan
4. Federal Transit Administration (FTA) Triennial Review
5. Regional Waste Management Authority (RWMA) Staff Transition

RECOMMENDATION: Information only.

V. Correspondence / Information

VI. Other Business

VII. Adjournment

**THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, APRIL 21, 2022
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 III – A

**YUBA-SUTTER TRANSIT AUTHORITY
MEETING MINUTES
FEBRUARY 17, 2022**

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

In the absence of Chairman Hudson, Vice-Chairman Kirchner called the meeting to order.

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

II. Public Business from the Floor

None.

III. Consent Calendar

Director Bains made a motion to approve the consent calendar. Director Shaw seconded the motion and it carried unanimously.

IV. Reports

A. State Transit & Intercity Rail Capital Program (TIRCP) Grant Application.

Martin discussed the State Transit & Intercity Rail Capital Program (TIRCP) grant application. Staff has been working with the consultant AECOM and have had two consultations with CalSTA regarding this program and is recommending moving forward with this grant application. Between \$500 to \$600 million is available for this round of TIRCP funding for programming over the next five years. The consultations with CalSTA and AECOM were to determine if the project is eligible for funding, if it would be worthwhile to pursue at this time, and to make the application as competitive as possible. CalSTA did state that the project is eligible for funding and that the inclusion of zero-emission buses (ZEBs) would make it more competitive.

The current proposed project components include approximately \$10 million for the facility and \$4 million for three replacement commuter buses, which are already in the schedule to be replaced in the next few years. Based on this allocation, CalSTA's greenhouse gas (GHG) reduction tool indicates that this project could reach cost efficiency figures that would make it competitive with previously awarded projects in rural areas. The three ZEBs would be commuter buses would allow for connections to the State intercity rail network in downtown Sacramento. Applications are due on March 3, 2022.

Director Bains made a motion to adopt Resolution 1-22 authorizing the Executive Director to submit a TIRCP grant application as proposed. Director Shaw seconded the motion and it carried unanimously.

B. Capitol Corridor Joint Powers Authority (CCJPA) Transit & Intercity Rail Capital Program (TIRCP) Grant Application for a Regional Contactless Fare Payment Program.

Martin discussed the Capitol Corridor Joint Powers Authority, which runs the Capitol Corridor trains between Placer County and the Bay Area. They are also submitting a TIRCP grant application and part of their proposed

grant scope of work would pay for a contactless payment system for those bus systems that connect with their rail system in downtown Sacramento. As a result, they have requested that Yuba-Sutter Transit allow such a system to be added to our fleet of commuter and local fixed route buses and, if so, provide a letter of support for their application. This project would allow Yuba-Sutter Transit to leverage regional funds for a next generation fare payment system. This system makes it possible for passengers to tap either a bank card or a smartphone to pay their fare and eventually even make a reservation for a trip and pay for the whole trip in advance. This system is part of the state-wide CalSTA vision and they are the agency who will be approving the TIRCP awards. If awarded, the cost to Yuba-Sutter would be negligible as the grant would pay for these devices to be installed on all commuter and local fixed route buses. SacRT has already installed these devices on their light rail trains as a pilot project and are now looking to expand it systemwide. Martin noted that this system provides some protection in case the Connect Card system becomes obsolete.

Director Buttacavoli made a motion to endorse the CCJPA project concept and authorize the Executive Director to sign a letter of support for a related TIRCP grant application as proposed. Director Micheli seconded the motion and it carried unanimously.

C. U.S. Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program.

Martin presented the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program application. This would be the second round of funding through this program as Yuba-Sutter Transit unsuccessfully applied for \$20 million in 2021. Due to the recent infrastructure bill, the amount of funding has increased from \$750 million to \$1.5 billion this year and the maximum amount that can be provided to any one state has increased from \$100 to \$225 million. The April 14th due date for applications has been advanced by three months over last year making the schedule very compressed. Staff is continuing to work with the AECOM consultant team on this application which will be similar to what was submitted in the last cycle.

Director Bains stated that he attended a presentation at the SACOG board meeting this morning on this program from the U.S. and California Departments of Transportation and he was pleased to know that Yuba-Sutter Transit was applying for funding.

Director Shaw asked if new letters of support would be needed from the member jurisdictions for this round or would the previous letters be sufficient. Martin stated the letters of support are custom written for each application and that staff would be pursuing the jurisdictions and other partners for new letters of support.

Director Bains made a motion to authorize the submittal of a 2022 RAISE grant application as proposed. Director Buttacavoli seconded the motion and it carried unanimously.

D. Ad Hoc Committee of the Yuba-Sutter Transit Board of Directors for the Comprehensive Operational Analysis/Short-Range Transit Plan (COA/SRTP).

Martin stated that staff is recommending that the Board establish an ad hoc committee for the Comprehensive Operational Analysis/Short Range Transit Plan due to the significance of the plan for the future of Yuba-Sutter Transit. This would provide an opportunity for early policy input and in-depth Board knowledge during the process. The ad hoc committee would be involved in the review of consultant proposals as well as more in-depth progress reviews outside of regular board meetings. Staff is recommending that two to three members be appointed to serve on the committee.

Directors Blaser and Kirchner volunteered, and Director Hudson was appointed pending his acceptance. [Note: Director Hudson later accepted the nomination.]

E. Mid-Year Budget Report for FY 2022 and Budget Preview for FY 2023.

Martin stated that the Yuba-Sutter Transit JPA requires that a preliminary draft budget be brought to the Board by the end of March and have a budget adopted by the end of May each year. This allows for the jurisdictions to know how much funding is needed from each of them for their own budget process. The purpose of this agenda item is to provide a mid-year budget report and to look ahead at the issues that will need to be addressed in FY 2023. Martin noted that expenses to-date are below budget and that income is above budget, due primarily to the fact that we are operating four percent less service hours in FY 2022 compared to FY 2023 which accounts for approximately \$320,000 in savings.

Director Shaw asked with businesses opening back up if Yuba-Sutter Transit is looking at an increase in service. Martin stated that he regularly meets with Renick House, Storer Transit General Manager, regarding service demand and staffing needs as it will take 60 to 90 days to add drivers if ridership increases to where additional buses are needed. The most significant cuts were made to the commuter service where 30 percent of the schedules were eliminated while the only other cut to scheduled service was a reduction in Route 2 from half hour to hourly service on weekdays. Renick House stated that Storer is constantly hiring and interviewing for new drivers and could fill the service hours as needed.

Director Shaw stated that it would be difficult to know what service should look like in the future since no one knows when offices will be reopening. Martin stated that it is important to continue to communicate with riders to know when people will return to riding the bus. He noted that several peer systems are having trouble maintaining their existing routes due to issues with drivers being out sick, but Yuba-Sutter Transit has not yet had this issue.

Martin stated that one of the major issues for the upcoming budget is the facility project. Another will be bus replacements as the older diesel buses need to be replaced and there is no way to charge electric buses. Staff is continuing to work with Caltrans about the Highway 70 project and how it will affect the facility. Also, the continuing administration staff agreement with the Regional Waste Management Authority will also be changing this next fiscal year as the agreement will be moving to a month-to-month relationship.

F. Mid-Year Performance Report.

Martin stated that the Mid-Year Performance Report has been provided along with a graph to show the difference between pre-pandemic numbers and current ridership numbers.

G. Local & Rural Route Fare Free Holiday Service Report.

Martin stated the funding from the Low Carbon Transit Operations Program (LCTOP) was authorized to provide several free fare events which have to-date included free fares over the two-week holiday season of Christmas and New Years for the last two years, during the one-week Thanksgiving period last year and during the week of the Yuba-Sutter Fair last year. Because ridership normally drops significantly over the course of a month and during major holiday periods, staff determined that this loss was 40 – 55 percent less than what would be expected without free fares. During the Yuba-Sutter Fair week, ridership increased by 20 percent, so the program had a positive impact. For this reason, staff is exploring ways to extend this program as the current funding will be fully expended with another free fare week for the Yuba-Sutter Fair this year.

Director Buttacavoli asked why the week of the Yuba-Sutter Fair was chosen to be a free fare event. Martin stated that the Fair asked Yuba-Sutter Transit to be a sponsor and this is draw to get people to ride the bus for the first time.

H. Project & Program Updates

1. COVID-19 Impact & Response

January continued the year-over-year systemwide monthly ridership growth trend in average weekday ridership that started in July 2021 and took off in August. Average systemwide weekday ridership in January was up 45 compared to January 2021.

2. Next Generation Transit Facility Project (Grant Awards & Submissions)

As expected, the \$30 million State AHSC grant for the Regional Housing Authority, which included \$8.5 million for the new transit facility, was officially awarded on January 26, 2022. A State TIRCP grant application is now being prepared for submission by March 3, 2022. This will include approximately \$10 million for the facility as part of an approximately \$14 million request with the balance being for three ZEB replacement commuter buses. A second RAISE grant application which would be due on April 14, 2022, is now being considered. The 2021 RAISE grant application for \$20 million was unsuccessful. Award notices are expected soon on Yuba-Sutter Transit's \$14 million application from the 2021 round of FTA Buses & Bus Facilities Program. If unsuccessful, the 2022 round of funding from this annual program is expected to open soon.

As previously noted, the new Infrastructure Investments & Job Access Act requires a Zero-Emission Fleet Transition Plan to be eligible for future awards from certain FTA sponsored programs. Staff is working to develop a new plan for Board consideration if necessary.

3. Administrative Assistant I/II Recruitment & Selection

Twenty-five applications were received for the vacant Administrative Assistant position and ten candidates were invited to a screening interview on Monday, February 14, 2022. Four finalists are participating in a second interview and facility tour on Tuesday, February 22, 2022. Hopefully, the new staff person can be introduced at the March 17th Board meeting.

4. Regional Waste Management Authority (RWMA) Staff Transition

The RWMA Executive Director position is open until filled, but several quality candidates did apply before the first review date. All three will be interviewed by the member jurisdiction administrators on March 4th. The target start date for this position is April 1, 2022.

The RWMA Management Analyst I/II position will open this week with applications due on March 29, 2022. Assuming the Executive Director is on-board by April 1, 2022, this 2nd RWMA position could be filled as early as May 1st. While these hires will change Yuba-Sutter Transit's 34-year relationship with the RWMA, we will continue to provide basic administrative services for the foreseeable future on a monthly basis, including providing a phone number, mailing address, financial services, and consulting staff support. A proposed amendment to the existing consulting agreement will be on the agendas for both agencies in March.

VII. Correspondence/Information

A. Letter received January 31, 2022 from Marysville People First.

Marysville People First is a local advocacy group for people with disabilities. Martin stated that he contacted their contact person and has accepted an invitation to attend their meeting on April 15, 2022.

VIII. Other Business

None.

IX. Adjournment

Director Buttacavoli moved to adjourn. Director Bains seconded the motion and it carried unanimously.

The meeting was adjourned at 4:47 pm.

THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, MARCH 17, 2022 AT 4:00 PM IN THE YUBA COUNTY BOARD OF SUPERVISORS CHAMBERS UNLESS OTHERWISE NOTICED.

**AGENDA ITEM III-B
YUBA-SUTTER TRANSIT
DISBURSEMENT LIST
MONTH OF FEBRUARY 2022**

CHECK NO.	AMOUNT	VENDOR	PURPOSE
EFT	\$ 7,170.43	PERS HEALTH	HEALTH INSURANCE
EFT	\$ 3,140.93	PERS RETIREMENT	RETIREMENT PAYMENT (EMPLOYER SHARE)
EFT	\$ 547.62	CALPERS 457 PLAN	EMPLOYER CONTRIBUTION
EFT	\$ 37,796.94	PAYROLL	PAYROLL
EFT	\$ 1,356.33	PRINCIPAL MUTUAL LIFE INSURANCE	L/D/LTD INSURANCE
EFT	\$ 39.88	CALIFORNIA WATER SERVICE	FIRE SUPPRESSION - FEBRUARY 2022
EFT	\$ 290.34	CALIFORNIA WATER SERVICE	WATER
EFT	\$ 100.00	DON BLASER	BOARD MEETING 2/17/2022
EFT	\$ 100.00	KARM BAINS	BOARD MEETING 2/17/2022
EFT	\$ 100.00	SETH FUHRER	BOARD MEETING 2/17/2022
EFT	\$ 100.00	WADE KIRCHNER	BOARD MEETING 2/17/2022
EFT	\$ 100.00	DAVE SHAW	BOARD MEETING 2/17/2022
EFT	\$ 3,178.83	PG&E	ELECTRIC 1/11/2022 - 2/09/2022
EFT	\$ 43.35	PG&E	ELECTRIC #2 FEBRUARY 2022
EFT	\$ 1,308.29	PG&E	GAS JANUARY 2022
EFT	\$ 147.96	CARDMEMBER SERVICES	CREDIT CARD -SUBSCRIPTIONS & LAMINATING
EFT	\$ 272.72	UTILITY MANAGEMENT SERVICES	SEWER
EFT	\$ 317.03	PRIMEPAY	PAYROLL FEES - JANUARY 2022
EFT	\$ 167.50	ELAVON	MERCHANT SERVICE FEE - FEBRUARY
17865	\$ 361.01	ADVANCED DOCUMENTS CONCEPTS	COPY MACHINE CHARGES JANUARY 2022
17866	\$ 175.00	ALL SEASONS TREE & TURF CARE	LANDSCAPING & WEED CONTROL JANUARY 2022
17867	\$ 666.50	APPEAL DEMOCRAT	ADVERTISING FOR DISCOUNT PASS PROGRAM
17868	\$ 178.12	FRANCOTYP-POSTALIA INC	POSTAGE RENTAL 1/13/22 - 4/12/22
17869	\$ 2,040.00	FRANK M BOOTH INC	FACILITY - AC COMPUTER SYSTEM REPAIR
17870	\$ 25,718.72	HUNT & SONS INC	BUS FUEL - DYED DIESEL
17871	\$ 5,000.00	MARCUS H BOLE & ASSOCIATES	ENVIRONMENTAL SERVICES AT 6035 AVONDALE AVE
17872	\$ 1,100.00	RC JANITORIAL	JANITORIAL SERVICES - JANUARY 2022
17873	\$ 2,058.87	RAMOS OIL COMPANY	BUS FUEL - GAS
17874	\$ 1,461.45	SC FUELS	DEF FLUID
17875	\$ 1,130.94	STANLEY SECURITY SOLUTIONS INC	SECURITY SERVICES FOR FEB AND MARCH 2022
17876	\$ 48.70	STAPLES CREDIT PLAN	COINLOK BAGS FOR BANK DEPOSITS
17877	\$ 500,216.73	STORER TRANSIT SYSTEMS	CONTRACT SERVICES & VEHICLES INSURANCE 12/21
17878	\$ 450.00	STREAMLINE	WEBSITE SERVICES - FEB 2022
17879	\$ 1,559.16	T-MOBILE	WIFI SERVICES FOR BUSES - JANUARY 2022
17880	\$ 33.17	TEHAMA TIRE SERVICE INC	TUBES/TIRES
17881	\$ 272.79	TIAA COMMERCIAL FINANCE INC	COPIER LEASE - JANUARY 2022
17882	\$ 18,235.87	AECOM TECHNICAL SERVICES INC	TIRCP GRANT CONSULTANT 1/6/22 - 2/4/22
17883	\$ 1,325.00	ALL SEASONS TREE & TURF CARE	WEED CONTROL APPLIED ALONG FENCELINE
17884	\$ 1,750.00	ALLIANT NETWORKING SERVICES INC	MARCH 2022 IT SERVICES
17885	\$ 100.00	BRUCE BUTTACAVOLI	BOARD MEETING 2/17/2022
17886	\$ 369.55	COMCAST BUSINESS	TELEPHONE SERVICE JANUARY 2022
17887	\$ 318.89	COMCAST BUSINESS	INTERNET SERVICE FEBRUARY 2022
17888	\$ 125.00	HERBOTH'S MACHINE SHOP	REPAIR BUS STOP BENCH
17889	\$ 100.00	NICHOLAS MICHELI	BOARD MEETING 2/17/2022
17890	\$ 1,059.77	QuEST	MAINTENANCE OF BUS STOPS/SHELTERS
17891	\$ 320.33	QUILL CORPORATION	JANITORIAL SUPPLIES - PAPER TOWELS
17892	\$ 6,200.54	RAMOS OIL COMPANY	BUS FUEL - GAS
17893	\$ 830.00	RICH, FUIDGE, BORDSEN & GALYEAN INC	LEGAL SERVICES 1/1/22 - 2/15/22
17894	\$ 27,486.33	SC FUELS	BUS FUEL - DYED DIESEL
17895	\$ 50.00	SHELBY'S PEST CONTROL	PEST CONTROL SERVICES - FEB 2022
17896	\$ 250.00	SIMONE REED	VISION REIMBURSEMENT
17897	\$ 155.39	STAPLES CREDIT PLAN	OFFICE SUPPLIES: BINDERS & COPY PAPER
17898	\$ 15.62	STORER TRANSIT SYSTEMS	REIMBURSEMENT FOR GRAFFITI REMOVAL EXPENSE
17899	\$ 3,095.00	STOUT AIR	SERVICE CALL FOR AC UNIT AT 2100 B ST
17900	\$ 100.00	STUART GILCHRIST	BOARD MEETING 2/17/2022
	\$ 660,636.60		

**LAIF
TRANSFERS**

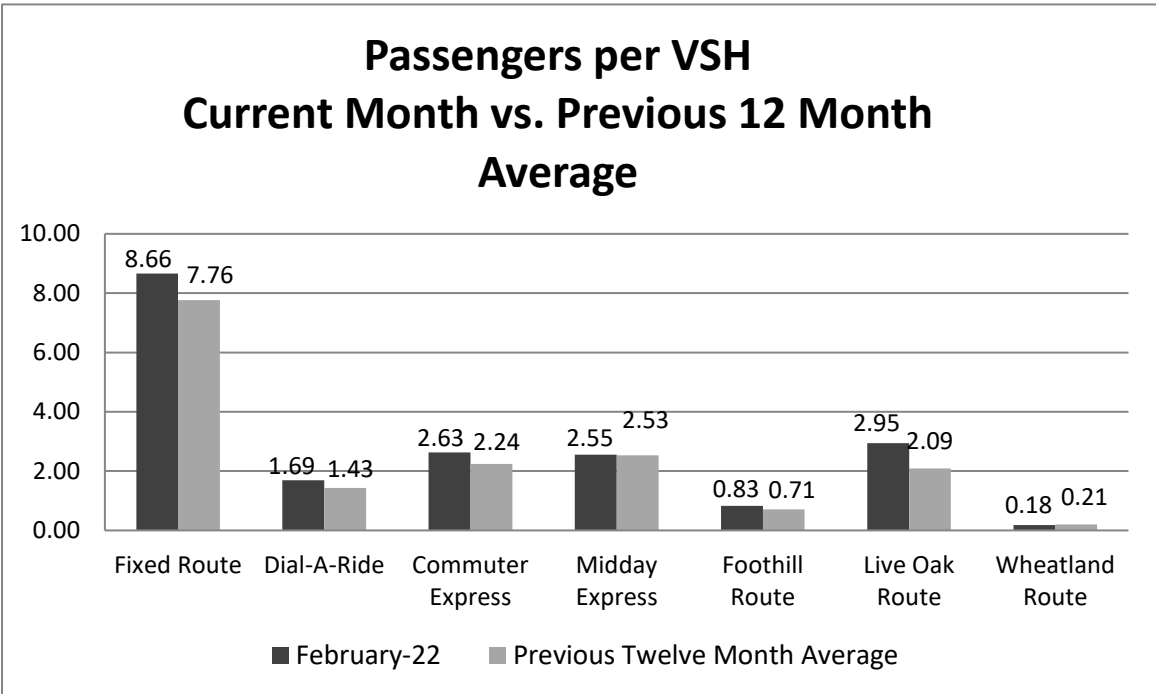
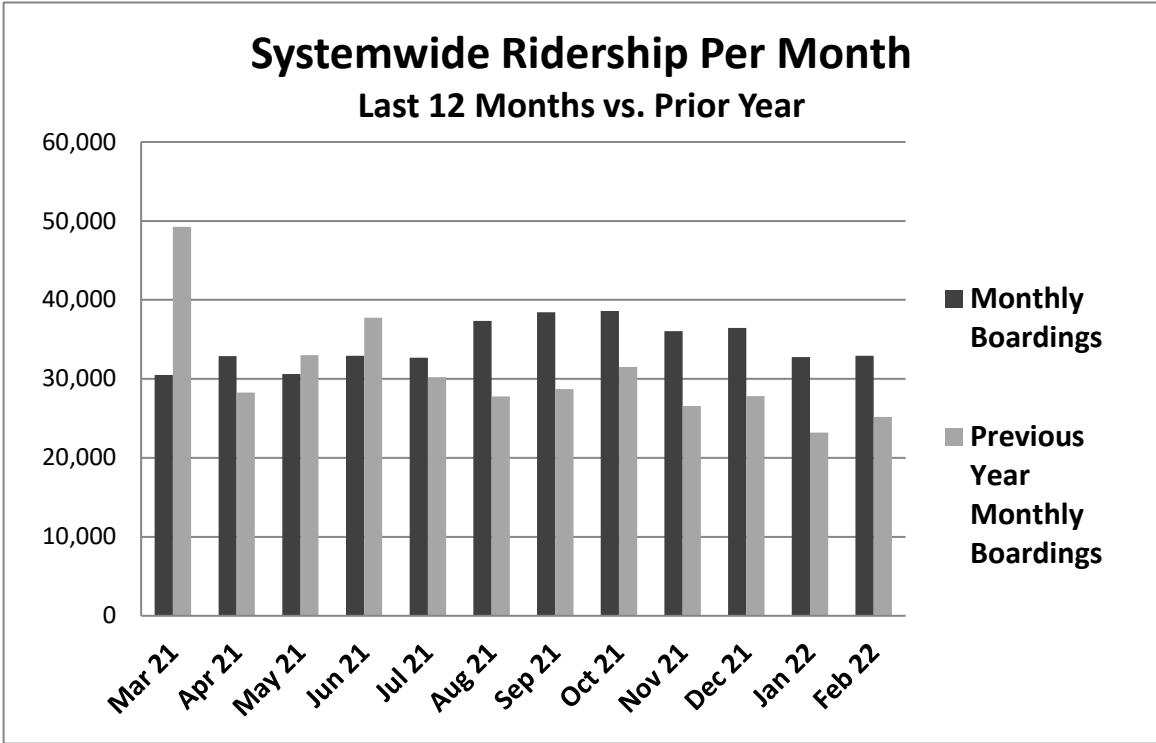
2/1/2022	\$ 998,000.00	TRANSFER FROM LAIF TO CHECKING
2/14/2022	\$ (900,000.00)	TRANSFER FROM CHECKING TO LAIF

AGENDA ITEM III- C

FEBRUARY 2022 PERFORMANCE REPORT

	February-22	Previous Twelve Month Average	Fiscal YTD	Previous Fiscal YTD
Ridership:				
Fixed Route	28,490	29,352	245,807	194,831
Dial-A-Ride	2,109	1,970	18,353	11,488
Commuter Express	1,700	1,608	14,066	10,139
Midday Express	356	388	3,173	2,530
Foothill Route	67	59	542	659
Live Oak Route	204	153	1,271	1,275
Wheatland Route	7	9	88	48
Oroville Route	0	0	1,975	0
Total Ridership:	32,933	33,539	285,275	220,970
Vehicle Service Hours:				
Fixed Route	3,289.52	3,780.37	28,842.09	31,325.40
Dial-A-Ride	1,249.31	1,377.74	11,480.79	11,749.81
Commuter Express	647.34	718.24	5,734.72	5,514.44
Midday Express	139.62	153.04	1,227.26	1,171.45
Foothill Route	80.54	83.68	628.05	620.65
Live Oak Route	69.22	73.24	547.06	581.59
Wheatland Route	38.30	43.04	351.05	326.15
Oroville Route	0.00	0.00	427.39	0.00
Total VSH's:	5,513.85	6,229.34	49,238.41	51,289.49
Passengers Per Hour:				
Fixed Route	8.66	7.76	8.52	6.22
Dial-A-Ride	1.69	1.43	1.60	0.98
Commuter Express	2.63	2.24	2.45	1.84
Midday Express	2.55	2.53	2.59	2.16
Foothill Route	0.83	0.71	0.86	1.06
Live Oak Route	2.95	2.09	2.32	2.19
Wheatland Route	0.18	0.21	0.25	0.15
Oroville Route	0.00	0.00	4.62	0.00
Total Passengers Per VSH:	5.97	5.38	5.79	4.31

FEBRUARY 2022 PERFORMANCE REPORT



AGENDA ITEM IV – A
STAFF REPORT

**PRELIMINARY DRAFT YUBA-SUTTER TRANSIT
OPERATING AND CAPITAL BUDGET FOR FY 2022-23**

Background

Attached for Board review and discussion is the preliminary draft Yuba-Sutter Transit operating and capital budget for FY 2023 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. While this submittal meets the JPA requirement, the budget remains a work in progress that will be further refined for the final draft budget that is scheduled for Board review and adoption consideration at the May 19th meeting.

Current Year Budget Estimates

Year-end operating expenses for FY 2022 are now projected to be \$378,200 (5 percent) lower than the adopted budget of \$8,311,200. Contracted services costs, which represents about 75 percent of all budgeted expenses, are projected at \$433,100 (7 percent) below budget primarily due to the operation of less than the expected number of vehicle service hours (VSH). Despite the operation of fewer VSH than were budgeted, fuel expenses which are the next highest operating cost and the most volatile of all line items, is now projected at \$116,100 (17 percent) over the amount budgeted. Most of the remaining line items are being projected at or near their budgeted levels.

Fare revenue for FY 2022 is expected to come in slightly higher than the amount budgeted due primarily to much higher-than-expected fare receipts from increased ridership, the LCTOP funded free fare events, and \$36,800 in unbudgeted special fares from the Pacific Coast Producers employee shuttle. Nearly all the \$80,200 projected shortfall in State Cash Grants is due to the delayed start of the Comprehensive Operational Analysis / Short-Range Transit Plan (COA) project, resulting in both lower revenues and expenses. Any savings resulting from the combination of lower than budgeted expenses and higher than budgeted fare revenue will allow more of the federal American Rescue Plan (ARP) Act funding from FY 2022 to be carried over to FY 2023 assuming current trends hold through June.

Capital expenditures in FY 2022 include the purchase of the 6035 Avondale property (\$892,700) that closed in July and related survey and site clean-up (\$48,450) expenses. These facility expenditures were funded with State Transit Assistance (STA) funds. The FY 2022 budget had assumed that the land purchase would be complete by the end of June 2021 and the budgeted FY 2022 facility expenses (\$1,217,000) were for early design and engineering of the project also using STA funds. Significant additional capital expenditures related to the new transit facility through FY 2022 are unlikely due to still uncertain project funding and timing issues. Additional capital expenditures through the end of the fiscal year include ordering the recently approved replacement of six demand

response/rural route buses for delivery in FY 2023 and completion of the park & ride lot and facility surveillance system repair and enhancement project that is now being completed.

Preliminary FY 2023 Budget Projections

The preliminary draft FY 2023 operating budget of \$8,770,000 represents an increase of \$458,800 (6 percent) over the budgeted amount for FY 2022 and an increase of \$837,000 (11 percent) over the projected year-end figure for the current fiscal year. The preliminary draft budget was prepared using an estimated 84,000 vehicle service hours (VSH) which is 8,000 (11 percent) more than the projected year-end figure of 76,000 VSH for FY 2022 and 1,000 less than the 85,000 VSH that was budgeted for FY 2022. While the budgeted VSH figure assumes some additional recovery from the pandemic, this figure is still well below the 92,571 VSH that was operated in the last full pre-pandemic fiscal year (FY 2019). In summary, the preliminary draft budget is essentially a status quo budget with no major service or policy changes adjusted for contractually obligated operating cost increases and a 50 percent increase in fuel costs per VSH. As a result, it should be viewed at this early date as a starting point for further analysis and discussion.

The most significant revenue assumption in the preliminary draft operating budget is based on modest growth in systemwide ridership and fare revenue through FY 2023. Also assumed are the Caltrans planning grant for the COA; some semblance of state and local economic stability; use of the last of the federal COVID relief funding, and on-going federal funding at the authorized levels of the new Infrastructure Investments and Jobs Act (IIJA) that was signed into law on November 14, 2021. Based on these and other assumptions, the combined Local Transportation Fund (LTF) contribution from the member jurisdictions is being budgeted at \$3.5 million for FY 2023 which would be an increase of 13 percent (\$400,000) over what was budgeted for FY 2022. Prior to FY 2022, 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 preliminary draft FY 2023 operating budget makes other significant expense and revenue assumptions including:

- Conversion of the long-standing shared staffing relationship with the Regional Waste Management Authority (RWMA) effective April 1, 2022, to a month-to-month agreement primarily for routine administrative support which will significantly reduce the number of hours charged by the Executive Director to this account.
- 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. Without FRAQMD funding, this program will otherwise expire on March 31, 2023 and a higher out-of-pocket cost for passengers would likely have a significant impact on both ridership and fare revenue.
- Continued consultant support for the preparation and submission of major grant applications for the design and construction of the replacement transit facility.

The primary component of the \$3.5 million preliminary draft capital budget for FY 2023 is a \$2.5 million allowance for the design phase for the facility project. This allowance assumes the work

commences by early 2023 which would only occur if a substantial portion of the necessary funding has been secured for facility construction by the end of 2022. With two major grant applications now pending award announcements and another under development, such a schedule is possible. The capital budget also includes the completion of the recently approved purchase that would result in the replacement of six small demand response and rural route buses with six similarly sized low-floor buses for a total of \$960,000. Originally budgeted for funding purposes as a seven-bus purchase in FY 2021 for standard cutaway style buses, this project was changed in November 2021 when the Board approved the purchase of six smaller profile and fuel-efficient low-floor buses. The budget also includes a \$50,000 allowance for facility and office equipment & furnishings.

By far, the highest priority capital issue is the need to replace the Yuba-Sutter Transit's existing maintenance and operations facility which is expected to be displaced within the next few years by the Caltrans Highway 70 (B Street) project, and if not the highway project, then compliance with the state's zero-emission bus mandate will necessitate relocation just a few years later. For this reason, the most important immediate task is to quickly acquire the necessary funding to minimize the risk of having to move twice, jeopardize future fleet replacement plans or both. This requires a continuous, laser-focused effort to identify and accumulate chunks of funding (large and small) from a host of sources (including our own) because no single source will be sufficient to fund this large capital investment. Significant progress on this effort has already occurred in FY 2022 with the purchase of a site, the securing of \$8.5 million in state housing funds, and the submission of several major federal and state grant applications. Assuming substantial funding is secured by the end of 2022, the design and engineering of the new facility could commence in 2023.

Recommendation

This submittal initiates the formal Yuba-Sutter Transit budget process each year and Board questions and input are invited as both the current and future budget year expense and revenue assumptions will be continually refined over the next two months. Should budget conditions or assumptions change significantly for any reason in the next few weeks, staff may place a revised draft budget on the agenda for discussion at the regular monthly meeting on April 21st. If more detailed discussions are desired, a special meeting could be scheduled for late April or early May in advance of the final budget presentation at the regular Board monthly meeting on May 19th.

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

RECOMMENDATION: Direct staff as desired.

Attachment: Preliminary Draft Operating and Capital Budget for FY 2023
Preliminary Draft Budget Assumptions for FY 2023

YUBA-SUTTER TRANSIT AUTHORITY
FY 2022/2023 PRELIMINARY DRAFT OPERATING BUDGET

UPDATED MARCH 10, 2022

	FY 2019/2020 Budget	FY 2019/2020 Audited	FY 2020/2021 Budget	FY 2020/2021 Audited	FY 2021/2022 Budget	FY 2021/2022 Projected	FY 2022/2023 Preliminary Draft
Operations Expenditures							
010.50300 Services - Other Maintenance	\$ 230,000	\$ 193,074	\$ 200,000	\$ 169,776	\$ 200,000	\$ 210,000	220,000
010.50401 Fuel and Lubricants	875,000	615,092	596,000	499,026	680,000	796,000	1,011,000
010.50402 Tires and Tubes	70,500	48,586	57,000	42,043	51,000	62,000	65,000
010.50499 Other Materials and Supplies Consumed	90,000	62,111	90,000	94,826	100,000	75,000	75,000
010.50500 Utilities - Electric and Gas	53,000	42,290	52,000	45,439	52,000	52,000	53,000
010.50501 Utilities - Water and Sewer	5,500	6,299	6,500	7,296	9,000	9,000	9,000
010.50600 Casualty and Liability Costs - Operations	304,000	277,224	270,500	270,402	280,100	280,000	287,000
010.50800 Services - Contract Operations	5,400,000	5,474,033	5,780,000	5,435,685	5,883,000	5,500,000	5,990,000
010.50801 Services - Out of Contract	15,000	50,675	17,000	106,663	120,000	70,000	43,000
Subtotal - Operations	<u>\$ 7,043,000</u>	<u>\$ 6,769,384</u>	<u>\$ 7,069,000</u>	<u>\$ 6,671,156</u>	<u>\$ 7,375,100</u>	<u>\$ 7,054,000</u>	<u>\$ 7,753,000</u>
Administration Expenditures							
160.50102 Salaries and Wages - Admin. Staff	\$ 400,000	\$ 398,226	\$ 411,000	\$ 413,008	\$ 433,500	\$ 430,000	448,000
160.50200 Fringe Benefits - Admin. Staff	160,000	142,389	155,000	148,556	160,000	160,000	175,000
160.50201 Fringe Benefits - Unfunded CalPERS Liability Payments	425,000	390,541	-	-	2,300	2,300	3,800
160.50301 Services - Accounting	3,000	2,307	3,000	4,300	4,500	4,000	4,800
160.50302 Services - Legal	12,000	4,928	12,000	8,573	12,000	9,000	12,000
160.50303 Services - Printing and Copying	30,000	7,968	20,000	11,929	20,000	19,000	20,000
160.50309 Services - Miscellaneous Professional	130,000	157,629	170,000	131,108	200,000	170,000	260,000
160.50499 Materials and Supplies - Office & Postage	15,000	14,338	16,000	7,732	15,000	10,000	10,000
160.50502 Utilities - Telephone & Internet	20,000	7,168	10,000	8,104	9,000	8,300	9,000
160.50900 Miscellaneous Expense - Insurance and Bond	36,000	30,872	36,000	31,546	37,000	36,100	37,000
160.50901 Miscellaneous Expense - Dues & Subscriptions	5,000	5,106	5,000	5,843	6,000	6,000	6,000
160.50902 Miscellaneous Expense - Travel and Meetings	5,000	2,529	5,000	2,398	5,000	3,500	5,000
160.50903 Miscellaneous Expense - Board of Directors	4,800	3,700	5,000	4,400	10,800	6,800	10,400
160.50904 Miscellaneous Expense - Media Adv. and Promo.	10,000	6,686	10,000	10,330	15,000	10,000	10,000
160.50909 Miscellaneous Expense - Other	6,000	19,838	6,000	2,329	6,000	4,000	6,000
Subtotal - Administration	<u>\$ 1,261,800</u>	<u>\$ 1,194,225</u>	<u>\$ 864,000</u>	<u>\$ 790,156</u>	<u>\$ 936,100</u>	<u>\$ 879,000</u>	<u>\$ 1,017,000</u>
Total Expenditures	<u><u>\$ 8,304,800</u></u>	<u><u>\$ 7,963,609</u></u>	<u><u>\$ 7,933,000</u></u>	<u><u>\$ 7,461,312</u></u>	<u><u>\$ 8,311,200</u></u>	<u><u>\$ 7,933,000</u></u>	<u><u>\$ 8,770,000</u></u>

		FY 2019/2020 Budget	FY 2019/2020 Audited	FY 2020/2021 Budget	FY 2020/2021 Audited	FY 2021/2022 Budget	FY 2021/2022 Projected	FY 2022/2023 Preliminary Draft
Operating Revenue								
40100	Passenger Fares	\$ 1,250,000	\$ 1,045,646	\$ 120,000	\$ 513,940	\$ 550,000	\$ 670,000	737,000
40200	Special Transit Fares	21,000	25,811	17,000	22,032	21,000	63,400	25,000
40600	Auxiliary Revenue (Bus, Shelter & Bench Advertising)	49,000	43,039	42,000	38,773	36,000	52,500	36,000
40700	Non-Transportation Revenue (Interest)	4,000	15,464	15,000	15,392	8,000	8,900	8,000
40709	Non-Transportation Revenue (RWMA, Misc.)	45,000	44,737	36,000	49,513	40,000	59,000	32,000
40900	Local Transportation Funds (LTF)	2,800,000	2,760,991	2,800,000	2,651,032	3,100,000	3,100,000	3,500,000
40901	Local Cash Grants/Reimbursements	41,000	40,529	35,000	35,538	28,000	35,300	39,000
41100	State Transit Assistance Funds (STA)	1,428,500	244,421	-	-	-	-	1,773,000
41109	State Cash Grants/Reimbursements	266,300	297,211	289,000	215,292	288,000	207,800	220,000
41300	General Operating Assistance - FTA Sect. 5307 (Urban)	2,200,000	2,200,000	-	-	-	-	1,419,683
41300	General Operating Assistance - FTA Sect. 5307 CARES Act (Urban)	-	1,000,000	4,284,000	3,673,115	2,693,010	2,693,010	-
41300	General Operating Assistance - FTA Sect. 5307 ARP (Urban)	-	-	-	-	1,297,190	793,090	780,317
41301	General Operating Assistance - FTA Sect. 5311 (Rural)	200,000	115,760	-	84,240	-	-	200,000
41301	General Operating Assistance - FTA Sect. 5311 CARES Act (Rural)	-	130,000	295,000	162,445	250,000	250,000	-
	Total Operating Revenue	<u>\$ 8,304,800</u>	<u>\$ 7,963,609</u>	<u>\$ 7,933,000</u>	<u>\$ 7,461,312</u>	<u>\$ 8,311,200</u>	<u>\$ 7,933,000</u>	<u>\$ 8,770,000</u>

		FY 2019/2020 Budget	FY 2019/2020 Audited	FY 2020/2021 Budget	FY 2020/2021 Audited	FY 2021/2022 Budget	FY 2021/2022 Projected	FY 2022/2023 Preliminary Draft
	Deferred TDA Revenues, July 1	\$ 2,859,383	\$ 2,864,475	\$ 3,979,359	\$ 4,048,639	\$ 4,014,005	\$ 5,145,965	4,204,813
	LTF Revenues Received	2,800,000	2,800,000	2,800,000	2,800,000	3,100,000	3,100,000	3,500,000
	STA Revenues Received	1,770,356	1,599,196	1,602,620	966,676	1,216,354	-	-
	LTF Revenues Allocated - Operating	(2,800,000)	(2,760,991)	(2,800,000)	(2,651,032)	(3,100,000)	(3,100,000)	(3,500,000)
	STA Revenues Allocated - Operating	(1,428,500)	(244,421)	-	-	-	-	(1,773,000)
	LTF Revenues Allocated For Local Capital Outlays	-	-	-	-	-	-	-
	STA Revenues Allocated For Local Capital Outlays	(415,018)	(253,570)	(40,000)	(18,318)	(1,346,477)	(941,152)	-
	Proceeds from Sale of Vehicles	-	43,950	-	-	-	-	-
	Deferred TDA Revenues, June 30*	<u>\$ 2,786,221</u>	<u>\$ 4,048,639</u>	<u>\$ 5,541,979</u>	<u>\$ 5,145,965</u>	<u>\$ 3,883,882</u>	<u>\$ 4,204,813</u>	<u>\$ 2,431,813</u>
	Local Transportation Funds (LTF)	\$ 1,043,184	\$ 1,367,384	\$ 1,323,283	\$ 1,516,352	\$ 1,367,384	\$ 1,516,352	\$ 1,516,352
	State Transit Assistance Funds (STA)	\$ 1,169,711	\$ 2,681,255	\$ 4,218,696	\$ 3,629,613	\$ 2,516,498	\$ 2,688,461	\$ 915,461

Deferred STA Detail (Carryover revenues available and required for cash flow, contingencies, and local capital match)

Yuba-Sutter Transit Portion	\$ 1,093,032	\$ 2,571,759	\$ 4,000,466	\$ 3,454,480	\$ 2,341,365	\$ 2,513,328	\$ 866,328
City of Live Oak Portion	51,561	76,104	152,737	122,363	122,363	122,363	22,363
City of Wheatland Portion	25,118	33,392	65,493	52,770	52,770	52,770	26,770
Total Deferred STA Revenue	<u>\$ 1,169,711</u>	<u>\$ 2,681,255</u>	<u>\$ 4,218,696</u>	<u>\$ 3,629,613</u>	<u>\$ 2,516,498</u>	<u>\$ 2,688,461</u>	<u>\$ 915,461</u>

Additional STA Cumulative Balances at SACOG Available for Claim

Yuba-Sutter Transit Portion						\$ 1,216,354	\$ 2,851,824
City of Live Oak Portion						\$ 63,518	\$ 147,274
City of Wheatland Portion						\$ 25,138	\$ 59,281

**YUBA-SUTTER TRANSIT AUTHORITY
PRELIMINARY DRAFT CAPITAL BUDGET
FY 2022/2023
PREPARED MARCH 10, 2022**

	FY 2020/2021 BUDGET	FY 2020/2021 AUDITED	FY 2021/2022 BUDGET	FY 2021/2022 PROJECTED	FY 2022/2023 PRELIMINARY DRAFT
<u>EXPENDITURES</u>					
Maintenance and Operations Facility (1)	\$ -	\$ 17,008	\$ 1,217,000	\$ 941,152	\$ 2,500,000
Vehicle Purchase/Replacement (2)	665,000		570,000	-	960,000
Miscellaneous Capital (3)	100,000	31,310	100,000	125,000	50,000
	<u>\$ 765,000</u>	<u>\$ 48,318</u>	<u>\$ 1,887,000</u>	<u>\$ 1,066,152</u>	<u>\$ 3,510,000</u>
<u>REVENUES</u>					
Federal (5307, 5310, 5311, 5317, 5339)	\$ 574,630	\$ -	\$ 490,523	\$ -	\$ 2,037,569
State Transit Assistance (STA)	40,000	18,318	1,346,477	991,152	351,948
State Transit Assistance (SGR)	150,370	30,000	50,000	75,000	1,120,483
Low Carbon Transit Operation Program	-	-	-	-	-
Other Local	-	-	-	-	-
	<u>\$ 765,000</u>	<u>\$ 48,318</u>	<u>\$ 1,887,000</u>	<u>\$ 1,066,152</u>	<u>\$ 3,510,000</u>

Notes:

1. Assumes the commencement of the design phase of the facility project in FY 2023 (\$1,328,120 Federal / \$968,802 State SGR / \$203,078 STA). FY 2022 expenditures include \$941,152 (STA) for the completion of the land purchase including capitalized survey and land clearing expenses.
2. The FY 2023 vehicle project, which was first budgeted in FY 2021, is for the programmed replacement of six 2014 model demand response/rural route buses with six similarly sized low-floor buses for delivery in FY 2023 (now budgeted at \$960,000: \$709,499 Federal / \$151,681 State SGR / \$98,870 STA).
3. FY 2023 Miscellaneous capital expenditures includes an allowance for facility and office equipment and furnishings (\$50,000 STA). FY 2022 projects include surveillance system repairs and enhancements (\$75,000 State SGR) and an allowance for facility and office equipment & furnishings (\$50,000 STA).

**YUBA-SUTTER TRANSIT
FY 2022/2023 OPERATING & CAPITAL BUDGET ASSUMPTIONS
PREPARED MARCH 10, 2022**

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; 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 84,000 vehicle service hours (VSH) in FY 2023 at a combined average price of \$12.04 per VSH for diesel, diesel emission fluid, gasoline, and any applicable taxes. While this hourly allowance is higher than the current year projected figure of about \$10.47 per VSH, fuel costs continue to rise after a period of extremely low fuel prices. 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.

Tires & Tubes (Acct. #010.50402)

This account is based on the projected year-end expenditures for FY 2022, the budgeted operation of 84,000 VSH 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 2022.

Utilities – Water & Sewer (Acct. #010.50501)

Based on the projected year-end expenditures for FY 2022.

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 operating contract with Storer Transit Systems.

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 84,000 VSH. This figure is almost 11 percent higher than the approximately 76,000 VSH now being projected for FY 2022 due to an assumed increase in service demand especially for Dial-A-Ride service as programs resume post-pandemic. The current Storer contract will expire September 30, 2023, though it does contain options for a pair of two-year extensions with indexed cost increases.

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. This figure can vary from year to year depending on community demand. More significantly, beginning with the audited figures for FY 2020, this account now includes an allowance for expected COVID-19 related costs resulting from Amendment #1 to the Storer contract.

ADMINISTRATIVE EXPENDITURES

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

The budgeted amount is based on the projected total salary figure for the five administrative staff positions including any available step increases and longevity adjustments. This amount also includes allowances for the pay out of a portion of accrued annual leave consistent with previous years and any general staff salary scale adjustment to be considered at the June Board meeting.

Fringe Benefits – Administrative Staff (Acct. #160.50200)

Fringe benefit expenses have been adjusted to account for known changes in benefit rates based on the above salary assumptions and current 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.

For FY 2020, rather than monthly or annual payments, the Board approved a single payment to eliminate the projected combined UAL fund balance of approximately \$425,000 which was subsequently reduced to an actual balance of nearly \$391,000. By paying the annual payment and the UAL balance in full, the authority saved over \$320,000 in interest over 25 years. The required UAL payment for FY 2023 is \$3,800.

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 2023, this account includes a projected \$150,000 for consultant expenses related to the state grant funded Comprehensive Operational Analysis (COA) and a \$75,000 allowance for other grant related professional services. For FY 2022, this account includes a projected \$37,500 for the first-year consultant expenses related to the (COA) and a projected \$90,000 for other grant related professional services.

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)

This account is based on the existing facility damage and liability insurance policies.

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 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 weekly publication from the American Public Transportation Association (APTA) and the Transit Access Report a digest related to compliance with the Americans with Disabilities Act (ADA).

Miscellaneous Expense – Travel & Meetings (Acct. #160.50902)

This account is available to fund travel, lodging and meeting expenses on an as needed basis for Yuba-Sutter Transit 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 two ad hoc committee meetings of up 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 \$88,000.

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 2023 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 an anticipated increase in Dial-A-Ride service demand as local programs return to in-person activities.

Special Transit Fares (Acct. #40200)

This account is used for direct fare payments by Yuba County Employment Services, Yuba County Child Protective Services (CPS) and other miscellaneous special transit services. The FY 2022 projected amount includes \$36,800 in what were unbudgeted special fares from Pacific Coast Producers.

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). Despite a projected current year figure of \$52,000, the FY 2023 budget now assumes only the \$36,000 minimum 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 2023. 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.

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. For FY 2023, this account assumes the continued waiver of all initial Connect Card discount photo I.D. fees (value of approximately \$3,000 annually) to encourage use of the Connect Card system. This account has been adjusted to reflect the RWMA's transition to full-time staffing, cutting the expected revenue source by nearly half for FY 2023 as Yuba-Sutter Transit will only be providing basic administrative support services.

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. The Yuba-Sutter Transit allocation of LTF revenue has historically been based on the amount required to balance the budget

after all other revenues are calculated. This was not the case for FY 2021 or FY 2022 budgets as urban and rural funding from pandemic related federal stimulus funds were used for this purpose 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 has been set aside for operating purposes will be exhausted in FY 2022 though a small amount from the American Rescue Plan (ARP) allocation is expected to be carried over to FY 2023.

For FY 2023, the fourth fiscal year to be impacted by the pandemic, the annual LTF contribution to Yuba-Sutter Transit is being budgeted at \$3.5 million which is up 13 percent (\$400,000) over the FY 2022 allocation of \$3.1 million. For reference purposes, SACOG's draft LTF apportionments for FY 2023 project a total of over \$9.7 million in the combined amount available to the four member jurisdictions which is an increase of \$3.1 million (47 percent) over FY 2022. As a result, the budgeted \$3.5 million LTF allocation for Yuba-Sutter Transit represents just 36 percent of the amount available (down from 47 percent for FY 2022). After having peaked at nearly 60 percent in FY 2018, this 36 percent figure would be the lowest percentage LTF allocation in 12 years (22.5 percent in FY 2011). In the future, however, a much greater percentage of LTF revenue will likely be necessary to back-fill for federal and state funds that will need to be diverted at least in part to the facility project and to comply with the state's zero-emission bus 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 17.3 percent of budgeted operating expenditures for FY 2023 which is up slightly from the 16.5 percent figure for FY 2022. 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. This account includes 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. Prior to FY 2022, this account also included grants from the Feather River Air Quality Management District (FRAQMD) to partially off-set the cost to expand the Live Oak Route from three to five days a week since July 2015, but this support ended on December 31, 2020.

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 2022 (between \$1.8 million and \$900,000) due to the impact of the pandemic on diesel fuel sales, about \$1.6 million in STA funds is now expected to be available to Yuba-Sutter Transit for FY 2023. All of these funds are being programmed for capital purposes primarily for the facility project.

State Cash Grants/Reimbursements (Acct. #41109)

For FY 2023, this account is available 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 Comprehensive Operational Analysis (COA) that is expected to begin in FY 2022 and continue into FY 2024. Also included are year-end postings of state funding for capital expenditures below the capitalization threshold. For FY 2021, this account included funding for the completion of the Next Generation Facility Siting Study.

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 2013, these funds primarily come through the five-year Infrastructure Investments and Jobs Act (IIJA) of 2021 (previously the Fixing America's Surface Transportation or FAST Act of 2015). Nearly \$2.7 million in Section 5307 funding is expected to be available to Yuba-Sutter Transit for FY 2023 along with the last of the funding from American Rescue Plan (ARP).

The FY 2023 budget assumes a total of \$2.2 million from this source including \$1,419,683 of regular Section 5307 funds along with projected FY 2022 year-end balance of \$780,317 in ARP funds for operating assistance. This is the same amount of Section 5307 funds that were allocated for operating prior to the pandemic. 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 CARES Act and ARP funds are available without restriction with no match requirement. With the COVID-19 stimulus funds nearly exhausted in FY 2022, the federal share of the budget is being reduced to pre-pandemic federal funding levels especially as these funds will likely be needed to meet the needs of the transit facility project and to comply with the state zero-emission bus mandate.

Federal Rural General Operating Assistance / CARES Act / ARP – 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) does 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 its use for operations though the balance can be used for 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 FFY 2023 budget assumes \$200,000 in Section 5311 funds for operating assistance with the balance of the two-year apportionment to be used for FY 2024 operating assistance and the programmed FY 2025 demand response/rural route bus replacement project. It should be noted that the preliminary FY 2023 capital budget includes 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 2022 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.

CAPITAL PROGRAM SUMMARY

The capital budget of \$3,510,000 includes \$2.5 million for the design phase of the facility project, \$960,000 for the replacement of six 2014 model 16-passenger demand response and rural route buses with six similarly sized, but smaller profile low-floor buses. Other capital projects include an allowance for

miscellaneous facility and office equipment and furnishings or for unforeseen facility repairs. The projected year-end capital budget for FY 2022 assumes the completion of the surveillance system repairs and enhancements, the July 2021 purchase of the property for the replacement transit facility, and an allowance for facility and office equipment & furnishings.

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AGENDA ITEM IV – B
STAFF REPORT

**AUTHORIZING RESOLUTION FOR
FEDERAL TRANSIT ADMINISTRATION (FTA) GRANT DOCUMENTS**

As a recipient of Federal financial assistance from the FTA, Yuba-Sutter Transit must maintain a current resolution designating the person or position within the organization authorized to execute and file federal grant and contract related documents. The attached resolution references all relevant federal funding sources. The Executive Director position, or their designee, is again being designated to represent Yuba-Sutter Transit for this purpose and the proposed resolution follows the currently prescribed language for such an authorization.

Staff will be prepared to discuss this routine resolution in detail at the meeting.

RECOMMENDATION: Adopt Resolution No. 2-22 authorizing the Executive Director, or their designee, to execute all federal grant and contract documents under Sections 5307, 5309, 5310, 5311, 5317, 5339 and RAISE.

3-17-22

YUBA-SUTTER TRANSIT AUTHORITY
RESOLUTION NO. 2-22

**Resolution authorizing the filing of applications with the
Federal Transit Administration, an operating administration of the
United States Department of Transportation, for Federal transportation
assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code,
or other Federal statutes administered by the Federal Transit Administration.**

WHEREAS, *the Federal Transportation Administration has been delegated authority to award Federal financial assistance for a transportation project;*

WHEREAS, *the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Yuba-Sutter Transit Authority, and may require the Yuba-Sutter Transit Authority to provide the local share of the project cost;*

WHEREAS, *the Yuba-Sutter Transit Authority has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;*

NOW, THEREFORE, BE IT RESOLVED BY THE YUBA-SUTTER TRANSIT AUTHORITY BOARD OF DIRECTORS;

1. *That the Executive Director, or their designee, is authorized to execute and file an application for Federal assistance on behalf of the Yuba-Sutter Transit Authority with the Federal Transit Administration for Federal Assistance authorized by 49 U.S.C. chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration. The Yuba-Sutter Transit Authority has received authority from the State of California, Department of Transportation, the Designated Recipient, to apply for Urbanized and Non-Urbanized Area Formula and Non-Formula Program assistance pursuant to Sections 5307, 5309, 5310, 5311, 5317, 5339 and RAISE.*
2. *That the Executive Director, or their designee, is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.*

3. *That the Executive Director, or their designee, is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the Yuba-Sutter Transit Authority.*

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY INTRODUCED, PASSED AND ADOPTED BY THE YUBA-SUTTER TRANSIT AUTHORITY AT THE REGULAR MEETING THEREOF HELD ON MARCH 17, 2022 BY THE FOLLOWING VOTE:

Ayes:

Noes:

Chair, Board of Directors

Attest:

*Janet Frye
Secretary to the Board of Directors*

AGENDA ITEM IV – C
STAFF REPORT

**ANNUAL AUTHORIZATION FOR THE EXECUTIVE DIRECTOR
TO CERTIFY AS COUNSEL FOR
FEDERAL TRANSIT ADMINISTRATION (FTA) GRANTS**

Since January 1, 1999, Federal Transit Administration (FTA) grants have been submitted and managed through an electronic award and management system. Since 1999, the Yuba-Sutter Transit Board of Directors has annually adopted resolutions authorizing the Executive Director (formerly Transit Manager) to certify as both the designated official and on behalf of counsel on electronic grant applications.

It is common practice for Executive Directors who certify as designated officials on grant applications to also certify on behalf of counsel on the current status of the agency's certifications and assurances. For small agencies like Yuba-Sutter Transit, legal counsel is typically off-site and it is inconvenient and costly for them to certify the application in person. In addition, the designated official would typically inform the counsel of the agency's compliance status prior to the certification anyway.

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

RECOMMENDATION: Adopt Resolution No. 3-22 authorizing the Executive Director to certify as counsel for FTA grants.

3-17-22

YUBA-SUTTER TRANSIT AUTHORITY
RESOLUTION NO. 3-22

**EXECUTIVE DIRECTOR AUTHORIZATION TO CERTIFY AS COUNSEL
FOR FEDERAL TRANSIT ADMINISTRATION (FTA) GRANTS**

WHEREAS, *The Federal Transit Administration has developed an electronic award and management system to enhance the ability to process and manage the grants program; and,*

WHEREAS, *Executive Directors who currently certify as designated officials on grant applications are also permitted to certify on behalf of counsel on the current status of the agency's certifications and assurances to streamline the electronic grant process; and*

WHEREAS, *The Yuba-Sutter Transit Authority Board of Directors did authorize the Executive Director on March 17, 2022 to certify as counsel for this purpose:*

NOW, THEREFORE, BE IT RESOLVED that the Yuba-Sutter Transit Authority Board of Directors does hereby continue to authorize the Executive Director to certify as counsel for Federal Transit Administration (FTA) grants 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 MEETING HELD ON MARCH 17, 2022.

Chair, Board of Directors

ATTEST:

*Janet Frye
Secretary to the Board*

AGENDA ITEM IV – D
STAFF REPORT

**STATE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)
PROJECT SELECTION**

Background

The Low Carbon Transit Operations Program (LCTOP) is one of several under the Transit, Affordable Housing, and Sustainable Communities Program that was established by the California Legislature in 2014 by Senate Bill 862. LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility with a priority on serving State identified disadvantaged and low-income communities (DAC's).

Agencies such as Yuba-Sutter Transit whose service area includes one or more disadvantaged communities must expend at least 50 percent of the money received on projects that will benefit those communities. Assembly Bill 1550 (2016) additionally requires that 10 percent of the funds must benefit low-income households that are within disadvantaged/low-income communities or within ½ mile of a disadvantaged or low-income community. Senate Bill 1119 (2018) increased project flexibility by allowing transit agencies to waive the requirement of expending 50 percent of the total allocation within and benefiting a DAC for the following:

- a) New or expanded transit service that connects with transit service serving disadvantaged communities, as identified in Section 39711 of, or in low-income communities, as defined in paragraph (2) of subdivision (d) of Section 39713 of the Health and Safety Code.
- b) Transit fare subsidies and network and fare integration technology improvements, including, but not limited to, discounted or free student transit passes.
- c) The purchase of zero-emission transit buses and supporting infrastructure.

Within the above parameters, LCTOP projects are primarily intended to support new or expanded bus or rail services; expand intermodal transit facilities; and may include equipment acquisition, fueling, maintenance and other costs to operate those services or facilities with each project required to reduce greenhouse gas emissions. They can also be used to purchase zero-emission replacement vehicles and the provision of fueling infrastructure for zero-emission vehicles. Recipients are encouraged to select those projects that maximize public benefits for transit ridership, greenhouse gas reductions, disadvantaged community benefits and other co-benefits.

LCTOP funding is distributed under the same formula that is used for the State Transit Assistance (STA) program and is available only to STA eligible recipients. As a result, Yuba-Sutter Transit is the only eligible claimant for LCTOP funding in the bi-county area. Caltrans, in coordination with the California Air Resources Board (CARB), is responsible for ensuring that the statutory requirements of the program are met in terms of project eligibility, greenhouse gas reductions, DAC benefits and other requirements of law. Statewide LCTOP funding levels have fluctuated wildly over the years as

funding is provided through a continuous appropriation of five percent of the annual auction proceeds for the Greenhouse Gas (GHG) Reduction Fund.

FY 2022 LCTOP Funding Level

The FY 2022 bi-county allocation of LCTOP funds for Yuba-Sutter Transit is the highest ever at \$458,768. To this amount, SACOG added another \$139,393 in unallocated regional funds and \$20,064 in Sacramento County formula funds to this allocation for a Yuba-Sutter Transit total of \$618,225 for FY 2022. Yuba-Sutter Transit’s annual LCTOP allocation and approved projects by cycle are shown below.

FY 2015	\$60,305	North Beale Transit Center Improvements (Complete)
FY 2016	\$180,417	Bus Stop Enhancement Project (Complete)
FY 2017	\$82,455	Connect Card Implementation (Fully Expended 12/31/19)
FY 2018	\$226,068	Yuba College Sutter Center Shuttle (Cancelled / Remaining Funds Transferred to Other Active Projects)
FY 2019	\$336,962	Enhanced Peak Hour Sacramento Service (In Progress)
FY 2020	\$338,142	Connect Card Electronic Fare Program Years 3 – 5 (In Progress) Targeted Fare Subsidies and Free Fare Events (In Progress)
FY 2021	\$194,456	Next Generation Transit Facility Construction
FY 2022	\$618,225	Next Generation Transit Facility construction (Proposed)

Priority Project

Funding the replacement operations and maintenance facility is Yuba-Sutter Transit’s top priority project and some facility components are eligible uses for LCTOP funds including vehicle chargers, switch gear, conduit, wiring, solar and battery backup systems to support zero emission buses and non-revenue vehicles. Because LCTOP funds can be saved/banked for up to four years before they need to be allocated, staff proposed last year that the FY 2021, 2022, 2023 and 2024 cycles be banked for eligible facility construction/installation activities during the anticipated construction years of 2024 and 2025. Adding the FY 2022 allocation to the FY 2021 allocation would result in a total of \$812,681 being set aside for the facility project. Once allocated, the project must start within six months and the funds expire in four years from the date of allocation. If the facility construction timeline does not ultimately align with these deadlines, the funds can be redirected to another existing or alternative project.

Staff will be prepared to discuss the LCTOP program and the proposed project in detail at the meeting.

- RECOMMENDATION:
- 1.) Authorize the submittal of specified projects for LCTOP funding as proposed or amended; and,
 - 2.) Adopt Resolution No. 4-22 authorizing execution of the related LCTOP Certifications and Assurances including the designation of the Executive Director as the Authorized Agent.

YUBA-SUTTER TRANSIT AUTHORITY
RESOLUTION NO. 4-22

**AUTHORIZATION FOR THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED
AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)
FOR THE FOLLOWING PROJECT:**

NEXT GENERATION TRANSIT FACILITY

WHEREAS, the Yuba-Sutter Transit Authority is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, the Yuba-Sutter Transit Authority wishes to delegate authorization to execute the Certifications and Assurances, Authorized Agent form and any amendments thereto to the agency Executive Director;

WHEREAS, the Yuba-Sutter Transit Authority wishes to implement the LCTOP projects listed above that will provide at least 50% of the funding to benefit disadvantaged communities and comply with Assembly Bill 1550 which requires 5% of the funds be allocated to a project that benefit low-income communities and 5% of the funds are allocated to a project that benefit these living within ½ mile of a low-income or disadvantaged community within Yuba and Sutter Counties;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Yuba-Sutter Transit Authority that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that the agency Executive Director is authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Board of Directors of the Yuba-Sutter Transit Authority that it hereby authorizes the submittal of the following project nomination and allocation requests to the Department for FY 2021-22 funds:

PROJECT NAME: NEXT GENERATION TRANSIT FACILITY

Amount of LCTOP funds requested: \$618,225 (Regional - \$436,099; SACOG-\$139,393 / Local - \$22,669; Sacramento County via SACOG- \$20,064).

Project description: Provide funding to construct facility components associated with the support and operation of zero emission buses and non-revenue vehicles.

Contributing Sponsors: Sacramento Area Council of Governments (SACOG)

Disadvantaged Communities (DAC): This project will provide systemwide benefits that consequently benefit disadvantaged communities in Yuba City, Marysville, Linda and Olivehurst.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY INTRODUCED, PASSED AND ADOPTED BY THE YUBA-SUTTER TRANSIT AUTHORITY AT A REGULAR MEETING HELD ON MARCH 17, 2022 BY THE FOLLOWING VOTE.

Ayes:

Nos:

Chair, Board of Directors

ATTEST:

*Janet Frye
Secretary to the Board*

AGENDA ITEM IV – E
STAFF REPORT

STATE OF GOOD REPAIR (SGR) PROJECT DESIGNATION

The California Road Repair and Accountability Act of 2017, commonly known as Senate Bill 1 (SB 1), provides on-going funding under several programs for a variety of transportation purposes. These programs include approximately \$107 million annually to transit operators for eligible transit maintenance, rehabilitation, and capital projects under the State of Good Repair (SGR) Program. These funds are allocated to eligible agencies under the existing State Transit Assistance (STA) Program formula – half according to population and half according to transit operator revenues.

While SB 1 addresses a variety of transportation needs, the SGR program has a specific goal of keeping transit systems in a state of good repair including the purchase of new transit vehicles and the maintenance and rehabilitation of transit facilities and vehicles to rehabilitate and modernize California’s existing local transit systems. Program investments are intended to lead to cleaner transit vehicle fleets; increased reliability and safety; and reduced greenhouse gas emissions and other pollutants. Previous cycles of Yuba-Sutter Transit’s SGR funds were used for the 2019 replacement of local fixed route buses, surveillance system maintenance and upgrades, and a shop forklift. The entire FY 2022 allocation of \$281,576 was allocated to the new facility project.

Prior to receiving an apportionment of SGR funds in a given fiscal year, a potential recipient agency must submit to Caltrans a list of projects proposed to be funded. Each project proposal must include a description and location of the project, a proposed schedule for the project’s completion, the estimated useful life of the improvement and description of project benefits. Caltrans will then establish a list of all agencies that have submitted the required information and are eligible to receive an apportionment of funds. Each recipient agency is required to annually report on all activities completed with those funds. SGR project lists are typically due to Caltrans by September 1st each year, but the need for regional review requires a much earlier submittal of this list to SACOG. Failure to submit a project list for the allocated amount by the prescribed deadline may result in the permanent loss of revenue for that funding period so early action is critical.

To be eligible for SGR funding, the program guidelines require that all projects must fall into three major areas as shown below which would include the proposed Yuba-Sutter Transit facility project.

1. Replacement or rehabilitation of:
 - Rolling stock
 - Passenger stations and terminals
 - Security equipment and systems
 - Maintenance facilities and equipment
2. Preventative Maintenance
3. New maintenance facilities or maintenance equipment if needed to maintain the existing transit service

Yuba-Sutter Transit's combined SGR allocation for FY 2023 has been set at \$288,792 which is slightly more than the \$281,576 allocation for FY 2022. In addition to Yuba-Sutter Transit's regular SGR allocation, SACOG is making available \$380,142 in older regional SGR funds that have never been programmed from FY 2017-18 to FY 2020-21 to avoid them being lost to the region. In addition, staff is now requesting Board authorization to reallocate another \$169,973 in FY 2022 SGR funding from previously discontinued projects. The resulting total of SGR funds now available for allocation is \$838,907. Staff is recommending that available SGR funds be allocated for the following projects in the amounts shown below:

Agency	Fiscal Year	Amount	Project
SACOG	FY 17-18	\$151,681	Purchase Six Low Floor Dial-A-Ride Buses
SACOG	FY 18-19	\$151,139	Facility Design & Engineering
SACOG	FY 19-20	\$36,597	Facility Design & Engineering
SACOG	FY 20-21	\$40,725	Facility Design & Engineering
Yuba-Sutter Transit	FY 20-21	\$169,973*	Facility Design & Engineering
Yuba-Sutter Transit	FY 22-23	\$288,792	Facility Design & Engineering

**FY 21-22 funds were transferred to the facility project from the following discontinued projects: Maintenance Facility Parking Lot Repairs, Replace/Upgrade Phone System, and Procurement of Seven Dial-A-Ride Buses.*

Design and engineering activities are allowable expenses under the SGR program and the funds have a four-year expenditure deadline which provides ample time to complete the engineering and design phase for the facility. If approved as proposed, combined with the previously allocated FY 2022 SGR funding, a total of \$1,120,483 will be set aside toward the design and engineering of the new transit facility.

Staff will be prepared at the meeting to discuss this recommendation and the State of Good Repair Program in detail.

RECOMMENDATION: Adopt Resolution No. 5-22 approving the submittal of Yuba-Sutter Transit's SGR Project List as proposed or amended.

Attachment

YUBA-SUTTER TRANSIT AUTHORITY
RESOLUTION NO. 5-22

**APPROVAL OF THE PROJECT LIST FOR THE FY 2022-23
CALIFORNIA STATE OF GOOD REPAIR (SGR) PROGRAM**

WHEREAS, the Yuba-Sutter Transit Authority is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair (SGR) Account now or sometime in the future for transit projects; and,

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and,

WHEREAS, Senate Bill 1 (2017) named the Department of Transportation (Department) as the administrative agency for the SGR Program; and,

WHEREAS, SGR funds are allocated through the Sacramento Area Council of Governments; and,

WHEREAS, Yuba-Sutter Transit's share of SGR funds for FY 2022-23 is estimated to be \$288,792 with additional SGR funds provided by SACOG including \$151,681 from FY 2017-18; \$151,139 from FY 2018-19; \$36,597 from FY 2019-20; and \$40,725 from FY 2020-21.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Yuba-Sutter Transit Authority does hereby approve the SB1 State of Good Repair Project List for FY 2022-23 and agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations, and guidelines for all SGR funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that the agency Executive Director be authorized to execute all required documents of the SGR program and any amendments thereto with the California Department of Transportation.

THE FORGOING RESOLUTION WAS DULY AND REGULARLY INTRODUCED, PASSED AND ADOPTED BY THE YUBA-SUTTER TRANSIT AUTHORITY AT A REGULAR MEETING HELD ON MARCH 17, 2022, BY THE FOLLOWING VOTE:

Ayes:

Nos:

Chair, Board of Directors

ATTEST:

Janet Frye
Secretary to the Board

AGENDA ITEM IV – F
STAFF REPORT

**FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5311 FFY 2022 AND FFY 2023
TWO-YEAR CYCLE CONSOLIDATED GRANT APPLICATION PROGRAM OF PROJECTS**

Caltrans announced last fall that it would be updating its transit grant application process to improve the experience of applying for state and federal funds that flow through the agency. In October 2021, Caltrans grant staff began developing a consolidated application for its transit grant programs to allow transit agencies to complete a single application for all funds for which they are eligible rather than in individual applications. Development of this new application approach, as well as a move to a two-year call for project cycle, will take place in several phases over the next two years. This will streamline both the application and grants management processes to reduce the workload and resources required to access state and federal funding through the following programs:

- Federal Transit Administration (FTA) Rural Transit & Intercity Bus/CMAQ – Sections 5311 & 5311f*
 - FTA Enhanced Mobility of Seniors and Individuals with Disabilities Program – Section 5310
 - FTA Bus and Bus Facilities State of Good Repair – Section 5339 (SGR)*
 - State Low Carbon Transit Operations Program (LCTOP)*
 - State Transit and Intercity Rail Capital Program (TIRCP)
 - California State of Good Repair (SGR)
- (*These programs are included in Phase 1 of Grant Modernization effort)

Caltrans plans to develop its new approach in phases, the first of which is already underway.

- Phase 1: October 2021 – March 2022 (Preliminary Consolidated Application)
- Phase 2: April 2022 – June 2022 (TBD)

Yuba-Sutter Transit received the first two-year call for projects on March 1st for projects for FFY 2022 and FFY 2023 FTA Section 5311 funds from Caltrans. In the four-county region, these funds are allocated to the region and then sub-apportioned by the Sacramento Area Council of Governments (SACOG) by the relative rural population of each county for eligible regional operators such as Yuba-Sutter Transit. Due to the accelerated schedule for this first two-year cycle, SACOG provided the sub-allocation on March 2nd and the Program of Projects for how an agency wants to use these funds are now due to SACOG by March 17th.

SACOG apportioned combined two-county figures for Yuba-Sutter Transit of \$473,841 for FFY 2022 and \$483,317 for FFY 2023 for a combined two-year allocation of \$957,158 for Yuba-Sutter Transit's rural service program. Previously, these funds which can be programmed for operating and/or capital expenses were typically apportioned and applied for on an annual basis with Board authorization during the budget approval process. With the new Caltrans Grant Modernization two-year funding process, staff is recommending the following Program of Projects for how these funds would be used during the applicable budget years:

- \$200,000 – FY 2023 Operating Assistance (55.33% Federal / 47.67% local)
- \$200,000 – FY 2024 Operating Assistance (55.33% Federal / 47.67% local)
- \$557,158 – FY 2025 Purchase Four Replacement Demand Response/Rural Route Buses (88.53% Federal / 11.47% local)

Due to the extremely compressed schedule and because the proposed Program of Projects is generally consistent with how these funds have been programmed in the past on an annual basis, staff has already submitted it to SACOG to meet the March 17th deadline. This two-year Program of Projects could be amended if the Board should choose to use these funds differently in the future.

Staff will be prepared at the meeting to discuss the FTA Section 5311 grant program and the recommended Program of Projects in detail.

RECOMMENDATION: Authorize the submittal of a consolidated two-year grant application and Program of Projects for the available FFY 2022 and FFY 2023 FTA Section 5311 funding as proposed.

AGENDA ITEM IV – G
STAFF REPORT

**AMENDED YUBA-SUTTER TRANSIT / REGIONAL WASTE MANAGEMENT
AUTHORITY (RWMA) CONSULTING AGREEMENT**

With the Regional Waste Management Authority (RWMA) soon transitioning to direct full-time employees, the long-time consulting staff relationship between the RWMA and Yuba-Sutter Transit will need to transition as well. Since March 1988, Yuba-Sutter Transit has provided the RWMA with administrative and executive staff support on a time and materials basis. While this support was originally intended to end with the hiring of RWMA employees, to ease the transition, Yuba-Sutter Transit has agreed to continue providing basic administrative support at least in the short-term as the RWMA works to become fully self-sufficient. As a result, Yuba-Sutter Transit will continue to provide a mailing address, phone number, and administrative support for the RWMA on a month-to-month basis.

To effectuate this transition, attached for Board review and approval consideration is a completely restated Consulting Agreement between the two agencies. The restated agreement was prepared by legal counsel with input from staff. The key changes to the previous agreement are all related to the notice and termination language that will allow either party to end the agreement at any time with ninety days advance notice instead of the existing requirement for a minimum of five-month notice prior to the end of any fiscal year. Unchanged is the provision that the agreement can be terminated at any time by mutual agreement. If approved as proposed, the new agreement will become effective on April 1, 2022.

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

RECOMMENDATION: Authorize execution of the amended Yuba-Sutter Transit / RWMA Consulting Agreement as proposed.

CONSULTANT AGREEMENT

This agreement (“Agreement”) is entered into effective April 1, 2022 and is between the **Yuba-Sutter Transit Authority**, 2100 B Street, Marysville, CA 95901 (hereinafter “Consultant”) and the **Regional Waste Management Authority** (hereinafter “Client”).

RECITALS

1. WHEREAS, Client is a joint powers authority responsible for coordinating all solid waste program planning and reporting for the jurisdictions of Yuba County, Sutter County and the cities of Marysville, Yuba City, Wheatland and Live Oak.
2. WHEREAS, Client desires to obtain staff support services from Consultant and Consultant has the ability to provide the same.
3. WHEREAS, Consultant represents it is qualified and willing to provide those services, as set forth on Exhibit A and attached hereto pursuant to the terms and conditions of this Agreement;
4. WHEREAS, the parties previously entered into a Consultant Agreement effective July 1, 2015 which will be superceded in its entirety by this Agreement.

NOW, THEREFORE, IT IS AGREED by and between Client and Consultant as follows:

AGREEMENT

1. **INCORPORATION OF RECITALS.** The foregoing recitals as set forth above are not merely recitals but are contractual in nature and are incorporated into this Agreement.
2. **SCOPE OF SERVICE.** Consultant will perform the services set forth on Exhibit A attached hereto and incorporated herein by reference. In the performance of services with respect to this Agreement it is agreed and acknowledged that this Agreement is strictly between Client and Consultant and does not involve any individuals employed by Consultant. It is further agreed that Client has no control whatsoever over who is assigned a particular task pursuant to this Agreement nor does Client have any control over how the task is to be performed. Consultant is solely responsible for oversight of its employees, the review of their performance as well as matters relating to their selection, evaluation and/or termination. Client has no power or ability to deal with, oversee or interact with any particular employee of Consultant. Either party may terminate this Agreement without cause upon the giving of ninety (90) days advance notice.

It is further agreed that Client has no right whatsoever to control the manner or means of accomplishing the tasks pursuant to this Agreement and no control over Consultant’s operations.

Consultant agrees that it will supply the instrumentalities, tools and place of work for the individuals doing work under this Agreement.

All work performed by Consultant under this Agreement shall be in accordance with all legal requirements and shall meet the standard of quality ordinarily to be expected of competent professionals.

Consultant shall comply with all applicable state, federal and local laws, codes, ordinances, regulations, orders and decrees.

3. **COMPENSATION.** The compensation to be paid by Client to Consultant for the services rendered hereunder shall be subject to annual adjustments as follows:

A. Contract Personnel by Classification:

Executive Director \$115.00 per hour, which shall increase to \$120.00 per hour effective July 1, 2022;

Program Manager \$75.00 per hour, which shall increase to \$80.00 per hour effective July 1, 2022;

Program Analyst \$40.00 per hour, which shall increase to \$50.00 per hour effective July 1, 2022;

Administrative Assistant \$40.00 per hour, which shall increase to \$45.00 per hour effective July 1, 2022.

B. Administrative and Overhead Allowance for Indirect Office and Administrative Expenses:

\$1,000.00 per month, which shall increase to \$1,500.00 per month, effective July 1, 2022.

C. Direct Expenses Attributable to Client shall be reimbursed to Consultant in full.

The terms of compensation set forth above shall be effective commencing April 1, 2022 and for each month thereafter until this Agreement is terminated by either party upon ninety (90) days advance written notice. Consultant shall invoice Client for services provided pursuant to this Agreement and Client shall pay such invoice within thirty (30) days of receipt thereof.

Consultant may adjust the rates and amounts of compensation pursuant to this Agreement by giving notice to Client of amended rates and items of compensation. Such notice shall be in writing and shall take effect ninety (90) days after the giving of such written notice.

4. **TERM OF AGREEMENT.** This Agreement shall be effective April 1, 2022 and shall remain in effect until terminated pursuant to Section 5.

5. **TERMINATION.**

(a) Either party shall have the right to terminate this Agreement for any reason, such termination to be effective ninety (90) days following written notice from one party to the other. The notice shall be deemed served and effective for all purposes on the date it is deposited in the U.S. mail, certified, return receipt requested, addressed to the other party at the address indicated in Section 10.

(b) Either party shall have the right to terminate this Agreement for cause at any time by serving the other party three (3) days advance written notice of termination. If Client issues a notice of termination for cause, Consultant shall be reimbursed for work performed up the effective date of such notice for cause, less any compensation for damages suffered as a result of Consultant's failure to comply with the terms of this Agreement. If Consultant issues a notice of termination for cause, Client shall pay Consultant for work actually performed up to the date of the notice of termination. As used herein "cause" shall mean that a party has committed a material breach of this Agreement.

(c) By mutual agreement the parties may terminate this Agreement at any time.

6. **AMENDMENTS.** Modifications or amendments to the terms of this Agreement shall be in writing and executed by both parties.

7. **NONDISCLOSURE OF CONFIDENTIAL INFORMATION.** Consultant shall not, either during or after the term of this Agreement, disclose to any third party any confidential information relative to the work of Client without the prior written consent of Client.

8. **INSPECTION.** Client's representatives shall, with reasonable notice, have access to the work and work records of Consultant, including time records, for purposes of inspecting same and determining that the work is being performed in accordance with the terms of this Agreement.

9. **INDEPENDENT CONTRACTOR.** In the performance of the services in this Agreement, Consultant is an independent contractor and is not an agent or employee of Client. Consultant, its officers, employees, agents, and subcontractors, if any, shall have no power to bind or commit Client to any decision or course of action, and shall not represent to any person or business that they have such power. Consultant has and shall retain the right to exercise full control of the supervision of the services and over the employment, direction, compensation, and discharge of all persons assisting Consultant in the performance of said service hereunder. Consultant shall be solely responsible for all matters relating to the payment of its employees, including compliance with social security or other retirement and other benefits and income tax withholding, workers' compensation insurance, unfunded pension liability, accrued compensated absences liability, and any other accrued employment related benefit expense, and all other regulations governing such matters.

10. **NOTICE.** Any notices or other communications to be given to either party under this Agreement shall be in writing, shall be delivered to the addresses set forth below, and shall be effective, as follows:

(a) by personal delivery, effective upon receipt by addressee;

(b) by facsimile, effective upon receipt by the addressee, so long as a copy is provided by certified U.S. mail, return receipt requested, postmarked the same day as the facsimile;

(c) by certified U.S. mail, return receipt requested, effective upon deposit in the mail:

CLIENT: REGIONAL WASTE MANAGEMENT AUTHORITY
2100 B Street
Marysville, CA 95901
Phone: (530) 634-6890
Fax: (530) 634-6888

with copies to: Kevin Mallin, Yuba County CAO
YUBA COUNTY
915 8th Street, Suite 115
Marysville, CA 95901

Steve Smith, Sutter County CAO
SUTTER COUNTY
1160 Civic Center Blvd, Suite A
Yuba City, CA 95993

Jim Schaad, City Manager
CITY OF MARYSVILLE
P.O. Box 150
Marysville, California 95901

Diana Langley, City Manager
CITY OF YUBA CITY
1201 Civic Center Boulevard
Yuba City, CA 95993

Aaron Palmer, City Manager
CITY OF LIVE OAK
9955 Live Oak Boulevard
Live Oak, CA 95953

Jim Goodwin, City Administrator
CITY OF WHEATLAND
111 C Street
Wheatland, CA 95692

CONSULTANT YUBA-SUTTER TRANSIT AUTHORITY
2100 B Street
Marysville, CA 95901
Phone: (530) 634-6880
Fax: (530) 634-6888

Either party may change its address for notices by complying with the notice procedures in this Section.

11. **OWNERSHIP OF MATERIALS.** Client is the owner of all records and information created, produced, or generated as part of the services performed under this Agreement. At any time during the term of this Agreement, at the request of Client, Consultant shall deliver to Client all writings, records and information created or maintained pursuant to this Agreement.

12. **ASSIGNMENT; SUBCONTRACTING; EMPLOYEES.**

(a) Assignment. Consultant shall not assign, delegate, or transfer its duties, responsibilities, or interests in this Agreement without the prior express written consent of Client. Any assignment without such approval shall be void and, at Client's option, shall terminate this Agreement and any license or privilege granted herein.

(b) Subcontracting. Consultant shall not subcontract or otherwise assign any portion of the work to be performed under this Agreement without the prior express written consent of Client. If Client consents to Consultant's hiring of subcontractors, Consultant agrees to be responsible for their performance. Consultant shall give its personal attention to the fulfillment of the provisions of this Agreement by all of its employees and subcontractors, if any, and shall keep the work under its control.

13. **BINDING AGREEMENT.** This Agreement shall bind the successors of Client and Consultant in the same manner as if they were expressly named herein.

14. **WAIVER.**

(a) Effect of Waiver. Waiver by either party of any default, breach, or condition precedent shall not be construed as a waiver of any other default, breach, or condition precedent or any other right under this Agreement.

(b) No Implied Waivers. The failure of either party at any time to require performance by the other party of any provision hereof shall not affect in any way the right to require such performance at a later time.

15. **NONDISCRIMINATION.**

(a) Consultant shall not discriminate in the conduct of the work under this Agreement against any employee, applicant for employment, or volunteer because of race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, medical condition, or physical or mental disability.

(b) Consultant shall comply with all federal and state anti-discrimination and civil rights laws.

16. **MUTUAL INDEMNITY.** The parties specifically agree to indemnify, defend and hold harmless each of their respective officers, agents and employees from and against any and all actions, claims, demands, losses, expenses including attorneys' fees, damages and liabilities resulting from injury or death of a person or injury to property, arising out of or in any way connected with the negligence or fault of the party providing the indemnity, whether active or passive. The indemnifying party shall pay all costs that may be incurred by the indemnified party in enforcing this indemnity, including reasonable attorneys' fees.

17. **INSURANCE.** Consultant, at its sole cost and expense, shall obtain and maintain in full force and effect throughout the entire term of this Agreement insurance coverage at least as broad as insurance services, office, commercial, general liability coverage (\$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate); automobile liability \$1,000,000.00 per accident for bodily injury and property damage and workers' compensation insurance as required by the State of California and employer's liability insurance. Consultant shall furnish Client with original amendatory endorsements effecting coverage required by this clause. Client shall be an additional insured with respect to the general liability and auto liability insurance coverage policies.

18. **CONFLICT OF INTEREST.** Consultant shall exercise reasonable care and diligence to prevent any actions or conditions which could result in a conflict with Client's interest. During the term of this Agreement, Consultant shall not accept any employment or engage in any consulting work which creates a conflict of interest with Client or in any way compromises the services to be performed under this Agreement. Consultant shall immediately notify Client of any and all violations of this Section upon becoming aware of such violation.

19. **SEVERABILITY.** If any court of competent jurisdiction or subsequent preemptive legislation holds or renders any of the provisions of this Agreement unenforceable or invalid, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected.

20. **GOVERNING LAW AND CHOICE OF FORUM.** This Agreement shall be administered and interpreted under California law as if written by both parties. Any litigation arising from this Agreement shall be brought in the Superior Court of Yuba County, California.

21. **COSTS AND ATTORNEYS' FEES.** If either party commences any legal action against the other party arising out of this Agreement or the performance thereof, the prevailing party in such action may recover its reasonable litigation expenses, including court costs, expert witness fees, discovery expenses, and attorneys' fees.

22. **INTEGRATION.** This Agreement represents the entire understanding of Client and Consultant as to those matters contained herein and supersedes all prior negotiations, representations, or agreements, both written and oral. This Agreement may not be modified or altered except in accordance with Section 6.

Executed by Client and Consultant on the date shown next to their respective signatures. The effective date of this Agreement shall be April 1, 2022.

REGIONAL WASTE MANAGEMENT AUTHORITY, Client

DATE: _____ BY: _____
Jay Pendergraph, its Chairman of the Board

YUBA-SUTTER TRANSIT AUTHORITY, Consultant

DATE: _____ BY: _____
Brad Hudson, its Chairman of the Board

Exhibit A

Scope of Services

Contract Personnel by Classification:

Consultant will provide professional and executive level services as needed to perform the functions required by the Regional Waste Management Authority acting as the liaison for the participating entities for solid waste planning, programming and other related services with the local solid waste collection contractor, the State of California and the public. All services rendered by the Consultant's Executive Director, Program Managers and Program Analysts will be billed by the hour at set hourly rates. Non-ordinary or special services provided by the Administrative Assistant will be billed by the hour at the established hourly rate.

Administrative and Overhead Allowance:

Consultant will provide routine general office and administrative support services required for the daily operation of the agency. This allowance includes, but is not limited to, manage correspondence, emails, faxes and general phone inquiries from whatever source; accounts receivable and accounts payable bookkeeping; maintenance of client files, records, and reports; and, Board meeting preparation, attendance, and follow up as the Secretary of the Board. This allowance does not include Administrative Assistant time spent on special projects, nor any Executive Director, Program Manager or Program Analyst time.

AGENDA ITEM IV – H
STAFF REPORT

JUNE BOARD OF DIRECTORS MEETING DATE CHANGE

Due to a family schedule conflict beyond their control, staff is recommending a date change for the June meeting of the Yuba-Sutter Transit Board of Directors from the regular date of June 16th to June 23^d. The last such meeting date change or cancellation for a similar reason was in November 2018. If approved as proposed, the public would be informed of the schedule change well in advance in upcoming agendas, press releases and passenger newsletters.

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

RECOMMENDATION: Cancel the regular Board meeting on Thursday, June 16, 2022, and set a special meeting for 4:00 p.m. on Thursday, June 23, 2022.