

**AGENDA  
REGULAR MEETING  
LOCAL TRANSPORTATION AUTHORITY**

**DATE:** Thursday, September 17, 2020  
6:00 P.M.

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

**DIRECTORS:** Chair Ignacio Velazquez, Vice Chair Peter Hernandez  
Jaime De La Cruz, Mary Vazquez Edge, and Rolan Resendiz  
Alternates: San Benito County: Mark Medina;  
City of San Juan Bautista: César E. Flores

Attendance at the LTA meeting is closed to the public per  
Executive Order N-29-30. The public may join meeting by Zoom: <https://zoom.us/join> per the  
instructions provided at the end of the agenda:

Meeting ID: 813-6589-7138

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

**6:00 P.M. CALL TO ORDER:**

- A. ACKNOWLEDGE** Certificate of Posting
- B. NOTICE OF TEMPORARY PROCEDURES FOR LOCAL TRANSPORTATION  
AUTHORITY MEETINGS:** (Please see Zoom instructions at the end of the agenda)

Pursuant to California Governor Gavin Newsom's Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Additionally, members of the Local Transportation Authority are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

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

**CONSENT AGENDA:**

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

- 1. APPROVE** Local Transportation Authority Draft Meeting Minutes Dated August 20, 2020 – Gomez

2. **ADOPT** Resolution 20-04 Approving Projects for Funding and Authorizing the Executive Director to Apply for and Accept FY 2020-21 California State of Good Repair Program Funds Totaling \$93,783 – Valentine
3. **ADOPT** Resolution 2020-05 Certifying the San Benito County Local Transportation Authority's 2020 Title VI Program – Valentine
4. **Surplus Vehicles** – Valentine
  - a. **DECLARE** Six Vehicles Surplus Property to be Auctioned or Salvaged
  - b. **DIRECT** Staff to Prepare a Solicitation for Local Nonprofits to Indicate Interest in and Eligibility for Surplus Property.
  - c. **AUTHORIZE** Executive Director to Execute all Necessary Documents to Auction or Salvage Surplus Vehicles.

**Adjourn to LTA Meeting on Thursday, October 15, 2020. Agenda deadline is September 29, 2020 at 12:00 p.m.**

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

## **ZOOM INSTRUCTIONS:**

**Members of the public are encouraged to participate in Board meetings in the following ways:**

### **1. Remote Viewing**

Members of the public who wish to watch the meeting can view the meeting online through Zoom. Instructions for participating via Zoom are included below.

### **2. Written Comments & Email Public Comment**

Members of the public may submit comments via email by 5:00 PM. on the Wednesday prior to the Board meeting to the Clerk of the Board at [monica@sanbenitocog.org](mailto:monica@sanbenitocog.org). Regardless of whether the matter is on the agenda. Every effort will be made to provide Board Members with your comments before the agenda item is heard.

### **3. Local Transportation Authority meeting - Zoom Instructions for remote Participants:**

Each meeting will have a meeting ID, which is a unique number associated with an instant or scheduled meeting. Three ways to attend zoom meetings:

#### **1. Over the phone (Audio only):**

- (669) 900-6833 or (408) 638-0968.

#### **2. Open the Web-browser:**

- <https://zoom.us/join>

#### **3. Smart device Application:**

- Apple App store: <https://apps.apple.com/us/app/id546505307>
- Android App store: <https://play.google.com/store/apps/details?id=u.s.zoom.videomeetings>

### **Zoom Audio Only (phone)**

If you are **calling in as audio-only**, please dial **(669) 900-6833 or (408) 638-0968**.

1. It will ask you to enter the **Meeting ID, 831-7532-2851**, followed by the **"#" key**, which can be found at the top page of the agenda. The meeting agenda can be found at: [http://www.sanbenitocog.org/wp-content/uploads/2020/09/LTA\\_Packet\\_091720.pdf](http://www.sanbenitocog.org/wp-content/uploads/2020/09/LTA_Packet_091720.pdf)
2. It will then ask for a **Participant ID**, press the **"#" key** to continue.

3. Once you enter the zoom meeting, you will automatically be placed on mute.
4. **Public Comment:** If you are using a phone, please press the “\*9” to raise your hand, zoom facilitator will unmute you when your turn arrives.

#### **Zoom On Web-browser or Zoom app on Tablet or Smartphone**

If joining through web-browser launch: <https://zoom.us/join> or launch the Zoom app on your Tablet or Smartphone

1. Select “**JOIN A MEETING**”
2. The participant will be prompted to enter **Meeting ID**, 831-7532-2851 and name to join the meeting. Which can be found at the top page of the agenda. The meeting agenda can be found at: [http://www.sanbenitocog.org/wp-content/uploads/2020/09/LTA\\_Packet\\_091720.pdf](http://www.sanbenitocog.org/wp-content/uploads/2020/09/LTA_Packet_091720.pdf)
3. You can launch audio through your computer or set it up through the phone. Follow instructions provided by Zoom.
4. **Public Comment:** Click “**Raise hand**” icon, the zoom facilitator will unmute you when your turn arrives.

#### **Public Comment Guidelines**

- If participating on zoom Once you are selected, you will hear that you have been unmuted: State your first name, last name, and county you reside in for the record.
- The Local Transportation Authority welcomes your comments.
- Each individual speaker will be limited to a presentation total of three (3) minutes.
- Please keep your comments, brief, to the point, and do not repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

## **CERTIFICATE OF POSTING**

Pursuant to Government Code Section #54954.2(a) the Meeting Agenda for the Local Transportation Authority on **September 17, 2020** at **6:00 P.M.** was posted at the following locations freely accessible to the public:

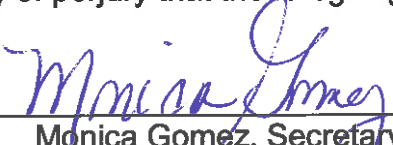
The front entrance of the Old San Benito County Courthouse, Monterey Street, Hollister, CA 95023, and the Council of Governments Office, 330 Tres Pinos Rd., Ste. C7, Hollister, CA 95023 at the following date and time:

On the **11<sup>th</sup> day of September 2020**, on or before **6:00 P.M.**

The meeting agenda was also posted on the Council of San Benito County Governments website, [www.sanbenitocog.org](http://www.sanbenitocog.org), under Meetings, LTA Board, Meeting Schedule

I, Monica Gomez, swear under penalty of perjury that the foregoing is true and correct.

BY: \_\_\_\_\_

  
Monica Gomez, Secretary II  
Council of San Benito County Governments

**San Benito County  
LOCAL TRANSPORTATION AUTHORITY  
REGULAR MEETING  
(Zoom Platform)**

**August 20, 2020 6:00 P.M.**

**DRAFT MINUTES**

**MEMBERS PRESENT:**

Chair Ignacio Velazquez; Vice-Chair Peter Hernandez; Jaime De La Cruz, Mary Vazquez Edge

**MEMBERS ABSENT:**

Rolan Resendiz

**STAFF PRESENT:**

Executive Director, Mary Gilbert; Transportation Planner Regina Valentine; Secretary, Monica Gomez; Administrative Services Specialist, Kathy Postigo; Transportation Planner, Veronica Lezama; Office Assistant, Griselda Arevalo; Deputy County Counsel, Shirley Murphy

**OTHERS PRESENT:**

MV Transportation, Leona Medearis-Peacher

**CALL TO ORDER:**

Chair Velazquez called the meeting to order at 6:33 p.m.

**A. CERTIFICATE OF POSTING**

*A motion was made by Director De La Cruz, and seconded by Director Vazquez Edge, to acknowledge the Certificate of Posting. Vote: 4/0 motion passes.*

**B. NOTICE OF TEMPORARY PROCEDURES FOR LOCAL TRANSPORTATION AUTHORITY MEETINGS**

Chair Velazquez reminded members of the public that an overview of temporary procedures (Zoom etiquette) for LTA meetings was attached to the agenda.

**C. PUBLIC COMMENT:** NONE

**CONSENT AGENDA:**

- 1. Approve** Local Transportation Authority Draft Meeting Minutes Dated June 18, 2020 – Gomez
- 2. Surplus Vehicles** – Valentine
  - a. DECLARE** Six Vehicles Surplus Property to be Auctioned or Salvaged
  - b. AUTHORIZE** Executive Director to Execute all Necessary Documents to Auction or Salvage Surplus Vehicles

Director De La Cruz asked to pull Item 2 for discussion.

There was no public comment on the Consent agenda.

*A motion was made by Director De La Cruz, and seconded by Director Vazquez Edge, to approve Item 1 from the Consent Agenda. Vote 4/0 motion passes.*

Regarding Item 2 Surplus Vehicles, there was discussion regarding the possibility to donate the vehicles to local nonprofits instead of auctioning the vehicles.

There was no public comment.

*A motion was made by Director De La Cruz, and seconded by Director Hernandez, to bring Item 2 back at the next meeting and have County Counsel, COG staff, and San Benito County staff work together on developing language that allows for flexibility on how to distribute these vehicles to qualified traditional nonprofit organizations. Vote: 4/0 motion passes.*

### **REGULAR AGENDA:**

#### **6:00 P.M. Public Hearing (Or As Soon Thereafter As the Matter May Be Heard)**

#### **3. Fiscal Year 2020/2021 Local Transportation Authority Budget – Postigo**

- a. OPEN** Public Hearing
- b. RECEIVE** Presentation on the FY 2020/21 Local Transportation Authority Budget
- c. ACCEPT** Public Testimony
- d. CLOSE** Budget Hearing
- e.** Final Budget Deliberations
- f. ADOPT** Resolution 20-03, Adopting the FY 2020/2021 Local Transportation Authority Budget

- a. Chair Velazquez opened the public hearing at 6:43 p.m.
- b. Administrative Services Specialist Kathy Postigo provided a presentation on the FY 2020/21 Local Transportation Authority Budget.
- c. Public Testimony  
There was no public testimony
- d. Close Budget Hearing  
Chair Velazquez closed the public hearing at 6:46 p.m.
- e. Final Budget Deliberations  
There were no further deliberations.
- f. Adopt Resolution 20-03, Adopting the Local Transportation Authority FY 2020/2021 Budget

*A motion was made by Director Vazquez Edge, and seconded by Director De La Cruz, the Directors approved Items 3a-f. Vote: 4/0 motion passes.*

#### **4. Receive** Update on Local Transportation Authority's COVID-19 Response and Preliminary Impacts to Public Transportation Services – Valentine

Transportation Planner Regina Valentine provided an update on Local Transportation Authority's COVID-19 response and preliminary impacts to the San Benito County Express and Specialized Transportation services. She reported that the LTA has seen significant declines in service hours, ridership, and fares, as has been the

case for transit nationwide. She provided an overview of operational modifications that have been made to keep the community safe when riding its San Benito County Express and Specialized Transportation services. Staff will continue to provide updates to the Local Authority at future meetings.

There was no public comment.

*A motion was made by Director Vazquez Edge, and seconded by Director De La Cruz, to adjourn the LTA meeting at 6:53 p.m. Vote:4/0 motion passes.*

**ADJOURN TO LTA MEETING SEPTEMBER 17, 2020.**

## Staff Report

---

To: Local Transportation Authority  
From: Regina Valentine, Transportation Planner Telephone: (831) 637-7665 x 205  
Date: September 17, 2020  
Subject: Senate Bill 1 State of Good Repair Program Funds for Transit

---

### Recommendations:

**ADOPT** Resolution 20-04 Approving Projects for Funding and Authorizing the Executive Director to Apply for and Accept FY 2020-21 California State of Good Repair Program Funds Totaling \$93,783.

### Summary:

With the signing of Senate Bill 1, many new funding sources were established including the State of Good Repair (SGR) Program for transit operators to fund eligible transit maintenance, rehabilitation and capital projects. Distributed through the use of the State Transit Assistance formulas, COG, as the Regional Transportation Planning Agency (RTPA), and the Local Transportation Authority (LTA), as the transit operator, are eligible to receive a total of \$93,783 for FY 2020-21. Allocation requests were due to Caltrans September 1, 2020 with draft resolutions included in the submittal.

### Financial Considerations:

COG and LTA are eligible to receive a total of \$93,783 of FY 2020-21 SGR Program funds for eligible transit projects. There is no local match required.

### Background:

With the signing of Senate Bill 1, many new funding sources were established including the SGR Program for transit operators to fund eligible transit maintenance, rehabilitation and capital projects. Funds are distributed using the State Transit Assistance formulas, so both COG, as the RTPA, and LTA, as the transit operator, receive allocations in this program. For this reason, Caltrans is requiring both COG and LTA to submit Board resolutions approving the project list.

### Staff Analysis:

After reviewing LTA's adopted Short Range/Long Range Transit Plan and 2018 Transit Asset Management Plan, staff has prepared a list of eligible SGR Program projects detailed in Exhibit A of Resolution 20-04. At this time, staff recommends the LTA Board approve the list of eligible projects for the allocation request that was due September 1, 2020. Additionally, staff recommends that the Board authorize the Executive Director to apply for and accept the SGR Program funds for the list of projects when distributed by Caltrans.

Staff recommends that the Board of Directors adopt Resolution 20-04 to be eligible to receive a total of \$93,783 for FY 2020-21 SGR Program funds.

Executive Director Review: MG

Counsel Review: Yes

Attachment: Resolution 20-04 FY 2020-21 SGR Project List

RESOLUTION OF THE SAN BENITO COUNTY LOCAL )  
TRANSPORTATION AUTHORITY APPROVING PROJECTS )  
FOR FUNDING AND AUTHORIZING THE EXECUTIVE )  
DIRECTOR TO APPLY FOR AND ACCEPT FY 2020-21 )  
CALIFORNIA STATE OF GOOD REPAIR (SGR) PROGRAM )  
FUNDS TOTALING \$93,783 )  
\_\_\_\_\_ )

RESOLUTION NO: 20-04

**WHEREAS**, the Council of San Benito County Governments (COG) is the designated Regional Transportation Planning Agency (RTPA) for San Benito County, pursuant to Government Code section 29532(b); and

**WHEREAS**, the San Benito County Local Transportation Authority (LTA) is the designated Consolidated Transportation Services Agency (CTSA) for San Benito County, pursuant to Government Code section 15975; and

**WHEREAS**, as the designated RTPA for San Benito County, COG is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair Account (SGR) for transit projects calculated pursuant to the distribution formulas in Public Utilities Code (PUC) section 99313 based on the certification of population from the California Department of Transportation; and

**WHEREAS**, as the designated CTSA for San Benito County, LTA is an eligible project sponsor and may receive State Transit Assistance funding from the SGR Account for transit projects calculated pursuant to the distribution formulas in PUC section 99314 based on the qualifying revenue amounts for each STA-eligible operator determined from annual reports submitted to the State Controller pursuant to PUC section 99243; and

**WHEREAS**, COG and LTA have identified a list of transit projects in San Benito County, attached hereto and incorporated herein by reference as Exhibit A, to be funded through the FY 2020-21 SGR Account; and

**WHEREAS**, the transit projects to be submitted for FY 2020-21 SGR funding total \$93,783, to be allocated to COG and LTA pursuant to the distribution formulas in PUC sections 99313 and 99314; and

**WHEREAS**, COG's portion of the FY 2020-21 SGR allocation is \$92,219, as determined pursuant to the distribution formula in PUC section 99313; and

**WHEREAS**, LTA's portion of the FY 2020-21 SGR allocation is \$1,564, as determined pursuant to the distribution formula in PUC section 99314; and

**WHEREAS**, COG has designated LTA as the lead agency for the SGR funded transit projects identified in Exhibit A, to be funded in part through COG's SGR allocations, and has indicated its desire, upon receipt of SGR funds for those projects, to allocate COG's share of SGR funds to LTA, to administer the projects as the CTSA for San Benito County.

**NOW, THEREFORE, BE IT RESOLVED** that the San Benito County Local Transportation Authority shall be the lead agency for the SGR funded transit projects identified in Exhibit A, to be funded in part through COG's SGR allocations and in part through LTA's SGR allocations; and

**BE IT FURTHER RESOLVED THAT** the San Benito County Local Transportation Authority hereby authorizes the Executive Director of the San Benito County Local Transportation Authority to execute all documents necessary for the application submittal and acceptance of SGR funds awarded by Caltrans for transit projects in San Benito County, for and on behalf of the Council of Governments and Local Transportation Authority.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY on this 17<sup>th</sup> day of September 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Mary Gilbert, Executive Director

By: \_\_\_\_\_

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

\_\_\_\_\_  
Ignacio Velazquez, Chair

APPROVED AS TO LEGAL FORM:

San Benito County Counsel's Office

By: Shirley L. Murphy

Shirley L. Murphy, Deputy County Counsel

Dated: Sept. 8, 2020

**Exhibit A**

<b>Projects</b>	<b>FY 2020-21 SGR Estimated Funding</b>
Rolling Stock, Replacement, Two Vehicles	\$93,783
<i>Total</i>	\$93,783

## **Staff Report**

---

To: Local Transportation Authority  
From: Regina Valentine, Transportation Planner Telephone: (831) 637-7665 x 205  
Date: September 17, 2020  
Subject: 2020 Title VI Program

---

### **Recommendation:**

**ADOPT** Resolution 2020-05 certifying the San Benito County Local Transportation Authority's 2020 Title VI Program.

### **Summary:**

The Federal Transit Administration's (FTA) Title VI Circular 4702.1B provides guidance to grantees, such as the San Benito County Local Transportation Authority (LTA), on how to comply with Title VI regulations, as well as to ensure grantees provide meaningful language access to persons who are Limited English Proficient. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal funds.

### **Financial Impact:**

In order to be eligible for FTA funds, such as the Section 5311 operating assistance, LTA must adopt the 2020 Title VI Program certifying that it complies with Title VI Circular to 4702.1B. LTA receives approximately \$300,000 annually in FTA Section 5311 funds.

### **Background:**

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

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

In June 2017, the LTA Board certified the Title VI Program as required by FTA. Being a public transit operator and FTA funding grantee, LTA is required to update the Title VI Program every three (3) years.

**Staff Analysis:**

FTA's Circular to 4702.1B provides guidance to grantees regarding Title VI of the Civil Rights Act of 1964. All grantees must submit the following to the FTA Office of Civil Rights:

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

Staff has prepared the 2020 Title VI Program, Attachment 2, in order to comply with the guidance from the FTA. As such, the LTA Board is being asked to consider adopting LTA Resolution No. 2020-05 certifying that the Title VI Program complies with Title VI Circular to 4702.1B.

Executive Director Review: MG

Counsel Review: Yes

**Attachments:**

1. Resolution 2020-05
2. Title VI Program

San Benito County  
**LOCAL  
TRANSPORTATION  
AUTHORITY**

COUNTY  EXPRESS

BEFORE THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY

RESOLUTION OF THE SAN BENITO COUNTY LOCAL ) RESOLUTION NO: 20-05  
TRANSPORTATION AUTHORITY BOARD OF )  
DIRECTORS ADOPTING THE SAN BENITO COUNTY )  
LOCAL TRANSPORTATION AUTHORITY'S 2020 TITLE )  
VI COMPLIANCE PROGRAM )

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

**WHEREAS**, the LTA Board of Directors wishes to adopt the 2020 Title VI Compliance Program developed by staff, attached hereto and incorporated herein by reference as Exhibit A, in order to comply with the necessary provisions of the Civil Rights Acts; and

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

1. The Board of Directors hereby adopts the San Benito County Local Transportation Authority's 2020 Title VI Program (Exhibit A);
2. The LTA Executive Director or his/her designee is authorized to implement components of the Program in order to meet the federal requirements;
3. The LTA Executive Director or his/her designee is authorized to implement policies that may be necessary to comply with subsequent revisions or interpretations to the Civil Right Act.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY on this 17<sup>th</sup> day of September 2020, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Ignacio Velazquez, Chair

ATTEST:  
Mary Gilbert, Executive Director

APPROVED AS TO LEGAL FORM:  
San Benito County Counsel's Office

By: \_\_\_\_\_

By: Shirley L. Murphy

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

Shirley L. Murphy, Deputy County Counsel

Dated: Sept. 10, 2020

# **San Benito County Local Transportation Authority's Title VI Program**

**Approved and Adopted by Board of Directors September 17, 2020**

## Contents

Policy.....	3
Location of Title VI Notice Posting.....	3
English Notice to Public .....	3
Spanish Notice to Public.....	4
Title VI Complaints and Procedures .....	4
List of Transit-Related Title VI Investigations, Complaints, and Lawsuits .....	4
Complaint Procedures in English.....	4
Complaint Procedures in Spanish .....	5
English Title VI Complaint Form .....	7
Spanish Title VI Complaint Form.....	9
Public Participation Plan.....	11
Purpose .....	11
Population of San Benito County.....	11
Demographic .....	11
County Express Service Area .....	11
Specialized Transportation Service Area .....	12
Data Deficiency .....	12
Public Participation Process.....	12
Approach to Public Participation.....	12
Outreach Requirements and Activities .....	12
Summary of Outreach Efforts Made Since Last Title VI Submission.....	13
Outreach Methods to Engage Minority and Limited English Proficient Populations.....	13
Non-Elected Committees and Councils.....	13
Language Assistance Plan (LAP) .....	15
Plan Summary .....	15
Four – Factor Analysis.....	16
1.    Potential Number of LEP Persons Served .....	16
2.    Service Contact Frequency of LEP Persons.....	17
3.    Significance of Programs to LEP Persons.....	17
4.    Available Resources for LEP Assistance .....	17

Implementation .....	18
Identifying LEP Individuals Who Need Language Assistance .....	18
Language Assistance Measures .....	18
Translation of Vital Documents and Safe Harbor Provision .....	19
Staff Training .....	19
Public Involvement .....	20
Monitoring and Updating the LAP Plan.....	20
Notice to LEP Persons .....	20
Title VI Facilities Equity Analysis .....	21
System-Wide Standards and Policies .....	22
Vehicle Load Standards.....	22
Vehicle Headway Standards.....	22
On-Time Performance Standards .....	22
Service Availability Standards.....	23
Vehicle Assignment Policy.....	23
Transit Amenities Policy.....	23
Board of Directors Approval of San Benito County Local Transportation Authority's Title VI Program .....	24

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

## Policy

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

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

## Location of Title VI Notice Posting

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

Location Name	Address	City
Administration Office	330 Tres Pinos Road, Suite C7	Hollister
Operations Facility	3240 Southside Road	Hollister
Jovenes de Antaño Office	300 West Street	Hollister

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

## English Notice to Public

### Notifying the Public of Rights Under Title VI

#### San Benito County Local Transportation Authority

The San Benito County Local Transportation Authority (LTA) operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the LTA.

For more information on the LTA's civil rights program, and the procedures to file a complaint, call 831.637.7665, visit our administrative office at 330 Tres Pinos Road, Suite C7 in Hollister, CA, or visit [www.SanBenitoCountyExpress.org/TitleVI.html](http://www.SanBenitoCountyExpress.org/TitleVI.html).

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

If information is needed in another language, call 831.637.7665.

## Spanish Notice to Public

Notificar al público de los derechos bajo el título VI

### La Autoridad Local de Transporte del Condado de San Benito

La Autoridad Local de Transporte del Condado de San Benito (LTA) opera sus programas y servicios sin respecto a raza, color y origen nacional con arreglo al título VI de la Civil Ley de derechos. Cualquier persona que cree que él o ella ha sido agraviado por cualquier práctica discriminatoria ilegal bajo el título VI puede presentar una queja con la LTA

Para obtener más información sobre el programa derechos civiles capaz de industrias y el procedimientos para presentar una queja, llame al 831.637.7665 o visite nuestra oficina administrativa en 330 Tres Pinos Road, Suite C7 en Hollister, CA o visite [www.SanBenitoCountyExpress.org/TitleVI\\_es.html](http://www.SanBenitoCountyExpress.org/TitleVI_es.html).

Un demandante puede presentar una queja directamente con el Federal Transit Administration por archivar una queja con la Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590

Si se necesita información en otro idioma, contacte al 831.637.7665

## Title VI Complaints and Procedures

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

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

### Complaint Procedures in English

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

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

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

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

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

### Complaint Process

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

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

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

### **Complaint Procedures in Spanish**

El Título VI de la Ley de Derechos Civiles de 1964 establece que ninguna persona de los Estados Unidos será excluida de participar en cualquier programa o actividad que reciba asistencia financiera federal, ni se le negará los beneficios de dichos programas o actividades, ni será discriminado en ellos, por causa de su raza, color o nacionalidad. El decreto presidencial 12898 aborda la justicia del medio ambiente en las poblaciones de minorías y de bajos ingresos. El decreto presidencial 13166 aborda el tema de los servicios para aquellas personas que tienen conocimientos limitados del idioma inglés.

Toda persona que crea haber sido excluida, que se le negaron los beneficios, o que fue discriminada puede presentar una queja por escrito a la Autoridad Local de Transporte del Condado de San Benito (LTA). La legislación federal y estatal exige que las quejas sean presentadas dentro de los ciento ochenta (180) días calendario del último supuesto incidente.

Para obtener información adicional sobre las obligaciones de no discriminación de LTA o para presentar una queja de Título IV, por favor comuníquese con

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

Los formularios de queja también están disponibles en la oficina de LTA en 330 Tres Pinos Road, Suite C7 en Hollister, CA o página web de County Express:  
[www.SanBenitoCountyExpress.org/TitleVI](http://www.SanBenitoCountyExpress.org/TitleVI).

#### Procedimiento para quejas del Título VI

La LTA comenzará una investigación dentro de los quince (15) días hábiles a partir de la recepción de la queja. En caso de que sea necesario solicitar información adicional, la LTA se comunicará con el demandante por escrito en un plazo de no más de treinta (30) días hábiles luego de recibir la queja. Si el demandante no proporcionara la información solicitada de forma oportuna, la LTA podrá cerrar el caso de forma administrativa.

La LTA completará la investigación dentro de los noventa (90) días a partir de la recepción de la queja. En caso de necesitar más tiempo para la investigación, se contactará al demandante. El investigador preparará un informe escrito de la investigación. Este informe deberá incluir un resumen de la descripción del incidente, las conclusiones y las medidas correctivas recomendadas.

Se le enviará una carta que informe que el caso se ha cerrado al demandante y al demandado o departamento demandado. Las partes tendrán cinco (5) días hábiles desde la recepción de la carta de cierre del caso para apelar. En caso de que ninguna de las partes apele, se cerrará el caso. De ser necesario, se enviará el informe de investigación a la agencia federal correspondiente.

## English Title VI Complaint Form

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

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

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

Signature and date are required below to complete form:

Signature \_\_\_\_\_ Date \_\_\_\_\_

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

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

## Spanish Title VI Complaint Form

<b>Parte I:</b>		
1. Nombre:		
2. Dirección Residencial:		
3. Teléfono:	3.a. Otro teléfono:	
4. Dirección de correo electrónico:		
5. ¿Requisitos de formato accesible?	<input type="checkbox"/> Letra Grande	<input type="checkbox"/> Cinta de audio
	<input type="checkbox"/> Dispositivos electrónicos para sordos (TDD)	<input type="checkbox"/> Otro
<b>Parte II:</b>		
6. ¿Está presentando esta queja en su propio nombre?	Sí*	No
*Si usted contesto "sí" a #6, vaya a la Sección III. Si su respuesta es "no" a #6, vaya a #7.		
7. ¿Cuál es el nombre de la persona para la cual usted está presentando esta queja? Nombre:		
8. ¿Cuál es su relación con esta persona?:		
9. Por favor explique por qué ha presentado por un tercero :		
10. Por favor confirme que ha obtenido permiso de la parte agraviada para presentar en su nombre.	Sí	No
<b>Parte III:</b>		
11. Creo que la discriminación que viví fue basada en ( <i>marque todas las que apliquen</i> ):  <input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Nacionalidad		
12. Fecha del presunto acto de discriminación: ( <i>mm/dd/yyyy</i> )		
13. Explique lo más claramente posible lo que pasó y por qué cree que fue discriminado. Describa a todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la persona (s) que lo discriminó (si se conoce), así como los nombres y datos de contacto de testigos. Si se necesita más espacio, por favor utilice el reverso de este formulario.		

<b>Parte IV:</b>		
14. ¿Ha presentado anteriormente una queja del Título VI con la Autoridad Local de Transporte del Condado de San Benito?	Sí	No
<b>Parte V:</b>		
15. ¿Presentó esta demanda ante otra agencia federal, estatal, local o ante un tribunal estatal o federal?		
<input type="checkbox"/> Sí* <input type="checkbox"/> No Si la respuesta es sí, marque todas las que apliquen: <input type="checkbox"/> Agencia Federal _____ <input type="checkbox"/> Agencia Estatal _____ <input type="checkbox"/> Tribunal Federal _____ <input type="checkbox"/> Agencia Local _____ <input type="checkbox"/> Tribunal Estatal _____		
16. Si usted contestó "sí" a # 15, proporcionar información acerca de una persona de contacto en la agencia / tribunal donde se presentó la queja.		
Nombre:		
Título:		
Agencia:		
Dirección:		
Teléfono:		Dirección de correo electrónico:
<b>Parte VI:</b>		
Nombre de la Agencia de Transito de cual la queja está en contra:		
Persona de contacto:		
Teléfono:		

Puede adjuntar cualquier material escrito o cualquier otra información que usted considere relevante para su queja.

Su firma y fecha son requeridas abajo para completar el formulario:

Firma \_\_\_\_\_ Fecha \_\_\_\_\_

Después de completar la solicitud, por favor, envíe por correo o entréguela en persona a la siguiente dirección:

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

## Public Participation Plan

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

### Purpose

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

## Population of San Benito County

### Demographic

According to the United States Census 2018 American Community Survey Five-Year Estimates<sup>1</sup>, San Benito County's population size is 59,416.

Approximately, 26% of the population is under the age of 18 and 12% of the population is 65 years old or older.

There are 14,918 households in San Benito County. The median household income was \$73,814 while the Per Capita Income was \$25,508. Additionally, 9% of the County's population is considered to be below or at the Federal Poverty Level. Of the total number of households, 424 households do not own a personal vehicle.

#### Race and Ethnicity in San Benito County

Hispanic or Latin	
White Alone	47.2%
Black or African American Alone	0.1%
American Indian and Alaska Native Alone	0.4%
Asian Alone	0.1%
Native Hawaiian and Other Pacific islander Alone	0.1%
Some Other Race Alone	8.3%
Two or More Races	3.2%
Not Hispanic or Latino	
White Alone	34.9%
Black or African American Alone	0.7%
American Indian and Alaska Native Alone	0.3%
Asian Alone	2.9%
Native Hawaiian and Other Pacific islander Alone	0.1%
Some Other Race Alone	0.1%
Two or More Races	1.5%

*San Benito County Demography*

Source: U.S. Census 2018 American Community Survey Five-Year Estimates  
Detailed Table B03002

### County Express Service Area

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

All County Express services are open to the public except for its Paratransit service. A person must have a disability that prevents him/her to from accessing Fixed Route services within  $\frac{3}{4}$  of a mile. The LTA is responsible for determining the eligibility for residents in San Benito County and authorizing visitor usage from other counties.

---

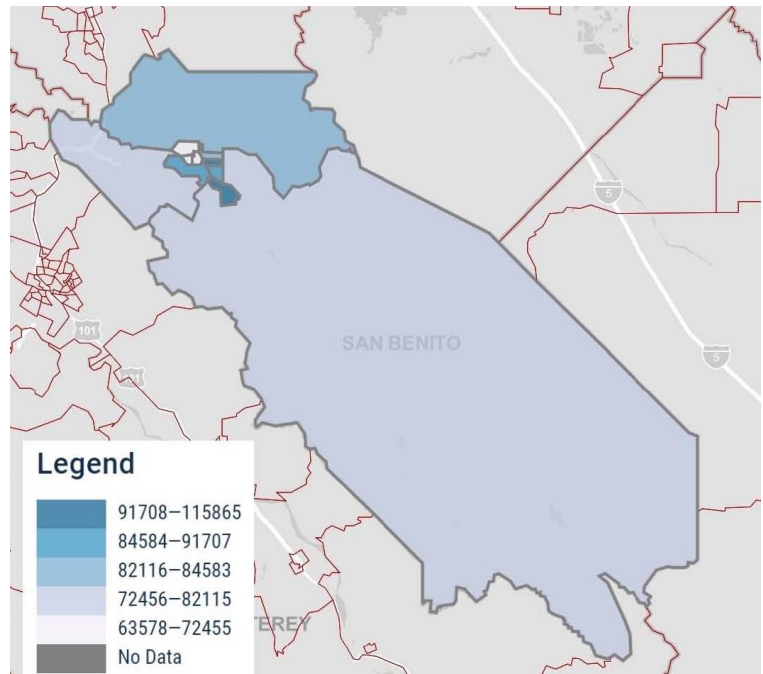
<sup>1</sup> U.S. Census Bureau. 2018 American Community Survey Five-Year Estimates Detailed Tables: S0101, B19049, B05010, B19301, B17001, S2504. Web. 8 Sept 2020. <https://www.census.gov/data.html>.

### Specialized Transportation Service Area

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

### Data Deficiency

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



Median Household Income By Census Tract

Source: U.S. Census 2018 American Community Survey Five-Year Estimates  
Detailed Table S1903

### Public Participation Process

#### Approach to Public Participation

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

#### Outreach Requirements and Activities

The following activities are intended to serve as guidelines for minimum levels of outreach to ensure that all riders and potential riders in San Benito County have equal access and opportunity to participate in transportation planning and decision-making. These also provide current strategies for soliciting input and engaging various communities. Below is a list of outreach methods that the LTA currently uses to inform the public:

- Notice for public events include flyers posted on social media, at bus stops and onboard buses.
- Notices are posted prior to the public event.
- Notices are posted at the LTA Office at key community centers with whom LTA has a partnership.
- Information about public participation opportunities are posted on LTA's website and Facebook account prior to the event.

- Comments are accepted via public outreach events, email, mail, fax, social media (i.e. Facebook), and by phone to ensure that all populations have the opportunity to participate.

#### Summary of Outreach Efforts Made Since Last Title VI Submission

Outreach LTA efforts include:

- Conducted several public meetings and outreach during the development of the Transit ITS Plan and Highway 25 Transit Corridor Study;
- Conducted public hearings and meetings on the development of the 2018 Regional Transportation Plan which includes a component on public transit;
- Conducted several year round Ad hoc outreach efforts with the Social Services Transportation Advisory Council;
- Conduct annual Unmet needs processes as required by state statute to conduct a formal hearing process that solicits information about transit needs. This allows the county San Benito Council of Governments in partnership with the LTA to make a determination as to whether these are unmet transit needs and whether these are transit needs that can be reasonably met;
- Outreach for Coordinated Plan Updates, as needed.

#### Outreach Methods to Engage Minority and Limited English Proficient Populations

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

- Notices are translated to Spanish and posted along side English notices at the administration offices, onboard buses, and online.
- Event information on LTA's website is posted in English and Spanish.
- LTA distributes event information to community groups and agencies that work with LEP populations, if such contacts exist.
- As identified in its Language Assistance Plan, the LTA has full time staff to provide language assistance for customers and callers that are Spanish speaking.
- Spanish interpretation or translation is provided at any public meetings or workshop.

#### Non-Elected Committees and Councils

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

The Board of Directors is comprised of locally elected officials that were appointed to the San Benito County Local Transportation Authority's Board of Directors from their respective

jurisdictions. The Board is comprised of two representatives from the Board of Supervisors, two representatives from the City of Hollister and one representative from the City of San Juan Bautista.

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

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

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

	Board of Directors	Social Services Transportation Advisory Council	Bicycle & Pedestrian Advisory Committee	Technical Advisory Committee
Black, African American	0%	0%	0%	14%
Asian	0%	0%	0%	0%
White	0%	40%	62.50%	72%
American Indian, Alaska Native	0%	20%	0%	0%
Native Hawaiian, Other Pacific Islander	0%	0%	0%	0%
Some Other Race	60%	20%	0%	0%
Decline to State	40%	20%	37.50%	14%
Hispanic, Latino, Spanish origin	60%	0%	12.50%	0%

*Membership of Non-Elected Committees and Councils*

## Language Assistance Plan (LAP)

The San Benito County Local Transportation Authority prepared a Language Assistance Plan (LAP) to address its responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. LAP has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

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

### Plan Summary

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

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

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

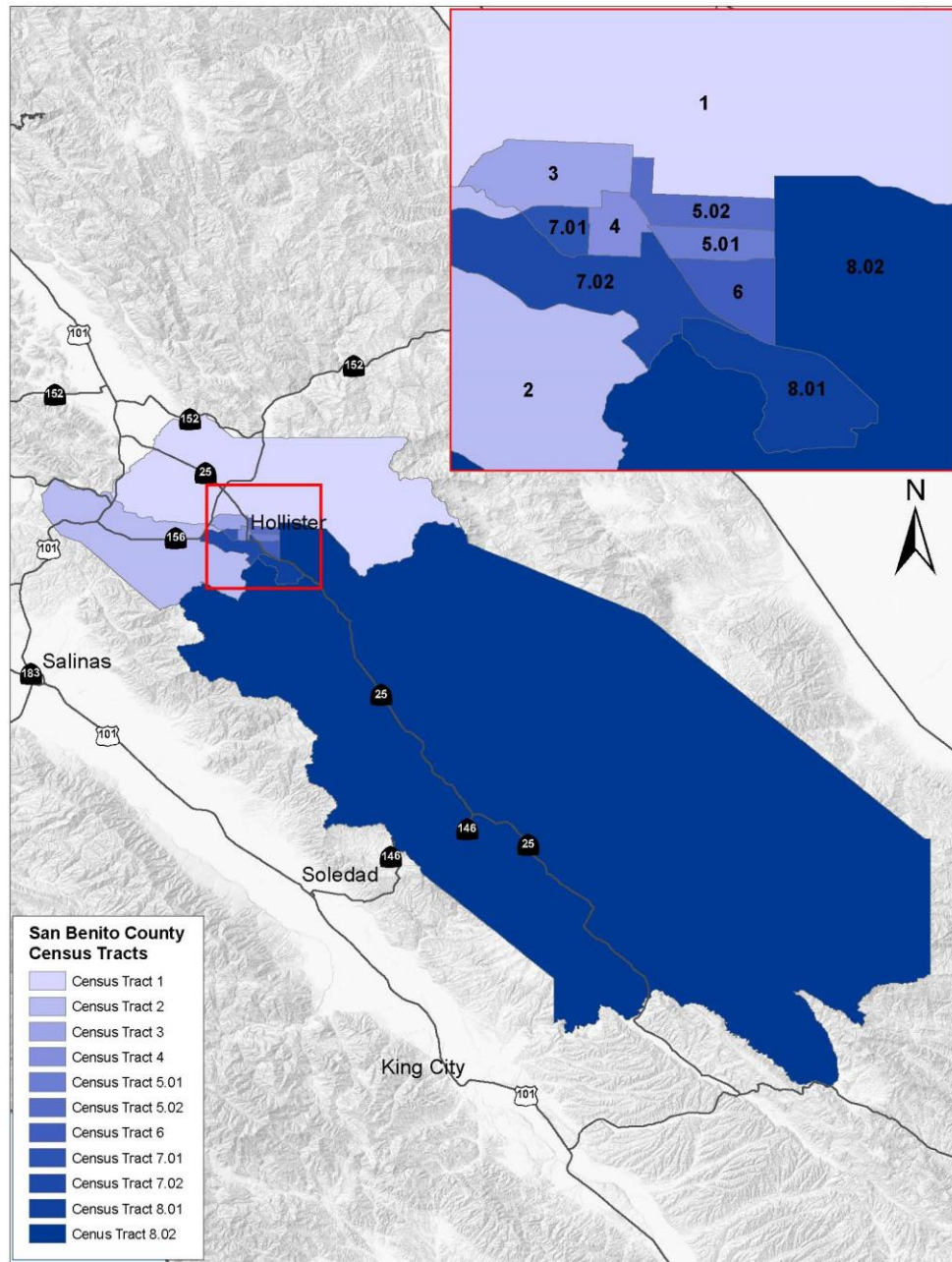
1. *Potential Number of LEP Persons Served* – The number or proportion of LEP persons in the service area who may be served or are likely to encounter a LTA program, activity or service.
2. *Service Contact Frequency of LEP Persons* – The frequency with which LEP persons come in contact with LTA programs,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

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

## Four – Factor Analysis

### 1. Potential Number of LEP Persons Served

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



San Benito County Census Tracts

Source: Association of Monterey Bay Area Governments

San Benito County Census Tract												
	1	2	3	4	5.01	5.02	6	7.01	7.02	8.01	8.02	% of Total Population
Spanish	540	652	1,315	1,735	631	1,124	733	1,296	473	33	313	16.51%
Other Indo-European	15	50	0	0	0	41	147	0	57	5	0	0.59%
Asian and Pacific Island	32	21	26	0	30	46	93	0	19	7	9	0.53%
All Other	0	0	0	44	0	0	0	0	4	0	0	0.09%

Number of Individuals That Speak English "Less Than Very Well" By Census Tract in San Benito County

Source: 2011-2015 American Community Survey 5 Year Estimates Detailed Table B16001

## 2. Service Contact Frequency of LEP Persons

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

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

## 3. Significance of Programs to LEP Persons

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

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

## 4. Available Resources for LEP Assistance

The LTA currently translates its printed materials regarding fares and service changes into Spanish for its LEP population. Basic translation and interpretation is provided to the LTA by staff. However, more complex professional interpretation or translation services are provided.

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

## Implementation

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

### Identifying LEP Individuals Who Need Language Assistance

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

- Continue to monitor the languages and English proficiency encountered by front-line staff (dispatchers, drivers, and front-office staff).
- Continue to have a section regarding preferred language for Paratransit applicants. Current application materials have English, Spanish and Other. The applicant, or a person assisting the applicant, may write in an unlisted language.
- Continue to contractually require operations contractors maintain at least 50% of staff to be bilingual in Spanish and to be available throughout the service hours
- For languages other than Spanish, staff will attempt to identify the LEP person's preferred language using the 2010 U.S. Census "I Speak" Identification cards
- Continue to use data available from the U.S. Census, state, and local demographic data.

### Language Assistance Measures

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

- Work with local social services agencies and organizations to provide services to LEP persons to disseminate information about LTA's services
- Continually identify new agencies or organizations that can assist in disseminating information about LTA's services
- Include a statement in notices regarding the availability of interpreting services at community events, public hearings and Board of Directors meetings with seven day advance notice
- Communicate with drivers, dispatchers, and other front-line staff regarding their experience concerning contacts with LEP persons
- Post LTA's Title VI Policy and Complaint form on the agency's website at English: [www.SanBenitoCountyExpress.org/TitleVI.html](http://www.SanBenitoCountyExpress.org/TitleVI.html)
- Spanish Title VI Policy and Complaint Form: [http://www.sanbenitocountyexpress.org/TitleVI\\_es.html](http://www.sanbenitocountyexpress.org/TitleVI_es.html)
- Provide trip planning services to LEP persons with assistance of bilingual staff

- Operations contractors maintain at least 50% of staff to be bilingual in Spanish and to be available throughout the service hours
- All notices regarding fares, service changes, and policies are translated in Spanish
- When an interpreter is needed for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance from a professional translation service or qualified community volunteers.

#### Translation of Vital Documents and Safe Harbor Provision

According to the 2011-2015 American Community Survey 5 Year Estimates, there are 57,337 people in San Benito County. There were 9,491 individuals that spoke English 'less than very well.' The table below shows the breakdown of the major language groups spoken in San Benito County by Census Tract. As demonstrated in the table on page 19, Spanish is the only language that falls outside of the Safe Harbor Provision of over 5% or 1,000 individuals (whichever is less). The Authority currently provides the following documents in English and Spanish:

- Title VI Notice to the Public, Complaint Procedures, and Complaint Form
- Transit maps and schedules in print and on website
- ADA Paratransit eligibility application
- Courtesy Card application
- Public notices related to service changes and projects

San Benito County Census Tract												% of Total Population
	1	2	3	4	5.01	5.02	6	7.01	7.02	8.01	8.02	
Spanish	540	652	1,315	1,735	631	1,124	733	1,296	473	33	313	16.51%
Other Indo-European	15	50	0	0	0	41	147	0	57	5	0	0.59%
Asian and Pacific Island	32	21	26	0	30	46	93	0	19	7	9	0.53%
All Other	0	0	0	44	0	0	0	0	4	0	0	0.09%

Number of Individuals That Speak English "Less Than Very Well" By Census Tract in San Benito County

Source: 2011-2015 American Community Survey 5 Year Estimates Detailed Table B16001

The LTA will continue to monitor the proportions of LEP individuals languages and will translate vital documents in additional languages should additional languages fall outside of the Safe Harbor Provision.

#### Staff Training

The LTA does not have a formal training program. However, it requires operations contractors to maintain its staffing so that at least 50% speak Spanish. LTA administration office currently has three full time Spanish speaking staff that is able to address Spanish speaking client concerns. The LTA strives to schedule its staff so that there is someone who can speak Spanish during normal

business hours. The LTA staff is trained to communicate with Spanish speaking clients in a respectful and professional manner.

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

- How to respond to LEP callers
- How to respond to correspondence from LEPs
- How to respond to LEPs in person
- How to document LEP needs
- How to respond to civil rights complaints

#### Public Involvement

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

#### Monitoring and Updating the LEP Plan

The LTA review and update its LEP plan every three years. At a minimum, the Plan will be reviewed and updated when new data from the most current U.S. Census is available, or when the concentrations of LEP individuals presence in the LTA service area is observed. Updates may include, but will not be limited to, the following:

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

#### Notice to LEP Persons

A link to the LTA's Title VI Procedures and LEP Plan is available on the County Express website at [www.SanBenitoCountyExpress.org](http://www.SanBenitoCountyExpress.org). Any person or agency with internet access will be able to access and download the Plan from the abovementioned website. Alternatively, any person or agency may request a copy of the Plan via telephone, fax, mail, or in person and shall be

provided a copy of the Plan at no cost. LEP individuals may request copies of the Plan in translation which LTA will provide, if feasible. ***La Autoridad de Transporte Local se traducirá el Plan de Dominio Limitado de Inglés en español, si se le pide.***

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

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

Phone: 831.637.7665

Fax: 831.636.4160

## Title VI Facilities Equity Analysis

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

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

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

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

would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

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

## **System-Wide Standards and Policies**

The San Benito County Local Transportation Authority strives to meet the following system-wide standards so no person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of service of transportation service on the basis of race, color, or national origin (49 CFR 21, Appendix C). Specifically, frequency of service, age and quality of transit vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.

### **Vehicle Load Standards**

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

### **Vehicle Headway Standards**

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

#### *Weekday (Monday-Friday)*

For Fixed Route services, vehicle headways are 35-50 minutes. Each Fixed Route consists of one bus make a circuitous run and the headway is determined by how fast each bus completes the run. This results in larger headways for the longer routes and shorter headways for the shorter routes.

For Intercounty Gavilan, morning peak period headways are 20 minutes and evening Peak period is 60 minutes. This service primarily serves the students at Gavilan College, a community college. The trend has required the need to provide intense service in the morning for the students to go to the early classes. The evening peak schedule is less frequent than the morning service because there is no set dismissal time for each student. Students determine their own schedules and class load, resulting in a staggered peak demand.

Intercounty Caltrain is dependent on the Caltrain train schedule. This service is a direct connector to Caltrain service that runs from San Francisco to Gilroy, crossing three other counties. The frequency of this service is determined by that particular service.

#### *Weekend (Saturday-Sunday)*

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

### **On-Time Performance Standards**

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

### Service Availability Standards

90% of dwelling units in areas having six or more units per acre shall be located within ¼ mile of Fixed Route Bus Stop.

### Vehicle Assignment Policy

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

### Transit Amenities Policy

The LTA developed and adopted guidelines for its staff, local planning jurisdictions and developers to use in developing transit friendly designs. The guidelines are readily available online for all to view at: [www.SanBenitoCountyExpress.org/news.html](http://www.SanBenitoCountyExpress.org/news.html).

All new bus stops and improvements to existing bus stops are subject to constraints related to safety, ADA compliance, availability of funding, and other factors. Below is a table that summarizes the amenities for different types of bus stops.

Types of Stops	Minimum Amenities
High number of boarding	Bus stop sign Bus stop shelter with seating, space for wheelchair, lighting, transit information, and trash receptacle
New bus stop at new development	Bus stop sign Bus stop shelter with seating, space for wheelchair, lighting, transit information, and trash receptacle
Low boarding or stops with only alighting activity	Bus stop sign Transit information

In 2016, the LTA completed a Bus Stop Improvement Plan that includes an inventory all existing and potential new bus stops. The Plan identifies the needs of each bus stop and provides cost estimates to make each improvement.

**Board of Directors Approval of San Benito County Local Transportation  
Authority's Title VI Program**

To Be Presented for Approval and Adoption September 17, 2020

## Staff Report

To: Local Transportation Authority  
From: Regina Valentine, Transportation Planner Telephone: (831) 637-7665 x 205  
Date: September 17, 2020  
Subject: Surplus Vehicles

### Recommendation:

- a. **DECLARE** Six Vehicles Surplus Property to be Auctioned or Salvaged
- b. **DIRECT** Staff to Prepare a Solicitation for Local Nonprofits to Indicate Interest in and Eligibility for Surplus Property.
- c. **AUTHORIZE** Executive Director to Execute all Necessary Documents to Auction or Salvage Surplus Vehicles.

### Summary:

Staff has identified six transit vehicles to be declared surplus vehicles which may be auctioned or salvaged as they can no longer be used in transit operations. Replacement vehicles have already been received funded through a previously Board approved Public Transportation, Modernization, Improvement, and Service Enhancement Account (PTMISEA) project. As directed at the August 2020 Board meeting, staff will first offer surplus vehicles to eligible local nonprofits.

### Financial Analysis:

Staff anticipates less than \$5,000 in revenue if the vehicle is auctioned or salvaged. Staff will determine whether to auction or salvage remaining vehicles to yield the highest return for the Local Transportation Authority (LTA) after offering to eligible local nonprofits.

### Staff Analysis:

Once a transit vehicle has been determined to require excessive costly repairs, the LTA may declare the vehicles as surplus property. The following vehicles can no longer be used in transit operations and are eligible to be declared as surplus property:

Bus Number	VIN (last 5 digits)	Vehicle Year/Make	Passenger Capacity	Mileage
46	05654	2008 Starcraft	12A/2WC	212,840
47	01405	2008 Starcraft	12A/2WC	273,915
48	01432	2008 Starcraft	12A/2WC	257,575
53	10017	2008 Starcraft	12A/2WC	252,406
57	03123	2008 Glaval	28A/2WC	233,268
733	01408	2008 Starcraft	12A/2WC	149,692

A = Ambulatory, WC = Wheelchair

Staff is also providing information regarding the option to solicit local nonprofits to indicate interest in and eligibility to receive surplus property.

COG may donate surplus personal property, under the authority set forth in California Government Code Section 25372. This Code Section authorizes the Board to donate any real or personal property that the Board declares to be surplus to any organization exempt from taxation pursuant to 26 U.S. Code Section 501(c) (3) that meet one of the following conditions:

The section applies to organizations that are organized for the following:

care, teaching, or training of children or developmentally disabled children,  
care, teaching, or training of Native Americans, or  
to provide health or human services.

The Board may also donate to a school district or community college district or a county children and families commission

The Board may impose on the donation any terms and conditions that it determines to be appropriate. Staff has prepared a Bill of Conditional Transfer (Attachment 1) that will be used for any transfers to eligible nonprofit organizations if they are selected following the LTA's solicitation.

Executive Director Review: MG

Counsel Review: Yes

Supporting Attachment: Bill of Conditional Transfer

## **BILL OF CONDITIONAL TRANSFER**

The San Benito County Local Transportation Authority ("LTA"), hereby donates, transfers, conveys and assigns to \_\_\_\_\_ ("RECIPIENT"), its successors and assigns, all of the LTA's right, title and interest in and to a used van ("PROPERTY"), described as follows:

Vehicle	VIN (last 5 digits)	Vehicle Year/Make	Passenger Capacity	Mileage

The LTA warrants and represents that it is the sole owner of the PROPERTY and that the property is free and clear of all liens, encumbrances, security interest and any claims to title.

By signing this Bill of Conditional Transfer and accepting the delivery of the donated vehicle, RECIPIENT shall agree to abide by the following terms and conditions of donation:

1. This Bill of Transfer may be relied upon as conclusive proof that the property has been transferred to RECIPIENT.
2. This Bill of Transfer has been prepared, negotiated and executed, and shall be construed in accordance with, the laws of the State of California.
3. RECIPIENT shall remove the LTA's decal still on the vehicle within 15 days of the transfer or before use of the vehicle.
4. RECIPIENT agrees to use the vehicle (PROPERTY) for its intended purpose, as a van to transport youth to events and competitions, for at least 18 months after the donation.
5. RECIPIENT, acknowledges receipt of the vehicle and of this Bill of Transfer and understands there is no guarantee or warranty, expressed or implied, with respect to the above-described property. It is also understood that the above-stated vehicle is transferred in "as is" condition.
6. RECIPIENT assumes full responsibility for all risk of injury or loss, including death, which may result from the transfer of this PROPERTY.
7. RECIPIENT agrees to hold harmless, release, waive, and covenant not bring suit, and/or claims against the LTA (its officers, agents or employees) by reason of any accident, illness, injury or death, or damage to or loss or destruction of any property arising or resulting from the transfer of the PROPERTY.
8. In the event any action or proceeding is brought by either party hereto against the other party hereto by reason of the breach or enforcement of this Bill of Transfer, the prevailing party shall be entitled to have and recover from the other party all costs and expenses of the action or proceeding, including reasonable attorneys' fees. Any action or proceeding relating to or arising out of this Bill of Transfer shall be filed, if a state action, in the Superior Court of the State of California for the County of San Benito, or if a federal action, in the United States District Court for the Northern District of California.
9. EXCEPT AS MAY BE OTHERWISE PROVIDED IN THIS BILL OF TRANSFER, THE LTA AND

RECIPIENT ACKNOWLEDGE AND AGREE THAT THIS IS A NON-WARRANTY BILL OF TRANSFER AND THAT RECIPIENT IS RECEIVING THE PROPERTY WITHOUT ANY WARRANTIES, WHETHER EXPRESS OR IMPLIED, AND WHETHER PURSUANT TO THE CALIFORNIA UNIFORM COMMERCIAL CODE, OR OTHERWISE. TO THE EXTENT ANY WARRANTIES WOULD APPLY TO THE PROPERTY OR THIS TRANSACTION, RECIPIENT UNCONDITIONALLY WAIVES, AND THE LTA DISCLAIMS, ANY SUCH WARRANTIES.

RECIPIENT FURTHER EXPRESSLY ACKNOWLEDGES THAT RECIPIENT IS RECEIVING THE PROPERTY IN AN "AS IS," "WHERE IS" CONDITION, WITH ALL ITS FAULTS. RECIPIENT HAS INSPECTED THE PROPERTY AND IS SATISFIED THAT THE PROPERTY IS COMPLETELY AS DESCRIBED HEREIN AND IS IN GOOD CONDITION. THE LTA HAS NOT INSPECTED THE PROPERTY, DOES NOT KNOW IF THE PROPERTY IS COMPLETELY AS DESCRIBED HEREIN, NOR DOES THE LTA KNOW THE PURPOSE TO WHICH RECIPIENT WILL PUT THE PROPERTY. THE LTA MAKES NO REPRESENTATION CONCERNING THE VALUE OF THE PROPERTY.

THE LTA DOES NOT WARRANT THE MERCHANTABILITY OF THE PROPERTY OR WHETHER IT IS FIT FOR ANY PARTICULAR PURPOSE, OR EVEN IF THE PROPERTY IS FIT FOR THE ORDINARY PURPOSE FOR WHICH IT IS NORMALLY USED, AND RECIPIENT SPECIFICALLY WAIVES ANY IMPLIED WARRANTY OF MERCHANTABILITY OF THE PROPERTY OR WARRANTY THAT THE PROPERTY IS FIT FOR ANY PARTICULAR PURPOSE OR THE PURPOSE FOR WHICH IT IS NORMALLY USED.

IN NO EVENT, SHALL RECIPIENT BE ENTITLED TO CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES OF ANY KIND OR NATURE WHATSOEVER.

IN WITNESS WHEREOF, The LTA and RECIPIENT have executed this Bill of Transfer as of November 20, 2009.

LTA  
Executive Director

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

\_\_\_\_\_  
Name: Mary Gilbert  
Dated: \_\_\_\_\_

\_\_\_\_\_  
Shirley L. Murphy, Deputy County Counsel  
Dated: \_\_\_\_\_

RECIPIENT

\_\_\_\_\_  
Name: \_\_\_\_\_  
Dated: \_\_\_\_\_  
Tax I.D. \_\_\_\_\_