

**AGENDA
REGULAR MEETING
LOCAL TRANSPORTATION AUTHORITY**

DATE: Thursday, March 17, 2022
4:00 P.M.

LOCATION: Via-Zoom

Attendance at the LTA meeting is closed to the public per Executive Order N-29-30 and Assembly Bill 361 (AB 361). The public may join meeting by Zoom: <https://zoom.us/join> per the instructions provided at the end of the agenda:

Meeting ID: 839-1001-4294

DIRECTORS: Chair Ignacio Velazquez, Vice Chair Kollin Kosmicki
Mary Vazquez Edge, Rolan Resendiz, and Peter Hernandez
Alternates: San Benito County: Betsy Dirks;
City of San Juan Bautista: Scott Freels; City of Hollister: Rick Perez

*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.***

4:00 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, and Assembly Bill 361 (AB 361), relating to the convening of public meetings in response to the COVID-19 pandemic, attendance at the LTA meeting is closed to the public. The public may join the meeting by Zoom: <https://zoom.us/join> per the instructions provided at the end of the agenda. 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 February 17, 2022 – Gomez

2. ADOPT Resolution 22-04 Authorizing Teleconferencing Options for the Local Transportation Authority meetings for the Period of March 24, 2022, through April 22, 2022 – Rivera

3. **ADOPT** Resolution 22-05 Authorizing the San Benito County Local Transportation Authority's Executive Director to Apply for and Accept Federal Transit Administration Section 5311 Funds through the California Department of Transportation – Valentine
4. **ADOPT** Resolution 22-06 Authorizing the Application for Federal Transit Administration Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Grant Fund and Acceptance of Funds, if awarded – Valentine

Adjourn to LTA Meeting on Thursday, April 21, 2022. Agenda deadline is April 05, 2022, 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 Secretary at 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, 839-1001-4294** 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/2022/03/LTA_Packet_031722.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, 839-1001-4294** 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/2022/03/LTA_Packet_031722.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 **March 17, 2022**, at **4:00 P.M.** was posted at the following locations freely accessible to the public:

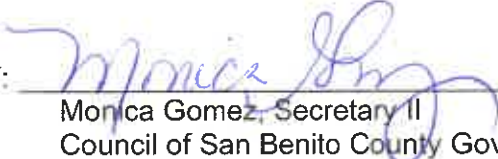
The front entrance of the Old San Benito County Courthouse, Monterey Street, Hollister, CA 95023, and the Council of Governments Office, 330 Tres Pinos Rd., Ste. C7, Hollister, CA 95023 at the following date and time:

On the **14th day of March 2022**, on or before **4:00 P.M.**

The meeting agenda was also posted on the Council of San Benito County Governments website, 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)**

February 17, 2022 4:00 P.M.

MINUTES

MEMBERS PRESENT:

Chair Ignacio Velazquez, Vice Chair Kollin Kosmicki, Mary Vazquez Edge, Rolan Resendiz, and Alternate Betsy Dirks

STAFF PRESENT:

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

CALL TO ORDER:

Chair Velazquez called the meeting to order at 5:06 p.m.

A. CERTIFICATE OF POSTING

Motion made to acknowledge Certificate of Posting:

Motion: Kollin Kosmicki Second: Mary Vazquez Edge

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz vote yes, Director Kosmicki voted yes, Director Dirks voted yes, and Chair Velazquez voted yes.

Motion carried: 5/0
Yes: Velazquez, Vazquez Edge, Resendiz, Kosmicki, Dirks
No: None
Recused: None
Abstention: None
Absent: None

B. NOTICE OF TEMPORARY PROCEDURES FOR LOCAL TRANSPORTATION AUTHORITY MEETINGS

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 LTA Board can attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

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 December 16, 2021 – Gomez
2. **Approve** Local Transportation Authority Draft Special Meeting Minutes Dated January 11, 2022 – Gomez
3. **Approve** Local Transportation Authority Draft Meeting Minutes Dated January 20, 2022 – Gomez
4. **Adopt** Resolution 22-03 Authorizing Teleconferencing Options for the Local Transportation Authority Meetings for the Period of February 22, 2022, through March 23, 2022 – Rivera
5. **Receive** Local Transportation Authority FY 2021-22 Second Quarter Budget Report – Rivera

There was no public comment on the Consent Agenda.

Motion made to approve the Consent Agenda:

Motion: Mary Vazquez Edge Second: Kollin Kosmicki

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Kosmicki voted yes, Director Dirks voted yes, Chair Velazquez voted yes.

Motion carried: 5/0

Yes: Velazquez, Vazquez Edge, Resendiz, Kosmicki, Dirks
No: None
Recused: None
Abstention: None
Absent: None

There being no further business to discuss, Director Kosmicki motioned to adjourn at 5:07 p.m.
Motion seconded by Director Vazquez Edge.

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Kosmicki voted yes, Director Dirks voted yes, Chair Velazquez voted yes.

Motion carried: 5/0

Yes: Velazquez, Vazquez Edge, Resendiz, Kosmicki, Dirks
No: None
Recused: None
Abstention: None
Absent: None

ADJOURN TO LTA MEETING MARCH 17, 2022 AT 4:00 P.M.

Staff Report

To: Local Transportation Authority
 From: Norma Rivera, Administrative Services Specialist Telephone: (831) 637-7665
 Date: March 17, 2022
 Subject: Assembly Bill 361 Teleconferencing Options For LTA

Recommendation:

ADOPT Resolution 22-04 Authorizing Teleconferencing Options for the Local Transportation Authority meetings for the Period of March 24, 2022, through April 22, 2022.

Summary:

On September 16, 2021, the Governor signed Assembly Bill (AB) 361, a bill that codifies certain teleconference procedures that local agencies have adopted in response to the Governor's Brown Act-related Executive Orders. Specifically, AB 361 allows a local agency to continue to use teleconferencing under the same basic rules as provided in the Executive Orders under certain prescribed circumstances or when certain findings have been made and adopted by the local agency legislative body.

Financial Considerations:

None.

Discussion:

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, amending his prior Executive Order N-29-20 and waiving certain provisions of the Brown Act relating to teleconferences/remote meetings by local agency legislative bodies. The Executive Order waived, among other things, the provisions of the Brown Act that otherwise required the physical presence of members of local agency legislative bodies or other personnel in a particular location as a condition of participation or as a quorum for a public meeting. These modifications remained in effect through September 30, 2021.

Under Assembly Bill (AB) 361, when the state of emergency lasts longer than 30 days, as is the case presently, the legislative body must make findings every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. AB 361 mandates that the legislative body must find that there is a continuing need for teleconferencing due to dangers posed by the ongoing state of emergency. This means that local agencies will have to put an item on the public

meeting agenda at least every thirty days to make findings regarding the circumstances of the emergency and to vote to continue relying upon the law's teleconference provisions.

To continue to meet under those modified rules after April 22, 2022, the Board will again need to reconsider the circumstances of the state of emergency and again make one of the additional findings required by AB 361.

Reducing the circumstances under which people come into close contact remains a vital component of the San Benito County and LTA's COVID-19 response strategy. Local agency public meetings are an essential government function and the last 18 months have proven that the teleconferencing format protects public access while minimizing exposure to COVID-19.

The California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Omicron variant of COVID-19 is spreading quickly throughout the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html>).

Staff Analysis:

Staff recommends that the Board adopt findings that conducting in-person meetings at the present time would present an imminent risk to the health and safety of attendees. A resolution to that effect and directing staff to return each 30 days to afford the Board the opportunity to reconsider such findings, is included herewith. If the Board adopts the proposed resolution, then it may continue to meet under the modified Brown Act teleconference rules of AB 361 through April 22, 2022.

Counsel Review: Yes

Attachment: 1. Resolution 22-04

2. Letter from San Benito County Health Officer

San Benito County LOCAL TRANSPORTATION AUTHORITY



BEFORE THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY

A RESOLUTION OF THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS OF THE LOCAL TRANSPORTATION AUTHORITY PURSUANT TO AB 361 Resolution No. 22-04

WHEREAS, the San Benito County Local Transportation Authority is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, pursuant to his authority under the California Emergency Services Act, California Government Code section 8625; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting Law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and

WHEREAS, on June 4, 2021, Governor Newsom clarified that the "reopening" of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, clarifying the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (AB 361), which provides that a legislative body subject to the Brown Act may continue

to meet without fully complying with the teleconferencing rules in the Brown Act, provided the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and

WHEREAS, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Omicron variant of COVID-19 is spreading quickly throughout the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html>); and

WHEREAS, on September 30, 2021, Dr. Ghilarducci, Interim San Benito County Public Health Officer, issued a recommendation on Social Distancing at public meetings of legislative bodies within San Benito County; and

WHEREAS, on January 5, 2022, Dr. Gellert, San Benito County Public Health Officer, issued an updated recommendation on continued Social Distancing at public meetings of legislative bodies within San Benito County, attached hereto as Exhibit “A”, and incorporated herein by this reference; and

WHEREAS, the San Benito County Local Transportation Authority is a joint powers authority formed under the joint exercise of powers provisions of California Government Code Sections 6500-6522 and the California Code of Civil Procedure section 1240.140, among the County of San Benito, a political subdivision of the State of California, and the Cities of Hollister and San Juan Bautista, municipal corporations located in San Benito County; and

WHEREAS, the San Benito County Board of Supervisors is empowered by Article XI, section 7 of the California Constitution to take actions necessary to protect public, health, welfare, and safety within the County of San Benito; and

WHEREAS, at its regular meetings on October 12, 2021, November 9, 2021, November 23, 2021, December 14, 2021, January 25, 2022, and February 22, 2022, the San Benito County Board of Supervisors considered all information related to this matter, as presented at the public meetings of the Board of Supervisors identified herein, including any supporting reports by County Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, and adopted Resolution Nos. 2021-128, 2021-140, 2021-148, 2021-160, 2022-04, and 2022-21 making the findings and determinations required by AB 361; and

WHEREAS, the San Benito County Local Transportation Authority has an important governmental interest in protecting the health, safety, and welfare of those who participate in meetings of the Local Transportation Authority; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the San Benito County Local Transportation Authority deems it necessary to find that a requirement to meet in person for meetings of the Local Transportation Authority would present imminent risks to the health or safety of attendees, and thus, intends to invoke the provisions of AB 361 related to teleconferencing; and

WHEREAS, at its regular meetings on October 21, 2021, November 18, 2021, and December 16, 2021, its special meeting on January 11, 2022, regular meeting on January 20, 2022, and February 17, 2022, the San Benito County Local Transportation Authority considered all information related to this matter, as presented at the public meetings of the Board of Directors identified herein, including any supporting reports by Local Transportation Authority Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, and adopted Resolution Nos. 2021-07, 2021-08, 2021-09, 2022-01, 2022-02, and 2022-03, making the findings and determinations required by AB 361; and

WHEREAS, the San Benito County Local Transportation Authority has further considered all information related to this matter, as presented at the public meetings of the Board of Directors identified herein as of the date of this Resolution, including any supporting reports by Local Transportation Authority's Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, which continues to remain in effect; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the California Legislature have exercised their respective powers, pursuant to California Government Code section 8629, to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature, and the proclaimed state of emergency remains in effect; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person would present imminent risks to the health or safety of attendees of public meetings; and

WHEREAS, the Board of Directors of the San Benito County Local Transportation Authority further finds that the state of emergency continues to directly impact the ability of the members to meet safely in person.

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

1. Recitals. The Board of Directors hereby finds that the facts set forth in the Recitals to this Resolution are true and correct and are incorporated into this Resolution by this reference.
2. Proclamation of Local Emergency. The Board of Directors hereby proclaims that a local emergency continues to exist throughout the County, and social distancing orders are currently in place and needed to protect the health and safety of the citizens.
3. Consideration of Future Extensions of Resolution. As long as the State Emergency remains in effect or until directed otherwise by the Board of Directors, staff shall present to the Board at every meeting an item necessary to continue the findings required by AB 361.
4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time the Board of Directors adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Local Transportation Authority may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.
5. Remote Teleconference Meetings. The staff and Counsel for the Local Transportation Authority are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY THIS 17TH DAY OF MARCH 2022 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAINING:
ABSENT:

Ignacio Velazquez, Chair

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

Dated: March 11, 2022

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

ATTEST:
Mary Gilbert, Executive Director

Dated: _____

By: _____

EXHIBIT A

GEORGE GELLERT MD, MP, MPA
HEALTH OFFICER

TRACEY BELTON
AGENCY DIRECTOR



SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

PUBLIC HEALTH SERVICES

Healthy People in Healthy Communities

January 5, 2022

CAO Ray Espinosa
San Benito County Administration

Re: Recommendation on Social Distancing and Hybrid Meetings

Given the considerable impact on our community from the COVID-19 virus and the Delta and more recently the Omicron variant, I strongly urge all legislative bodies, including but not limited to the County, cities, and special districts, local commissions and committees, and subsidiary bodies, continue social distancing measures for public meetings, including offering, at the legislative body's discretion, a remote or hybrid format for public meetings. Social distancing and masking remain crucial strategies in our fight to prevent contagion. The conduct of public meetings in a remote or hybrid manner enables members of the community to participate from the comfort of their homes without having to risk contracting these viruses by attending in-person meetings.

In addition, these measures help contain the spread of the disease and protect the community. All events public gatherings, including public meetings, create environments where these virus variants can potentially spread among attendees and participants. However, when combined with social distancing and effective masking practices, along with continued efforts to increase vaccination uptake within San Benito County, a remote or hybrid format for meetings maximizes avenues for public access and input and minimizes the risk of infection for the public, agency staff, meeting presenters, and legislative body members as well.

If you have any questions regarding this recommendation, please do not hesitate to contact me.

A handwritten signature in black ink that reads "George Gellert" with a stylized flourish at the end.

George Gellert MD, MPH, MPA
Health Officer

PUBLIC HEALTH SERVICES
351 Tres Pinos Road, Suite A-202
Hollister CA 95023
831-637-5367

ENVIRONMENTAL HEALTH
351 Tres Pinos Road, Suite C-1
Hollister CA 95023
831-636-4035

MEDICAL THERAPY UNIT
761 South Street
Hollister CA 95023
831-637-1989

Staff Report

To: Local Transportation Authority
From: Regina Valentine, Transportation Planner Telephone: (831) 637-7665
Date: March 17, 2022
Subject: Federal Transit Administration Section 5311

Recommendation:

ADOPT Resolution 22-05 Authorizing the San Benito County Local Transportation Authority's Executive Director to Apply for and Accept Federal Transit Administration Section 5311 Funds through the California Department of Transportation.

Summary:

The Federal Transit Administration annually allocates operating assistance to eligible transit agencies, such as the Local Transportation Authority (LTA), under the Federal Transit Administration Section 5311 Program. The funds must be used for public transit operations.

Financial Considerations:

In years past, LTA has typically received approximately \$300,000 per year in Federal Transit Administration Section 5311 funds. For Federal Fiscal Year 2020/21, LTA received \$347,399 in Section 5311 funding.

Background:

The Federal Transit Administration Section 5311 Program is a federal grant that provides funding for public transit operations in non-urbanized areas. The California State Department of Transportation Division of Rail and Mass Transportation (Caltrans) is the delegated agency responsible for administering the grant program in California.

Staff Analysis:

In order to be eligible for Section 5311 grant funds, LTA must provide Caltrans a resolution authorizing its Executive Director to apply for and accept the funds. The Board adopted a multi-year Section 5311 resolution in 2019, which is soon set to expire. For this reason, Caltrans is requested an updated Section 5311 resolution valid for up to three years.

Counsel Review: Yes

Attachment: Resolution 22-05

RESOLUTION OF THE SAN BENITO COUNTY LOCAL) RESOLUTION NO: 22-05
TRANSPORTATION AUTHORITY AUTHORIZING FEDERAL)
FUNDING UNDER FEDERAL TRANSIT ADMINISTRATION (FTA)
SECTION 5311 (49 U.S.C. SECTION 5311) WITH THE)
CALIFORNIA DEPARTMENT OF TRANSPORTATION)
_____)

WHEREAS, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act (49 U.S.C. §5311); and

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

WHEREAS, the San Benito County Local Transportation Authority (LTA) desires to apply for said financial assistance to permit operation of service in San Benito County; and

WHEREAS, the LTA has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the San Benito County Local Transportation Authority hereby authorizes the Executive Director, or her designee, to file and execute applications for and on behalf of the LTA with Caltrans to aid in the financing of capital/operating assistance projects pursuant to Section 5311 of the Federal Transit Act (49 U.S.C. §5311), as amended.

BE IT FURTHER RESOLVED that the San Benito County Local Transportation Authority hereby authorizes the Executive Director, or her designee, to execute and file all certifications of assurances, contracts or agreements, or any other documents, which pertain to financing of capital/operating assistance projects pursuant to Section 5311, that may be required by Caltrans, for and on behalf of the LTA.

BE IT FURTHER RESOLVED that the San Benito County Local Transportation Authority hereby authorizes the Executive Director, or her designee, to provide additional information as Caltrans may require in connection with the application for Section 5311 projects, for and on behalf of the LTA.

BE IT FURTHER RESOLVED that the San Benito County Local Transportation Authority hereby authorizes the Executive Director, or her designee, to submit and approve requests for reimbursement of funds from Caltrans for Section 5311 project(s), for and on behalf of the LTA.

BE IT FURTHER RESOLVED that such authorization is valid for a term of three years from the date of the adoption of this resolution.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY on this 17th day of March 2022, 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
Shirley L. Murphy, Deputy County Counsel

Dated: _____

Dated: March 11, 2022

Staff Report

To: Local Transportation Authority
From: Regina Valentine, Transportation Planner Telephone: (831) 637-7665
Date: March 17, 2022
Subject: Federal Transit Administration Section 5310 Grant

Recommendation:

ADOPT Resolution 22-06 Authorizing the Application for Federal Transit Administration Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Grant Fund and Acceptance of Funds, if awarded.

Summary:

The California Department of Transportation (Caltrans) announced their Call for Projects for Federal Transit Administration (FTA) Section 5310 Grant Funds. The purpose of the Section 5310 program is to provide funding for transit capital, mobility management, and operating expenses to improve mobility for seniors and persons with disabilities.

Financial Considerations:

Staff has applied for \$153,000 to replace vehicles for Specialized Transportation operated by Jovenes de Antaño (JDA).

Background:

The FTA Section 5310 Program provides funding to states and designated recipients to improve mobility for seniors and individuals with disabilities. Eligible projects include vehicles, computers, mobility management and ongoing operational costs.

The Governor of California has designated the Caltrans Division of Rail and Mass Transportation as the recipient of FTA Section 5310 apportionment funds. Caltrans is responsible for administration of program funds, including releasing the Call for Projects, in accordance with federal and State laws, statutes, and regulations.

During this grant cycle, there is approximately \$15 million available for Small Urban and Rural areas. Of this amount, 55% has been earmarked for the traditional capital projects and 45% for the expanded operational types of projects. Caltrans is continuing to allow grant applicants to utilize toll credits for its 11.47% local match. With the use of toll credits, all awarded projects will be 100% funded by the Section 5310 grant program.

Staff Analysis:

As required by Section 5310, staff reviewed its County Express and Specialized Transportation needs for services that go above and beyond the minimum requirements of the Americans with Disabilities Act.

As a traditional capital project, staff applied to replace Specialized Transportation's Bus 738 (odometer reading 154,273) with a similar 16-passenger vehicle and Minivan 63 (odometer reading 67,017) with another minivan, while keeping both vehicles as backup. The table below provides a quick summary of the proposed project.

Project	Description	Estimated Grant Amount
Replacement Vehicles	Replace Bus 738 and Minivan 63; Place Bus 738 and Minivan 63 as Backup Vehicles	\$153,000

Applications were submitted to Caltrans by the March 2, 2022 deadline. As a part of the grant application, a resolution must be adopted by Local Transportation Authority's Board of Directors, with a draft submitted with the application. Resolution 22-06 authorizes staff to apply for the grant and execute any documents necessary for acceptance of grant funds.

Counsel Review: Yes

Attachment: Resolution No. 22-06

RESOLUTION OF THE SAN BENITO COUNTY LOCAL)
TRANSPORTATION AUTHORITY AUTHORIZING THE)
APPLICATION FOR FEDERAL TRANSIT)
ADMINISTRATION SECTION 5310 ENHANCED)
MOBILITY FOR SENIORS AND INDIVIDUALS WITH)
DISABILITIES GRANT FUNDS)

RESOLUTION NO: 22-06

WHEREAS, the San Benito County Local Transportation Authority (LTA) provides public transit services in San Benito County; and

WHEREAS, the Council of San Benito County Governments (COG) is the Regional Transportation Planning Agency for San Benito County; and

WHEREAS, the COG has designated the LTA as the Consolidated Transportation Services Agency for San Benito County; and

WHEREAS, the LTA desires to apply for Federal Transit Administration Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities grant funds for eligible traditional and/or expanded projects in accordance with the terms and conditions of the grant agreement with the California Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the San Benito County Local Transportation Authority hereby authorizes the Executive Director to apply for Federal Transit Administration Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities grant funds for and on behalf of the LTA; and

BE IT FURTHER RESOLVED THAT the San Benito County Local Transportation Authority hereby authorizes the Executive Director to accept such grant funds, if awarded, for and on behalf of the LTA; and

BE IT FURTHER RESOLVED THAT the San Benito County Local Transportation Authority hereby authorizes the Executive Director to execute all documents necessary to make such applications and accept such grant funds, if awarded, including but not limited to the execution of the grant agreement and any amendments of the grant agreement.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY on this 17th day of March 2022, 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
Shirley L. Murphy, Deputy County Counsel

Dated: _____

Dated: March 11, 2022