



**AGENDA
REGULAR MEETING
LOCAL TRANSPORTATION AUTHORITY**

DATE: Thursday, September 21, 2023
4:00 P.M.

LOCATION: County Board of Supervisors Chambers
481 Fourth Street
Hollister, CA 95023
(The meeting is open to the public)

DIRECTORS: Bea Gonzales, Chair (County of San Benito)
Scott Freels, Vice-Chair (City of San Juan Bautista)
Mia Casey (City of Hollister)
Dolores Morales (City of Hollister)
Mindy Sotelo (County of San Benito)

ALTERNATES: San Benito County: Kollin Kosmicki
City of San Juan Bautista: Jackie Morris-Lopez
City of Hollister: Rick Perez

NOTICE OF PROCEDURES FOR LOCAL TRANSPORTATION AUTHORITY MEETINGS

The meeting will be available through Zoom, for those who wish to join or require accommodations.

Members of the public may participate remotely via Zoom at the following link: <https://zoom.us/join> with the following:

Webinar ID: 813-9350-6219 and Webinar Passcode: 370815

*Those participating by phone who would like to make a comment can use the "raise hand" feature by dialing "*9" (star-nine) . In order to receive full Zoom experience, please make sure your application is up to date.*

Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the COG Board of Directors reserves the right to conduct the meeting without remote access.

*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 3. Public Comment.***

1. CALL TO ORDER

2. Verification of Certificate of Posting

3. **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.)

4. APPROVE Local Transportation Authority Draft Action Regular Meeting Minutes Dated June 15, 2023 – Gomez
5. ADOPT Resolution 2023-06 Authorizing the Filing of a Claim for Allocation of Transportation Development Act Funds for Fiscal Year 2023/2024 – Aceves
6. ADOPT Resolution 2023-08 Certifying the San Benito County Local Transportation Authority's 2023 Title VI Program – Lezama
7. ADOPT Resolution 2023-07 Approving Projects for Funding and Authorizing the Application for and Acceptance of FY 2023-2024 California State of Good Repair Program Funds Totaling \$107,586 – Lezama

ACTION ITEMS:

8. Transit Maintenance and Operations Building Tenant Improvement Project – Lezama
- a. ACCEPT all bids for the Transit Maintenance and Operations Building Tenant Improvement Project and find C2 Builders, Inc. as the lowest responsive, responsible bidder; AWARD Contract to C2 Builders, Inc in the amount of \$371,975.00; and
 - b. APPROVE contract and authorize the COG Executive Director or designee to execute the contract upon receipt of all contract documents required in the Invitation for Bids; and AUTHORIZE the Executive Director or designee to issue change orders in an amount not to exceed \$31,098.00.

Adjourn to LTA Meeting on October 19, 2023. Agenda deadline is October 3, 2023, 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.

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.

Public Comment Guidelines

1. If participating on Zoom: once you are selected, you will hear that you have been unmuted. At this time, state your first name, last name, and county you reside in for the record.
2. The Council of Governments Board welcomes your comments.
3. Each individual speaker will be limited to a presentation total of three (3) minutes.
4. 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.

If you have questions, contact the Council of Governments, and leave a message at (831) 637-7665 x. 201, or email monica@sanbenitocog.org.

CERTIFICATE OF POSTING

Pursuant to Government Code Section #54954.2(a) the Meeting Agenda for the Local Transportation Authority on **September 21, 2023**, at **4:00 P.M.** was posted at the following locations freely accessible to the public:


The front entrance of the San Benito County Administration Building, 481 Fourth 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 15th day of September 2023, on or before 5:00 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
Board of Supervisors Chambers
481 Fourth Street, Hollister, CA 95023 & Zoom Platform
June 15, 2023 4:00 P.M.

ACTION MINUTES

MEMBERS PRESENT:

Chair Bea Gonzales, Vice-Chair Scott Freels, Director Dolores Morales, Director Mindy Sotelo

MEMBERS ABSENT:

Director Mia Casey

STAFF PRESENT:

Executive Director; Binu Abraham, Administrative Services Specialist; Norma Rivera, Transportation Planner; Regina Valentine(via-Zoom), Transportation Planning Manager; Veronica Lezama, Secretary; Monica Gomez, Office Assistant; Griselda Arevalo, Deputy County Counsel; Shirley Murphy

OTHERS PRESENT:

Leona Medearis-Peacher, MV Transportation

1. CALL TO ORDER:

Chair Gonzales called the meeting to order at 6:35 p.m.

2. CERTIFICATE OF POSTING

Motion made to acknowledge Certificate of Posting:

Motion: Director Mindy Sotelo Second: Director Dolores Morales

Motion carried: 4/0

Yes: Sotelo, Gonzales, Freels, Morales

No: None

Recused: None

Abstention: None

Absent: Casey

3. PUBLIC COMMENT: None

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.)

4. APPROVE Local Transportation Authority Draft Action Regular Meeting Minutes Dated January 19, 2023 – Gomez
5. APPROVE Local Transportation Authority Draft Action Regular Meeting Minutes Dated May 18, 2023 – Gomez
6. APPROVE Donation Agreement with the City of Hollister to Provide County Express Shuttle Service to the City's 2023 Fireworks Display Community Event – Valentine

Chair Gonzales pulled Item 6 for discussion.

There was no public comment on the Consent Agenda.

Motion made to approve the Consent Agenda Items 4 and 5:

Motion: Director Mindy Sotelo Second: Director Dolores Morales

Motion carried: 4/0

Yes: Sotelo, Freels, Morales, Gonzales

No: None

Recused: None

Abstention: None

Absent: Casey

Item 6 pulled for discussion.

Chair Gonzales pulled Item 6 so that staff could explain what the item is about to members of the public.

Transportation Planner, Regina Valentine, provided an overview of the free public shuttle service that will be provided to the City Hollister's 2023 Fireworks Display Community event. She stated that once the agreement is approved by the Board, LTA staff would be working with City staff and the Hollister Police Department to identify bus stop locations and a schedule. They will also work jointly to promote the shuttle service to the community.

Chair Gonzales requested that staff forward the information/flyer to the Board so that they are able to distribute it to the public.

There was no public comment.

Motion made to approve Consent Agenda Item 6:

Motion: Director Scott Freels Second: Director Mindy Sotelo

Motion carried: 4/0

Yes: Sotelo, Freels, Morales, Gonzales

No: None

Recused: None

Abstention: None

Absent: Casey

ACTION ITEMS:

4:00 P.M. Public Hearing (Or As Soon Thereafter As the Matter May Be Heard)

7. Fiscal Year 2023-2024 Local Transportation Authority (LTA) Budget – Rivera

- a. RECEIVE Presentation on the Fiscal Year 2023-2024 Budget for the Local Transportation Authority.
- b. HOLD Public Hearing on the Fiscal Year 2023-2024 LTA Budget
- c. ADOPT Resolution 23-05 Adopting the FY 2023-2024 LTA Budget

Administrative Services Specialist, Norma Rivera provided a presentation on the Fiscal Year 2023-2024 Budget for the Local Transportation Authority (LTA) and answered questions from the Board.

Chair Gonzales opened the public hearing at 6:40 p.m.

There was no public comment.

Chair Gonzales closed the public hearing at 6:40 p.m.

Motion made to Adopt Agenda Item 7c as noted above:

Motion: Director Mindy Sotelo Second: Director Dolores Morales

Motion carried: 4/0

Yes: Sotelo, Freels, Morales, Gonzales

No: None

Recused: None

Abstention: None

Absent: Casey

8. ADOPT Resolution 23-04 Approving the San Benito County Local Transportation Authority Zero-Emission Bus Rollout Plan – Valentine

Transportation Planning Manager, Veronica Lezama, provided a presentation on the San Benito County Local Transportation Authority Zero-Emission Bus Rollout Plan. Ms. Lezama noted that Transportation Planner, Regina Valentine, was available via-Zoom to answer any questions.

There was no public comment:

Motion made to adopt Agenda Item 8 as noted above:

Motion: Director Dolores Morales Second: Director Scott Freels
Motion carried: 4/0
Yes: Sotelo, Freels, Morales, Gonzales
No: None
Recused: None
Abstention: None
Absent: Casey

**9. ADOPT Project Plans and Specifications, and RELEASE Invitation for Bids to Construct the Project:
Transit Maintenance and Operations Building Tenant Improvement Project – Valentine**

Transportation Planning Manager, Veronica Lezama, presented on behalf of Transportation Planner, Regina Valentine, who was available via-Zoom to answer questions.

There was no public comment.

Motion made to approve Agenda Item 9:

Motion: Director Scott Freels Second: Director Dolores Morales
Motion carried: 4/0
Yes: Sotelo, Freels, Morales, Gonzales
No: None
Recused: None
Abstention: None
Absent: Casey

ADJOURNMENT:

There being no further business to discuss, Director Freels motioned to adjourn at 6:45 p.m.
Motion seconded by Director Morales.

Motion carried: 4/0
Yes: Sotelo, Freels, Morales, Gonzales
No: None
Recused: None
Abstention: None
Absent: Casey

ADJOURN TO LTA MEETING AUGUST 17, 2023 AT 4:00 P.M.



STAFF REPORT

Consent

Prepared By: Norma Aceves, Administrative Services Specialist

Subject: Fiscal Year 2023-2024 TDA Claim

Agenda Item No. 5

Approved By: Binu Abraham, Executive Director

Meeting Date: September 21, 2023

Recommendation:

Adopt Resolution 2023-06 authorizing the filing of a claim for allocation of Transportation Development Act funds for fiscal year 2023/2024.

Summary:

The Local Transportation Authority will be submitting an annual claim for Local Transportation Funds for fiscal year 2023-2024 for transit operations.

Background/ Discussion:

Each year the COG Board is required by the Transportation Development Act to allocate Local Transportation Funds to eligible claimants. The Local Transportation Fund is derived from a ¼ cent of the general sales tax collected statewide and returned to the COG. Local Transportation Funds are to be used for statutory purposes in San Benito County and include (in priority order):

- TDA administration costs
- General public transit operations and capital
- Contract payments for transit services
- Transit-related research and development projects
- Administration of transit contracts
- Elderly and disabled transit
- Bicycle and pedestrian projects
- Local streets and roads (Cities & County based on population)

Resolution 2023-06 is required under the Transportation Development Act pursuant to Public Utilities Code Article 4 and Article 4.5 which are a part of the claims process. Listed below are the requirements of the claimants for the Local Transportation Funds.

1. The Council of Governments' expenditures are in conformity with the Regional Transportation Plan.

2. The sum of the County of San Benito allocations from the Local Transportation Fund does not exceed the amount the claimant is eligible to receive during the fiscal year.

The Local Transportation Authority will be submitting an annual claim for Local Transportation Funds for fiscal year 2023-2024 in the amount of \$1,730,070 for transit operations. The TDA claim amount is in line with the COG Board approved budget for fiscal year 2023-2024. Staff reviewed the request from the Council of Governments as the claimant and found it consistent with the Transportation Development Act requirements. The attached Resolution 2023-06 approves the request for this claim.

Financial Impact:

The Local Transportation Fund will allocate \$793,810 in State Transit Assistance funds and \$936,260 under Article 4 Transit Operation and Article 4.5 Community Transit Services for transit operations. This amount is consistent with the FY 23/24 Board approved budget.

Attachment:

1. Resolution 2023-06
2. TDA Claim Form

BEFORE THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY

A RESOLUTION OF THE SAN BENITO COUNTY)	
LOCAL TRANSPORTATION AUTHORITY)	
AUTHORIZING THE FILING OF A CLAIM WITH)	Resolution No. <u>23-06</u>
THE COUNCIL OF SAN BENITO COUNTY)	
GOVERNMENTS, ACTING AS THE REGIONAL)	
TRANSPORTATION PLANNING AGENCY, FOR)	
ALLOCATION OF TRANSPORTATION)	
DEVELOPMENT ACT FUNDS FOR FISCAL)	
YEAR 2023/2024)	

WHEREAS, the Transportation Development Act (TDA), as amended (California Public Utilities Code commencing with Section 99200 et seq.) provides for the allocation of funds from the Local Transportation Fund and the State Transit Assistance Fund by Regional Transportation Planning Agencies, for the use by eligible claimants for various transportation purposes; and

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

WHEREAS, pursuant to the provisions of the TDA, as amended and pursuant to the applicable rules and regulations thereunder (Title 21, Division 3, Chapter 2 (commencing with section 6600) of the California Code of Regulations) a prospective claimant wishing to receive an allocation from the Local Transportation Fund or the State Transit Assistance fund shall file its claim with the Council of San Benito County Governments.

NOW, THEREFORE, BE IT RESOLVED that the San Benito County Local Transportation Authority is authorized to execute and file an appropriate claim pursuant to the terms of the Transportation Development Act, as amended and pursuant to applicable rules and regulations promulgated thereunder, together with all necessary supporting documents, with the Council of San Benito County Governments for an allocation of TDA funds in Fiscal Year 2023/2024.

BE IT FURTHER RESOLVED that the authorized claim includes \$1,730,070 for transit purposes.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Council of San Benito County Governments in conjunction with the filings of the claims.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY THIS 21st DAY OF SEPTEMBER 2023 BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAINING:

ABSENT:

Bea Gonzales, Chair

APPROVED AS TO LEGAL FORM:

SAN BENITO COUNTY COUNSEL'S OFFICE

Dated: Aug. 29, 2023

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

ATTEST:

Binu Abraham, Executive Director

Dated: _____

By: _____

CLAIM FOR LOCAL TRANSPORTATION FUNDS
TRANSIT PURPOSES

TO: COUNCIL OF SAN BENITO COUNTY GOVERNMENTS
 330 TRES PINOS RD., SUITE C7, HOLLISTER, CA 95023

FROM: CLAIMANT: Local Transportation Authority
 ADDRESS: 330 Tres Pinos Road, Suite C7
Hollister, CA 95023
 CONTACT PERSON: Norma Aceves

Phone: 831-637-7665 Email: norma@sanbenitocog.org

The Local Transportation Authority hereby request, in accordance with the State of California Public Utilities Code, commencing with Section 99200 and the California Code of Regulations commencing with Section 6600, that this claim for Local Transportation Funds be approved for Fiscal Year 2023-2024, in the following amounts for the following purposes to be drawn from the Local Transportation Fund deposited with San Benito County Treasurer.

P.U.C. 99260a, Article 4, Transit Operation/Capital: \$ 415,385
 P.U.C. 99275, Article 4.5, Community Transit Services: \$ 520,874
 P.U.C. 66400c, Article 8c, Contracted Transit Services: \$ _____
 C.C.R. 6648, Capital Reserve: \$ _____
 P.U.C. 99400e, Article 8e, Capital for Contracted Services: \$ _____

When approved, this claim will be transmitted to the San Benito County Auditor for payment. Approval of the claim and payment by the County Auditor to the applicant is subject to such monies being available for distribution, and to the provisions that such monies will be used only in accordance with the terms of the approved annual financial plan and budget.

APPROVED:

SAN BENITO COUNTY COUNCIL
 OF GOVERNMENTS BOARD OF
 DIRECTORS

APPLICANT

BY: _____
 (signature)

TITLE: _____

DATE: _____

BY: Norma Aceves
 (signature)

TITLE: Administrative Services Specialist

DATE: September 21, 2023

CLAIM FOR STATE TRANSIT ASSISTANCE FUNDS

TO: COUNCIL OF SAN BENITO COUNTY GOVERNMENTS
330 TRES PINOS RD., SUITE C7, HOLLISTER, CA 95023

FROM: CLAIMANT: Local Transportation Authority

ADDRESS: 330 Tres Pinos Road, Suite C7
Hollister, CA 95023

CONTACT PERSON: Norma Aceves

Phone: 831-637-7665 Email: norma@sanbenitocog.org

The Local Transportation Authority hereby request, in accordance with the State of California Public Utilities Code, commencing with Section 99200 and the California Code of Regulations commencing with Section 6600, that this claim for State Transit Assistance be approved in the amount of \$ 793,810 for Fiscal Year 2023-2024, to be drawn from the State Transit Assistance fund deposited with the San Benito County Treasurer.

When approved, this claim will be transmitted to the San Benito County Auditor for payment. Approval of the claim and payment by the County Auditor to the applicant is subject to such monies being available for distribution, and to the provisions that such monies will be used only in accordance with the terms of the approved annual financial plan and budget.

APPROVED:

COUNCIL OF SAN BENITO COUNTY
GOVERNMENTS BOARD OF
DIRECTORS

APPLICANT

BY: _____
(signature)

TITLE: _____

DATE: _____

BY: Norma Aceves
(signature)

TITLE: Administrative Services Specialist

DATE: September 21, 2023

STAFF REPORT

Informational

Prepared By: Veronica Lezama,
Transportation Planning Manager
Subject: 2023 Title VI Program

Agenda Item No. 6

Approved By: Binu Abraham, Executive Director

Meeting Date: September 21, 2023

Recommendation:

ADOPT Resolution 2023-08 certifying the San Benito County Local Transportation Authority's 2023 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.

Background/Discussion:

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.

As a public transit operator and FTA funding grantee, LTA is required to update the Title VI Program every three (3) years. 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 2023 Title VI Program, Attachment 1, for the LTA Board of Director's input.

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.

Attachments:

1. Title VI Program

BEFORE THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY

RESOLUTION OF THE SAN BENITO COUNTY LOCAL)	RESOLUTION NO: 23-08
TRANSPORTATION AUTHORITY BOARD OF DIRECTORS)	
ADOPTING THE SAN BENITO COUNTY LOCAL)	
TRANSPORTATION AUTHORITY'S 2023 TITLE VI)	
COMPLIANCE PROGRAM)	

WHEREAS, the San Benito County Local Transportation Authority (LTA) desires to comply with Title VI of the Civil Rights Act 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 2023 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.

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 2023 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; and
3. The LTA Executive Director or his/her designee is authorized to implement policies that may be necessary to comply with subsequent revisions to or interpretations of the Civil Rights Act.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY on this 21th day of September 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bea Gonzales, Chair

ATTEST:

Binu Abraham, 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: Aug. 29, 2023

Exhibit A

San Benito County Local Transportation Authority's Title VI Program

Final September 21, 2023

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This document was prepared by Local Transportation Authority 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

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.

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

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.

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 (LTA) 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
Email: info@sanbenitocog.org

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.

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: Queja del Título VI
330 Tres Pinos Road, Suite C7
Hollister, CA 95023
Tel: 831.637.7665 Fax: 831.636.4160

Correo Electrónico: info@sanbenitocog.org

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.

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 - telecommunications device for the deaf	<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 <i>(check all that apply)</i> :		
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin		
12. Date of alleged discrimination: <i>(mm/dd/yyyy)</i>		
13. Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.		
Section IV:		
14. Have you previously filed a Title VI complaint with the San Benito County Local Transportation Authority?	YES	NO
Section V:		

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

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

Signature and date are required below to complete form:

Signature _____ Date _____

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

San Benito County Local Transportation Authority
 Attn: Title VI Complaint
 330 Tres Pinos Road, Suite C7
 Hollister, CA 95023
 Email: info@sanbenitocog.org

Spanish Title VI Complaint Form

Parte I:		
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
Parte II:		
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
Parte III:		
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.		

Parte IV:		
14. ¿Ha presentado anteriormente una queja del Título VI con la Autoridad Local de Transporte del Condado de San Benito?	Sí	No
Parte V:		
15. ¿Presentó esta demanda ante otra agencia federal, estatal, local o ante un tribunal estatal o federal?		
[] Si* [] No		
Si la respuesta es sí, marque todas las que apliquen:		
[] Agencia Federal _____	[] Agencia Estatal _____	
[] Tribunal Federal _____	[] Agencia Local _____	
[] 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:
Parte VI:		
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:

Autoridad de Transporte Local del Condado de San Benito
 Attn: Queja del Título VI
 330 Tres Pinos Road, Suite C7
 Hollister, CA 95023
 Correo Electrónico: info@sanbenitocog.org

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 2020, San Benito County's population size is 64,209. Approximately, 26% of the population is under the age of 18 and 13.2% of the population is 65 years old or older.

There are 20,307 households in San Benito County. The median household income was \$101,923. Additionally, 9% of the County's population is considered to be below or at the Federal Poverty Level.

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.

Race and Ethnicity in San Benito County	
Hispanic or Latino	
White Alone	8.8%
Black or African American Alone	0%
American Indian and Alaska Native Alone	2.0%
Asian Alone	0.2%
Native Hawaiian and Other Pacific islander Alone	0%
Some Other Race Alone	30.7%
Two or More Races	58.3%
Not Hispanic or Latino	
White Alone	80.4%
Black or African American Alone	1.4%
American Indian and Alaska Native Alone	0.2%
Asian Alone	8.1%
Native Hawaiian and Other Pacific islander Alone	2.9%
Some Other Race Alone	0.1%
Two or More Races	6.9%

San Benito County Demography

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

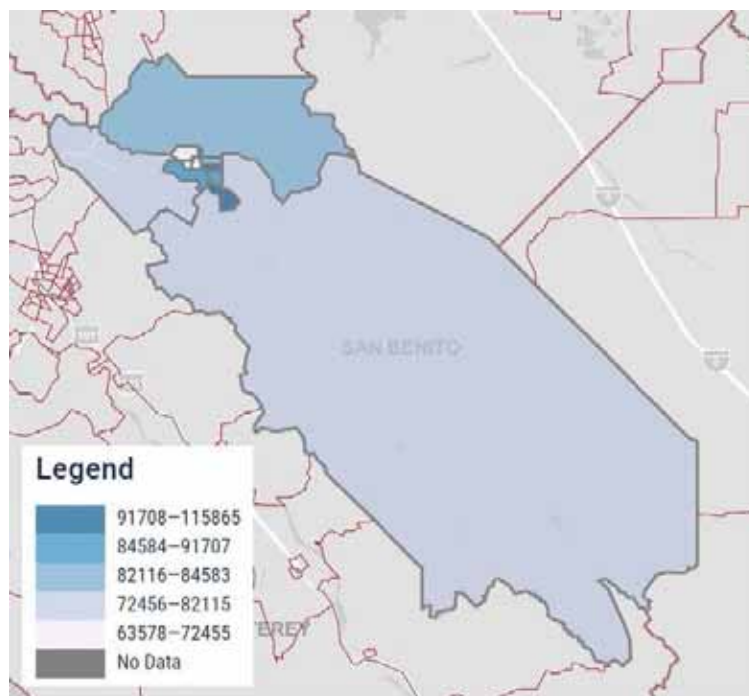
All County Express services are open to the public except for its Paratransit service. A person must have a disability that prevents him/her to from accessing Fixed Route services within $\frac{3}{4}$ of a mile. The LTA is responsible for determining the eligibility for residents in San Benito County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

Specialized Transportation 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:

- Bilingual notice for public events include flyers posted on social media, at bus stops and onboard buses.
- Community engagement in the community that is being impacted by modifications to transit services.
- Bilingual notices are posted prior to the public event.
- Bilingual notices are posted at the LTA office at key community centers with whom LTA has a partnership, including the senior center, library, and schools.

- Bilingual 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, Next-Door, Instagram), 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 bilingual public meetings and outreach during the development of the Highway 25 Transit Corridor Study;
- Conducted several year-round Ad hoc outreach efforts with the Social Services Transportation Advisory Council;
- Conduct annual Unmet Transit Needs processes as required by state statute to conduct a formal hearing process that solicits information about transit needs. All hearings and meeting were held in both English and Spanish. Bilingual staff conducts onboard surveys on transit vehicles. This allows the Council of San Benito County 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;
- Held a public hearing on the AMBAG's Public Participation Plan, which provides community engagement strategies for public transit outreach;
- 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 alongside English notices at the administration offices, onboard buses, social media through various platforms, 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 and workshops.
- Additional outreach is preformed in communities that traditionally do not provide public comment on transit planning processes.

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 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	Technical Advisory Committee
Black, African American	0%	0%	0%
Asian	0%	0%	0%
White	40%	60%	75%
American Indian, Alaska Native	0%	10%	0%
Native Hawaiian, Other Pacific Islander	0%	0%	0%
Some Other Race	20%	10%	13%
Decline to State	40%	0%	13%
Hispanic, Latino, Spanish origin	13%	20%	13%

Membership of Non-Elected Committees and Elected Board

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:

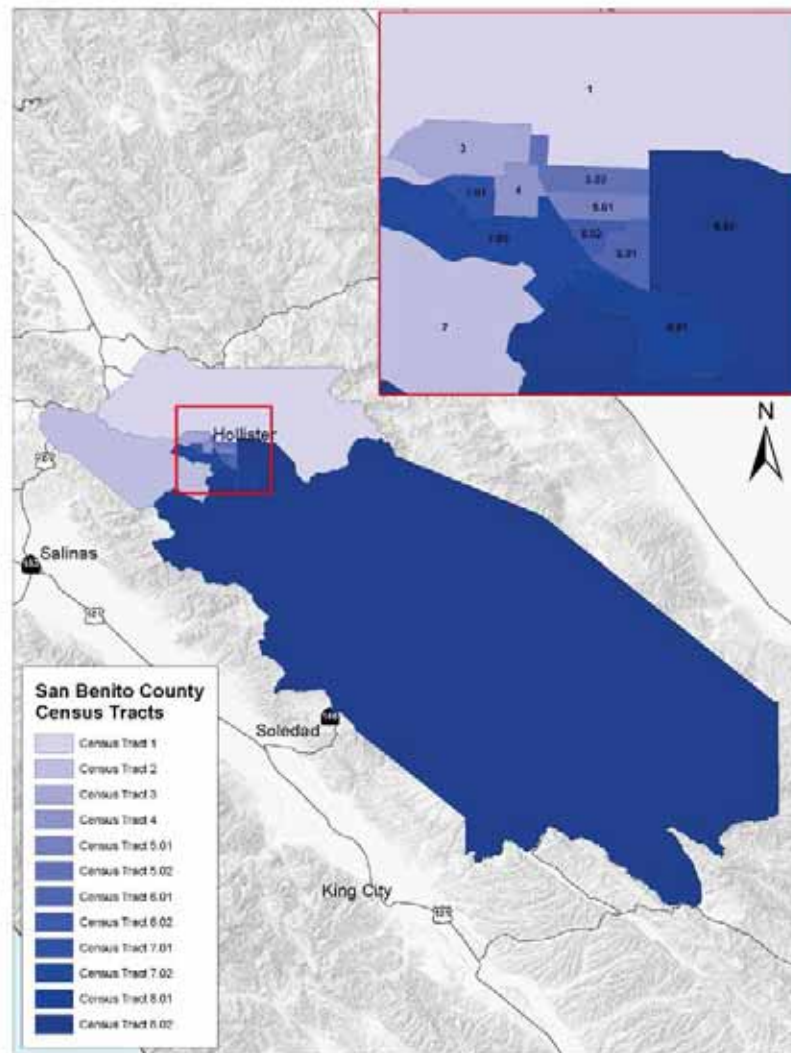
1. *Potential Number of LEP Persons Served* – The number or proportion of LEP persons in the service area who may be served or are likely to encounter a LTA program, activity, or service.
2. *Service Contact Frequency of LEP Persons* – The frequency with which LEP persons come in contact with LTA programs, 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 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	6.01	6.02	7.01	7.02	8.01	8.02	% of Total Population
Spanish	598	554	1,120	1,435	562	1,682	461	466	1,199	461	16	302	15.42%
Other Indo-European languages	26	21	0	0	4	15	0	12	7	112	22	0	0.38%
Asian and Pacific Island languages	17	141	10	0	12	20	22	12	56	86	6	0	0.66%
Other languages	52	0	0	0	0	0	52	0	0	0	0	0	0.18%

Number of Individuals that Speak English "Less Than Very Well" By Census Tract in San Benito County
Source: 2016-2020 American Community Survey 5 Year Estimates Detailed Table S1601

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 four people that are bilingual in Spanish and English and are available throughout the day during business hours to LEP persons.

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

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
- Spanish Title VI Policy and Complaint Form: 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	6.01	6.02	7.01	7.02	8.01	8.02	
Spanish	598	554	1,120	1,435	562	1,682	461	466	1,199	461	16	302	15.42%
Other Indo-European languages	26	21	0	0	4	15	0	12	7	112	22	0	0.38%
Asian and Pacific Island languages	17	141	10	0	12	20	22	12	56	86	6	0	0.66%
Other languages	52	0	0	0	0	0	52	0	0	0	0	0	0.18%

Number of Individuals that Speak English "Less Than Very Well" By Census Tract in San Benito County
Source: 2016-2020 American Community Survey 5 Year Estimates Detailed Table S1601

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. 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 students. 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.

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**

Insert upon adoption of final plan



STAFF REPORT

Consent

Prepared By: Veronica Lezama,
Transportation Planning Manager

Subject: California State of Good Repair
Program

Agenda Item No. 7

Approved By: Binu Abraham, Executive Director

Meeting Date: September 21, 2023

Recommendation:

ADOPT Resolution 2023-07 Approving Projects for Funding and Authorizing the Application for and Acceptance of FY 2023-2024 California State of Good Repair Program Funds Totaling \$107,586.

Summary:

The LTA is eligible to receive a total of \$107,586 in State of Good Repair funds for FY 2023-24. Adoption of Resolution 2023-07 will approve the projects identified for funding.

Background/Discussion:

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. 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.

After reviewing LTA's adopted Transit Asset Management Plan, staff has prepared a list of eligible SGR Program projects detailed in Exhibit A of Resolution 2023-07. At this time, staff recommends the LTA Board approve the list of eligible projects for the allocation request that is due September 1, 2023. Additionally, staff recommends that the Board authorize the application for and acceptance of the SGR Program funds for the list of projects when distributed by Caltrans.

Staff recommends that the Board of Directors adopt Resolution 2023-07 to be eligible to receive a total of \$107,586 for FY 2023-24 SGR Program funds.

Financial Impact:

COG and LTA are eligible to receive a total of \$107,586 of FY 2023-24 SGR Program funds for eligible transit projects. There is no local match required.

Attachments: Resolution 2023-07



BEFORE THE SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY

RESOLUTION OF THE SAN BENITO COUNTY LOCAL)	RESOLUTION NO: 2023-07
TRANSPORTATION AUTHORITY APPROVING PROJECTS)	
FOR FUNDING AND AUTHORIZING THE EXECUTIVE)	
DIRECTOR, TRANSPORTATION PLANNING MANAGER, OR)	
DESIGNEE TO APPLY FOR AND ACCEPT FY 2023-24)	
CALIFORNIA STATE OF GOOD REPAIR (SGR) PROGRAM)	
FUNDS TOTALING \$107,586.00.)	
<hr/>		

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 (STA) 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 STA 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 2023-24 SGR Account; and

WHEREAS, the transit projects to be submitted for FY 2023-24 SGR funding total \$107,586.00., 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 2023-24 SGR allocation is \$105,917.00, as determined pursuant to the distribution formula in PUC section 99313; and

WHEREAS, LTA's portion of the FY 2023-24 SGR allocation is \$1,669.00, as determined pursuant to the distribution formula in PUC section 99314; and

WHEREAS, COG has approved the SGR funded transit projects identified in Exhibit A and designated LTA as the lead agency for the project list, 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 Board of Directors of the San Benito County Local Transportation Authority hereby approves the SGR funded transit projects identified in the project list attached hereto and incorporated herein by reference as Exhibit A; and

BE IT FURTHER 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 Board of Directors of the San Benito County Local Transportation Authority hereby authorizes the Executive Director of the San Benito County Local Transportation Authority, its Transportation Planning Manager, or designee, to apply for and accept SGR funds awarded by Caltrans for transit projects in San Benito County for FY 2023-24, and to execute the application and related materials, grant agreement and amendments, and all other 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 21st day of September 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bea Gonzales, Chair

ATTEST:

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

By: _____
Binu Abraham
Executive Director

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

Dated: _____

Dated: Aug. 29, 2023

Exhibit A

Projects	FY 2023-24 SGR Estimated Funding
Rolling Stock, Replacement, One Vehicle	\$107,586.00.
<i>Total</i>	\$107,586.00.

STAFF REPORT

Action

Prepared By: Veronica Lezama,
Transportation Planning Manager
Subject: Transit Maintenance and
Operations Building Tenant Improvement
Project

Agenda Item No. 8

Approved By: Binu Abraham, Executive Director

Meeting Date: September 21, 2023

Recommendation:

- a. ACCEPT all bids for the Transit Maintenance and Operations Building Tenant Improvement Project and find C2 Builders, Inc. as the lowest responsive, responsible bidder; AWARD Contract to C2 Builders, Inc in the amount of \$371,975.00; and
- b. APPROVE contract and authorize the COG Executive Director or designee to execute the contract upon receipt of all contract documents required in the Invitation for Bids; and AUTHORIZE the Executive Director or designee to issue change orders in an amount not to exceed \$31,098.00.

Summary:

The San Benito County Local Transportation Authority (LTA) issued an Invitation for Bids to enter into contract with a qualified construction firm for building improvements at LTA's Maintenance and Operations facility located at 3240 Southside Road, Hollister CA 95023.

Background/ Discussion:

Built in 1997, the Local Transportation Authority's Maintenance and Operations facility is located at 3240 Southside Road in Hollister, CA. Due to the age of the facility, building improvements are needed, which include new windows, flooring and lighting, expansion of the dispatch area floor space to be consistent with the latest State building code requirements, inspection and repairs to the fire suppression system, and pavement upgrades to reduce the pooling of stormwater runoff near the building entrance.

The LTA has been working with architectural and construction management consultants to prepare the project plans and Invitation for Bids, which were issued on June 16, 2023. The LTA received one responsive, responsible bid from C2 Builders, Inc. Enclosed for the Board's consideration is a contract with C2 Builders, Inc. totaling \$371,975.00 for the completion of the aforementioned work. Staff is recommending that the COG Board of Directors consider approval

of the enclosed contract with C2 Builders, Inc. totaling \$371,975.00 as the lowest responsive, responsible bidder.

Financial Impact:

This Transit Maintenance and Operations Building Tenant Improvement Project has been included in the FY 2023-24 budget and will be funded using State Public Transportation Modernization Improvement Service Enhancements Account (PTMISEA) funds.

Attachment: Contract with C2 Builders, Inc.

**SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY
STATE OF CALIFORNIA**

THIS CONTRACT, made and entered into this 1st day of September, 2023 between San Benito County Local Transportation Authority, a joint powers agency formed pursuant to the joint exercise of powers provisions of California Government Code Sections 6500-6522 and located within the County of San Benito, State of California, hereinafter referred to as SBCLTA, and C2 Builders, Inc., hereinafter referred to as CONTRACTOR;

WHEREAS, the SBCLTA Board of Directors caused plans and specifications for the work hereinafter mentioned to be prepared, and approved and adopted the plans and specifications; and

WHEREAS, the SBCLTA Board of Directors caused to be noticed for the time and in the manner required by law a Notice inviting sealed Bids for the performance of the work described in the adopted plans and specifications; and

WHEREAS, CONTRACTOR, in response to the Notice, submitted a sealed Bid for the performance of the work specified in the adopted plans and specifications to the SBCLTA Board of Directors within the time and in the manner specified in the Notice; and

WHEREAS, in the manner provided by law, the SBCLTA Board of Directors received, publicly opened and canvassed the Bids submitted in response to the Notice, including the Bid submitted by CONTRACTOR; and

WHEREAS, CONTRACTOR was the lowest responsive, responsible Bidder for the performance of said work, and the SBCLTA Board of Directors, as a result of the canvass of Bids submitted, determined and declared CONTRACTOR to be the lowest responsive, responsible Bidder for the work and awarded to it a contract therefore.

NOW, THEREFORE, in consideration of the above, it is mutually agreed between the parties hereto as follows:

1. The CONTRACTOR will commence and complete the construction of the following public work project:

Transit Maintenance & Operations Building TI Project
2. The CONTRACTOR shall do all of the work and furnish all of the materials, supplies, tools, equipment, labor, and other services necessary to construct and complete in a good, workmanlike and substantial manner and to the SBCLTA'S satisfaction, the project as described in the Invitation for Bids package, including all of the CONTRACT DOCUMENTS.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within five (5) calendar days after the date of the Notice To Proceed and will complete the same within 135 calendar days unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.

4. The CONTRACTOR agrees to perform all of the work described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of Three Hundred Seventy-One Thousand, Nine Hundred, Seventy-Five and Zero/100 Dollars (\$371,975.00).
5. The term "CONTRACT DOCUMENTS" means and includes the following, all of which documents are incorporated herein by reference:
 - a. INVITATION FOR BIDS "THE BID PACKAGE" INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
 - (1) INVITATION FOR BIDS
 - (2) CONTRACTING AND PROCUREMENT REQUIREMENTS INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
 - (a) NOTICE TO CONTRACTORS
 - (b) INSTRUCTIONS TO BIDDERS
 - (c) GENERAL CONDITIONS
 - (d) SUPPLEMENTAL CONDITIONS
 - (3) SPECIFICATIONS AND REQUIREMENTS
 - (4) PLANS
 - (5) ADDENDA:
No. 1, dated August 11, 2023
 - b. THE ACCEPTED BID INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
 - (1) SIGNATURE SHEET
 - (2) BID SCHEDULE
 - (3) NAMES AND TITLES FORM
 - (4) BIDDER'S BOND
 - (5) SUBCONTRACTOR LIST
 - (6) NON-COLLUSION AFFIDAVIT
 - (7) STATEMENT OF COMPLIANCE
 - (8) BIDDER QUALIFICATIONS
 - (9) GUARANTY
 - (10) CERTIFICATE AS TO WORKER'S COMPENSATION
 - (11) AFFIDAVIT CONCERNING EMPLOYMENT OF UNDOCUMENTED ALIENS
 - c. NOTICE OF AWARD
 - d. CONTRACT, SIGNED BY SBCLTA AND THE CONTRACTOR
 - e. PERFORMANCE BOND
 - f. PAYMENT BOND
 - g. NOTICE TO PROCEED

h. FUTURE CHANGE ORDERS

All CONTRACT DOCUMENTS are intended to cooperate, so that any work called for in one and not mentioned in another is to be executed the same as if mentioned in all. However, should there be any conflict between the terms of this instrument and the CONTRACTOR'S Bid, then this instrument shall control. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the CONTRACTOR'S Bid, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of the Bid conflicting herewith. Where the specific terms and conditions in any of the referenced CONTRACT DOCUMENTS conflict with general terms and conditions in any referenced CONTRACT DOCUMENTS, the more specific terms and conditions shall be deemed to control. However, the general terms and conditions in any referenced CONTRACT DOCUMENTS shall remain in full force and effect, to the extent they do not conflict with the specific terms and conditions in any referenced CONTRACT DOCUMENTS.

6. The SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY will pay to the CONTRACTOR in the manner and at such times set forth in the CONTRACT DOCUMENTS such amounts as required by the CONTRACT DOCUMENTS.
7. In lieu of the SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY retaining a portion of progress payments due the CONTRACTOR, the CONTRACTOR may elect to deposit qualifying securities equivalent to the amount to be withheld. Upon such deposit under an escrow agreement substantially in the form specified in section 22300(e) of the Public Contracts Code, the funds shall be released.
8. Eight (8) hours of labor shall constitute a legal day's work, and the CONTRACTOR or any subcontractor under him, in the performance of the contract, shall not require more than eight (8) hours of labor in any calendar day, or more than forty (40) hours of labor in any calendar week, from any person employed by the CONTRACTOR in the performance of the work under this Contract, except as permitted under the provisions of Section 1815 of the Labor Code of the State of California. The CONTRACTOR shall forfeit, as penalty to SBCLTA, twenty-five dollars (\$25.00) for each worker employed by the CONTRACTOR or any subcontractor under the CONTRACTOR in the performance of the contract for each calendar day during which any worker is required or permitted to labor more than eight (8) hours and for each calendar week during which any worker is required or permitted to labor more than forty (40) hours, in violation of the provisions of such Labor Code.
9. The CONTRACTOR and subcontractors shall comply with the requirements of Labor Code sections 1777.5 and 1777.6 in the employment of apprentices. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations ex officio the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.
10. Pursuant to Section 1770 et seq. of the California Labor Code, the CONTRACTOR shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations. The statement of prevailing wages appearing in the General Prevailing Wage Rates, as established by the California Department of Industrial Relations, is hereby specifically referred to and by this reference is made a part of this contract. Copies of the Prevailing Wage Scale are available at the following website: http://www.dir.ca.gov/DLSR/statistics_research.html#PWD. Those copies shall be made available to any interested party upon request. Failure to pay such

prevailing wages shall subject the employer to the penalties set forth in Labor Code section 1775. The difference between such prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which the worker was paid less than the prevailing wage rate shall be paid to each worker by the CONTRACTOR or subcontractor. An error on the part of the SBCLTA does not relieve the CONTRACTOR or any subcontractor from responsibility for payment of the prevailing rate of per diem wages and penalties pursuant to Labor Code sections 1770 through 1775.

11. The CONTRACTOR and each subcontractor must keep accurate payroll records of employees on public contracts and certify these records upon request, pursuant to Section 1776 of the California Labor Code and implementing regulations set forth in Title 8, Division 1, Chapter 8, Subchapter 3, sections 16000 and 16400 through 16404 of the California Code of Regulations. Payroll records must be made available for inspection by employees, SBCLTA, and the Division of Labor Standards Enforcement. The CONTRACTOR shall be responsible for compliance by the CONTRACTOR'S subcontractors.
12. The CONTRACTOR shall be subject to the examination and audit of the State auditor, at the request of SBCLTA or as part of any audit of SBCLTA, for a period of three (3) years after final payment under the contract.
13. During the performance of this Contract, CONTRACTOR agrees as follows:
 - a. During the performance of this Contract, CONTRACTOR and its subcontractors shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical disability, medical condition (cancer related), marital status, pregnancy, age (over 18), sex, sexual orientation, veteran's status or any other non-merit factor unrelated to job duties. CONTRACTOR and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. The CONTRACTOR agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
 - b. The CONTRACTOR shall, in all solicitations or advertisements for employees by or on behalf of the CONTRACTOR, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, ancestry, physical or mental disability, medical condition (cancer related), marital status, pregnancy, sex, sexual orientation, age (over 18), veteran status, or any other non-merit factor unrelated to job duties.
 - c. The CONTRACTOR shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under this Contract.
14. The CONTRACTOR offers and agrees to assign to the SBCLTA all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the California Business and Professions Code), arising from purchases of goods, services, or materials pursuant to this CONTRACT. This assignment shall be made and become effective at the time the SBCLTA tenders final payment to the CONTRACTOR, without further acknowledgment by the parties.

15. This CONTRACT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

16. The following individuals are the parties CONTRACT Administrators:

LOCAL TRANSPORTATION AUTHORITY:
Contract Administrator:

Name: Veronica Lezama
Title: Transportation Planning Manager
Address: 330 Tres Pinos Rd., Suite C7
Hollister, CA 95023
Phone: 831-637-7665 x 206
Fax: 831-636-4160
E-mail: veronica@sanbenitocog.org

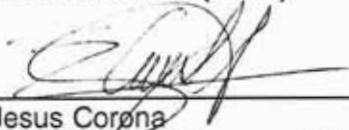
CONTRACTOR'S
Contract Administrator:

Name: Jesus Corona
Title: President
Address: 2845 Emmanuel Court
Royal Oaks, CA 95076
Phone: 831-319-2557
Fax: N/A
E-mail: jc2buildersinc@gmail.com

This CONTRACT shall not be effective unless and until approved by a duly authorized representative of San Benito County Local Transportation Authority Board of Directors and San Benito County Counsel.

IN WITNESS WHEREOF, the San Benito County Local Transportation Authority Board of Directors and CONTRACTOR have caused this Agreement to be signed as of the day and year first above written.

CONTRACTOR (FIRM)



Jesus Corona
Address: 2845 Emmanuel Court
Royal Oaks, CA 95076
Phone: 831-319-2557
Fax: N/A


Date 09/14/2023

SAN BENITO COUNTY LOCAL TRANSPORTATION AUTHORITY

Bea Gonzales, Chair

Date _____

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



Shirley Murphy, Deputy County Counsel
Local Transportation Authority Legal Counsel

Date Sept. 14, 2023