



Yolo County Transportation District Board of Directors

AGENDA

DIRECTORS: Jesse Loren (Chair, Winters), Don Saylor (Vice-Chair, Yolo County), Lucas Frerichs (Davis), Chris Ledesma (West Sacramento), Tom Stallard (Woodland), Matt Dulcich (UCD, ex-officio), Nick Hernandez (Caltrans, ex-officio)

ZOOM WEBINAR WEB ADDRESS: <https://zoom.us/j/94926173219>

ZOOM WEBINAR PHONE NUMBER: (669) 900-6833

ZOOM WEBINAR ID: 949 2617 3219

All participants will be entered into the webinar as attendees.

MEETING DATE: Monday, May 10, 2021

MEETING TIME: 7:00 PM

Pursuant to the [Governor's Executive Order N-29-20](#), members of the Yolo County Transportation District Board of Directors and staff will participate in this Meeting via teleconference. This Executive Order authorizes local legislative bodies to hold public meetings via teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public.

Further instructions on how to electronically participate and submit your public comments can be found in the Public Participation Instructions note at the end of this agenda.

To submit a comment in writing, please email to ksouza@yctd.org and write "For Public Comment" in the subject line. In the body of the email, include the item number and/or title of the item (if applicable) with your comments. All comments received by 4:00 PM on Monday, May 10, 2021 will be provided to the YCTD Board of Directors in advance and comments submitted during the meeting shall be made part of the record of the meeting.

<i>Estimated Time</i>		<i><u>The Chairman reserves the right to limit speakers to a reasonable length of time on any agenda item, depending upon the number of people wishing to speak and the time available.</u></i>	<i>Info/ Discussion</i>	<i>Deliberation/ Action</i>
7:00 PM	1.	Determination of Quorum (Voting members: Woodland, Davis, West Sacramento, Winters, Yolo County) (Nonvoting members: Caltrans, UCD)		X
7:00	2.	Consider Approval of Agenda May 10, 2021 meeting		X
7:00	3.	Comments from public regarding matters NOT on the Agenda, but within the purview of YCTD. Please note, the Board is prohibited from discussing items not on the agenda at this time.	X	

CONSENT CALENDAR

7:05	4a.	Approve YCTD Board Minutes for Regular Meeting of April 12, 2021, and Special Meetings of April 10, 2021, April 19, 2021 (<i>Souza</i>) (<i>pp 1-9</i>)		X
7:05	4b.	Authorize Two Procurements, Resulting in Two Ice Machines and Office Furniture Purchases (<i>Mazur, Romero</i>) (<i>p 11</i>)		X
7:05	4c.	Approve Procurement for Vehicle Overhauls (<i>Mazur</i>) (<i>p 13</i>)		X
7:05	4d.	Receive Draft FY 2021/22 YCTD Budget (<i>Bryan</i>) (<i>pp 15-18</i>)		X
7:05	4e.	Recruitment of the YCTD Executive Director (<i>Welton</i>) (<i>p 19</i>)		X
7:05	4f.	Approve Amendment to Agreement 2021-05 for Management Consultant Services (<i>Welton</i>) (<i>pp 21-23</i>)		X

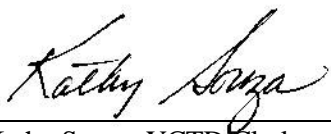
REGULAR CALENDAR

7:15	5.	Board Member Reports, Announcements, Other Nominations, Presentations		X
7:20	6.	YCTD Mission (<i>Tuttle</i>) (pp 25-37)		X
7:40	7.	SACOG Presentation on Sacramento Region Parks & Trail Strategic Development Plan (<i>Romero</i>) (pp 39-40)		X
7:55	8.	Federal Funding Priorities (<i>Tuttle</i>) (pp 41-42)		X
8:15	9.	Consider Director's Report (<i>Perez, Mazur</i>) (pp 43-55) <ul style="list-style-type: none"> a. Oral Report b. Update on Causeway Connection Service c. Update on Route 215 Service Changes and Discussions with Cache Creek Partners d. Monthly Progress Report on Three Primary Goals, Desired Outcomes for Succession Plan e. YCTD Website Update f. Proposed CA Legislation Which May Impact YCTD g. Attachments <ul style="list-style-type: none"> i. Financial Statements 3rd Quarter FY 2020/21 ii. April 2021 Ridership Report for Fixed Route, Paratransit and Microtransit iii. Updated Long-Range YCTD Board Meeting Calendar (subject to modification) iv. CA proposed legislative bills AB339, AB703, AB859, SB674 (see separate attachment) v. Davis Enterprise Article: A shortened life with a lasting legacy 		X
8:30	10.	Closed Session <ul style="list-style-type: none"> a. Public Employment, Employee Appointment or Evaluation Pursuant to Government Code Section 54957 Position title: Executive Director 		X
8:35	11.	Adjournment – In recognition of Nathan Streeter		X

UNLESS CHANGED BY THE YCTD BOARD, THE NEXT MEETING OF THE YOLO COUNTY TRANSPORTATION DISTRICT BOARD OF DIRECTORS WILL BE JUNE 14, 2021 AT 7:00 PM IN THE YCTD BOARD ROOM, 350 INDUSTRIAL WAY, WOODLAND, CA 95776 OR BY ZOOM IF RECOMMENDED FOR THE SAFETY OF THOSE INVOLVED.

The Board reserves the right to take action on all agenda items, including items under the Executive Director's Report, at any time during the meeting, except for timed public hearings. Items considered routine or non-controversial are placed on the Consent Calendar. Any Consent Calendar item can be separately addressed and discussed at the request of any member of the YCTD Board.

I declare under penalty of perjury that the foregoing agenda was posted on or before Friday, May 7, 2021 at the Yolo County Transportation District Office (350 Industrial Way, Woodland, California). Additionally, copies were FAXED or transmitted electronically to the Woodland, Davis, West Sacramento, and Winters City Halls, as well as to the Clerk of the Board for the County of Yolo.



Kathy Souza, YCTD Clerk to the Board

Public Participation Instructions

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID-19 virus, please do the following:

1. You are encouraged to participate in the May 10, 2021 YCTD Board of Directors meeting remotely via the Zoom platform using the following meeting details:
 - a. Via PC: <https://zoom.us/j/94926173219>
Webinar ID: 949 2617 3219
All participants will be entered into the webinar as attendees.
 - b. Via Phone: Phone Number: (669) 900-6833
Webinar ID: 949 2617 3219
All participants will be entered into the webinar as attendees.
2. If you are joining the webinar via Zoom and wish to make a comment on an item, click the "raise hand" button. If you are joining the webinar by phone only, press *9 to raise your hand. Please wait for the host to announce the comment period has opened and indicate that you wish to make a comment at that time. The Clerk of the Board will notify the Chair, who will call you by name or phone number when it is your turn to comment. Speakers will be limited to 2:00 minutes.
3. If you choose not to observe the YCTD Board of Directors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 4:00 p.m. on Monday, May 10, 2021 to Kathy Souza, Clerk of the Board, at ksouza@yctd.org or by phone at 530-402-2819 noting in the subject line: For Public Comment. Your comment will be placed into the record at the Board meeting.
4. If you are watching/listening to the live stream of the YCTD Board of Directors meeting and wish to make either a general public comment or to comment on a specific agenda item as it is being heard, you may also submit your comment, limited to 250 words or less, to Kathy Souza, Clerk of the Board, at ksouza@yctd.org noting in the subject line: For Public Comment. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting

Yolo County Transportation District Board:

Vision, Values and Priorities

Vision Statement

The vision statement tells us what we intend to become or achieve in the next 3 to 5 years.

Yolo County residents enjoy innovative and efficient mobility options connecting them to places they want to go.

Values

A core value describes our individual and organizational behaviors and helps us to live out our vision.

- | | |
|-----------------|-----------------------------|
| ○ Collaboration | ○ Safety |
| ○ Efficiency | ○ Economic Sustainability |
| ○ Transparency | ○ Environmental Stewardship |
| ○ Innovation | ○ Equity/Social Justice |
| ○ Service | |

District-Wide Priorities

Priorities align our vision and values with our implementation strategies.

- Effective and sustainable business model.
- Efficient, seamless, and easy to use transit system.
- Strong regional mobility partnerships enhance District services.
- Decision making that is data driven and transparent.
- Environmentally sustainable operations.
- Leverage state of the art technology.

Item 4a

YOLO COUNTY TRANSPORTATION DISTRICT BOARD OF DIRECTORS MEETING

April 12, 2021

Yolo County Transportation District Board Room (via videoconference)
350 Industrial Way, Woodland, CA 95776

Agenda Item 1 – Call to Order/Roll Call/Pledge of Allegiance

Chair Loren called the meeting to order at 7:03 pm and requested roll call to confirm a quorum was in attendance through Zoom remote participation. The following individuals were in attendance:

Davis – Lucas Frerichs (Primary)

Winters - Jesse Loren (Primary)

West Sacramento – Chris Ledesma (Primary)

Woodland – Tom Stallard (Primary) *arrived at 7:05 pm*

Yolo County – Don Saylor (Primary)

UC Davis – Matt Dulcich (Primary)

Caltrans – Nick Hernandez (Primary)

Staff present were Jose Perez, Acting YCTD Executive Director; Janice Bryan, Deputy Director Finance, Procurement and Grants; Kristen Mazur, YCTD Senior Planner; Chad Mikula, YCTD IT Specialist; Daniel Gomez, YCTD Inform Technology Assistant; Hope Welton, YCTD Legal Counsel; and Kathy Souza, YCTD Executive Assistant/Clerk to the Board.

Also present via Zoom were Kyle Eggen, Transdev; Mike Barnbaum, Sacramento; Joe Bolte, Alan Hirsch, Davis; James Drake, Sacramento Regional Transit, and Dan Boyle, Dan Boyle & Associates.

Mr. Perez reviewed the instructions for public participation in the meeting.

Agenda Item 2 – Consider Approval of Agenda for April 12, 2021

Chair Loren asked if there were any changes to the agenda. There being none, she called for a motion.

Minute Order 2021-10

Director Ledesma made the motion, seconded by Director Frerichs, to approve the agenda for the April 12, 2021 meeting. Roll call resulted in:

AYES: Frerichs, Ledesma, Loren, Saylor

NOES: None

ABSENT: Woodland representative

ABSTAIN: None

The motion passed.

Agenda Item 3 – Comments from public regarding matters NOT on the Agenda, but within the purview of YCTD

Mr. Barnbaum reported he attended the SacRT board meeting earlier that evening. Capitol Corridor Joint Powers Authority would hold its next board meeting on April 21.

Director Stallard arrived and stated he had been trying to get into the meeting since 6:55 pm.

Mr. Hirsch stated that he was still concerned about last month's discussion regarding YCTD being a co-lead agency on the I-80 project. His concern was that the project could well develop into a freeway widening project and contribute to additional single occupancy car traffic rather than encouraging use of mass transit. He expressed disappointment in board's approval without adding that it should be a transit focused project.

Agenda Item 4 – Consent Calendar

Chair Loren stated she had comments to make on Item 4b and asked to withdraw it from the Consent Calendar vote.

Minute Order 2021-11

Director Saylor made the motion, seconded by Director Frerichs to approve the following items on the Consent Calendar.

4a. Approve YCTD Board Minutes for Regular Meeting of March 8, 2021

4c. Approve Agreement 2021-04 with the County of Sacramento for YCTD Radio Communications System Licensing

Roll call resulted in:

AYES: Frerichs, Ledesma, Loren, Saylor, Stallard

NOES: None

ABSENT: None

ABSTAIN: None

The motion passed.

4b. Adopt Resolution of Appreciation R2021-04 for Terry Bassett

Chair Loren read the content of the resolution honoring retired Executive Director Terry Bassett.

Director Stallard stated that the Woodland City Council had presented a similar resolution to Mr. Bassett at its meeting the previous week. It also declared as April 7th being Terry Bassett Day in the City of Woodland.

Director Frerichs expressed his appreciation of Mr. Bassett's expertise in the field of transportation.

Director Dulcich stated that the Route 42 and Causeway Connection would serve as Mr. Bassett's visible legacy for his years of service.

Director Saylor stated that Mr. Bassett knew that transit was about people and attending to the needs of those people.

Director Ledesma thanked Mr. Bassett for his years of service and dedication to Yolo County and West Sacramento.

Mr. Drake, Sac RT, praised Mr. Bassett's cultivation of a successful team and his attention to detail for all projects.

Chair Loren mentioned Mr. Bassett’s flexibility in dealing with situations such as the COVID pandemic and creatively utilized Yolobus resources to help distribute food and services to those in need.

Minute Order 2021-12

Director Stallard made the motion, seconded by Director Frerichs, to adopt Resolution Number R2021-04 expressing appreciation to Terry Bassett, Retired Executive Director, for the extensive and admirable work he completed during his tenure. Roll call resulted in:

AYES: Frerichs, Ledesma, Loren, Saylor, Stallard
NOES: None
ABSENT: None
ABSTAIN: None

The motion passed.

Agenda Item 5 – Board Member Reports, Announcement, Other Nominations, Presentations

Chair Loren reported she participated with Assembly Member Cecilia Aguilar-Curry and Senator Bill Dodd to prepare an Assembly Resolution of Appreciation which Chair Loren had brought to the District offices for delivery to Mr. Bassett.

Agenda Item 6 – Financial Status Update

Ms. Bryan presented the staff report.

Director Saylor asked if there was a time limit on the CARES act funds commitment or expenditure. Ms. Bryan replied CARES act funds did not have any sunset date. She added that the CRRSSA funds would sunset in 2025 so would need to be obligated by 2023 and spent by 2025.

Director Saylor asked if there was an expenditure plan for the remaining \$4 million in remaining CARES funds. Ms. Bryan responded that staff was preparing that plan as part of the current budget preparation project.

Agenda Item 7 – Consider and Adopt Final Comprehensive Operational Analysis (YoloGo)

Mr. Perez presented the staff report.

Mr. Barnbaum recognized the leadership of Mr. Bassett in the development of this project. He thanked Yolobus for the expansion of the Route 42.

Mr. Bolte congratulated staff on getting the grant for all-day Route 42 30-minute service. He urged the board to approve the item.

Minute Order 2021-13

Director Ledesma made the motion, seconded by Director Saylor, to adopt the proposed Final Comprehensive Operational Analysis (YoloGo) study and associated Resolution R 2021-05, as presented, and subject to modification as necessary by changes in service and/or available resources. Roll call resulted in:

AYES: Frerichs, Ledesma, Loren, Saylor, Stallard
NOES: None
ABSENT: None
ABSTAIN: None

The motion passed unanimously.

Agenda Item 8 – YOUR Ride Microtransit Performance Goals

Ms. Mazur presented the staff report. She asked the directors what metrics they would like to see added to those proposed by staff.

Director Frerichs asked what type of comments the CAC and TAC members had put forth. Ms. Mazur stated that customer satisfaction was stressed by both. Acceptable wait times were one item mentioned that satisfaction needed to be assessed.

Director Frerichs suggested that the metrics reported to SACOG for the original pilot program should be incorporated into evaluating the continued operation.

Director Stallard asked if there was any increase in ridership. Ms. Mazur and Mr. Perez stated that there was most certainly a negative impact from the COVID pandemic but there seemed to be a bit of an increase. Director Stallard stated he would like to see an average cost per ride for the YOUR Ride similar to that provided for the fixed route.

Chair Loren stated that CAC members also expressed they found it difficult to compare the costs/ride for the two services. She strongly supported requesting customer satisfaction information. She suggested looking for software that would allow riders to instantly express satisfaction or dissatisfaction. She also stressed the need for additional outreach and advertising to promote the service.

Mr. Hirsh thanked Ms. Mazur for the report. He stressed the need for tracking the carbon footprint of the service.

Mr. Bolte suggested assessing the top incidents of problems with wait times rather than a simple bell curve. He echoed the concerns about comparisons to fixed route since the numbers were comparing pre-COVID to COVID ridership. He also suggested tracking down time for vehicles as possible reasons for increased costs as well as use of alternate vehicles.

Director Saylor requested that Ms. Mazur find ways to incorporate environmental impacts of the service.

Agenda Item 9 – Consider Director’s Report

- h. Oral Report –
- i. Free Rides For COVID-19 Vaccinations - Mr. Perez reported the “free rides for vaccination” promotion had resulted in 592 fixed route rides and 56 paratransit or microtransit rides. He stated that, with that success, staff planned to continue to offer the service through June 30.
- j. Update on Causeway Connection Service
- k. Update on Route 215 Service Changes and Discussions with Cache Creek Partners
- l. Monthly Progress Report on Three Primary Goals, Desired Outcomes for Succession Plan
- m. Attachments
 - i. March 2021 Ridership Report for Fixed Route, Paratransit and Microtransit
 - ii. Updated Long-Range YCTD Board Meeting Calendar (subject to modification)
 - iii. Draft Minutes of April 5, 2021 Citizens Advisory Committee Meeting
 - iv. Draft Minutes of April 5, 2021 Technical Advisory Committee Meeting

There being no further business, Chair Loren adjourned the meeting at 8:14 pm after Counsel stated there would likely be no report from the Closed Session.

Agenda Item 10 – Closed Session

- b. Public Employee Performance Evaluation

Position Title: Acting Executive Director

(Government Code Section §54957)

- c. Public Employment, Employee Appointment or Evaluation

Pursuant to Government Code Section 54957

Position Title: Interim Executive Director

- d. Conference with Labor Negotiator

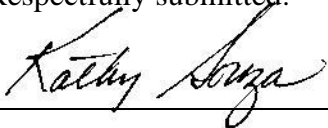
Agency Designated Representatives: District Counsel

Position Title of Unrepresented Employee: Interim Executive Director

(Government Code Section §54957.6)

Agenda Item 11 - Adjournment

Respectfully submitted:

_____, Clerk to the Board

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**YOLO COUNTY TRANSPORTATION DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING**

April 10, 2021

**Yolo County Transportation District Board Room (via videoconference)
350 Industrial Way, Woodland, CA 95776**

Agenda Item 1 – Call to Order/Roll Call/Pledge of Allegiance

Chair Loren called the meeting to order at 9:00am and requested roll call to confirm a quorum was in attendance through Zoom remote participation. The following individuals were in attendance:

Davis – Lucas Frerichs (Primary)

Winters - Jesse Loren (Primary)

West Sacramento – Chris Ledesma (Primary)

Woodland – Tom Stallard (Primary)

Yolo County – Don Saylor (Primary)

Staff present was Hope Welton, YCTD Legal Counsel.

Agenda Item 2 – Comments from public regarding matters on the Agenda

None

Agenda Item 3 – Closed Session

Public Employment, Employee Appointment or Evaluation

Pursuant to Government Code Section 54957

Position Title: Interim Executive Director

Agenda Item 11 - Adjournment

Respectfully submitted:

_____, Clerk to the Board

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**YOLO COUNTY TRANSPORTATION DISTRICT
BOARD OF DIRECTORS MEETING**

April 19, 2021

**Yolo County Transportation District Board Room (via videoconference)
350 Industrial Way, Woodland, CA 95776**

Agenda Item 1 – Call to Order/Roll Call/Pledge of Allegiance

Chair Loren called the meeting to order at 5:32 pm and requested roll call to confirm a quorum was in attendance through Zoom remote participation. The following individuals were in attendance:

Davis – Lucas Frerichs (Primary) *arrived 5:34 pm*

Winters - Jesse Loren (Primary)

West Sacramento – Chris Ledesma (Primary) *arrived 5:35 pm*

Woodland – Tom Stallard (Primary)

Yolo County – Don Saylor (Primary)

UC Davis – Matt Dulcich (Primary)

Caltrans – Nick Hernandez (Primary)

Staff present were Jose Perez, Acting YCTD Executive Director; Hope Welton, YCTD Legal Counsel; and Kathy Souza, YCTD Executive Assistant/Clerk to the Board.

Agenda Item 2 – Comments from public regarding matters NOT on the Agenda, but within the purview of YCTD

None

Agenda Item 3 – Approve Agreement 2021-05 for Management Consultant Services with Martin Tuttle

Director Saylor made the motion, seconded by Director Frerichs, to approve Agreement 2021-05 for Management Consultant Services with Martin Tuttle.

Directors Frerichs and Ledesma arrived

Roll call resulted in:

AYES: Frerichs, Ledesma, Loren, Saylor, Stallard

NOES: None

ABSENT: None

ABSTAIN: None

The motion passed.

Agenda Item 4 –

There being no further business, Chair Loren adjourned the meeting at 5:36 pm after Counsel stated there would likely be no report from the Closed Session.

Agenda Item 10 – Closed Session

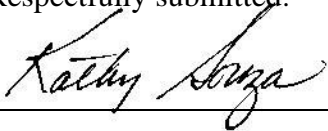
Public Employment, Employee Appointment or Evaluation

Pursuant to Government Code Section 54957

Position Title: Interim Executive Director


Agenda Item 11 - Adjournment

Respectfully submitted:

_____, Clerk to the Board

BOARD COMMUNICATIONS: YOLO COUNTY TRANSPORTATION DISTRICT

350 Industrial Way, Woodland, CA 95776 --- (530) 661-0816

Topic: Authorize Two Procurements, Resulting in Two Ice Machines and Office Furniture Purchases	Agenda Item #: Agenda Type:	4b Deliberation/Action
		Attachments Yes No
Prepared by: Daisy Romero, Kristen Mazur	Approved by: 	Meeting Date: May 10, 2021

RECOMMENDATION:

It is recommended that the Yolo County Transportation District (YCTD) Board of Directors authorize two procurements:

1. A procurement for a not-to-exceed (NTE) amount of \$13,500 for two (2) commercial ice machines and dispensers, to be located in the driver break room and the maintenance shop.
2. A procurement for a NTE amount of \$18,000 for office furniture and equipment.

REASON FOR RECOMMENDATION:

Inoperable ice machines in the driver break room and maintenance shop need to be replaced with newer, more sanitary models, and aging office furniture and equipment in the YCTD office needs to be replaced.

BACKGROUND:**Ice machines and dispensers**

The existing ice machines in the driver break room and maintenance shop are broken/inoperable. During the COVID-19 pandemic, Transdev staff was bringing their own ice as a safety precaution. YCTD staff would now like to replace the broken ice machines and upgrade them to a model with safer, more sanitary ice dispensing capabilities. With the existing ice machines, the ice is stored in a bin and users dispense it from the bin using a scoop. Staff is proposing to replace that model with a machine and dispenser that uses a sanitary “push for ice” dispense mechanism. The source of funding for this project will be Federal Transit Administration (FTA) Coronavirus Aid, Relief, and Economic Security (CARES) funds.

Office furniture and other amenities

Most of the YCTD office furniture, including all of the office chairs, have not been replaced since the administrative building was first built 12 years ago. Staff is proposing to replace all of the office chairs, and to update or replace other office equipment and amenities as needed, such as partitions and workstations. These upgrades will keep the office in a state of good repair and help us to accommodate existing and future needs.


BUDGET IMPACT:

There will be no impact to the budget. These expenses are already included in the FY 2021 Operating Budget. The total NTE amount for two procurements is \$31,500, including an NTE amount of \$13,500 for the ice machines, and an NTE amount of \$18,000 for the office furniture.

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BOARD COMMUNICATIONS: YOLO COUNTY TRANSPORTATION DISTRICT

350 Industrial Way, Woodland, CA 95776 --- (530) 661-0816

Topic: Approve Procurement for Vehicle Overhauls	Agenda Item #: Agenda Type:	4c Deliberation/Action
		Attachments Yes <u>No</u>
Prepared by: Kristen Mazur	Approved by: 	Meeting Date: May 10, 2021

RECOMMENDATION:

It is recommended that the Yolo County Transportation District (YCTD) Board of Directors authorize a procurement for a not-to-exceed amount of \$374,000 for the overhaul of six (6) 2009 MCI engines and transmissions.

REASON FOR RECOMMENDATION:

YCTD's fixed route bus fleet includes six (6) 2009 MCI over-the-road coaches. As these vehicles approach the end of their useful life, they have started to experience reliability issues, which could be mitigated with an overhaul of the engines and transmissions. Overhauling the engines and transmissions is a cost-effective way to extend the useful life of these vehicles, which are otherwise in good condition.

BACKGROUND:

The Federal Transit Administration (FTA)-defined minimum useful life for an over-the-road coach vehicle is 12 years or 500,000 miles. YCTD's six 2009 MCI vehicles are approaching 12 years in service and have an average of 462,000 miles per vehicle (ranging from 392,000 to 508,000 miles). After consulting with Transdev maintenance staff, YCTD staff recommends that, rather than replacing these vehicles as soon as they reach their minimum useful life, we take advantage of the fact that the vehicles are in good condition overall and overhaul the engine and transmission systems. This work is expected to help the vehicles operate more reliably for at least two additional years, and possibly up to four additional years.

The NTE amount of \$374,000 includes a 15% contingency on top of the cost estimate. Staff has identified \$215,058 in FY21 State Transit Assistance (STA) State of Good Repair (SGR) funds for this project, which can only be used for capital projects that maintain the public transit system in a state of good repair. The remaining balance will be funded with other operating/preventive maintenance revenues.


BUDGET IMPACT:

There will be no impact to the budget. Vehicle overhauls and rebuilds are already included in the FY 2021 Operating Budget. The not-to-exceed amount for this procurement is \$374,000.

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BOARD COMMUNICATIONS: YOLO COUNTY TRANSPORTATION DISTRICT

350 Industrial Way, Woodland, CA 95776 --- (530) 661-0816

Topic: Receive Draft FY 2021/22 YCTD Budget	Agenda Item #:	4d Deliberation/Action
	Agenda Type:	
		Attachments <input checked="" type="radio"/> Yes <input type="radio"/> No
Prepared by: Janice Bryan	Approved by: 	Meeting Date: May 10, 2021

RECOMMENDATION:

The draft 2021/22 fixed route and demand responsive (formerly known as paratransit) preliminary budget for Yolo County Transportation District was distributed on April 30, 2021 and is being introduced to the YCTD Board at this time. It is respectfully recommended that the YCTD Board of Directors:

- Receive the Draft Preliminary FY 2021/22 Budget
- Provide written comment and feedback by May 30, 2021 on the draft budget
- Set a public hearing to consider adoption of the budget on June 14, 2021

REASON FOR RECOMMENDATION:

Proposing and adopting a budget is described in YCTD's bylaws. A public hearing for the Draft preliminary budget will be conducted at the June 14, 2021 meeting, at which time the Board will be asked to adopt it, or a variation thereof. In the past, the board has adopted the preliminary budgets as the final budgets.

BACKGROUND:

A) Preliminary Budget

A digital copy of the draft preliminary budget for the 2021/22 fiscal year was sent via email to all Board members, City Managers and Public Works Directors on June 30th. A copy is also attached to this packet.

Yolo County Transportation District's bylaws state that "the Board shall adopt at least a preliminary budget by June 30th which shall serve as the tentative District's budget pending adoption of a final budget. A final budget shall be adopted no later than August 30th of each year."

The draft preliminary budget for combined fixed route and demand responsive operating, planning and capital projects is down by 7.78% (-\$1,779,961) from the prior year budget.

Operating and Planning expenses decrease by 10.33% (-\$1,819,399) from the 2020/21 budget. Proposed capital expenses are relatively flat compared to the 2020/21 budget. (+\$39,438)

Change in Overall Expenses 2020/21 TO 2021/22

	Operating/Other	Capital	Total
Core Fixed Route Service	\$ 12,329,030	\$ 4,755,478	\$ 17,084,508
Causeway Connection Fixed Route	\$ 798,299	\$ -	\$ 798,299
County Pass-Through to Unitrans	\$ 24,000	\$ -	\$ 24,000
Demand-Responsive Service	\$ 2,638,944	\$ 560,000	\$ 3,198,944
Total 2021/22 Budget	\$ 15,790,273	\$ 5,315,478	\$ 21,105,751

Total 2020/21 Budget	\$ 17,609,672	\$ 5,276,040	\$ 22,885,712
Change	\$ (1,819,399)	\$ 39,438	\$ (1,779,961)
Percent Change	-10.33%	0.75%	-7.78%

The operating and planning budget for FY 2021/22 includes carryover from prior fiscal year; \$1,257,524 for fixed route operating and planning and \$400,000 for demand responsive operating. This carryover represents unrestricted net position from previous years.

Estimated Available Unrestricted Net Position		
at 6/30/20 and 6/30/21		
\$	8,614,965	Unrestricted Net Position end of 19/20 (Audited FS)
Reduce by future use of Unrestricted Net Position:		
\$	(158,273)	Less unrestricted STA funds reserved for Capital purchases
\$	(680,218)	Less unrestricted LCTOP funds reserved
\$	(1,159,000)	Less unrestricted Fund balance Budgeted for FY 20/21 (Operating)
\$	(5,184,694)	4 months of service (from 20/21 final budget)
\$	1,432,780	Subtotal
Increase by Expenses not realized in 20/21 (estimated):		
\$	125,000	Contingencies not used in 20/21
\$	20,000	Paratransit Contingencies not used in 20/21
\$	16,000	Local not used for bus repainting
\$	30,000	Local not used for Asphalt Repairs at Mall
\$	152,583	Budgeted Salaries and benefits for vacant position
\$	1,776,363	Net estimated unrestricted available (6/30/21)

Fare revenue is projected to remain low into FY 2021/22 due to the decline in ridership because of the pandemic. With the introduction of YoloGo during the year, a reopening of the State, and a concerted marketing effort, it is expected that ridership and fare revenue will begin to rebound during the upcoming fiscal year.

Fixed Route Services

Staff has included the expected hours and miles for YoloGo to be integrated in FY 2021/22. The total costs reflect that level of service. Purchased Transportation has decreased in Fixed Route by 15.45% (1,421,947), resulting in much of the reduction in fixed route expenses. YoloGo recommended the Route 42 operate every 30 minutes between 6:00 am and 6:00 pm, with Hourly Evening Service after 6:00 pm until 10:30 pm. The budget assumes operation of the 42 every 30 minutes during peak times only (6am-9am and 3pm to 7pm). This along with other changes from YoloGo have helped lead to the decrease in fixed route purchased transportation.

See the following table for Fixed Route service descriptions and Pre-COVID vs Current fiscal year to date ridership.

FIXED ROUTE BUS SERVICE DESCRIPTIONS

Route	Community / Destinations	Total Bus Trips	Ridership by Route FY 18/19 (Pre-COVID)	Ridership Through 3/31/21 FY 20/21
42A/42B	Intercity: Woodland, Davis, West Sacramento, Sacramento International Airport, Downtown Sacramento	34 loops M-F 32 loops Sat 32 loops Sun	418,686	92,662
35	Bridgeway Island, Southport, Gateway, West Sacramento Transit Center	11 loops M-F 11 loops Sat 11 loops Sun	27,238	6,001
40	Northern West Sacramento, Ikea Ct, West Sacramento Transit Center, Downtown Sacramento	12 loops M-F 11 loops Sat 9 loops Sun	52,027	13,901
41	Ikea Ct, Northern West Sacramento, West Sacramento Transit Center, Downtown Sacramento	12 loops M-F	41,093	9,211
240	Ikea Ct, Reed Ave, Harbor Blvd, West Sacramento Transit Center, Downtown Sacramento	12 loops M-F 12 loops Sat 12 loops Sun	46,212	18,115
241	Downtown Sacramento, West Capitol Ave Industrial Blvd Commute	1 AM loops M-F 1 PM loops M-F	11,443	1,879
45, 45X	West/Central Woodland, Downtown Sacramento Express	3 AM trips M-F 2 PM trips M-F	37,013	3,316
211	County Fair Mall, West Woodland Loop	11 loops M-F 11 loops SAT 11 loops SUN	43,513	13,161
212	County Fair Mall, East Woodland Loop	11 loops M-F 11 loops SAT 11 loops SUN	36,221	12,370
215	Woodland, Madison, Esparto, Capay, Cache Creek Casino Resort	12 westbound trips daily 12 eastbound trips daily	241,368	104,490
43 43R	Davis, Downtown Sacramento Express Reverse Commute: Downtown Sacramento, U.C. Davis Express	2 AM loops M-F 3 PM loops M-F 0 AM loops M-F 0 PM loops M-F	59,058	2,604
230	West Davis, Downtown Sacramento Express	2 AM loops M-F 2 PM loops M-F	24,636	1,779
Causeway Connection	Service between UCD Med Ctr and UCD Main campus, with limited stops between	14 trips per day in each direction M-F	-	3,292
Total Trips		157 trips Weekdays 114 trips Saturdays 110 trips Sun		

Demand Responsive Service

The Demand Responsive Budget has increased by \$583,355 in total. This is due mainly to the increase in budgeted Microtransit in Woodland. Routes 210 and 214, in Woodland, are expected to be permanently discontinued and Microtransit will fill that gap. Microtransit is also budgeted to continue in Winters and Knights landing at similar levels to last year.

	Revenue Hours	Operating Cost
Microtransit		
Knights Landing	2,324	\$114,428.00
Winters	2,201	\$129,164.00
Woodland (New)	9,040	\$494,290.00

Paratransit service net cost is allocated based on miles and hours for each jurisdiction as follows:

County Total	3.74%
Davis Total	27.12%
West Sacramento Total	26.43%
Woodland Total	42.72%
	100.00%

It is important to highlight that the Demand Responsive budget does not include fixed costs other than liability insurance. Demand Responsive services only show the variable costs for Microtransit and Paratransit.

TDA Revenues Budgeted

Last year YCTD budgeted \$4.4 million in CARES act funds for operations due to anticipated losses in fare and sales tax (LTF) revenues. The loss in LTF did not materialize resulting in higher than anticipated LTF and STA funds estimated for FY 2021/22. We are planning to utilize the balance of CARES Act funds for upcoming projects of regional significance, and returning to budgeting of LTF and STA revenues for operations and local match requirements as applicable.

B) Provide Written Comment and Feedback

Between now and May 30th, it is requested the YCTD Board provide comments, questions, and feedback on the draft FY 2021/22 budget and assumptions. YCTD jurisdictions have also been asked to review and provide their written comments, questions, and feedback.

C) Set Public Hearing on Draft Preliminary Budget

Staff recommends that June 14, 2021 be set as the date for the YCTD Board of Directors to conduct a hearing on the draft preliminary budget. At that hearing, staff intend to present a summary of the preliminary budget for the Board's consideration.

BUDGET IMPACT:

Please refer to the provided draft preliminary FY 2021/22 budgets.

BOARD COMMUNICATIONS: YOLO COUNTY TRANSPORTATION DISTRICT
350 Industrial Way, Woodland, CA 95776----(530) 661-0816

Topic: Recruitment of the YCTD Executive Director	Agenda Item#: Agenda Type:	4e
		Deliberation/*Action
		Attachments: Yes No
Prepared By: Hope P. Welton, District Counsel		Meeting Date: May 10, 2021

RECOMMENDATION:

It is recommended that the Yolo County Transportation District (YCTD) Board of Directors direct staff to begin recruitment for the YCTD Executive Director.

REASON FOR RECOMMENDATION:

YCTD is in need of an Executive Director to lead the agency.

BACKGROUND:

The previous YCTD Executive Director retired from service with YCTD on April 2, 2021, and as of April 3, 2021, YCTD is in need of a new Executive Director with the specialized skills, knowledge, and experience in order to ensure the YCTD Board vision, values, and priorities are successfully implemented. Martin Tuttle, YCTD Management Consultant, has the necessary skills to develop and lead, time permitting, this recruitment process.

At this time, the Board Chair and Vice Chair are recommending that YCTD begin open recruitment for the Executive Director of YCTD. Recruitment for the Executive Director is expected to take approximately 2-3 months, with the process running from approximately May through July. The goal of this recruitment process would be to have the Executive Director selected and ready to begin work in mid to late July.

With Board approval, the Management Consultant will begin work to identify a recruiter and finalize the job description, candidate description and salary range with the Chair and Vice Chair. After consulting the Chair and Vice Chair, the Management Consultant shall also have contracting authority not to exceed \$40,000 for the purposes of hiring a recruitment firm and beginning the recruitment process.

BUDGET IMPACT:

Management Consultant, after consulting the Chair and Vice Chair, shall have contracting authority not to exceed \$40,000 for the purpose of recruiting the new YCTD Executive Director. Any expenditures that exceed this amount shall require action by the full Board at its next regularly scheduled meeting.

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BOARD COMMUNICATIONS: YOLO COUNTY TRANSPORTATION DISTRICT
350 Industrial Way, Woodland, CA 95776---(530) 661-0816

Topic: Approve Amendment to Agreement 2021-05 for Management Consultant Services	Agenda Item#: Agenda Type:	4f
		Deliberation/*Action
		Attachments: <u>Yes</u> No
Prepared By: Hope P. Welton, District Counsel		Meeting Date: May 10, 2021

RECOMMENDATION:

It is recommended that the Yolo County Transportation District (YCTD) Board of Directors consider and approve the attached First Amendment to Agreement 2021-05 for Management Consultant Services with Martin Tuttle.

REASON FOR RECOMMENDATION:

YCTD remains in critical need of Management Consultant Services to perform specialized skills related to the operation and management of the District. Martin Tuttle possesses the requisite specialized skill, experience, and knowledge to effectively consult YCTD and assist in carrying out the mission of the YCTD Board of Directors.

BACKGROUND:

The previous YCTD Executive Director retired from service with YCTD on April 2, 2021, and as of April 3, 2021, YCTD is in need of specialized skills, knowledge, and experience in order to ensure the YCTD Board vision, values, and priorities are successfully implemented. The proposed agreement and scope of services establishes clear goals, expectations, tasks, and deliverables for Management Consultant Services. Martin Tuttle has presented himself to the YCTD Board as properly trained and in possession of specialized skills to perform the duties required of the proposed agreement.

The original agreement is in effect through May 10, 2021 and permits extension on the same terms and conditions as set forth in the Agreement upon written notice to both the Board and Management Consultant. This First Amendment extends the term of the original agreement, sets the pay rate for the additional term and provides notice to Mr. Tuttle.

BUDGET IMPACT:

Management Consultant shall be paid \$30,000 for the additional term with a maximum total compensation of \$45,000, subject to the condition that the services have been completed in a manner satisfactory to the YCTD Board. Management Consultant shall not be entitled to reimbursement for any expenses except as specifically set forth in the Agreement.

FIRST AMENDMENT FOR MANAGEMENT CONSULTANT SERVICES

THIS FIRST AMENDMENT (“First Amendment”) to AGREEMENT NO. 2021-05 is between YOLO COUNTY TRANSPORTATION DISTRICT (“YCTD”), a public body, organized and existing under the laws of the State of California, and MARTIN TUTTLE, an individual (“Management Consultant”) (collectively, the “Parties”).

RECITALS

WHEREAS, on or about April 20, 2021, the Parties entered into Agreement No. 2021-05 (“Agreement”) for the provision of management consultant services; and

WHEREAS, the Parties now wish to extend the term and increase the compensation provided in accordance with Paragraph 5.b. of the Agreement.

NOW, THEREFORE, the Parties do mutually agree as follows:

TERMS

1. Paragraph 2.a. of the Agreement is hereby amended to read as follows:

- a. Rate of Pay: Management Consultant shall be paid as describe below for the services described in Exhibit A and subject to the condition that the services have been completed in a manner satisfactory to the YCTD Board. Management Consultant shall not be entitled to reimbursement for any expenses except as specifically set forth in Paragraph 12.

Any other provision of this Agreement notwithstanding, the maximum payment obligation to Contractor through July 16, 2021 shall be no greater than FORTY-FIVE THOUSAND DOLLARS (\$45,000), specified as follows:

	Compensation	Maximum Payment Obligation
April 20, 2021 – May 10, 2021	\$15,000	Up to \$15,000
May 11, 2021 – June 10, 2021	\$15,000	Up to \$30,000
June 11, 2021 – July 16, 2021	\$15,000	Up to \$45,000

2. Paragraph 5.a. of the Agreement is hereby amended to read as follows:

- a. This Agreement shall be effective on April 20, 2021 (“Effective Date”), and shall terminate automatically at midnight on July 16, 2021. This Agreement may be terminated with or without cause and with or without notice at any time by YCTD or Management Consultant – with no further remuneration owed.

3. By signing this First Amendment, the signatories warrant and represent that he/she executed this First Amendment in his/her authorized capacity and that by his/her signature on this First Amendment, he/she or the entity upon behalf of which he/she acted, executed this First Amendment.

MANAGEMENT CONSULTANT:

Date: _____
Martin Tuttle, Management Consultant

YCTD:

Date: _____
Jesse Loren, YCTD Board of Directors, Chair

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BOARD COMMUNICATIONS: YOLO COUNTY TRANSPORTATION DISTRICT

350 Industrial Way, Woodland, CA 95776---(530) 661-0816

Topic: YCTD Mission	Agenda Item#: Agenda Type:	6 Deliberation/Action
		Attachments: <div><div>Yes</div>No</div>
Prepared By: Martin Tuttle, Management Consultant		Meeting Date: 5/10/2021

RECOMMENDATION:

Discuss and confirm Yolo County Transportation District's (YCTD) Mission as a multi-modal planning, investment, and project delivery agency, in addition to overseeing the operation of fixed route (Yolobus) and demand-response services (microtransit and paratransit).

REASON FOR RECOMMENDATION:

Clarifying the overall mission of YCTD is a necessary first step toward developing new pathways for the agency's success.

BACKGROUND:

Until August 1, 1989, the Yolo Transit System and Mini-Transit System were established to meet the public transportation needs in and around the County. A Joint Exercise of Powers Agreement was signed between Yolo County and the Cities of Davis, West Sacramento, Winters, and Woodland whereby the District would operate as a Joint Powers Agency, called Yolo County Transit Authority and was to be administratively separated from the County. In 1996, the JPA became the Yolo County Transportation District (YCTD) as a result of the passage of AB 2420, which established the District as the consolidated transportation services agency and the congestion management agency for Yolo County.

As outlined in AB 2420 (attached), YCTD's mission is to provide alternative transportation to the general public and transit dependent individuals in the County, to review and recommend project nominations for Intermodal Surface Transportation Efficiency Act and other funding, and to monitor the Congestion Management Plan. YCTD is most known today as the operator of Yolobus, with 23 fixed routes serving West Sacramento, Woodland, Davis, Capay Valley, the Sacramento International Airport and downtown Sacramento. The agency also provides Paratransit Service for residents in Woodland, Davis, and West Sacramento to comply with the Americans with Disabilities Act. These transit services are provided under contract with Transdev.

Despite YCTD's current almost exclusive budget focus on Yolobus and paratransit operations, AB 2420 requires transportation funding and project prioritization decisions made by the Board to be mode neutral, not biased in favor of any one transportation mode. The law states those decisions shall take into account the needs of the local jurisdictions, the overall county needs relative to streets, roads, transit, pedestrian, bicycle, telecommuting, light rail, heavy rail, and other alternative transportation mode projects, shall consider the movement of information and freight as well as people, and attempt to balance all transportation choices in order to most effectively utilize limited funding sources to the best advantage of Yolo County residents and others in the region.

Staff has discussed YCTD's overall mission with the Yolo Managers' Group and other agency partners, including SACOG and Caltrans. The feedback has been supportive of YCTD being more than just a fixed

route bus and paratransit operator. It frequently has been stated a multi-modal YCTD could be a pivotal player in advancing mobility in the region.

BUDGET IMPACT:

No impact at this time.

BILL NUMBER: AB 2420 ENROLLED
BILL TEXT

PASSED THE ASSEMBLY AUGUST 27, 1996
PASSED THE SENATE AUGUST 15, 1996
AMENDED IN SENATE AUGUST 13, 1996
AMENDED IN SENATE JUNE 19, 1996

INTRODUCED BY Assembly Member Hannigan

FEBRUARY 20, 1996

An act to add Part 6 (commencing with Section 60000) to Division 10 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2420, Hannigan. Transportation: Yolo County: transportation district.

(1) Existing law establishes various local entities to carry out transportation functions within their respective areas of jurisdiction.

This bill would create the Yolo County Transportation District in Yolo County, prescribe the membership of the district's governing board, and prescribe the functions, powers, and duties of the district.

The bill would, among other things, provide that the district succeeds to all of the rights, powers, duties, and obligations of the existing Yolo County Transit Authority, a joint exercise of powers agency, grant the district the power to impose a retail transactions and use tax, subject to member agencies and voter approval, and, in conjunction therewith, issue bonds for capital outlay expenditures.

By requiring the newly created district to perform specified functions and by requiring the board of supervisors to call and conduct an election, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, with regard to certain mandates, no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Part 6 (commencing with Section 60000) is added to Division 10 of the Public Utilities Code, to read:

PART 6. YOLO COUNTY TRANSPORTATION DISTRICT
CHAPTER 1. GENERAL PROVISIONS

60000. This part shall be known and may be cited as the Yolo County Transportation District Act.

60002. As used in this part, the following terms have the following meanings:

(a) "Authority" means the Yolo County Transit Authority, a joint exercise of powers agency.

(b) "Board of directors" means the Board of Directors of the Yolo County Transportation District.

(c) "Board of supervisors" means the Yolo County Board of Supervisors.

(d) "County" means the County of Yolo.

(e) "District" means the Yolo County Transportation District created by Section 60004.

60004. There is hereby created the Yolo County Transportation District. The jurisdiction of the district extends throughout the county, including all of the incorporated and unincorporated territory.

60006. On and after July 1, 1997, the authority is dissolved and the district succeeds to, and is vested with, all of the rights, powers, duties, and obligations of the authority. The district is the successor to the authority's interests in any property, its rights and obligations under any contract, any outstanding indebtedness of the authority, and its rights under any grants, without the necessity of any further action.

60008. (a) The district shall be governed by a five-member board of directors representing the county and cities in the county in the district, appointed as follows:

(1) One member representing the County of Yolo, appointed by the board of supervisors.

(2) One member representing the City of Davis, appointed by the city council of that city.

(3) One member representing the City of West Sacramento, appointed by the city council of that city.

(4) One member representing the City of Woodland, appointed by the city council of that city.

(5) One member representing the City of Winters, appointed by the city council of that city.

(b) An appointing authority shall appoint one of its members to serve as a member and one member to serve as an alternate member of the board of directors. The alternate member shall serve only in the absence of the regular member.

(c) The University of California at Davis shall appoint a person to serve as a nonvoting ex officio member.

(d) The Department of Transportation shall appoint a person to serve as a nonvoting ex officio member.

(e) Voting members of the board of directors will receive a stipend per meeting to be established by the board in its bylaws.

60010. Upon dissolution of the authority, employees of the authority shall be deemed to be employees of the district without any break in service nor any loss or reduction of compensation or benefits, except as may be imposed by express action of the district governing board.

60012. (a) The district shall assume the duties of public transit provider performed by the authority. On and after July 1, 1997, the Cities of West Sacramento, Davis, Woodland, and Winters are included within the district.

(b) Additionally, the district is deemed to be each of the following agencies, with all of the powers and duties attendant thereto:

(1) The consolidated transportation services agency for the county, with the concurrence of the Regional Transportation Planning Agency.

(2) The congestion management agency for the county.

60014. The district, at its first meeting, and thereafter annually at the meeting designated by the district, shall elect a chairperson who shall preside at all meetings, and a vice chairperson who shall preside in the absence of the chairperson. In the event of their absence or inability to act, the members present, by an order entered in the minutes, shall select one of their members to act as chairperson pro tempore, who, while so acting, shall have all the authority of the chairperson.

60016. The district shall adopt rules for its proceedings consistent with the laws of the state.

60018. A majority of the board of directors entitled to vote constitutes a quorum for the transaction of business. All official acts of the district require the affirmative vote of a majority of the board of directors entitled to vote.

60020. The acts of the district shall be expressed by motion, resolution, or ordinance.

60022. All meetings of the district shall be conducted pursuant to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code.

60024. The district shall do all the following:

(a) Adopt an annual budget.

(b) Adopt an administrative code, by ordinance, which prescribes the powers and duties of the district officers, the method of appointment of the district employees, and methods, procedures, and systems of operation and management of the district.

(c) Cause a postaudit of the financial transactions and records of the district to be made at least annually by a certified public accountant.

(d) Do any and all things necessary to carry out the purposes of this part.

60026. (a) The district may hire an independent staff of its own or contract with any department or agency of the United States or

with any public agency to implement this part.

(b) The district may contract with private entities in conformance with applicable procurement procedures for the procurement of engineering, project management, and contract management services.

(c) The district shall rely, to the extent possible, on existing state, regional, and local transportation planning and programming data and expertise, rather than on a large duplicative staff and set of plans.

60028. The board of directors shall fix the compensation of the district's officers and employees.

60030. (a) Notice of the time and place of a public hearing on the adoption of the annual budget shall be published pursuant to Section 6061 of the Government Code not less than 15 days prior to the day of the hearing.

(b) The proposed annual budget shall be available for public inspection at least 15 days prior to the hearing.

60032. The district may sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

60034. All claims for money or damages against the district are governed by Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, except as provided therein, or by other statutes or regulations expressly applicable thereto.

60036. The district may make contracts and enter into stipulations of any nature whatsoever, either in connection with eminent domain proceedings or otherwise, including, but not limited to, contracts and stipulations to indemnify and hold harmless, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers granted in this part.

60038. The district may contract with any department or agency of the United States, with any public agency, including, but not limited to, the Department of Transportation, any county, city, or district, or with any person or a private entity upon the terms and conditions that the district finds in its best interest for the procurement of engineering, project management, and contract management services.

60040. (a) Contracts for the purchase of services, supplies, equipment, and materials in excess of ten thousand dollars (\$10,000) shall be awarded to the lowest responsible bidder after competitive bidding, except in an emergency declared by the district or by an executive committee to which the district has delegated responsibility to make that declaration.

(b) If, after rejecting bids received under subdivision (a), the district determines and declares that, in its opinion, the services, supplies, equipment, or materials may be purchased at a lower price on the open market, the district may proceed to purchase these services, supplies, equipment, or materials in the open market without further observance of the provisions regarding contracts, bids, or advertisements.

(c) Notwithstanding subdivision (a), the district shall comply with Federal Transit Administration Circular 4220.1 (d), as amended, relative to third-party contracting.

60042. (a) The district has no authority to impose property, sales, or special taxes, but may, with the concurrence of a majority of the member jurisdictions represented on the board of directors, cause to be submitted to voters of the district a ballot measure for the imposition of those taxes.

(b) If approved as required by law, the district may impose and administer fees and other funding sources secured for transportation system maintenance and improvement.

(c) The board of directors may set fares for public transit service by resolution or minute order.

60046. Notwithstanding any other provision of law which relates to the functioning of the district as the Yolo County Congestion Management Agency District, the district may not exercise any authority over the land use decisions of a local governmental agency.

60048. The district shall include in its bylaws a process for assuring that member jurisdictions of the district may reasonably determine to what extent their share of Mills-Alquist-Deddeh Act funds and other local state or federal revenue sources are used by the district. The district does not replace nor supplant the role of the Regional Transportation Planning Agency to allocate Mills-Alquist-Deddeh Act funds. Each member jurisdiction shall be financially responsible for its share of obligations incurred by the district on that member jurisdiction's behalf. The district's bylaws shall include a budget conflict resolution process.

60050. The district may advocate and act on behalf of all district member jurisdictions with their concurrence to further Yolo County transportation system interests, funding, projects, and priorities.

60052. The district shall act as a countywide forum for the coordination of transportation system planning, programming, and prioritization of significant projects.

60054. The district may promulgate a plan for funding transportation projects within its jurisdiction.

60056. The board of directors shall adopt priorities reflecting the district's goals, including consideration of being designated as the federal Designated Recipient for Yolo County, consideration of additional transportation funding sources, examining the feasibility of Yolo County becoming a self-help county, and examining possible agency consolidations within Yolo County.

60058. The district bylaws shall establish an advisory committee structure, which shall include a Technical Advisory Committee and a Citizen's Advisory Committee and other advisory committees as it deems necessary, and shall establish a process for appealing decisions of the board of directors.

60060. Transportation funding and project prioritization decisions made by the board of directors shall endeavor to be mode neutral, not biased in favor of any one transportation mode with the district seeking local concurrence when appropriate. Those decisions shall take into account the needs of the local jurisdictions, the overall county needs relative to streets, roads, transit, pedestrian, bicycle, telecommuting, light rail, heavy rail, and other

alternative transportation mode projects, shall consider the movement of information and freight as well as people, and shall attempt to balance all transportation choices in order to most effectively utilize limited funding sources to the best advantage of Yolo County residents and others in the region.

60062. The district shall act as the coordinating agency for all state and federal funding applications where appropriate.

CHAPTER 2. TRANSACTIONS AND USE TAX

60100. A retail transactions and use tax ordinance applicable in the incorporated and unincorporated territory of the county may be imposed by the district in accordance with this chapter and Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, if the tax ordinance is adopted by a majority of the board of directors and by a majority of the governing bodies of the appointing authorities listed in subdivision (a) of Section 60008, and imposition of the tax is subsequently approved by two-thirds of the voters voting on the measure at a special election called for that purpose by the board of supervisors, at the request of the district, and a county transportation expenditure plan is adopted pursuant to Section 60106.

A retail transactions and use tax approved by the voters shall remain in effect for not longer than 20 years, or any lesser period of time specified in the tax ordinance. The tax may be continued in effect, or reimposed, by a tax ordinance adopted by the district and the reimposition of the tax is approved by two-thirds of the voters.

60102. (a) The district, in the ordinance, shall do all of the following:

- (1) State the nature of the tax to be imposed.
- (2) Establish the tax rate, which may be in 1/4 percent increments and shall not exceed a maximum tax rate of 1 percent.
- (3) Specify the period during which the tax will be imposed.
- (4) Specify the purposes for which the revenue derived from the tax will be used.

(b) The proposition shall include an appropriations limit for that entity pursuant to Section 4 of Article XIIB of the California Constitution.

60103. (a) The county shall conduct the special election called by the board of supervisors pursuant to Section 60100. If the measure is approved, the district shall reimburse the county for its cost in conducting the special election.

(b) The special election shall be called and conducted in the same manner as provided by law for the conduct of special elections by a county.

(c) The sample ballot to be mailed to the voters, pursuant to Section 13303 of the Elections Code, shall be the full proposition, as set forth in the ordinance calling the election, and the voter information handbook shall include the entire adopted county transportation expenditure plan.

60104. (a) Any transactions and use tax ordinance adopted

pursuant to this chapter shall be operative on the first day of the first calendar quarter commencing more than 120 days after adoption of the ordinance.

(b) Prior to the operative date of the ordinance, the district shall contract with the State Board of Equalization to perform all functions incidental to the administration and operation of the ordinance.

60105. The revenues from the taxes imposed pursuant to this chapter may be allocated by the district for the construction and improvement of state highways, the construction, maintenance, improvement, and operation of local streets, roads, and highways, and the construction, improvement, and operation of public transit systems. For purposes of this section, "public transit systems" includes paratransit services.

60106. (a) A county transportation expenditure plan shall be prepared for the expenditure of the revenues expected to be derived from the tax imposed pursuant to this chapter, together with other federal, state, and local funds expected to be available for transportation improvements, for the period during which the tax is to be imposed.

(b) A county transportation expenditure plan shall not be adopted unless it has been approved by a majority of the governing bodies of the appointing authorities listed in subdivision (a) of Section 60008 at the time those bodies approve the ordinance described in Section 60100.

(c) The plan shall be adopted prior to the call of the election provided for in Section 60100.

60107. (a) The district may annually review and propose amendments to the county transportation expenditure plan adopted pursuant to Section 60106 to provide for the use of additional federal, state, and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances.

(b) The district shall notify the board of supervisors and the city council of each city in the county and provide them with a copy of the proposed amendments.

(c) The proposed amendments shall become effective 45 days after notice is given.

CHAPTER 3. BONDS

60150. (a) As part of the ballot proposition to approve the imposition of a retail transactions and use tax, authorization may be sought to issue bonds to finance capital outlay expenditures as may be provided for in the adopted county transportation expenditure plan, payable from the proceeds of the tax.

(b) The maximum bonded indebtedness that may be outstanding at any one time shall be an amount equal to the sum of the principal of, and interest on, the bonds, but not to exceed the estimated proceeds of the tax, as determined by the plan. The amount of bonds outstanding at any one time does not include the amount of bonds, refunding bonds, or bond anticipation notes for which funds necessary for the payment thereof have been set aside for that purpose in a

trust or escrow account.

60151. (a) The bonds authorized by the voters concurrently with the approval of the retail transactions and use tax may be issued at any time by the district and shall be payable from the proceeds of the tax. The bonds shall be referred to as "limited tax bonds." The bonds may be secured by a pledge of revenues from the proceeds of the tax.

(b) The pledge of the tax to the limited tax bonds authorized under this chapter shall have priority over the use of any of the tax for "pay-as-you-go" financing, except to the extent that that priority is expressly restricted in the resolution authorizing the issuance of the bonds.

60152. Limited tax bonds shall be issued pursuant to a resolution adopted at any time by a two-thirds vote of the district. Each resolution shall provide for the issuance of bonds in the amounts as may be necessary, until the full amount of bonds authorized have been issued. The full amount of bonds may be divided into two or more series and different dates of payment fixed for the bonds of each series. A bond need not mature on its anniversary date.

60153. (a) A resolution authorizing the issuance of bonds shall state all of the following:

(1) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs incidental to, or connected with, the accomplishment of those purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant and other fees, bond and other reserve funds, working capital, bond interest estimated to accrue during the construction period and for a period not to exceed three years thereafter, and expenses of all proceedings for the authorization, issuance, and sale of the bonds.

(2) The estimated cost of accomplishing those purposes.

(3) The amount of the principal of the indebtedness.

(4) The maximum term the bonds proposed to be issued shall run before maturity, which shall not be beyond the date of termination of the imposition of the retail transactions and use tax.

(5) The maximum rate of interest to be paid, which shall not exceed the maximum allowable by law.

(6) The denomination or denominations of the bonds, which shall not be less than five thousand dollars (\$5,000).

(7) The form of the bonds, including, without limitation, registered bonds and coupon bonds, to the extent permitted by federal law, and the form of any coupons to be attached thereto, the registration, conversion, and exchange privileges, if any, pertaining thereto, and the time when all of, or any part of, the principal becomes due and payable.

(b) The resolution may also contain any other matters authorized by this chapter or any other provision of law.

60154. The bonds shall bear interest at a rate or rates not exceeding the maximum allowable by law, payable at intervals determined by the commission.

60155. In the resolution authorizing the issuance of the bonds, the district may also provide for the call and redemption of the

bonds prior to maturity at the times and prices and upon other terms as specified. However, no bond is subject to call or redemption prior to maturity, unless it contains a recital to that effect or unless a statement to that effect is printed.

60156. The principal of, and interest on, the bonds shall be payable in lawful money of the United States at the office of the treasurer of the district, or at other places as may be designated, or at both the office and other places at the option of the holders of the bonds.

60157. The bonds, or each series thereof, shall be dated and numbered consecutively and shall be signed by the chairperson or vice chairperson of the district and the auditor-controller of the district, and the official seal, if any, of the district shall be attached.

The interest coupons of the bonds shall be signed by the auditor-controller of the district. All of the signatures and seal may be printed, lithographed, or mechanically reproduced.

If any officer whose signature appears on the bonds or coupons ceases to be that officer before the delivery of the bonds, the officer's signature is as effective as if the officer had remained in office.

60158. The bonds may be sold as the district determines by resolution, and the bonds may be sold at a price below par, whether by negotiated or public sale.

60159. Delivery of any bonds may be made at any place either inside or outside the state, and the purchase price may be received in cash or bank credits.

60160. All accrued interest and premiums received on the sale of the bonds shall be placed in the fund to be used for the payment of the principal of, and interest on, the bonds, and the remainder of the proceeds of the bonds shall be placed in the treasury of the district and applied to secure the bonds or for the purposes for which the debt was incurred. However, when the purposes have been accomplished, any money remaining shall be either (a) transferred to the fund to be used for the payment of principal of, and interest on, the bonds or (b) placed in a fund to be used for the purchase of the outstanding bonds in the open market at prices and in the manner, either at public or private sale or otherwise, as determined by the district. Bonds so purchased shall be canceled immediately.

60161. (a) The district may provide for the issuance, sale, or exchange of refunding bonds to redeem or retire any bonds issued by the district upon the terms, at the times and in the manner which it determines.

(b) Refunding bonds may be issued in a principal amount sufficient to pay all, or any part of, the principal of the outstanding bonds, the premiums, if any, due upon call and redemption thereof prior to maturity, all expenses of the refunding, and either of the following:

(1) The interest upon the refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded out of the proceeds of the sale of the refunding bonds or to the date upon which the bonds to be refunded will be paid pursuant to call or

agreement with the holders of the bonds.

(2) The interest upon the bonds to be refunded from the date of sale of the refunding bonds to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid pursuant to call or agreement with the holder of the bonds.

(c) The provisions of this chapter for the issuance and sale of bonds apply to the issuance and sale of refunding bonds.

60162. (a) The district may borrow money in anticipation of the sale of bonds which have been authorized pursuant to this chapter, but which have not been sold or delivered, and may issue negotiable bond anticipation notes therefor and may renew the bond anticipation notes from time to time. However, the maximum maturity of any bond anticipation notes, including the renewals thereof, shall not exceed five years from the date of delivery of the original bond anticipation notes.

(b) The bond anticipation notes, and the interest thereon, may be paid from any money of the district available therefor, including the revenues from the tax. If not previously otherwise paid, the bond anticipation notes, or any portion thereof, or the interest thereon, shall be paid from the proceeds of the next sale of the bonds of the agency in anticipation of which the notes were issued.

(c) The bond anticipation notes shall not be issued in any amount in excess of the aggregate amount of the bonds which the district has been authorized to issue, less the amount of any bonds of the authorized issue previously sold, and also less the amount of other bond anticipation notes therefor issued and then outstanding. The bond anticipation notes shall be issued and sold in the same manner as the bonds.

(d) The bond anticipation notes and the resolutions authorizing them may contain any provisions, conditions, or limitations which a resolution of the district may contain.

60163. Any bonds issued under this chapter are legal investment for all trust funds; for the funds of insurance companies, commercial and savings banks, and trust companies; and for state school funds; and whenever any money or funds may, by any law now or hereafter enacted, be invested in bonds of cities, counties, school districts, or other districts within the state, that money or funds may be invested in the bonds issued under this chapter, and whenever bonds of cities, counties, school districts, or other districts within the state may, by any law now or hereafter enacted, be used as security for the performance of any act or the deposit of any public money, the bonds issued under this chapter may be so used. The provisions of this chapter are in addition to all other laws relating to legal investments and shall be controlling as the latest expression of the Legislature with respect thereto.

60164. Any action or proceedings wherein the validity of the adoption of the retail transactions and use tax ordinance provided for in this chapter or the issuance of any bonds thereunder or any of the proceedings in relation thereto is contested, questioned, or denied, shall be commenced within six months from the date of the election at which the ordinance is approved; otherwise, the bonds and all proceedings in relation thereto, including the adoption and

approval of the ordinance, shall be held to be valid and in every respect legal and incontestable.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.


However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

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BOARD COMMUNICATIONS: YOLO COUNTY TRANSPORTATION DISTRICT

350 Industrial Way, Woodland, CA 95776 --- (530) 661-0816

Topic: SACOG Presentation on Sacramento Region Parks and Trails Strategic Development Plan	Agenda Item #: Agenda Type:	7 Deliberation/Action
		Attachments <input checked="" type="radio"/> Yes <input type="radio"/> No
Prepared by: Daisy Romero	Approved by: 	Meeting Date: May 10, 2021

RECOMMENDATION:

It is recommended that the Yolo County Transportation District (YCTD) Board of Directors be presented with information regarding SACOG's Sacramento Region Parks and Trails Strategic Development Plan and the current trail concept for Yolo County.

SACOG's Active Transportation Analyst Victoria Cacciatore will be giving a short presentation to the YCTD Board.

REASON FOR RECOMMENDATION:

The presentation on the trail plan for the Yolo County portion of SACOG's Sacramento Region Parks and Trails Strategic Development Plan will provide information and data that could jumpstart the effort to plan and develop class 1 bike and pedestrian trails connecting cities and transit hubs in the county, if the Board so desires.

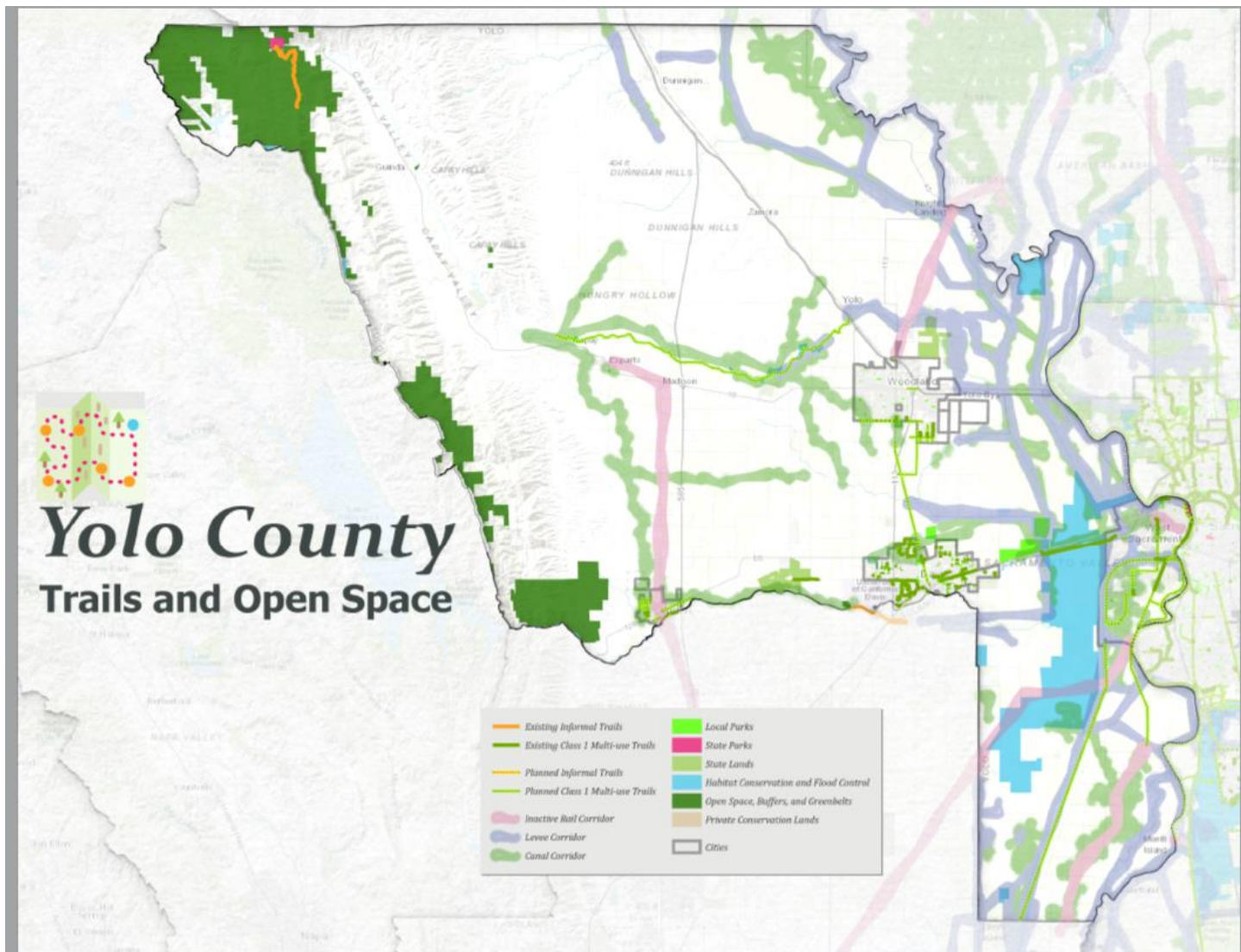
BACKGROUND:

SACOG is developing the Sacramento Region Parks and Trails Strategic Development Plan. The goal is to envision a dynamic system of interconnected trails and parks across El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba counties. The plan is to create an interconnected system between communities with major parks and trails to increase access to job sites, community amenities, and public spaces supporting recreational/social activities.

This project aims to encourage travel through the region via active transportation modes, but also increases access to green space that is key for mental and physical health of our region's residents. The plan will identify immediate term projects to jumpstart the network development and focus on creating access to low-income communities that are currently lacking access to green spaces and safe active transportation infrastructure. The plan is intended as a guide for local jurisdictions so they can incorporate a regional vision into their trails program of work.

BUDGET IMPACT:

None at this time.



BOARD COMMUNICATIONS: YOLO COUNTY TRANSPORTATION DISTRICT

350 Industrial Way, Woodland, CA 95776---(530) 661-0816

Topic: Federal Funding Priorities	Agenda Item#: Agenda Type:	8
		Deliberation/Action
		Attachments: Yes <div>No</div>
Prepared By: Martin Tuttle, Management Consultant		Meeting Date: 5/10/2021

RECOMMENDATION:

It is recommended that the Board of Directors adopt federal funding priorities and seek discretionary funds to advance:

- 1) The acquisition of 50 smaller zero-emission vehicles and charging stations for a countywide microtransit program
- 2) The planning and development of the Yolo County portion of SACOG's Sacramento Region Parks and Trails Strategic Development Plan and
- 3) The delivery of the I-80 managed lanes project.

REASON FOR RECOMMENDATION:

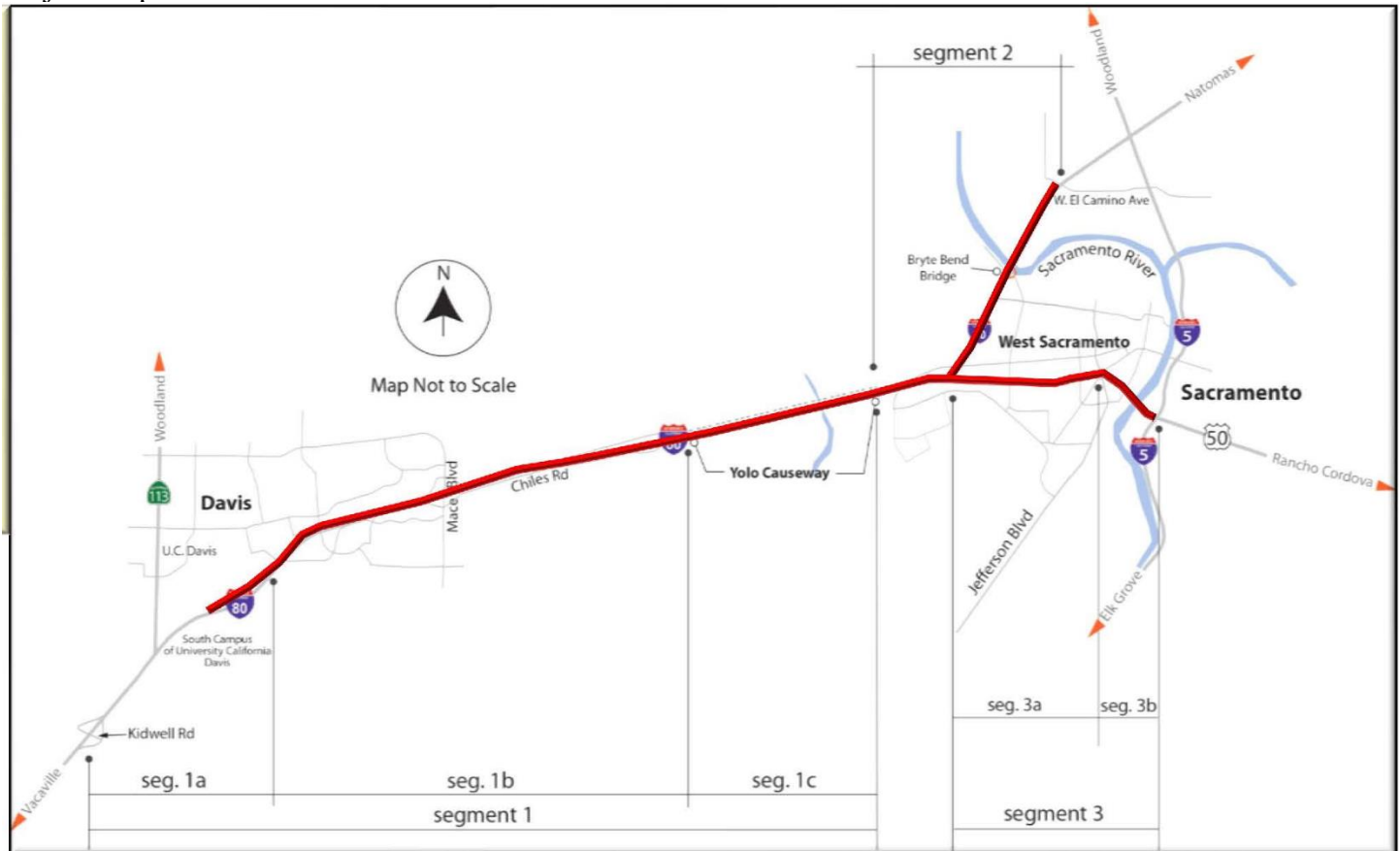
Congress is considering the return of "earmarks" for specific transportation projects, as well as debating a \$2 trillion infrastructure bill. The Board's adoption of funding priorities would enable YCTD to quickly respond to opportunities to fund these new multimodal initiatives.

BACKGROUND:

- 1) Zero Emission Countywide Microtransit: Staff proposes to seek federal funding for the purchase of 50 electric minibuses and charging stations. With this support, YCTD would operate zero-emission, app-enabled, on-demand services throughout Yolo County in select microtransit service zones. The primary goal of the microtransit service will be to provide first- and last-mile connections to high quality, frequent fixed route transit service. Microtransit service zones will be designed to connect areas to regional and intercity transit hubs. The estimated cost is \$480,000 per vehicle and charging station.
- 2) Planning and Development of the Yolo County portion of SACOG's Sacramento Region Parks and Trails Strategic Development Plan. The funds would jumpstart YCTD work in implementing a Class 1 trail network connecting cities, with an emphasis on connections to transit hubs.
- 3) I-80 Managed Lanes: In March 2021, YCTD coordinated with Caltrans District 3 to prepare and submit an application under the U.S. Department of Transportation (USDOT) Infrastructure for Rebuilding America (INFRA) grant program for the Yolo 80 Corridor Improvement Project. The total grant request was \$125.5 million to complete preliminary engineering, right-of-way, and construction costs. The project proposes to build managed lanes on Interstate 80 (I-80) and U.S. Route 50 (US 50) from the Yolo/Solano County line to the US 50/Interstate 5 (I-5) and I-80/West El Camino interchanges in Sacramento County. The primary Yolo 80 Corridor Improvement Project components include:
 - Construct approximately 17 center lane miles (32 total lane miles) of managed lanes from the Solano/Yolo County line to the US 50/I-5 and I-80/West El Camino Avenue interchanges in Sacramento County to alleviate bottlenecks and address an increasing capacity constraint.

- Install ITS elements, such as fiber optics, detection, changeable message signs and ramp meters, to enhance mobility conditions and incident management strategies between jurisdictions.
- Convert an existing lane in each direction to add a managed lane between the I-80/US 50 interchange and Jefferson Boulevard on US 50.
- Restripe to add a managed lane in each direction on the Yolo Causeway, Bryte Bend Bridge, and Sacramento River Viaduct between Jefferson Boulevard and I-5/US 50 interchange.
- Improve bicycle and pedestrian access to the eastern and western termini of the Yolo Causeway.

Project Map:




YCTD anticipates being notified of INFRA funding recommendations in early summer 2021.

BUDGET IMPACT:

No impact at this time.

BOARD COMMUNICATION: YOLO COUNTY TRANSPORTATION DISTRICT
350 Industrial Way, Woodland, CA 95776---- (530) 661-0816

Topic: Consider Director's Report	Agenda Item #: Agenda Type:	<div style="font-size: 48pt; font-weight: bold;">9</div> Deliberation/Action
		Attachments: Yes No
Prepared By: Jose Perez	Approved By: 	Meeting Date: May 10, 2021

RECOMMENDATION:

Your Board reserves the right to take action on all items below, except for oral report items.

BACKGROUND:

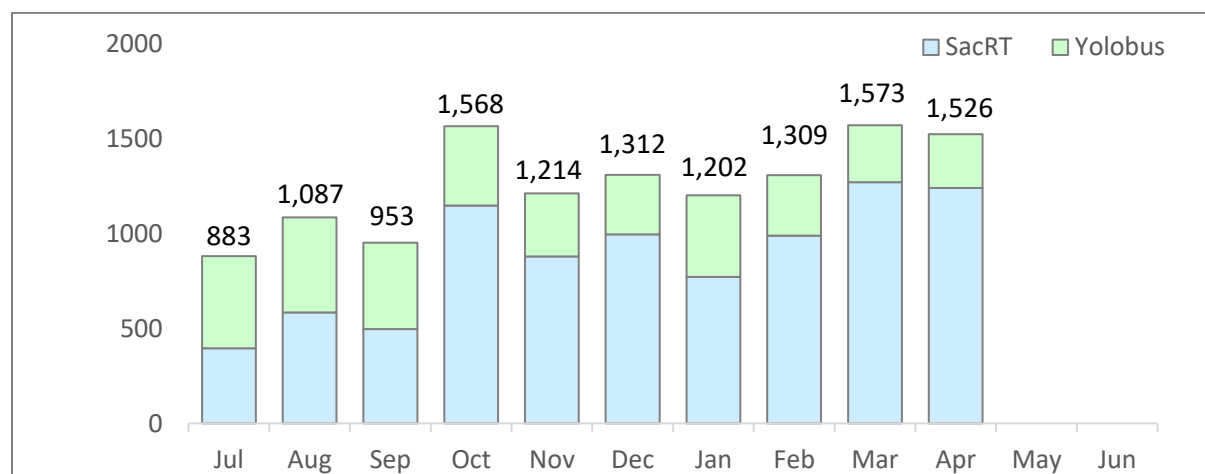
a. Oral Report

b. Update on Causeway Connection Service

The Causeway Connection approaches a year of operation. Ridership has begun to increase, likely as a result of increased in-person activities on and around the UC Davis campuses. The service adjustments implemented in early April continue to be operated successfully. Monthly coordination/operations meetings with SacRT and UC Davis staff continue and focus on routine operational concerns as well as near- and long-term goals opportunities and goals for the service. Future service adjustments (and potential expansion) for the Causeway Connection continue to be discussed and would be developed for implementation in early 2022 as applicable.

Causeway Connection Ridership

	May – December 2020	January 2021	February 2021	March 2021	April 2021	May 2021	June 2021	Total To Date
Total	7,017	1,202	1,309	1,573	1,526			13,185



c. Update on Route 215 Service Changes and Discussions with Cache Creek Partners

Ridership on the recently adjusted Route 215 continues to fluctuate as customers adjust to the current operating schedules. Demand during peak periods is also increasing with customer boardings on certain peak-period trips reaching the vehicle capacity recommendations. As COVID-19 guidelines and restrictions are updated, YCTD staff will work with Transdev to appropriately update and inform customers of any changes to travel policies, practices, and requirements. Staff continues to work with the County of Yolo on an updated/amended Memorandum of Understanding (MOU) to be considered between YCTD, Yolo County, and the Yocha Dehe Wintun Nation.

d. Monthly Progress Report on Three Primary Goals, Desired Outcomes for Succession Plan

- i. Develop a 3-year budget that is reflective of board priorities on effectiveness, seamlessness, efficiency, and sustainability, while taking the revised Comprehensive Operational Analysis (COA—also known as YoloGo) recommendations into consideration. Prepare draft 3-year budget, or financial plan, by March 30, 2021. Provide monthly or quarterly updates, as appropriate.

Update: This is an ongoing project and is intermixed with YoloGo service recommendations and other recent YCTD priorities and mobility strategies. Due to transition in senior staffing and prioritization of YCTD projects, tasks, and duties, the completion of a three-year budget has been delayed. The draft YCTD FY 2022 budget was distributed on April 30, 2021.

- ii. Review and proactively redesign and implement transportation related service changes and public outreach programs, consistent with board priorities, in response to existing and new COVID-19 outbreaks which may occur over the next 3-years. Provide monthly updates, as appropriate.

Update: This is an ongoing project and is intermixed with YoloGo service recommendations and other recent YCTD priorities and mobility strategies. Public hearings for initial YoloGo permanent service changes as well adoption of the YCTD budget are being developed for the June 14 Board meeting.

- iii. Develop and submit a proposed succession plan, reflective of district-wide priorities. Review district activities, employee roles, responsibilities, job descriptions, and desired outcomes for a succession plan, by November 30, 2020. Provide succession plan recommendations by May 31, 2021. Provide monthly updates, as appropriate

Update: YCTD contracted for Management Consultation services in April 2021. The Management Consultant is assisting in the development of near- and long-term staffing and organizational structures. Staff has compiled listings and descriptions of current duties, activities, and estimates of work time allocated to each. Cross-training and coverage/redundancy of critical duties and knowledge is emphasized along with availability and promotion of professional development, training, and mentorship. Continuing discussions with the Management Consultant, staff, management, and the YCTD Board are required prior to the completion of a final deliverable.

e. YCTD Website Update

YCTD staff has continued progress on updating the YCTD website to better present service information, administration and policy information, and partner resources. Work is being completed on the website framework which includes the layout, buttons, and general user flow. The main page is being redesigned using a content management system to focus on key service information that is most relevant to customers. Trip planning, vehicle location information, and service schedules will be available with minimal “clicks” from the end user. A user “ad” section has been created with a slider effect to promote YCTD and partner programs such as YOUR Ride, Connect Card, Youth Ride Free, etc. YCTD will retain the ability to update, modify, and adjust the content without laborious (or additional contracted) effort. The website will maintain existing accessibility features, including text-to-speech functions, resizing to accommodate mobile phones and tablets, and active search features. Once the website has reached its “beta” phase, staff will provide a testing environment to YCTD’s Technical and Citizens Advisory Committees and the Board for testing and

further refinement.

f. CA Legislative Discussion

Amendments to existing, and some new legislation, are being proposed and developed in the state legislature. AB339 amends and updates existing Brown Act law to allow for telephonic and internet-based public comment, but also introduces a requirement to provide interpretive services as requested, and to have a system to process requests for interpretation services and to publicize the system online. This requirement could have financial impacts to the District which are difficult to quantify.

AB703 confirms and allows public agencies to use telephonic formats to receive public comment and clarifies that votes must be taken by roll call. The intent of this bill is to improve and enhance public access to local agency meetings, and YCTD's current procedures for remote meetings adhere to these proposed requirements.

AB859 would authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator's mobility devices operating in the geographic area under the public agency's jurisdiction and provide specified notice of that requirement to the operator. Mobility devices in context of the bill include devices such as bicycles, scooters, etc. which may be rented through an app or online-based platform of a Transportation Network Company (TNC) such as Uber, Lyft and/or Via. The bill is aimed at requiring access to mobility device trip information for public agencies (while limiting the ability of vendors from collecting and selling said info)..

SB674 applies to transportation-related contracts for public agencies to develop a program (CA Jobs Plan Program) which would state the minimum number of proposed hobs to be retained and/or created, proposed wages, benefits, and training investments if the applicant wins the covered public contract. The CA Jobs Plan Program would need to be evaluated as part of the contract proposal, and a portal managed by the Labor and Workforce Department Agency would make the information publicly available. This requirement would potentially increase the level of effort during YCTD's next solicitation for purchased transportation, and peer agencies have expressed concerns regarding conflicting requirements from this bill when compared to existing federal contract and procurement requirements.

g. Attachments

- i. Financial Statements 3rd Quarter FY 2020/21
- ii. April 2021 Ridership Report for Fixed Route, Paratransit and Microtransit
- iii. Updated Long-Range YCTD Board Meeting Calendar (subject to modification)
- iv. CA Proposed Legislative Bills (AB339, AB703, AB859, SB674)
- v. Davis Enterprise Article: A shortened life with a lasting legacy

Attachment i: Financial Statements 3rd Quarter FY 2020/21

Yolo County Transportation District Statement of Revenue and Expenses - Budget vs Actual For the Month Ended March 31, 2021

All Fixed Route Service	Month	Y-T-D	Y-T-D Budget	Variance Favorable/ (Unfavorable)
Revenues				
Fare Revenue				
Passenger Fares	47,282	628,295	663,711	(35,416)
Special Fares	36	385	6,758	(6,373)
Total Fare Revenue	47,318	628,680	670,469	(41,789)
Operating Revenue:				
Local Transportation Fund (TDA)		2,949,690	2,724,710	224,981
Local Operating Assistant (Carryover)			869,250	(869,250)
Interest	4	27,062	26,250	812
State Operating - Other		3,345	662	2,683
FTA 5307-Operating (PM & Consultants)	515,446	906,224	1,534,538	(628,314)
FTA 5307-CARES Funding	928,007	2,770,013	3,546,000	(775,987)
FTA 5311 - Operating			111,247	(111,247)
FTA 5311 - CARES		59,751	179,253	(119,502)
Federal Other		127,000		127,000
Other Govt Agencies		80,190		80,190
Auxilliary Transportation	945	25,173	59,580	(34,407)
Other Income	28,697	188,270	462,885	(274,615)
Mitigation Revenue		738,932	1,480,719	(741,787)
Sales of Fixed Assets		14,999		14,999
Total Operating Revenue	1,473,099	7,890,649	10,995,093	(3,104,444)
Total Revenue	1,520,417	8,519,329	11,665,562	(3,146,233)
Expenses				
Salaries & Benefits:				
Regular Employees	92,756	613,127	699,456	86,329
Extra Help	2,063	26,091	37,500	11,409
Overtime	938	7,291	3,750	(3,541)
Vacation Payoff				0
Management Leave Buy-Back		5,650	3,000	(2,650)
Retirement	6,692	172,821	157,050	(15,771)
Social Security	128	1,667	2,325	658
Medicare Tax	1,031	9,532	10,685	1,153
Health Insurance	12,196	122,666	139,287	16,621
YCTD Contribution to Other Post Employment Benefit:	1,867	15,120	53,250	38,130
Unemployment Insurance	37	1,537	4,830	3,293
Workers' Compensation Insurance	355	2,764	9,167	6,403
Other Frings Benefits	2,874	24,830	24,075	(755)
Subtotal Salaries & Benefits	120,937	1,003,096	1,144,375	141,279
Services				
Housekeeping Expenses	937	10,377	15,294	4,917
Maintenance - Equipment	132	36,092	463,907	427,815
Maintenance - Building & Improvements	7,351	57,555	145,136	87,581
Legal Services	2,194	40,565	18,750	(21,815)
Professional & Specialized Services	5,909	92,253	331,424	239,171
Training Expense		1,634	17,288	15,654
Trustees, Commissioners, Directors	700	4,500	5,700	1,200
Subtotal Services	17,223	242,976	997,499	754,523

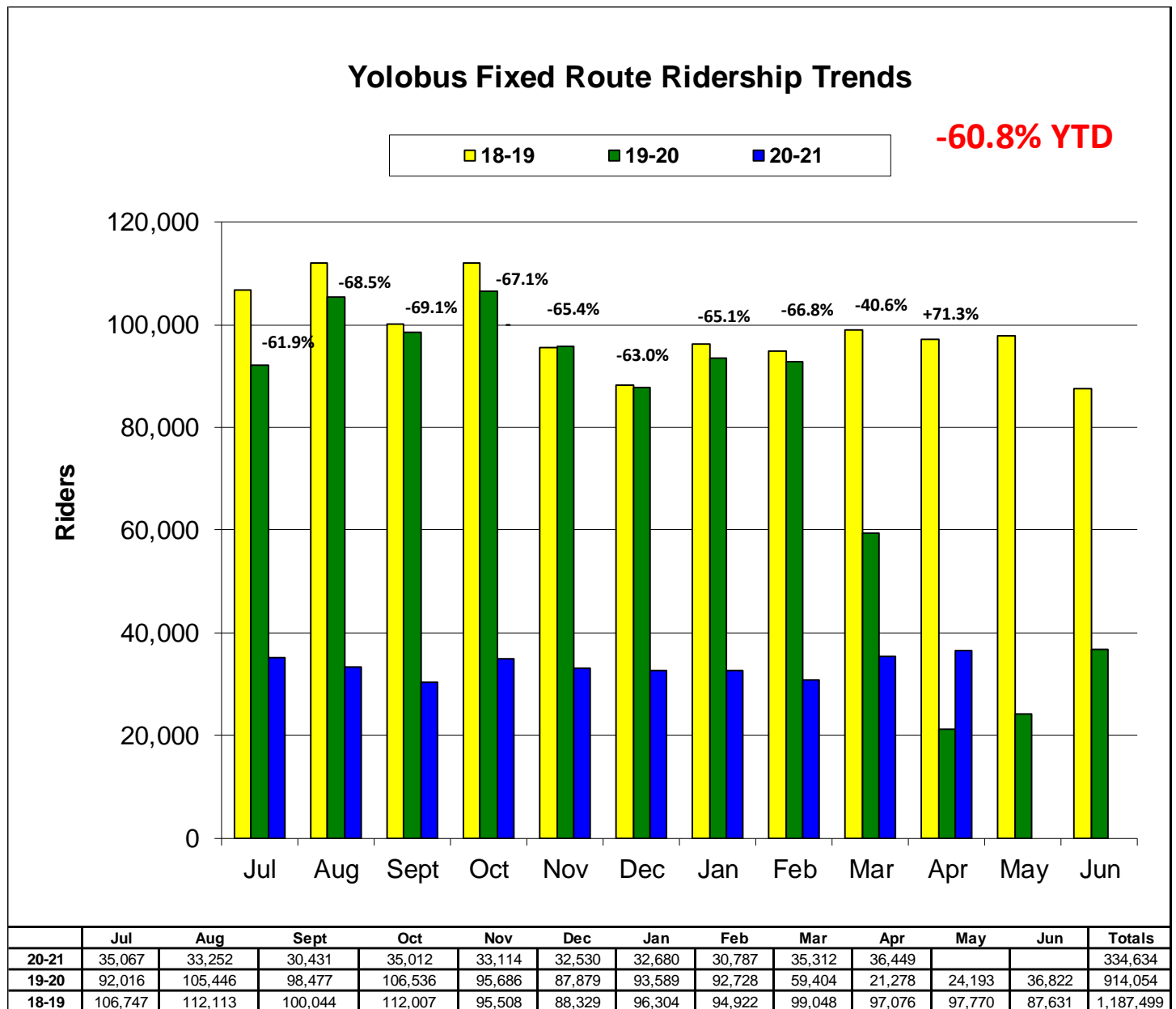
All Fixed Route Service	Month	Y-T-D	Y-T-D Budget	Variance Favorable/ (Unfavorable)
Fuel & Lubricants				
Vehicle Fuel Expense	51,977	589,906	1,231,545	641,639
Vehicle Fuel Expense-Electric		30,528		(30,528)
Subtotal Fuel & Lubricants	51,977	620,434	1,231,545	611,111
Materials & Supplies				
Food	36	1,228	2,801	1,573
Office Expense		2,631	15,150	12,519
Postage	29	421	2,625	2,204
Printing		480	34,350	33,870
Small Tools & Minor Equipment	438	19,365	21,722	2,357
COVID-19 Expenses		23,088	0	(23,088)
Subtotal Materials & Supplies	503	47,213	76,648	29,435
Utilities				
Communications	25,796	169,093	176,942	7,849
Utilities	2,175	24,273	69,570	45,297
Subtotal Utilities	27,971	193,366	246,512	53,146
Casualty & Liability				
Insurance - Public Liability		852,243	767,242	(85,002)
Insurance - Fire & Extended		9,916	9,375	(541)
Insurance - Physical Damage		42,441	38,197	(4,244)
Subtotal Casualty & Liability	0	904,600	814,814	(89,787)
Purchased Transportation				
Purchased Transportation	580,427	5,319,109	6,901,154	1,582,045
Subtotal Purchased Transportation	580,427	5,319,109	6,901,154	1,582,045
Miscellaneous				
Memberships	1,000	28,555	22,460	(6,095)
Publications & Legal Notices		224	1,875	1,651
Advertising	1,973	16,067	66,000	49,933
Rents & Leases-Equipment		365	767	402
Rents & Leases-Bldgs & Improvements	605	4,751	4,350	(401)
Books & Periodicals		572	939	367
Special Department Expense - Other	554	1,304	12,053	10,749
Transportation & Travel	135	1,073	27,573	26,500
Subtotal Miscellaneous	4,267	52,911	136,017	83,106
Total Services & Supplies	682,368	7,380,609	10,404,187	3,023,578
Total Expenses	803,305	8,383,705	11,548,562	3,164,857
Operating Surplus/(Shortage)	717,112	135,624	117,001	18,623
Contingencies			93,750	93,750
Pass Through to Other Agencies		24,000	23,250	(750)

All Fixed Route Service	Month	Y-T-D	Y-T-D Budget	Variance Favorable/ (Unfavorable)
Capital Revenue				
FTA 5307 - Capital Revenue			3,088,184	3,088,184
Capital LTF				0
Other Capital Revenue				0
PROP 1B			691,200	691,200
State Transit Assistance (STA)		92,879	147,647	54,768
Non-County Gov't Agencies			30,000	30,000
	0	92,879	3,957,030	3,864,151
Capital Expenses				
Facility Improvements			61,200	61,200
Equipment		92,879	3,895,830	3,802,951
	0	92,879	3,957,030	3,864,151
Capital Surplus/(Shortage)	0	0	0	0

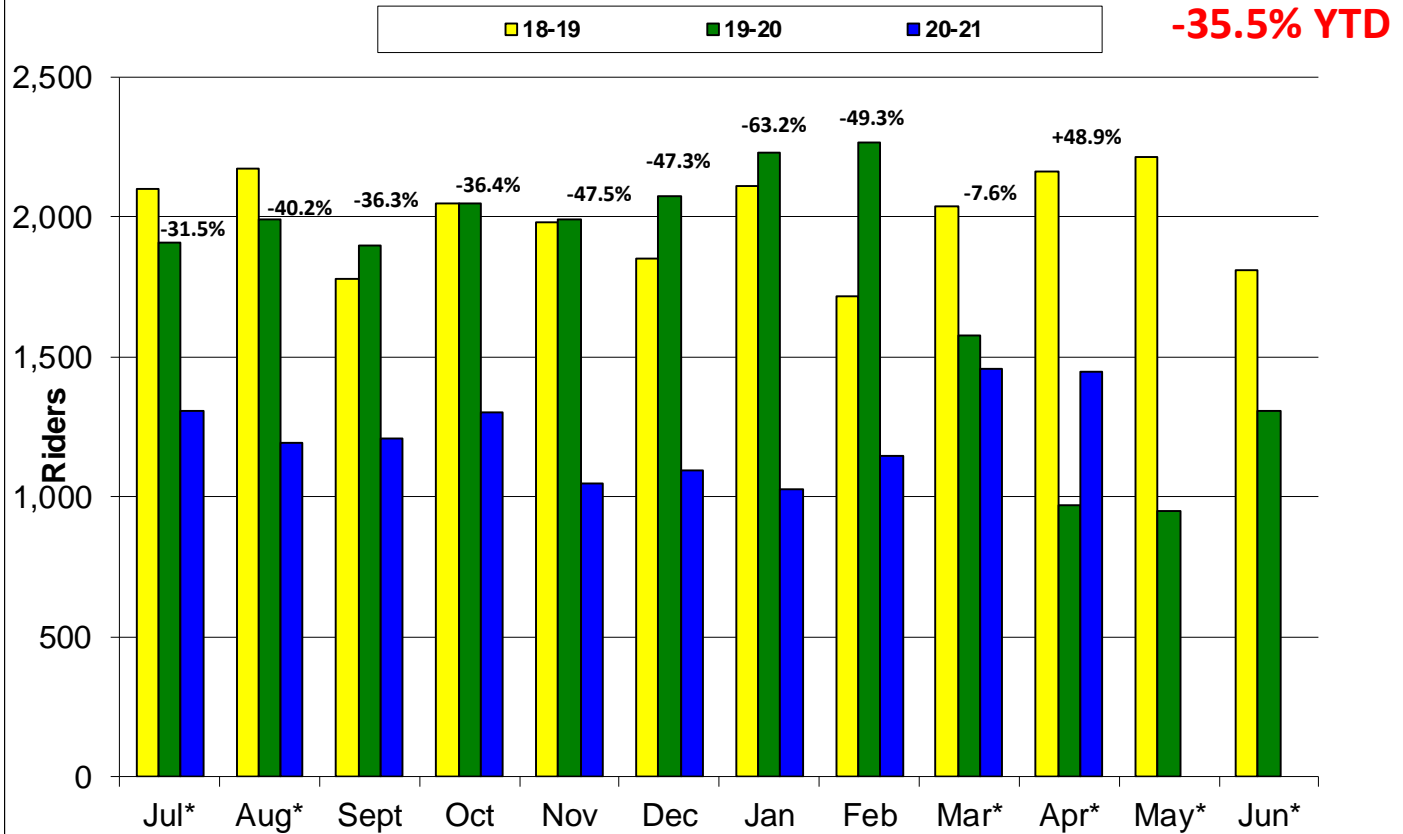
Yolo County Transportation District
Statement of Revenue and Expenses - Budget vs Actual
For the Month Ended March 31, 2021

			Y-T-D Budget	Variance Favorable/ (Unfavorable)
ADA PARATRANSIT SERVICE	Month	Y-T-D		
Revenue:				
Fares	2,841	11,813	21,181	(9,368)
Special Fares	4,956	41,599	30,191	11,408
Total Fare Revenue	7,797	53,412	51,372	2,040
Operating Revenue				
Local Transportation Fund-Operating		713,820	670,407	43,413
Local Operating Assistance (Carryover)			300,000	(300,000)
Investment Earnings		(297)	3,750	(4,047)
FTA 5307 Operating		44,254	176,322	(132,068)
FTA 5307 CARES		262,500	273,000	(10,500)
Mitigation Revenue			66,841	66,841
Other Income				
Sale of Fixed Assets		1,275	-	(1,275)
Total Operating Revenue	0	1,021,552	1,490,320	(337,636)
Total Revenue	7,797	1,074,964	1,541,692	(335,596)
Expenses:				
Fuel & Lubricants				
Vehicle Fuel Expense	4,421	58,635	153,655	95,020
Subtotal Fuel & Lubricants	4,421	58,635	153,655	95,020
Utilities				
Communication				
Subtotal Utilities	0	0	0	0
Casualty & Liability				
Insurance - Public Liability		144,713	130,241	(14,471)
Insurance - Physical Damage				0
Subtotal Casualty & Liability	0	144,713	130,241	(14,471)
Purchased Transportation				
Purchased Transportation	105,592	859,028	1,242,796	383,768
COVID-19 Expenses	8,836	77,797	0	(77,797)
Subtotal Purchased Transportation	114,428	936,825	1,242,796	305,971
Appropriation for Contingency			15,000	15,000
Total Expenses	118,849	1,140,173	1,541,692	401,519
Operating Surplus/(Shortage)	(111,052)	(65,208)	0	65,923
Capital Revenue				
State Transit Assistance				
Prop 1B Funds				
FTA 5307 Capital				
Local Transportation Fund-Capital				
	0	0	0	0
Capital Expense				
Capital Expenses				
	0	0	0	0
Capital Surplus/(Shortage)	0	0	0	0

Attachment ii: April 2021 Ridership Report for Fixed Route, Paratransit and Microtransit



Yolobus Special Paratransit (ADA & Micro) Ridership Trends



	Jul*	Aug*	Sept	Oct	Nov	Dec	Jan	Feb	Mar*	Apr*	May*	Jun*	Totals
20-21*	1,309	1,192	1,210	1,302	1,046	1,094	1,026	1,148	1,458	1,447			12,232
19-20	1,910	1,994	1,901	2,047	1,994	2,077	2,230	2,266	1,578	972	947	1,308	21,224
18-19	2,099	2,173	1,781	2,048	1,982	1,850	2,109	1,715	2,039	2,163	2,216	1,808	24,806

Attachment iii: Updated Long-Range YCTD Board Meeting Calendar (subject to modification)

Updated May 5, 2021

June 14, 2021

1. Financial & Ridership Update (status of fares, LTF, STA, CARES, fund balance, other revenues)
2. Public Hearing and Possible Adoption of Preliminary FY 21/22 Budget and Three-Year Budget
3. Public Hearing on Recommended Changes in Bus Routes and Schedules (Near-term YoloGo as applicable)
4. Election of 2021-2020 Chair & Vice Chair
5. Director's Report, Monthly Progress Report on Three Primary Goals
6. Introduce Potential Changes in Causeway Connection Bus Schedule and Routes
7. Consider RFP for new microtransit software for existing and expanded service areas as adopted by COA
8. Implementation Activities for YCTD Federal Funding Priorities (pending Board approval)
9. Possible Consideration of Updated MOU Between YCTD, Yolo County, and Yocha Dehe Wintun Nation
10. Consider Transportation and Transit Funding Information Presentation (*Potential Special Meeting*)

July 12, 2021

1. Consider RFP for Future Fuel Study
2. Possible Public Hearing Regarding Changes in Causeway Connection (Route 138) Bus Schedule and Routes
3. Agreement for YCTD SRTP FY 2022-2029
- 4.
5. FY 2022 Customer and Community Survey
6. Consider YCTD Funding Policy Workshop (*Potential Special Meeting*)

August 9, 2021 TBD

1. Award contract for new microtransit software
2. SRTP: Draft 10 Year Capital and Operating Plan
3. Public Hearing on Recommended Changes in Bus Routes and Schedules (Mid-term YoloGo as applicable)

September 13, 2021 TBD

1. YoloGo Implementation Update
2. SRTP: Public Outreach Update

October 11, 2021 TBD

November 8, 2021 TBD

1. Draft SRTP Document (Outreach, Performance, Operating Plan, and 10-yr Capital Plan)

December 13, 2021 TBD

1. SRTP: Final SRTP Document

January 10, 2022 TBD

February 14, 2022 TBD

March 14, 2022 TBD

April 11, 2022 TBD

May 9, 2022 TBD

June 13, 2022 TBD

Attachment iv: CA Proposed Legislative Bills (AB339, AB703, AB859, SB674)

See separate attachments.

Attachment v: Davis Enterprise Article: A shortened life with a lasting legacy

Originally published by the Davis Enterprise on April 22, 2021

A shortened life with a lasting legacy

Nathan Streeter was many things to many people. He was the chosen child of Steve and Nancy Streeter, who adopted him the year after his birth. He was a graduate of Davis High School (Class of 2008) who became a filmmaker and a member of the county transportation district's citizens advisory committee. He was also an extrovert in an introvert's body, his mother says, making friends everywhere he went despite being unable to communicate verbally thanks to a brain injury suffered in utero.

And during his 31 years on earth, he "grew into a man of significance whose life was full," said Nancy.

In death, he has become even more. Thanks to Nathan's desire to become an organ and tissue donor, two lives have been saved and likely many more impacted since Nathan's death on March 31.

"To know that our son, in spite of all of his physical differences ... that he was able to still pass on life to others," said Nancy, "in a way, that's a legacy. That's a life giving a life."

Nathan was around 3 months old when a doctor friend told his parents that he wasn't acting like a typical 3-month-old. He was later diagnosed with spastic quadriplegic cerebral palsy. The disability was significant, but Nathan was able to communicate with his eyes early on, "and we began to realize from the inside out there was an intelligent child in there," said Nancy. Surrounded with support, he entered regular classrooms early on, including, after the Streeters moved to Davis from Southern California, Willett Elementary and Emerson Junior High School. He graduated with a full academic diploma from Davis High School in 2008.

Nathan went on to take college courses in video production at Sacramento City College and Cosumnes River College. He got his business license, obtained a grant and brought in enough money to hire assistants. The Communication Technology and Education Center in Sacramento hired Nathan and his team to produce instructional videos for speech-device users.

He made friends everywhere "just by being himself," said Nancy. "Just by doing what he loves to do.

"He was an extrovert person that figured out how to live in an introverted body," she explained. "He really was always interested in people. The only thing that slowed him down was that the part of the brain that was affected in utero had to do with the motor skills and some of that also meant that he could tire very quickly...

"He'd get worn out. That was something he learned how to live with and he maximized the time that he had with people that he really wanted to spend time with."

Among the people he loved to spend time with were the drivers on the buses he loved to ride. He chatted with them using a speech device activated with a head switch. He was a bit of a flirt with the female drivers and conductors on the double-deck buses, said Nancy. Nathan also served on the Yolo County Transportation District Citizens Advisory Committee from 2017 to 2020 and heading into 2020, he was looking forward to moving out of the family home and into supportive housing, Steve said.

But he was also beginning to tire more.

"He was beginning to wind down," said Nancy. "As much as he might have wanted to move out, it was more than he could have physically handled."

"We knew, because we knew of all of the underlying neurological issues, that his time would be foreshortened," she said.

Nathan's health began to decline in early 2020 and by last summer, doctors told his parents he probably had about six months left to live.

“Someone at that point, when we were in the hospital, said, ‘If this does become worse, would you consider organ donation?’” said Nancy, who noted that while Nathan’s disability was neurological, his organs were young and healthy.

That Nathan wanted to be an organ donor was made clear back in 2011 when he obtained his California identification card complete with that pink donor dot. When hospice care began in October 2020, the Streeters were advised that if Nathan were to die at home, his organs and tissue could not be donated, so a few months later, in March, when Nathan appeared to be nearing the end, paramedics were called to transfer him to Sutter Davis Hospital. Nathan was already known to staff at Sutter Davis. CEO Rachael McKinney first met him back in the fall of 2019, and being able to care for Nathan and his family and fulfill his wishes was an honor, hospital staff said.

But Sutter Davis had never gone through this process before.

“We just have not had a situation where a patient met the criteria for donation or had the ability to provide the gift of donation based on needs identified,” said Tammy Powers, chief nurse executive at Sutter Davis.

“This is the first time we’ve actually had a match.”

A team from Sierra Donor Services arrived on site to help manage Nathan’s care while they ran tests to determine which of his organs were appropriate for donation and then began working within their network to evaluate potential recipients.

“Our team was right by their side,” said Powers. “Our nursing team and physicians continued to care for Nathan through the entire donation review process. They were there at the bedside, caring for Nathan, caring for (his parents). Just providing support and also appreciation for the gift they were providing.”

The Streeters “had clearly spent a significant amount of time preparing for this,” she said. “They knew what Nathan’s wishes were and how to honor him, so they had worked through a lot of this even before he arrived at the hospital. But it was our job to just take care of them with dignity and respect and care and compassion.

“It was an honor. It was just a true honor that they chose us to be with them during that incredibly special and very difficult time,” Powers said.

The enormity of what was happening, and the impact it was having on the hospital staff, became evident when the time came for Nathan to be moved from the ICU to the surgical suite for removal of his organs. More than 50 staff members lined the hallway as Nathan was wheeled from the elevator to the surgery, accompanied by his parents.

“Everybody was there to care for him and care for that family and hold them up,” said Powers.

Just before Nathan was wheeled away, Steve and Nancy turned back to the staff assembled there and read aloud a piece about Nathan’s life, McKinney said.

“There was laughter and there were tears and it was one of the most impactful moments in my career, to see this generosity.”

Said Powers: “It was such an honor to be part of that experience with them and I was just so thankful for the gift that they gave to so many.”

How many will benefit from Nathan’s organ and tissue donation is unclear. But on Monday, Steve Streeter received a call from Sierra Donor Services letting him know two lives had been saved because of Nathan.

“For me, it’s not that his death was not in vain, but it’s one life forwarding life to another,” said Nancy. “I’m really proud.

“This child grew into a man of significance whose life was full. And I can’t be any prouder of him.”

— Reach Anne Ternus-Bellamy at aternus@davisenterprise.net.

Follow her on Twitter at @ATernusBellamy.

AMENDED IN ASSEMBLY APRIL 15, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 339

Introduced by Assembly Members Lee and Cristina Garcia
(Coauthors: Assembly Members Arambula, Cooley, and Robert Rivas)

January 28, 2021

An act to amend Sections ~~9027, 54953, 54954.2, 54954.3, 11122.5, 11123, 11125.7~~ of, and to add Sections ~~9027.1 and 9028.1~~ to, and ~~54954.3~~ of the Government Code, relating to ~~state and local government~~.
public meetings.

LEGISLATIVE COUNSEL'S DIGEST

AB 339, as amended, Lee. ~~State and local~~ *Local* government: open ~~and public~~ meetings.

Existing law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified.

This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation, as provided, and requires translation services to be provided for the 10 most-spoken languages, other than English, in California, and would require those persons commenting in a language other than English to have double the amount of time as those giving a comment in English, if time restrictions on public comment are utilized, except as specified. The bill would require

~~instructions on how to attend the meeting to be posted at the time notice of the meeting is publicized, as specified.~~

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. *Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime.*

This bill would require all meetings to include an opportunity for ~~all persons~~ *members of the public* to attend via a ~~call-in telephonic option or and an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.~~ *option.* The bill would ~~require, even in the case of a declared state or local emergency, teleconferenced~~ *require all* meetings to include an in-person public comment ~~opportunity.~~ *opportunity, except in specified circumstances during a declared state or local emergency.* The bill would require all meetings to provide the public with an opportunity to ~~address the legislative body comment on proposed legislation in person and remotely via call-in or a telephonic and an internet-based service, service option, as provided, and would require instructions on how to attend the meeting to be posted at the time notice of the meeting is publicized, as specified.~~ *specify requirements for public comment registration.* The bill would also require the legislative bodies of the local agency to ~~employ a sufficient amount of qualified bilingual persons to provide translation during the meeting in the language of a non-English-speaking person, in jurisdictions which govern a substantial number of non-English-speaking people, as defined.~~ *provide interpretation services as requested, and have a system to process requests for interpretation services and publicize that system online.*

~~Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The Act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.~~

~~This bill would require all meetings, as defined, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services~~

~~and requires both a call-in and an internet-based service option to be provided to the public. The bill would require instructions on how to attend the meeting via call-in or internet-based service to be posted online along with the meeting agenda in an easily accessible location at least 72 hours before all regular meetings and at least 24 hours before all special meetings. The bill would require all meetings to provide the public with an opportunity to address the legislative body remotely via call-in or internet-based service, as provided, and would require those persons commenting in a language other than English to have double the amount of time as those giving a comment in English, if time restrictions on public comment are utilized, except as specified.~~

~~Existing law, the Dymally-Alatorre Bilingual Services Act, requires any materials explaining services available to the public to be translated into any non-English language spoken by a substantial number of the public, as defined, served by the agency, and requires every state and local agency serving a substantial number of non-English-speaking people, as defined, to employ a sufficient number of qualified bilingual persons in public contact positions or as interpreters to ensure provision of information and services in the language of the non-English-speaking person.~~

~~This bill would require legislative bodies of local agencies, and state bodies, as defined, to translate agendas and agencies to make available instructions for accessing on joining the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency, or state body's jurisdiction, are speakers. to all non-English-speaking persons upon request, and publish the instructions in the 2 most spoken languages other than English within the local agency's jurisdiction.~~

~~By imposing new duties on local governments and expanding the application of a crime with respect to meetings, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

This bill would provide that no reimbursement is required by this act for specified reasons.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 9027 of the Government Code is amended~~
2 ~~to read:~~

3 ~~9027. Except as otherwise provided in this article, all meetings~~
4 ~~of a house of the Legislature or a committee thereof shall be open~~
5 ~~and public, and all persons shall be permitted to attend the~~
6 ~~meetings. Additionally, all meetings shall include an opportunity~~
7 ~~for all persons to attend via a call-in option or an internet-based~~
8 ~~service option that provides closed captioning services. Both a~~
9 ~~call-in and an internet-based service option shall be provided to~~
10 ~~the public. As used in this article, “meeting” means a gathering of~~
11 ~~a quorum of the members of a house or committee in one place,~~
12 ~~including a gathering using teleconference technology, for the~~
13 ~~purpose of discussing legislative or other official matters within~~
14 ~~the jurisdiction of the house or committee. As used in this article,~~
15 ~~“committee” includes a standing committee, joint committee,~~
16 ~~conference committee, subcommittee, select committee, special~~
17 ~~committee, research committee, or any similar body.~~

18 ~~SEC. 2. Section 9027.1 is added to the Government Code, to~~
19 ~~read:~~

20 ~~9027.1. All meetings shall provide the public with an~~
21 ~~opportunity to comment on proposed legislation, either in person~~
22 ~~or remotely via call-in or internet-based service, consistent with~~
23 ~~requirements in Section 9027. Persons commenting in person shall~~
24 ~~not have more time or in any other way be prioritized over persons~~
25 ~~commenting remotely via call-in or internet-based service.~~
26 ~~Translation services shall be provided for the 10 most-spoken~~

1 languages, other than English, in California. If there are time
2 restrictions on public comment, persons giving a public comment
3 in a language other than English shall have double the amount of
4 time as those giving a comment in English to allow for translation,
5 unless simultaneous translation equipment is available.

6 SEC. 3. Section 9028.1 is added to the Government Code, to
7 read:

8 9028.1. Instructions on how to attend the meeting via call-in
9 or internet-based service shall be posted online in an easily
10 accessible location at the time the meeting is scheduled and notice
11 of the meeting is published. The posted instructions shall include
12 translations into the 10 most-spoken languages, other than English,
13 in California, and shall list a hotline that members of the public
14 can call for assistance, with assistance in the 10 most-spoken
15 languages provided.

16 SEC. 4.

17 SECTION 1. Section 54953 of the Government Code is
18 amended to read:

19 54953. (a) All meetings of the legislative body of a local
20 agency shall be open and public, and all persons shall be permitted
21 to attend any meeting of the legislative body of a local agency;
22 agency in person, except as otherwise provided in this chapter.
23 Additionally, all

24 (b) All meetings shall include an opportunity for all persons
25 members of the public to attend via a call-in telephonic option or
26 and an internet-based service option that provides
27 closed-captioning services. Both a call-in and an internet-based
28 service option shall be provided to the public. option. For the
29 purposes of this chapter, "internet-based service option" means
30 a service or platform that allows two-way video and audio
31 participation through the internet.

32 (b)

33 (c) (1) Notwithstanding any other provision of law, the
34 legislative body of a local agency may use teleconferencing for
35 the benefit of the public and the legislative body of a local agency
36 in connection with any meeting or proceeding authorized by law.
37 The teleconferenced meeting or proceeding shall comply with all
38 requirements of this chapter and all otherwise applicable provisions
39 of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used by members of the legislative body for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, ~~other than what is required by subdivision (a);~~ it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision ~~(d)~~; (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

~~(5) Notwithstanding~~

(5) (A) *Unless there are any laws that prohibit in-person government meetings in the case of a declared state of emergency, including a public health emergency, teleconferenced all meetings shall include an in-person public comment opportunity, wherein members of the public can report to a designated site to give public comment in person. The location of the designated site and any relevant instructions on in-person commenting shall be included with the public posting of the agenda.*

(B) *All meetings shall provide the public with an opportunity to comment on proposed legislation, both in person and remotely via a telephonic and an internet-based service option, and ensure the opportunity for the members of the public participating via a telephonic or an internet-based option to comment on agenda*

1 *items with the same time allotment as a person attending a meeting*
2 *in person.*

3 *(C) Registration for public comment period is permitted, so*
4 *long as instructions to register are posted, members of the public*
5 *are able to register over the telephone and in person, and*
6 *registration remains open until the comment period has finished*
7 *for that agenda item. Information collected for registration*
8 *purposes shall be limited to name, telephone number, and county*
9 *of residence.*

10 ~~(e)~~

11 *(d) (1) No legislative body shall take action by secret ballot,*
12 *whether preliminary or final.*

13 *(2) The legislative body of a local agency shall publicly report*
14 *any action taken and the vote or abstention on that action of each*
15 *member present for the action.*

16 *(3) Prior to taking final action, the legislative body shall orally*
17 *report a summary of a recommendation for a final action on the*
18 *salaries, salary schedules, or compensation paid in the form of*
19 *fringe benefits of a local agency executive, as defined in*
20 *subdivision (d) of Section 3511.1, during the open meeting in*
21 *which the final action is to be taken. This paragraph shall not affect*
22 *the public's right under the California Public Records Act (Chapter*
23 *3.5 (commencing with Section 6250) of Division 7 of Title 1) to*
24 *inspect or copy records created or received in the process of*
25 *developing the recommendation.*

26 ~~(d)~~

27 *(e) (1) Notwithstanding the provisions relating to a quorum in*
28 *paragraph (3) of subdivision ~~(b)~~, (c), if a health authority conducts*
29 *a teleconference meeting, members who are outside the jurisdiction*
30 *of the authority may be counted toward the establishment of a*
31 *quorum when participating in the teleconference if at least 50*
32 *percent of the number of members that would establish a quorum*
33 *are present within the boundaries of the territory over which the*
34 *authority exercises jurisdiction, and the health authority provides*
35 *a teleconference number, and associated access codes, if any, that*
36 *allows any person to call in to participate in the meeting and the*
37 *number and access codes are identified in the notice and agenda*
38 *of the meeting.*

39 *(2) Nothing in this subdivision shall be construed as*
40 *discouraging health authority members from regularly meeting at*

1 a common physical site within the jurisdiction of the authority or
2 from using teleconference locations within or near the jurisdiction
3 of the authority. A teleconference meeting for which a quorum is
4 established pursuant to this subdivision shall be subject to all other
5 requirements of this section.

6 (3) For purposes of this subdivision, a health authority means
7 any entity created pursuant to Sections 14018.7, 14087.31,
8 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare
9 and Institutions Code, any joint powers authority created pursuant
10 to Article 1 (commencing with Section 6500) of Chapter 5 of
11 Division 7 for the purpose of contracting pursuant to Section
12 14087.3 of the Welfare and Institutions Code, and any advisory
13 committee to a ~~county-sponsored~~ *county-sponsored* health plan
14 licensed pursuant to Chapter 2.2 (commencing with Section 1340)
15 of Division 2 of the Health and Safety Code if the advisory
16 committee has 12 or more members.

17 ~~SEC. 5.~~

18 *SEC. 2.* Section 54954.2 of the Government Code is amended
19 to read:

20 54954.2. (a) (1) At least 72 hours before a regular meeting,
21 the legislative body of the local agency, or its designee, shall post
22 an agenda containing a brief general description of each item of
23 business to be transacted or discussed at the meeting, including
24 items to be discussed in closed session. A brief general description
25 of an item generally need not exceed 20 words. The agenda shall
26 specify the time and location of the regular meeting and shall be
27 posted in a location that is freely accessible to members of the
28 public and on the local agency's internet website, if the local
29 agency has one. If requested, the agenda shall be made available
30 in appropriate alternative formats to persons with a disability, as
31 required by Section 202 of the Americans with Disabilities Act of
32 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations
33 adopted in implementation thereof. The agenda shall include
34 information regarding how, to whom, and when a request for
35 disability-related modification or accommodation, including
36 auxiliary aids or services, may be made by a person with a
37 disability who requires a modification or accommodation in order
38 to participate in the public meeting. ~~In compliance with the~~
39 ~~Dymally-Alatorre Bilingual Services Act (Chapter 17.5~~
40 ~~(commencing with Section 7290) of Division 7 of Title 1), agendas~~

1 and instructions for accessing the meeting, whether teleconferenced
2 or in person, shall be translated into all languages for which 5
3 percent of the population in the area governed by the local agency
4 is a speaker.

5 (2) *Instructions on joining the meeting via telephonic or*
6 *internet-based service option, including registration for public*
7 *comment, if required, shall be made available to all*
8 *non-English-speaking persons upon request and should at minimum*
9 *be published in the two most spoken languages other than English*
10 *within the boundaries of the territory over which the local agency*
11 *exercises jurisdiction. The meeting agenda should be made*
12 *available upon request to all non-English-speaking persons within*
13 *those boundaries in their language, regardless of national origin*
14 *or language ability.*

15 (2)

16 (3) For a meeting occurring on and after January 1, 2019, of a
17 legislative body of a city, county, city and county, special district,
18 school district, or political subdivision established by the state that
19 has an internet website, the following provisions shall apply:

20 (A) An online posting of an agenda shall be posted on the
21 primary internet website homepage of a city, county, city and
22 county, special district, school district, or political subdivision
23 established by the state that is accessible through a prominent,
24 direct link to the current agenda. The direct link to the agenda shall
25 not be in a contextual menu; however, a link in addition to the
26 direct link to the agenda may be accessible through a contextual
27 menu.

28 (B) An online posting of an agenda including, but not limited
29 to, an agenda posted in an integrated agenda management platform,
30 shall be posted in an open format that meets all of the following
31 requirements:

32 (i) Retrievable, downloadable, indexable, and electronically
33 searchable by commonly used ~~Internet~~ internet search applications.

34 (ii) Platform independent and machine readable.

35 (iii) Available to the public free of charge and without any
36 restriction that would impede the reuse or redistribution of the
37 agenda.

38 (C) A legislative body of a city, county, city and county, special
39 district, school district, or political subdivision established by the
40 state that has an internet website and an integrated agenda

1 management platform shall not be required to comply with
2 subparagraph (A) if all of the following are met:

3 (i) A direct link to the integrated agenda management platform
4 shall be posted on the primary internet website homepage of a city,
5 county, city and county, special district, school district, or political
6 subdivision established by the state. The direct link to the integrated
7 agenda management platform shall not be in a contextual menu.
8 When a person clicks on the direct link to the integrated agenda
9 management platform, the direct link shall take the person directly
10 to an internet website with the agendas of the legislative body of
11 a city, county, city and county, special district, school district, or
12 political subdivision established by the state.

13 (ii) The integrated agenda management platform may contain
14 the prior agendas of a legislative body of a city, county, city and
15 county, special district, school district, or political subdivision
16 established by the state for all meetings occurring on or after
17 January 1, 2019.

18 (iii) The current agenda of the legislative body of a city, county,
19 city and county, special district, school district, or political
20 subdivision established by the state shall be the first agenda
21 available at the top of the integrated agenda management platform.

22 (iv) All agendas posted in the integrated agenda management
23 platform shall comply with the requirements in clauses (i), (ii),
24 and (iii) of subparagraph (B).

25 (D) For the purposes of this paragraph, both of the following
26 definitions shall apply:

27 (i) “Integrated agenda management platform” means an internet
28 website of a city, county, city and county, special district, school
29 district, or political subdivision established by the state dedicated
30 to providing the entirety of the agenda information for the
31 legislative body of the city, county, city and county, special district,
32 school district, or political subdivision established by the state to
33 the public.

34 (ii) “Legislative body” has the same meaning as that term is
35 used in subdivision (a) of Section 54952.

36 (E) The provisions of this paragraph shall not apply to a political
37 subdivision of a local agency that was established by the legislative
38 body of the city, county, city and county, special district, school
39 district, or political subdivision established by the state.

40 (3)

1 (4) No action or discussion shall be undertaken on any item not
2 appearing on the posted agenda, except that members of a
3 legislative body or its staff may briefly respond to statements made
4 or questions posed by persons exercising their public testimony
5 rights under Section 54954.3. In addition, on their own initiative
6 or in response to questions posed by the public, a member of a
7 legislative body or its staff may ask a question for clarification,
8 make a brief announcement, or make a brief report on the member's
9 own activities. Furthermore, a member of a legislative body, or
10 the body itself, subject to rules or procedures of the legislative
11 body, may provide a reference to staff or other resources for factual
12 information, request staff to report back to the body at a subsequent
13 meeting concerning any matter, or take action to direct staff to
14 place a matter of business on a future agenda.

15 (b) Notwithstanding subdivision (a), the legislative body may
16 take action on items of business not appearing on the posted agenda
17 under any of the conditions stated below. Prior to discussing any
18 item pursuant to this subdivision, the legislative body shall publicly
19 identify the item.

20 (1) Upon a determination by a majority vote of the legislative
21 body that an emergency situation exists, as defined in Section
22 54956.5.

23 (2) Upon a determination by a two-thirds vote of the members
24 of the legislative body present at the meeting, or, if less than
25 two-thirds of the members are present, a unanimous vote of those
26 members present, that there is a need to take immediate action and
27 that the need for action came to the attention of the local agency
28 subsequent to the agenda being posted as specified in subdivision
29 (a).

30 (3) The item was posted pursuant to subdivision (a) for a prior
31 meeting of the legislative body occurring not more than five
32 calendar days prior to the date action is taken on the item, and at
33 the prior meeting the item was continued to the meeting at which
34 action is being taken.

35 (c) This section is necessary to implement and reasonably within
36 the scope of paragraph (1) of subdivision (b) of Section 3 of Article
37 I of the California Constitution.

38 (d) For purposes of subdivision (a), the requirement that the
39 agenda be posted on the local agency's internet website, if the

1 local agency has one, shall only apply to a legislative body that
2 meets either of the following standards:

3 (1) A legislative body as that term is defined by subdivision (a)
4 of Section 54952.

5 (2) A legislative body as that term is defined by subdivision (b)
6 of Section 54952, if the members of the legislative body are
7 compensated for their appearance, and if one or more of the
8 members of the legislative body are also members of a legislative
9 body as that term is defined by subdivision (a) of Section 54952.

10 ~~SEC. 6.~~

11 *SEC. 3.* Section 54954.3 of the Government Code is amended
12 to read:

13 54954.3. (a) Every agenda for regular meetings shall provide
14 an opportunity for members of the public to directly address the
15 legislative body on any item of interest to the public, ~~before or~~
16 ~~during the legislative body's consideration of the item, that is~~
17 ~~within the subject matter jurisdiction of the legislative body,~~
18 ~~provided that no action shall be taken on any item not appearing~~
19 ~~on the agenda unless the action is otherwise authorized by~~
20 ~~subdivision (b) of Section 54954.2. All meetings must also provide~~
21 ~~the public with an opportunity to address the legislative body~~
22 ~~remotely via call-in and internet-based service, consistent with~~
23 ~~requirements in Section 54953. Persons commenting in person~~
24 ~~shall not have more time or in any other way be prioritized over~~
25 ~~persons commenting remotely via call-in or internet-based service.~~
26 ~~Instructions on how to attend the meeting via call-in or~~
27 ~~internet-based service shall be posted online along with the meeting~~
28 ~~agenda in an easily accessible location. However, the~~ *The* agenda
29 need not provide an opportunity for members of the public to
30 address the legislative body on any item that has already been
31 considered by a committee, composed exclusively of members of
32 the legislative body, at a public meeting wherein all interested
33 members of the public were afforded the opportunity to address
34 the committee on the item, before or during the committee's
35 consideration of the item, unless the item has been substantially
36 changed since the committee heard the item, as determined by the
37 legislative body. Every notice for a special meeting shall provide
38 an opportunity for members of the public to directly address the
39 legislative body concerning any item that has been described in

1 the notice for the meeting before or during consideration of that
2 item.

3 (b) (1) The legislative body of a local agency may adopt
4 reasonable regulations to ensure that the intent of subdivision (a)
5 is carried out, including, but not limited to, regulations limiting
6 the total amount of time allocated for public testimony on particular
7 issues and for each individual speaker.

8 (2) Notwithstanding paragraph (1), when the legislative body
9 of a local agency limits time for public comment, the legislative
10 body of a local agency shall provide at least twice the allotted time
11 to a member of the public who utilizes a translator to ensure that
12 non-English speakers receive the same opportunity to directly
13 address the legislative body of a local agency.

14 (3) Paragraph (2) shall not apply if the legislative body of a
15 local agency utilizes simultaneous translation equipment in a
16 manner that allows the legislative body of a local agency to hear
17 the translated public testimony simultaneously.

18 (c) The legislative body of a local agency shall not prohibit
19 public criticism of the policies, procedures, programs, or services
20 of the agency, or of the acts or omissions of the legislative body.
21 Nothing in this subdivision shall confer any privilege or protection
22 for expression beyond that otherwise provided by law.

23 ~~(d) Legislative bodies of local agencies shall employ a sufficient~~
24 ~~amount of qualified bilingual persons to provide translation during~~
25 ~~the meeting in the language of the non-English-speaking person,~~
26 ~~in jurisdictions which govern a substantial number of~~
27 ~~non-English-speaking people. "Non-English-speaking people" is~~
28 ~~defined as members of a group who either do not speak English,~~
29 ~~or who are unable to effectively communicate in English because~~
30 ~~it is not their native language, and who comprise 5 percent or more~~
31 ~~of the people served by the statewide or any local office or facility~~
32 ~~of a state agency.~~

33 *(d) All members of the public shall be entitled to participate in*
34 *public meetings, regardless of national origin or language ability.*
35 *If interpretation services are requested for the public meeting and*
36 *public comment period, those services should be provided.*

37 *(e) Local agencies shall have in place a system for requesting*
38 *and receiving interpretation services for public meetings, including*
39 *the public comment period. Local agencies shall publicize this*

1 *system and the instructions on how to request certified*
2 *interpretation services for public meetings online.*

3 SEC. 7. ~~Section 11122.5 of the Government Code is amended~~
4 ~~to read:~~

5 ~~11122.5. (a) As used in this article, “meeting” includes any~~
6 ~~congregation of a majority of the members of a state body,~~
7 ~~including a virtual congregation using teleconference technology,~~
8 ~~at the same time and place to hear, discuss, or deliberate upon any~~
9 ~~item that is within the subject matter jurisdiction of the state body~~
10 ~~to which it pertains.~~

11 ~~(b) (1) A majority of the members of a state body shall not,~~
12 ~~outside of a meeting authorized by this chapter, use a series of~~
13 ~~communications of any kind, directly or through intermediaries,~~
14 ~~to discuss, deliberate, or take action on any item of business that~~
15 ~~is within the subject matter of the state body.~~

16 ~~(2) Paragraph (1) shall not be construed to prevent an employee~~
17 ~~or official of a state agency from engaging in separate~~
18 ~~conversations or communications outside of a meeting authorized~~
19 ~~by this chapter with members of a legislative body in order to~~
20 ~~answer questions or provide information regarding a matter that~~
21 ~~is within the subject matter jurisdiction of the state agency, if that~~
22 ~~person does not communicate to members of the legislative body~~
23 ~~the comments or position of any other member or members of the~~
24 ~~legislative body.~~

25 ~~(c) The prohibitions of this article do not apply to any of the~~
26 ~~following:~~

27 ~~(1) Individual contacts or conversations between a member of~~
28 ~~a state body and any other person that do not violate subdivision~~
29 ~~(b).~~

30 ~~(2) (A) The attendance of a majority of the members of a state~~
31 ~~body at a conference or similar gathering open to the public that~~
32 ~~involves a discussion of issues of general interest to the public or~~
33 ~~to public agencies of the type represented by the state body, if a~~
34 ~~majority of the members do not discuss among themselves, other~~
35 ~~than as part of the scheduled program, business of a specified~~
36 ~~nature that is within the subject matter jurisdiction of the state~~
37 ~~body.~~

38 ~~(B) Subparagraph (A) does not allow members of the public~~
39 ~~free admission to a conference or similar gathering at which the~~

1 ~~organizers have required other participants or registrants to pay~~
2 ~~fees or charges as a condition of attendance.~~

3 ~~(3) The attendance of a majority of the members of a state body~~
4 ~~at an open and publicized meeting organized to address a topic of~~
5 ~~state concern by a person or organization other than the state body,~~
6 ~~if a majority of the members do not discuss among themselves,~~
7 ~~other than as part of the scheduled program, business of a specific~~
8 ~~nature that is within the subject matter jurisdiction of the state~~
9 ~~body.~~

10 ~~(4) The attendance of a majority of the members of a state body~~
11 ~~at an open and noticed meeting of another state body or of a~~
12 ~~legislative body of a local agency as defined by Section 54951, if~~
13 ~~a majority of the members do not discuss among themselves, other~~
14 ~~than as part of the scheduled meeting, business of a specific nature~~
15 ~~that is within the subject matter jurisdiction of the other state body.~~

16 ~~(5) The attendance of a majority of the members of a state body~~
17 ~~at a purely social or ceremonial occasion, if a majority of the~~
18 ~~members do not discuss among themselves business of a specific~~
19 ~~nature that is within the subject matter jurisdiction of the state~~
20 ~~body.~~

21 ~~(6) The attendance of a majority of the members of a state body~~
22 ~~at an open and noticed meeting of a standing committee of that~~
23 ~~body, if the members of the state body who are not members of~~
24 ~~the standing committee attend only as observers.~~

25 ~~SEC. 8. Section 11123 of the Government Code is amended~~
26 ~~to read:~~

27 ~~11123. (a) All meetings of a state body shall be open and~~
28 ~~public and all persons shall be permitted to attend any meeting of~~
29 ~~a state body except as otherwise provided in this article.~~
30 ~~Additionally, all meetings shall include an opportunity for all~~
31 ~~persons to attend via a call-in option or an internet-based service~~
32 ~~option that provides closed captioning services. Both a call-in and~~
33 ~~an internet-based service option shall be provided to the public.~~

34 ~~(b) (1) This article does not prohibit a state body from holding~~
35 ~~an open or closed meeting by teleconference for the benefit of the~~
36 ~~public and state body. The meeting or proceeding held by~~
37 ~~teleconference shall otherwise comply with all applicable~~
38 ~~requirements or laws relating to a specific type of meeting or~~
39 ~~proceeding, including the following:~~

1 ~~(A) The teleconferencing meeting shall comply with all~~
2 ~~requirements of this article applicable to other meetings.~~

3 ~~(B) The portion of the teleconferenced meeting that is required~~
4 ~~to be open to the public shall be audible to the public at the location~~
5 ~~specified in the notice of the meeting.~~

6 ~~(C) If the state body elects to conduct a meeting or proceeding~~
7 ~~by teleconference, other than what is required by subdivision (a)~~
8 ~~and such that all members of the body that are present at the~~
9 ~~meeting are teleconferencing into the meeting, it shall post agendas~~
10 ~~at all teleconference locations and conduct teleconference meetings~~
11 ~~in a manner that protects the rights of any party or member of the~~
12 ~~public appearing before the state body. Each teleconference~~
13 ~~location shall be identified in the notice and agenda of the meeting~~
14 ~~or proceeding, and each teleconference location shall be accessible~~
15 ~~to the public. The agenda shall provide an opportunity for members~~
16 ~~of the public to address the state body directly pursuant to Section~~
17 ~~11125.7 at each teleconference location.~~

18 ~~(D) All votes taken during a teleconferenced meeting shall be~~
19 ~~by rolleall.~~

20 ~~(E) The portion of the teleconferenced meeting that is closed~~
21 ~~to the public may not include the consideration of any agenda item~~
22 ~~being heard pursuant to Section 11125.5.~~

23 ~~(F) At least one member of the state body shall be physically~~
24 ~~present at the location specified in the notice of the meeting to~~
25 ~~ensure that members of the public are able to give public comment~~
26 ~~in person. This location must be publicly accessible and able to~~
27 ~~accommodate a reasonable amount of people, given the~~
28 ~~circumstances.~~

29 ~~(2) For the purposes of this subdivision, “teleconference” means~~
30 ~~a meeting of a state body, the members of which are at different~~
31 ~~locations, connected by electronic means, through either audio or~~
32 ~~both audio and video. While this section requires that both an~~
33 ~~call-in and internet-based service are available to the public to join~~
34 ~~all open meetings that are held in-person, this section does not~~
35 ~~prohibit a state body from providing members of the public with~~
36 ~~additional locations in or opportunities by which the public may~~
37 ~~observe or address the state body by electronic means, through~~
38 ~~either audio or both audio and video.~~

39 ~~(e) Instructions on how to attend the meeting via call-in or~~
40 ~~internet-based service shall be posted online along with the meeting~~

1 agenda in an easily accessible location at least 72 hours before all
2 regular meetings and at least 24 hours before all special meetings.
3 In compliance with the Dymally-Alatorre Bilingual Services
4 Act(Chapter 17.5 (commencing with Section 7290) of Division 7
5 of Title 1), the posted instructions shall also be translated into all
6 languages of which 5 percent of the population of the state body's
7 jurisdiction speaks.

8 (d) The state body shall publicly report any action taken and
9 the vote or abstention on that action of each member present for
10 the action.

11 SEC. 9. Section 11125.7 of the Government Code is amended
12 to read:

13 11125.7. (a) Except as otherwise provided in this section, the
14 state body shall provide an opportunity for members of the public
15 to directly address the state body on each agenda item before or
16 during the state body's discussion or consideration of the item.
17 This section is not applicable if the agenda item has already been
18 considered by a committee composed exclusively of members of
19 the state body at a public meeting where interested members of
20 the public were afforded the opportunity to address the committee
21 on the item, before or during the committee's consideration of the
22 item, unless the item has been substantially changed since the
23 committee heard the item, as determined by the state body. Every
24 notice for a special meeting at which action is proposed to be taken
25 on an item shall provide an opportunity for members of the public
26 to directly address the state body concerning that item prior to
27 action on the item. In addition, the notice requirement of Section
28 11125 shall not preclude the acceptance of testimony at meetings,
29 other than emergency meetings, from members of the public if no
30 action is taken by the state body at the same meeting on matters
31 brought before the body by members of the public.

32 (b) In compliance with subdivision (a) of Section 11123, public
33 comment shall be made available for those attending any meeting
34 via call-in or internet-based service option. Persons commenting
35 in person shall not have more time or in any other way be
36 prioritized over persons commenting remotely via call-in or
37 internet-based service.

38 (c) The state body may adopt reasonable regulations to ensure
39 that the intent of subdivision (a) is carried out, including, but not
40 limited to, regulations limiting the total amount of time allocated

1 for public comment on particular issues and for each individual
2 speaker.

3 (d) (1) Notwithstanding subdivision (b), when a state body
4 limits time for public comment the state body shall provide at least
5 twice the allotted time to a member of the public who utilizes a
6 translator to ensure that non-English speakers receive the same
7 opportunity to directly address the state body. In compliance with
8 the Dymally-Alatorre Bilingual Services Act (Chapter 17.5
9 (commencing with Section 7290) of Division 7 of Title 1),
10 translation services shall be provided for all languages of which
11 5 percent of the population of the state body's jurisdiction speaks.
12 Should there be a limit on speaking time, persons commenting in
13 another language shall be given twice as much time as those
14 commenting in English in order to accommodate time for
15 translation services. This is not required when simultaneous
16 translation services are available.

17 (2) Paragraph (1) shall not apply if the state body utilizes
18 simultaneous translation equipment in a manner that allows the
19 state body to hear the translated public testimony simultaneously.

20 (e) The state body shall not prohibit public criticism of the
21 policies, programs, or services of the state body, or of the acts or
22 omissions of the state body. Nothing in this subdivision shall confer
23 any privilege or protection for expression beyond that otherwise
24 provided by law.

25 (f) This section is not applicable to closed sessions held pursuant
26 to Section 11126.

27 (g) This section is not applicable to decisions regarding
28 proceedings held pursuant to Chapter 5 (commencing with Section
29 11500), relating to administrative adjudication, or to the conduct
30 of those proceedings.

31 (h) This section is not applicable to hearings conducted by the
32 California Victim Compensation Board pursuant to Sections 13963
33 and 13963.1.

34 (i) This section is not applicable to agenda items that involve
35 decisions of the Public Utilities Commission regarding adjudicatory
36 hearings held pursuant to Chapter 9 (commencing with Section
37 1701) of Part 1 of Division 1 of the Public Utilities Code. For all
38 other agenda items, the commission shall provide members of the
39 public, other than those who have already participated in the
40 proceedings underlying the agenda item, an opportunity to directly

1 ~~address the commission before or during the commission's~~
2 ~~consideration of the item.~~

3 ~~SEC. 10. No reimbursement is required by this act pursuant to~~
4 ~~Section 6 of Article XIII B of the California Constitution because~~
5 ~~the only costs that may be incurred by a local agency or school~~
6 ~~district under this act would result from a legislative mandate that~~
7 ~~is within the scope of paragraph (7) of subdivision (b) of Section~~
8 ~~3 of Article I of the California Constitution.~~

9 *SEC. 4. No reimbursement is required by this act pursuant to*
10 *Section 6 of Article XIII B of the California Constitution because*
11 *the only costs that may be incurred by a local agency or school*
12 *district under this act would result either from a legislative*
13 *mandate that is within the scope of paragraph (7) of subdivision*
14 *(b) of Section 3 of Article I of the California Constitution, or*
15 *because this act creates a new crime or infraction, eliminates a*
16 *crime or infraction, or changes the penalty for a crime or*
17 *infraction, within the meaning of Section 17556 of the Government*
18 *Code, or changes the definition of a crime within the meaning of*
19 *Section 6 of Article XIII B of the California Constitution.*

20 ~~SEC. 11.~~

21 *SEC. 5. The Legislature finds and declares that Sections 4, 5,*
22 *and 6 1, 2, and 3 of this act, which amend Section Sections 54953,*
23 *54954.2, and 54954.3 of the Government Code, further, within the*
24 *meaning of paragraph (7) of subdivision (b) of Section 3 of Article*
25 *I of the California Constitution, the purposes of that constitutional*
26 *section as it relates to the right of public access to the meetings of*
27 *local public bodies or the writings of local public officials and*
28 *local agencies. Pursuant to paragraph (7) of subdivision (b) of*
29 *Section 3 of Article I of the California Constitution, the Legislature*
30 *makes the following findings:*

31 *The provisions of the act allow for greater public access through*
32 *requiring specified entities to provide a ~~call-in~~ telephonic and*
33 *internet-based service option and instructions on how to access*
34 *these options to the public for specified meetings and allow for*
35 *greater accommodations for non-English speakers attending the*
36 *meetings.*

ASSEMBLY BILL

No. 703

Introduced by Assembly Member Blanca Rubio

February 16, 2021

An act to amend Section 54953 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 703, as introduced, Blanca Rubio. Open meetings: local agencies: teleconferences.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.

Existing law, Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the

public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

This bill would declare the Legislature's intent, consistent with the Governor's Executive Order N-29-20, to improve and enhance public access to local agency meetings into the future, and considering the digital age, by allowing broader access through teleconferencing options.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 54953 of the Government Code is
- 2 amended to read:
- 3 54953. (a) All meetings of the legislative body of a local
- 4 agency shall be open and public, and all persons shall be permitted
- 5 to attend any meeting of the legislative body of a local agency,
- 6 except as otherwise provided in this chapter.
- 7 (b) (1) Notwithstanding any other provision of law, the
- 8 legislative body of a local agency may use teleconferencing for

the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all *otherwise applicable* requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall ~~post agendas at all teleconference locations and allow members of the public to observe the meeting and address the legislative body, and it shall give notice of the meeting and post agendas as otherwise required by this chapter.~~ *The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency must also give notice of the means by which members of the public may observe the meeting and offer public comment. The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location. If the legislative body uses teleconferencing to hold a meeting, the legislative body must have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. The procedure for receiving and resolving*

1 *requests for accommodation must be noticed each time notice of*
2 *the means by which members of the public may observe the*
3 *teleconference meeting and offer public comment is made.*

4 (4) For the purposes of this section, “teleconference” means a
5 meeting of a legislative body, the members of which are in different
6 locations, connected by electronic means, through either audio or
7 video, or both. Nothing in this section shall prohibit a local agency
8 from providing the public with additional teleconference locations.

9 (c) (1) No legislative body shall take action by secret ballot,
10 whether preliminary or final.

11 (2) The legislative body of a local agency shall publicly report
12 any action taken and the vote or abstention on that action of each
13 member present for the action.

14 (3) Prior to taking final action, the legislative body shall orally
15 report a summary of a recommendation for a final action on the
16 salaries, salary schedules, or compensation paid in the form of
17 fringe benefits of a local agency executive, as defined in
18 subdivision (d) of Section 3511.1, during the open meeting in
19 which the final action is to be taken. This paragraph shall not affect
20 the public’s right under the California Public Records Act (Chapter
21 3.5 (commencing with Section 6250) of Division 7 of Title 1) to
22 inspect or copy records created or received in the process of
23 developing the recommendation.

24 ~~(d) (1) Notwithstanding the provisions relating to a quorum in~~
25 ~~paragraph (3) of subdivision (b), if a health authority conducts a~~
26 ~~teleconference meeting, members who are outside the jurisdiction~~
27 ~~of the authority may be counted toward the establishment of a~~
28 ~~quorum when participating in the teleconference if at least 50~~
29 ~~percent of the number of members that would establish a quorum~~
30 ~~are present within the boundaries of the territory over which the~~
31 ~~authority exercises jurisdiction, and the health authority provides~~
32 ~~a teleconference number, and associated access codes, if any, that~~
33 ~~allows any person to call in to participate in the meeting and the~~
34 ~~number and access codes are identified in the notice and agenda~~
35 ~~of the meeting. (2) Nothing in this subdivision shall be construed~~
36 ~~as discouraging health authority members of a legislative body~~
37 ~~from regularly meeting at a common physical site within the~~
38 ~~jurisdiction of the authority local agency or from using~~
39 ~~teleconference locations within or near the jurisdiction of the~~
40 ~~authority. A teleconference meeting for which a quorum is~~

1 established pursuant to this subdivision shall be subject to all other
2 requirements of this section: *local agency*.

3 (3) ~~For purposes of this subdivision, a health authority means~~
4 ~~any entity created pursuant to Sections 14018.7, 14087.31,~~
5 ~~14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare~~
6 ~~and Institutions Code, any joint powers authority created pursuant~~
7 ~~to Article 1 (commencing with Section 6500) of Chapter 5 of~~
8 ~~Division 7 for the purpose of contracting pursuant to Section~~
9 ~~14087.3 of the Welfare and Institutions Code, and any advisory~~
10 ~~committee to a county sponsored health plan licensed pursuant to~~
11 ~~Chapter 2.2 (commencing with Section 1340) of Division 2 of the~~
12 ~~Health and Safety Code if the advisory committee has 12 or more~~
13 ~~members.~~

14 SEC. 2. It is the intent of the Legislature in enacting this
15 measure to improve and enhance public access to local agency
16 meetings into the future, and considering the digital age, by
17 allowing broader access through teleconferencing options
18 consistent with the Governor's Executive Order 29-20 dated March
19 17, 2020, permitting expanded use of teleconferencing during the
20 COVID-19 pandemic.

21 SEC. 3. The Legislature finds and declares that Section 1 of
22 this act, which amends Section 54953 of the Government Code,
23 furthers, within the meaning of paragraph (7) of subdivision (b)
24 of Section 3 of Article I of the California Constitution, the purposes
25 of that constitutional section as it relates to the right of public
26 access to the meetings of local public bodies or the writings of
27 local public officials and local agencies. Pursuant to paragraph (7)
28 of subdivision (b) of Section 3 of Article I of the California
29 Constitution, the Legislature makes the following findings:

30 This act is necessary to ensure minimum standards for public
31 participation and notice requirements allowing for greater public
32 participation in teleconference meetings.

ASSEMBLY BILL

No. 859

Introduced by Assembly Members Irwin and Wicks

February 17, 2021

An act to add Chapter 2 (commencing with Section 1798.78.1) to Title 1.8 of Part 4 of Division 3 of the Civil Code, relating to privacy.

LEGISLATIVE COUNSEL'S DIGEST

AB 859, as introduced, Irwin. Mobility devices: personal information.

Existing law, the California Consumer Privacy Act of 2018 (CCPA), grants a consumer various rights with respect to personal information, as defined, that is collected or sold by a business, as defined, including the right to direct a business that sells personal information about the consumer to third parties not to sell the consumer's personal information.

Existing law, the Electronic Communications Privacy Act, generally prohibits a government entity from compelling the production of or access to electronic communication information or electronic device information, as defined, without a search warrant, wiretap order, order for electronic reader records, subpoena, or order for a pen register or trap and trace device, except for emergency situations, as specified.

This bill would authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator's mobility devices operating in the geographic area under the public agency's jurisdiction and provide specified notice of that requirement to the operator. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met, including that the purpose

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

SECTION 1. Chapter 2 (commencing with Section 1798.78.1) is added to Title 1.8 of Part 4 of Division 3 of the Civil Code, to read:

(d) (1) “Mobility device” means any transportation device or vehicle, including, but not limited to, a bicycle, electric bicycle,

dockless bicycle, electric scooter, vehicle utilized on the online-enabled application or platform of a transportation network company, as defined by Section 5431 of the Public Utilities Code, autonomous vehicle, and any other device or vehicle by which a person can be propelled, moved, or drawn that is displayed, offered, or placed for rent in any public area or public right-of-way.

(2) A mobility device does not include a device made available to the public by a public agency, including through contractors or agents of that public agency.

(e) “Operational data” means data, that is neither trip data nor anonymized trip data, pertaining to the location of a stationary mobility device owned or controlled by the operator that is not engaged by users or on a trip.

(f) “Operator” means a person or entity that makes mobility devices generally available to the public, including through an online-enabled technology application service, website, or system.

(g) “Public agency” means a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator.

(h) “Trip data” means data, that is not anonymized trip data, pertaining to a trip taken by a user, including, but not limited to, GPS data, an address, time or date stamp, and route data that have not been aggregated and deidentified.

(i) “User” means a rider of a mobility device or accountholder of an operator.

1798.78.2. (a) Notwithstanding any other law, a public agency may require an operator to periodically submit to the public agency anonymized trip data regarding the operator’s mobility devices operating in the geographic area under the public agency’s jurisdiction.

(b) If a requirement pursuant to subdivision (a) exists, the public agency shall give the operator reasonable notice of that requirement and sufficient time to aggregate and deidentify any anonymized trip data to be submitted.

1798.78.3. (a) A public agency may share anonymized trip data with a contractor, agent, or other public agency only if all of the following are true:

(1) The purpose of the sharing is to assist the public agency in the promotion and protection of transportation planning, integration

1 of mobility options, and road safety, including the safety of riders,
2 operators, pedestrians, and motorists.

3 (2) A trip included in the data that is being submitted has not
4 ended within the previous 24 hours.

5 (3) Any recipient of the anonymized trip data is expressly
6 prohibited by contract from using or disclosing the anonymized
7 trip data for any commercial purpose.

8 (b) A public agency shall not share trip data with a contractor
9 or agent.

10 1798.78.4. (a) Trip data is personal information, as defined in
11 Section 1798.140.

12 (b) A public agency shall not obtain trip data except as provided
13 by Chapter 3.6 (commencing with Section 1546) of Title 12 of
14 Part 2 of the Penal Code.

15 SEC. 2. The addition by this act of Section 1798.78.4 to the
16 Civil Code does not constitute a change in, but is declaratory of,
17 existing law.

AMENDED IN SENATE APRIL 19, 2021

SENATE BILL

No. 674

Introduced by Senator Durazo

February 19, 2021

An act to add Chapter 6.8 (commencing with Section 6980) to Part 1 of Division 2 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 674, as amended, Durazo. Public Contracts: workforce development: transportation-related contracts.

Existing law establishes the Labor and Workforce Development Agency, under the supervision of the Secretary of Labor and Workforce Development. Existing law establishes within the Labor and Workforce Development Agency, the Department of Industrial Relations, to foster, promote, and develop the welfare of the wage earners of California and to advance their opportunities for profitable employment, among other duties.

Existing law, the State Contract Act, governs contracting between state agencies and private contractors, and sets forth requirements for the bidding, awarding, and overseeing of contracts for projects. Existing law, the Local Agency Public Construction Act, establishes contracting by local agencies for the construction of public works, and requires local agencies to comply with specified procedures for contracting of public works projects, including, the use of a competitive bidding process and awarding contracts to the lowest responsible bidder, as provided.

This bill would require relevant public agencies, as defined, to develop a program, known as the California Jobs Plan Program, to meet specified objectives, including, as a component of applications for covered public

contracts, as defined, creation of a form that states the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract, and proposed wages, benefits, and investment in training. That component of the application would be known as the California Jobs Plan, as defined. Other objectives of the program, pursuant to the bill, would include supporting the hiring of displaced workers and individuals facing barriers to employment, as defined; encouraging the development of the state's long-term green transportation and related infrastructure and manufacturing sector; and protecting public health by supporting the adoption of specific protections for worker health and safety.

This bill would require the Labor and Workforce Development Agency, with input from the relevant public agencies, to create procedures and criteria to evaluate applicants for covered public contracts that would award additional consideration to applicants who meet specified criteria. The bill would require the applicant's California Jobs Plan to be scored as part of the overall application. The bill would also require applicants for subsidies and noncompetitive contracts to complete the form. The bill would make the California Jobs Plan submitted by a recipient of a covered public contract a material term of the contract.

This bill would require the Labor and Workforce Development Agency to develop a web-based portal and recipients of covered public contracts, beginning on ~~an unspecified date in 2022~~, *January 1, 2024*, and would require the agency to upload progress reports to the portal, as specified. The bill would require the portal to be designed in such a manner that, if the information entered into the portal indicates a failure to comply with the commitments made in the California Jobs Plan submitted by the applicant, then an automatic notice of noncompliance would be sent to the relevant public agency.

This bill would require the Labor and Workforce Development Agency to make publicly available, via the web-based portal, the commitments made in the covered public contracts. The bill would require the Labor and Workforce Development Agency to also develop a web-based portal to track compliance, as specified, and would require the Labor and Workforce Development Agency to make that information publicly available on its website.

By imposing new duties on local jurisdictions, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Chapter 6.8 (commencing with Section 6980) is added to Part 1 of Division 2 of the Public Contract Code, to read:

CHAPTER 6.8. CALIFORNIA JOBS PLAN ACT OF 2021

6980. This chapter shall be known, and may be cited, as the California Jobs Plan Act of 2021.

6981. (a) The Legislature finds and declares all of the following:

(1) In a time of uncertainty with so many Americans out of work, employment stability and equity are a primary concern.

(2) Spending on green investments creates more jobs per dollar than other infrastructure investments and these jobs are accessible and well paying. Every one million dollars (\$1,000,000) in spending on renewable energy creates 7.5 full-time jobs.

(3) Historically vulnerable groups have been disproportionately impacted by economic downturns. For example, for every one percentage point increase in the overall unemployment rate, there is a 1.8-percent increase in African American unemployment.

(4) It is essential that the state, in cooperation with the federal government, use all practical and commercially feasible means to promote the prompt and efficient development of energy sources that are renewable or that more efficiently use and conserve scarce energy resources.

(5) It is in the public interest to do all of the following:

(A) Prioritize reversing factors that have resulted in disproportionate health impacts and economic suffering due to the coronavirus (COVID-19) pandemic among California's

1 low-income communities, communities of color, and immigrant
2 communities that have historically faced underinvestment and
3 discriminatory policies.

4 (B) Promote sustainable and renewable energy sources,
5 implement measures that increase efficient energy use, advance
6 transportation technologies that reduce the degradation of the
7 environment, lessen the state's dependence of fossil fuels, and
8 protect the health, welfare, and safety of the people of this state.

9 (C) Spend resources to avoid recreating historical patterns of
10 injustice by allocating resources in a manner that will create a just
11 transition to a green, regenerative economy, founded on climate,
12 racial, and economic justice, that puts an end to extreme inequality
13 and systemic racial injustice, and ensures all Californians have a
14 clean and safe environment in which to live, work, and play.

15 (D) Support a just recovery where workers from all sectors who
16 have lost wages or jobs as a direct result of the pandemic will be
17 prioritized for new employment opportunities that guarantee
18 family-sustaining incomes, pensions, benefit training, retraining,
19 and early retirement assistance.

20 (E) Require recovery spending to include a mandate for a robust,
21 fully funded public sector that includes significant investments in
22 job creation and community development with a particular focus
23 on a just transition for affected workers.

24 (F) Expend resources in a broadly inclusive economic and
25 democratic process that ensures robust, accessible opportunities
26 for all Californians to determine the future of our government and
27 economy.

28 (G) Allocate state funds to programs, businesses, organizations,
29 agencies, and institutions that provide the greatest opportunities
30 for good green jobs, strong labor provisions, and climate-based
31 solutions in a manner that is consistent with the urgency of the
32 climate crisis and the need to make rapid and sustained reductions
33 in greenhouse gases and statewide emissions reduction targets and
34 recommendations from the Intergovernmental Panel on Climate
35 Change.

36 (H) *Ensure that recovery funds reach communities most*
37 *impacted by the coronavirus (COVID-19) pandemic and prioritize*
38 *high road employers, as identified by the Labor and Workforce*
39 *Development Agency, to enhance labor standards, workers' rights,*
40 *career pathways, and community benefits.*

1 (I) Restore frontline communities and rapidly accelerate
2 achievements in environmental justice and climate goals, including,
3 but not limited to, climate, environmental, and biodiversity
4 protection and stimulating growth.

5 (b) It is therefore the intent of the Legislature to support the
6 creation of equitable high-quality transportation and related
7 manufacturing and infrastructure jobs in California through the
8 enactment and implementation of this chapter.

9 6982. Unless the context requires otherwise, for the purposes
10 of this chapter, the following terms shall have the following
11 meanings:

12 (a) “Applicant” means a ~~person~~ private entity that applies, bids,
13 or seeks qualification for a covered public contract. “Applicant”
14 may be more than a single entity.

15 (b) “Covered public contract” ~~means~~ means, to the extent
16 otherwise permitted by law, any transportation-related contract
17 with a present value of ~~five~~ ten million dollars ~~(\$5,000,000)~~
18 ~~(\$10,000,000)~~ or more to which a California state or local agency
19 is a party or a transportation-related subsidy, grant, or loan with a
20 present value of ~~five~~ ten million dollars ~~(\$5,000,000)~~ ~~(\$10,000,000)~~
21 or more that is provided, granted, or guaranteed by a state or local
22 agency. ~~To the extent otherwise permitted by law, the term~~
23 ~~“covered public contract” includes, but is not limited to, contracts~~
24 ~~funded in whole or in part by any of the following:~~

25 ~~(1) The Road Maintenance and Rehabilitation Account~~
26 ~~established by Section 2031 of the Streets and Highways Code.~~

27 ~~(2) The Affordable Housing and Sustainable Communities~~
28 ~~Program (Chapter 2 (commencing with Section 75210) of Part 1~~
29 ~~of Division 44 of the Public Resources Code) and the Low Carbon~~
30 ~~Transit Operations Program (Part 3 (commencing with Section~~
31 ~~75230) of Division 44 of the Public Resources Code).~~

32 ~~(3) The Public Transportation Account established pursuant to~~
33 ~~Article 6.5 (commencing with Section 99310) of Chapter 4 of Part~~
34 ~~11 of Division 11 of the Public Utilities Code.~~

35 ~~(4) The State Highway Account created in the State~~
36 ~~Transportation Fund pursuant to Section 182 of the Streets and~~
37 ~~Highways Code.~~

38 ~~(5) The Traffic Congestion Relief Fund created by Section~~
39 ~~14556.5 of the Government Code.~~

1 ~~(6) The State Transit Assistance Program created pursuant to~~
2 ~~Section 99312.2 of the Public Utilities Code.~~

3 ~~(7) The Public Transportation Modernization, Improvement,~~
4 ~~and Service Enhancement Account created in the Highway Safety,~~
5 ~~Traffic Reduction, Air Quality, and Port Security Fund pursuant~~
6 ~~to subdivision (f) of Section 8879.23 of the Government Code.~~

7 ~~(8) The Highway Safety, Traffic Reduction, Air Quality, and~~
8 ~~Port Security Fund created pursuant to Section 8879.23 of the~~
9 ~~Government Code.~~

10 ~~(9) The Passenger Equipment Acquisition Fund created pursuant~~
11 ~~to Section 14066 of the Government Code.~~

12 ~~(10) The Alternative and Renewable Fuel and Vehicle~~
13 ~~Technology Fund created pursuant to Section 44273 of the Health~~
14 ~~and Safety Code.~~

15 ~~(11) Any relevant federal funding received by California or~~
16 ~~local agencies.~~

17 (c) “California Jobs Plan” refers to a component of an
18 application submitted by applicants for covered public contracts
19 where applicants state the minimum number of jobs, proposed
20 wages, benefits, investment in training, specific protections for
21 worker health and safety, and targeted hiring plans for displaced
22 workers and individuals facing barriers to jobs created or retained
23 in California in exchange for public contracts covered under this
24 chapter. This component shall not require any application
25 minimums other than those already required by relevant federal,
26 state, and local laws.

27 (d) “Displaced Worker” means either of the following:

28 (1) Any employee who was employed by the employer for 6
29 months or more in the 12 months preceding the January 31, 2020,
30 declaration of a national state of emergency by the President, and
31 whose most recent separation from active service was due to a
32 public health directive, government shutdown order, lack of
33 business, a reduction in force, or other economic, nondisciplinary
34 reason related to the COVID-19 pandemic.

35 (2) Any employee whose most recent separation from active
36 service was due to lack of business, a reduction in force, or other
37 economic, nondisciplinary reason related to the transition from
38 the fossil fuel industry to renewable energy.

39 (e) “Individual Facing Barriers to Employment” means either
40 of the following:

(1) An individual facing barriers to employment as defined in subdivision (j) of Section 14005 of the Unemployment Insurance Code.

(2) An individual from a demographic group that represents less than 30 percent of their relevant industry workforce according to the United States Bureau of Labor Statistics.

(f) *“Jobs” means all jobs created or retained directly related to the manufacture, installation, maintenance, and operation of transportation systems, infrastructure, and equipment in the state. For the purposes of this subdivision, “jobs” does not mean jobs created or retained in the professions of architecture, engineering, other design professions, tech support, sales, administrative, management, or executive-level professionals.*

(f) ~~(f)~~
(g) “Labor and Workforce Development Agency” or “agency” means the agency established pursuant to Part 8.5 (commencing with Section 15550) of Division 3 of Title 2 of the Government Code.

(g) ~~(g)~~
(h) “Transportation-related equipment” means tangible personal property having a useful life of more than one year and a per-unit acquisition cost which exceeds twenty-five thousand dollars (\$25,000), including, but not limited to, streetcars, trackless trolleys, buses, light rail systems, rapid transit systems, medium- and heavy-duty trucks, subways, trains, jitneys, fare boxes, bicycles, information technology systems, and charging stations.

(h) ~~(h)~~
(i) “Transportation-related infrastructure” means the construction of electric vehicle charging stations or installation of physical property necessary for the operation of transportation equipment, not including equipment. “Transportation-related infrastructure” does not include the construction of other transportation-related infrastructure, including, but not limited to, the construction of roads, bridges, or highways.

(i) ~~(i)~~
(j) “Protections for worker health and safety” means intentional action taken to protect workers from the COVID-19 pandemic, including, but not limited to, access to personal protective equipment, public health councils, workplace infection control

1 measures, social distancing policies, paid sick leave policies, and
2 hazard pay.

3 (j)

4 (k) “Relevant public agency” means any city, county, or state
5 agency in the state.

6 (k)

7 (l) “Services” means all activities related to the ~~construction,~~
8 ~~operation,~~ operation and maintenance of transportation equipment
9 and transportation-related infrastructure.

10 (t)

11 (m) “Temporary job” means a job for which the employee is
12 supplied by a temporary services employer, as defined in
13 subdivision (b) of Section 606.5 of the Unemployment Insurance
14 Code.

15 ~~(m) “Transportation jobs” means all jobs created or retained in~~
16 ~~the manufacture, installation, maintenance, and operation of~~
17 ~~transportation systems and equipment in the state.~~

18 (n) “Transportation-related contract” means the public
19 investment in or purchase of *transportation-related* equipment,
20 services, or transportation-related infrastructure connected to the
21 operation of any mode of transportation in the state.
22 “*Transportation-related contract*” *does not include construction*
23 *contracts, except for construction contracts for the construction*
24 *of electric vehicle charging stations.*

25 6983. Relevant public agencies shall design the California Jobs
26 Plan Program to meet all of the following objectives:

27 (a) Create a California jobs plan form as a component to
28 applications for covered public contracts to specifically incentivize
29 and support the creation and retention of quality, nontemporary
30 and full-time ~~transportation~~ jobs that provide high wages, including
31 benefits and access to training and protections for worker health
32 and safety. This application component shall not require any
33 minimum commitments other than those already required by
34 relevant federal, state, and local laws. The component shall request
35 that the applicant state the minimum numbers of proposed jobs
36 and other related information that are projected to be retained and
37 created if the applicant wins the covered public contract in the
38 following categories:

39 (1) The number of full-time nontemporary jobs proposed to be
40 retained and created.

1 (2) The number of full time temporary jobs proposed to be
2 retained and created.

3 (3) The number of part-time temporary jobs proposed to be
4 retained and created.

5 (4) The number of part-time nontemporary jobs proposed to be
6 retained and created.

7 (5) The number of jobs classified as “employees,” as specified
8 in Section 2750 of the Labor Code.

9 (6) The number of positions classified as “independent
10 contractors,” as specified in Section 2750.5 of the Labor Code.

11 (7) The number of all jobs proposed to be retained or created
12 for individuals facing barriers to employment.

13 (8) The number of all jobs proposed to be retained or created
14 for displaced workers.

15 (9) The wage levels by job classification.

16 (10) Proposed amounts to be paid for fringe benefits by job
17 classification.

18 (11) Proposed amounts to be paid for worker training by job
19 classification.

20 (b) Support the hiring of displaced workers and individuals
21 facing barriers to employment.

22 (c) Encourage the development of the state’s long-term green
23 transportation and related infrastructure and manufacturing sector.

24 (d) Protect public health by supporting the adoption of specific
25 protections for worker health and safety.

26 6984. (a) The Labor and Workforce Development Agency
27 shall create procedures and criteria for public agencies to evaluate
28 applicants for covered public contracts pursuant to this chapter.
29 To the extent feasible, the Labor and Workforce Development
30 Agency shall seek input from, and consider the recommendations
31 of, affected relevant public agencies on the proposed procedures
32 and criteria to support or ensure consistency with existing policies,
33 programs, and plans. The procedures and criteria shall award
34 additional consideration to applicants who do any of the following:

35 (1) Propose the highest value and quality California Jobs Plan
36 in its application.

37 (2) Enhance the state’s commitment to energy conservation,
38 pollution and greenhouse gas emissions reduction, and
39 transportation efficiency.

(3) (A) Retain the greatest number of full-time, nontemporary employees compensated at a wage rate substantially above the prevailing wage for a similar industry based on the North American Industry Classification System (NAICS) Code in the project jurisdiction or in the state, at a wage rate at or above an indexed, regional living wage measure in the jurisdiction of the project, if such a measure has been adopted by the state.

(B) If the state has not adopted a measure described in subparagraph (A), retain the greatest number of full-time, nontemporary employees compensated at a wage rate at or above the living wage rate for the project jurisdiction as established in the living wage calculator published by Massachusetts Institute of Technology, using the living wage rate for a household of two working adults with two children in the jurisdiction of the project.

(4) Make concrete commitments to creating the greatest number of full-time, non-temporary jobs at a wage rate substantially above the prevailing wage for a similar industry based on the NAICS Code in the project jurisdiction or in the state.

(5) Make concrete commitments to maintaining at least 90 percent of the labor on a contract performed by properly classified employees pursuant to Assembly Bill 5 (hereafter AB 5; Chapter 296 of the Statutes of 2019).

(6) Offer targeted training and opportunities for individuals facing barriers to employment and displaced workers.

(7) Have the greatest beneficial economic impact on the state and local economies as a result of receiving the public contract, based on the priority criteria outlined in this chapter.

(b) The criteria guidelines and policies shall be exempt from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

6985. The California Jobs Plan shall be scored as a part of the overall application for the covered public contract. To the extent that a subsidy or other covered public contract is noncompetitive, applicants shall still be required to complete the California Jobs Plan application form. The California Jobs Plan shall then be included in the awarded public contract as a material term. All job-related commitments made by companies during the application process shall be accessible to the public once the public contract is awarded through the web-based portal to be developed by the

1 Labor and Workforce Development Agency as described in Section
2 ~~100606~~ 6986.

3 6986. (a) Beginning ~~on _____ 2022~~, *January 1, 2024*, and
4 annually thereafter, recipients of covered public contracts, under
5 this chapter, shall be required to upload progress reports on the
6 commitments made in the California Jobs Plan. At a minimum,
7 the information provided pursuant to this subdivision shall include
8 all of the following:

9 (1) The number of full-time nontemporary jobs to be retained
10 and created.

11 (2) The number of full-time temporary jobs to be retained and
12 created.

13 (3) The number of part-time temporary jobs to be retained and
14 created.

15 (4) The number of part-time nontemporary jobs to be retained
16 and created.

17 (5) The number of jobs classified as “employees” pursuant to
18 AB 5.

19 (6) The number of positions classified as “independent
20 contractors” pursuant to AB 5.

21 (7) The number of all jobs to be retained or created for
22 individuals facing barriers to employment.

23 (8) The number of all jobs to be retained or created for displaced
24 workers.

25 (9) The wage levels by job classification.

26 (10) Any amounts that will be paid for fringe benefits by job
27 classification.

28 (11) Any amounts that will be paid for worker training by job
29 classification.

30 (12) Information on training programs targeted specifically
31 towards individuals facing barriers to employment.

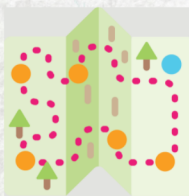
32 ~~(13) Estimated amount of greenhouse gas emissions reduced as~~
33 ~~a result of this contract.~~

34 (b) The Labor and Workforce Development Agency shall
35 develop a web-based portal to which recipients of covered public
36 contracts shall be required to upload progress reports on the
37 commitments made in the California Jobs Plan, as described in
38 subdivision (a). The portal shall be designed *in* such a manner
39 that, if the information entered into the portal indicates a failure
40 to comply with the commitments made in the California Jobs Plan,

1 then an automatic notice of noncompliance would be sent to the
2 relevant public agency respective to the contract.

3 (c) The Labor and Workforce Development Agency shall
4 develop a web-based portal to track compliance with the California
5 Jobs Plan that shall be accessible to the public through the Labor
6 and Workforce Development Agency's website.

7 SEC. 2. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.



Yolo County

Trails and Open Space

