

REGULAR MEETING CALIFORNIA VANPOOL AUTHORITY

Board of Directors

1340 North Drive * Hanford, California 93230
(559) 852-2711

Meeting Date: March 8, 2012

Time: 10:00 AM

Place: CalVans office at 1340 North Drive, Hanford, CA 93230

This Meeting may also be attended at the following locations:

- Association of Monterey Bay Area Governments, 445 Reservation Road, Suite G, Marina, CA 93933
- Fresno Area Council of Governments, Huron City Hall, Council Chambers, 36311 Lassen Avenue, Huron, CA 93234
- Madera County Transportation Commission, Citizens Business Bank, Room 101, 2001 Howard Road, Madera, CA 93637
- Napa County Transportation and Planning Agency, 707 Randolph Street, Suite 100, Napa, CA 94559
- Sacramento Area Council of Governments, Sutter Buttes Room, 1415 L Street, Suite 300, Sacramento, CA 95814
- Santa Barbara County Association of Governments, 4th Floor Board of Supervisors Conference Room, 105 East Anapamu Street, Santa Barbara, CA 93101
- Ventura County Transportation Commission, Conference Room, 950 County Square Drive, Suite 108, Ventura, CA 93003

The call in number for this meeting is 1-866-244-8528, Password 574681

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the Authority to provide a disability-related modification or accommodation in order to participate in any public meeting of the Authority. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the Authority. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to Ron Hughes, at the office of the California Vanpool Authority, at least 48 hours before a public Authority meeting.

A G E N D A

<u>Item #</u>	<u>Description</u>	<u>Action</u>
1.	CALL TO ORDER Roll Call – Clerk of the Board	
2.	PUBLIC COMMENT (Unscheduled Appearances)	

The public may address the Board of Directors on any item relevant to the Authority. To comment on an agenda item, speakers should notify the Board or Staff member at the meeting location, when the

agenda item is announced. The Board or Staff member will indicate whether speakers are to make their comments before or after any staff comment or report. Public comment shall precede discussion of the item by the Board of Directors. Comments by individuals and entities will be limited to five minutes or as may be reasonable as determined by the conducting officer.

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|-----|--|-------------|
| 3. | Consent Items: | Approval |
| | All items listed as consent items are considered routine and will be enacted by one motion. For any discussion of any consent item, it will be removed at the request of any Board member and made a part of the regular agenda. | |
| | A. Minutes of February 9, 2012 meeting. | |
| 4. | System Update | Information |
| | A. Reporting for County AB32 Compliance | |
| | B. Calculation of FTA 5307 Impact on UZAs | |
| | C. Report on Impact of Fuel Price Increase | |
| | D. Report on Appointments or Positions held by Executive Director | |
| | E. Future Meetings | |
| | a. Ag Labor Issues Forum | |
| | b. Contractor/Grower Informational Meetings | |
| | c. RTAP conference in Scottsdale, Arizona | |
| 5. | Authorize the lease/purchase of additional vanpool vehicles | Action |
| 6. | Authorize Solicitation of Auditor for Annual Audit | Action |
| 7. | Authorize CalVans Title VI Policy | Action |
| 8. | Approve At-Will Agreement for Executive Director Position | Action |
| 9. | Announce Next Meeting Date | Action |
| 10. | Miscellaneous Comments from Board and Staff | Information |
| 11. | Adjournment | |

Attachments:

<u>Item</u>	<u>Page</u>	<u>Description</u>
A-	9	Minutes of February 9, 2012
B-	16	Example of 5307 Calculations for Large UZAs
C-	17	Example of 5307 Calculations for Small UZAs
D-	18	CalVans Title VI Policy
E-	27	At-Will Agreement
F-		Excel formulas for 5307 Calculation attached to emailed agenda only

STAFF REPORT

3. Consent Items:

- A. Minutes of February 9, 2012 meeting

4. System Update

A. Reporting for County AB32 Compliance

AB32 was passed with the goal of reducing GHG (Green House Gas) emissions to 1990 levels by 2020 - a reduction of approximately 30 percent, and then an 80 percent reduction below 1990 levels by 2050. Each County has developed a plan that works towards meeting this goal.

Since CalVans captures and reports all ridership information to the National Transit Data Base, it is a simple task to format this information by county. This gives each county the ability to report a reduction in vehicle miles traveled (VMT) occurring in their county. The reduction in miles corresponds to a similar reduction in GHG emissions. The reporting of miles over the past two years has assisted counties in their AB32 compliance; counting going forward will add to these gains. The following list shows the estimated passenger mile total by county for FY 11-12, with the increase over that reported for FY 10-11. Member agencies are shown in bold type:

County	Estimated 11-12 Passenger Lane Miles	Reported 10-11 Passenger Lane Miles	Increase
Fresno	19,545,912	16,359,577	3,186,335
Imperial	114,440	47,115	67,325
Kern	5,204,091	5,196,769	7,322
Kings	11,225,668	9,904,933	1,320,735
Lake	82,251	-	82,251
Los Angeles	153,825	-	153,825
Madera	1,896,061	2,274,577	-378,516
Merced	494,107	632,674	-138,567
Monterey	3,494,959	2,624,019	870,940
Napa	135,667	-	135,667
Riverside	317,593	84,420	233,173
San Benito	77,614	41,969	35,645
San Bernardino	254,393	78,349	176,044
San Diego	34,391	-	34,391
San Joaquin	64,912	63,569	1,343
San Luis Obispo	1,491,412	1,069,049	422,363
Santa Barbara	231,963	15,347	216,616
Santa Clara	100,069	216,861	-116,792
Santa Cruz	53,636	21,501	32,135
Solano	96,669	10,210	86,459
Stanislaus	252,604	212,973	39,631
Tulare	16,663,426	12,638,598	4,024,828
Ventura	1,928,144	1,702,782	225,362
Yolo	158,764	39,793	118,971
Yuba	29,749	53,363	-23,614
Yuma	931,644	-	931,644
Totals	64,102,320	53,288,448	11,711,125

B. Calculation of FTA 5307 Impact on UZAs

Last month Staff covered the reporting of Vanpool passenger data into the National Transit Database system, explaining how this reporting has generated additional funds for some transit agencies. Staff has spent the past month developing excel formulas that will let an agency forecast the amount of revenues a set number of vanpools could generate in FTA 5307 funds. This will allow an agency to determine the future return on their investment if they promote vanpools in their jurisdictions.

A copy of this program was included as part of this agenda. The following looks at Fresno’s UZA area as an example of how the excel program works and the funds that could be generated:

Number of Vanpools	Annual Revenue per Van	Additional 5307 funds
30	19,032	570,974
50	19,342	967,104
75	19,722	1,479,171
100	20,095	2,009,512
150	20,820	3,122,928
200	21,517	4,301,377
300	22,836	6,850,901
400	24,064	9,625,651
500	25,209	12,604,747

Estimated yearly cost to operate one vanpool = \$19,000 (Paid by Riders)
 Estimated amount FAX is currently receiving in FTA funds = \$9,480,110

C. Report on Impact of Fuel Price Increase

The price of fuel has risen sharply and will probably be over \$4.50 a gallon by summer. This increase will be passed on to those that use our vans. However, this increase will not be as great as if the vanpool rider was driving their own vehicle. The following comparison shows the increase to someone who is traveling 80 miles per day getting 20 miles per gallon. In the example the increase in gas prices does not have a great impact when shared with 11 other riders. However, if you travel by yourself the cost increase has a large impact.

The following graph compares the cost of traveling 80 miles per week by yourself in a car that gets 20 miles to the gallon or riding in a vanpool with 12 riders. Bear in mind that this example only accounts for the single driver’s cost of fuel, not the cost of buying, insuring and maintaining the car. The vanpool riders cost covers all of these.

MPG	\$/Gallon	\$/Month	Monthly Increase	VP Cost with 12 riders	Monthly Increase
20	\$ 3.50	\$ 588.00		\$ 136	
20	3.75	630.00	\$ 42	\$ 139	\$ 3
20	4.00	672.00	42	\$ 141	2
20	4.25	714.00	42	\$ 144	3
20	4.50	756.00	42	\$ 146	2
20	4.75	798.00	42	\$ 149	3
20	5.00	840.00	42	\$ 151	2
20	5.25	882.00	42	\$ 154	3
20	5.50	924.00	42	\$ 156	2
20	5.75	966.00	42	\$ 158	2
20	6.00	1,008.00	42	\$ 161	3
		Total Increase	420		25

A fuel price increase from \$3.50 to \$6.00 will cause the single rider's monthly fuel cost to go from \$588 to \$1,008, a \$420 per month increase. The vanpool rider sees only a \$25 increase during this same period; this is because the increase is being shared by all 12 riders. Each \$1.00 rise in fuel price only impacts the vanpool rider by \$10 a month.

The recent rise in gas prices has caused more individuals to inquire about starting a vanpool. The following vanpools are scheduled to start during the first week of the month:

<u>Starting from</u>	<u>Destination</u>	<u>Employer</u>	<u>Vans Size</u>
Bakersfield	Corcoran	Corcoran State Prison	12
Fresno	Coalinga	Pleasant Valley State Prison	8
Fresno	Coalinga	Pleasant Valley State Prison	15
Greenfield	Fields	Somoco Farms	15
Greenfield	Fields	Dominguez Farms	15
Hanford	Avenal	Avenal State Prison	7
Hanford	Avenal	Avenal State Prison	8
Hanford	Corcoran	Corcoran State Prison	7
King City	Salinas	Monterey County Courts	15
King City	Fields	Growers Packing	15
Paso Robles	Soledad	Soledad State Prison	15
Porterville	Corcoran	Corcoran State Prison	8
Selma	Corcoran	Corcoran State Prison	15
Soledad	Fields	Azcona Farms	15
Visalia	Avenal	Avenal State Prison	15

We are also hearing from existing vanpool drivers that they are getting a lot of calls from fellow workers who wish to join their vanpool group. March is also the time that agriculture workers start calling to begin their work season.

During the run up in fuel prices two years ago we received calls from several growers whose workers were no longer showing up for work. It appeared that the workers had run out of money to buy fuel to get to work. We were in the process of setting up vouchers that the growers could provide their workers to lessen the cost to get to work, when the fuel prices dropped down again. We anticipate the same calls and will probably see vouchers going out for use by growers. It helps that about 7 growers are now using vouchers.

The vouchers are provided to the grower who signs and gives them to the workers to use to pay all or part of their vanpool bill. When we receive the payment from the driver with the vouchers, we bill the grower for the amount of vouchers received from the grower's workers. The growers doing this state that they are trying to keep the same skilled workers showing up each day.

D. Report on Appointments or Positions held by Executive Director

The Executive Director is presently serves on The National RTAP (Rural Transit Assistance Program) and CalACT (California Association for Consolidated Transportation). The National RTAP Board is made up of 12 members representing small operators, DOTs and tribes. The members come from across the United States and meet twice a year in DC to review the concerns of the Federal Transit Administration as it relates to small, rural 5311 recipients. The Board also takes on projects focused on improving public transit service provided by rural operators. The Director was appointed to the board several years ago following a recommendation by Caltrans staff in Sacramento. All costs associated with attending the meetings are funded by the National RTAP. The Director will step down as a Board member in May as CalVans does not receive 5311 funds.

The National RTAP website is: <http://www.nationalrtap.org/>

In 2009 the Director was nominated to serve on the CalACT Board. The Director has served for three years and is now serving a second term. CalACT represents small transit operators and serves as a forum for their concerns as well as a source of educational material. CalACT's Board holds four meetings, two of which are at the Fall and Spring Conferences. The Board helps in organizing and facilitating the Conferences. Its primary goal is to provide information such as training material and "best practices" to rural operators, while serving as a link to Caltrans.

The CalACT website is: <http://www.calact.org/>

E. Future Meeting

a. Ag Labor Issues Form

This meeting will be held at Harris Ranch to discuss ways of ensuring compliance with State and Federal Department of Labor laws affecting farm workers. CalVans Staff will be speaking on how growers might use the CalVans program to implement safe transportation practices.

Staff will also be addressing the issue where farm workers have been signed up by their employers as Farm Labor Contractors, thinking this would improve their chances of complying with a DOL inspection. The problem is that some of the farm workers have not and will not be doing Contractor activities, and want to be vanpool drivers. Staff's goal is to find a way for these drivers to be permitted to drive as long as they do not do any contracting activities.

To accomplish this Staff will be meeting with insurance and Federal DOL representatives with the goal of establishing a pilot program that allows farm workers with Farm Labor Contractors licenses to operate our vanpools. The issue to date is that having the license prevents this, even if they are not doing contracting activities. DOL representatives have agreed that a disclaimer of some sort could be developed where the driver certifies that they are not doing contracting activities. As with all DOL issues, getting their okay in writing is always the challenge.

b. Contractor/Grower Informational Meetings

Staff is preparing a syllabus for a two hour presentation focused on growers and contractors. Focus to date has been on groups of potential drivers, which we will still do. However, we are finding that the Growers either have wrong information or no information on how their workers are or could utilize our program. This has come to light in several recent meeting with growers that had no idea how their workers used our vans. Once it is explained to them they indicated a willingness to promote the program and possibly use vouchers to ensure their workers a safe ride to work.

Staff will work to include insurance, CHP and DOL in the meetings. To date they have all expressed a willingness to be a part. We anticipate getting the meeting underway later this month, targeting groups of 20 to 30 growers within each agricultural community.

c. RTAP conference in Scottsdale, Arizona

Staff will be attending an RTAP conference as a presenter as well as a facilitator for several panel groups. The conference is focused on sessions that target small rural operators. The sessions deal with training, operations and service delivery.

5. Authorize the Lease/Purchase of Additional Vanpool Vehicles

There has been an increased demand for the smaller Toyota Sienna vans we provide. To meet this demand we need up to 8 more vans. It is estimated that we will need 10 to 15 vans over the next 6 months. Normally we have purchased used Siennas with 15,000 to 30,000 miles on them. This saves about \$10,000 per van and allows us to keep the monthly lease/purchase cost below \$400.

The acquisition of vanpools has been done in one of two ways. Vanpools for agricultural workers have acquired over the past several years with grant funds. Vans for the general vanpool users have been lease/purchased as needed with the first van being acquired in 2002. Since that time Staff has added to the fleet as more vans were needed to meet demand.

The lease/purchase process in used to allow for the return of the vehicle should it not be needed prior to the end of the 5 year lease period. During this time the monthly lease purchase cost is passed on to the vanpool group using the van. At the end of the 5 years the van is paid off and the vanpool group is given the option of keeping the van at a reduced rate or getting a new van. To date most if not all drivers elect to keep their van at a reduced monthly cost.

The agency has used a number of lending institutions over the past 10 years; these have included Lease Plan, Sutton, Union Bank and most recently Merchants Leasing. Staff works to find the best rates using a straight line five year lease with no pay off or penalty at the end of the lease.

Given that CalVans is a new agency with a three month history it may be more of a challenge to secure leasing this time. Staff will work with Merchants leasing as well as any agencies the suggested by Board members. With the Boards approval, Staff will secure the best lease option and acquire additional siennas as they are needed.

6. Authorize Solicitation of Auditor for Annual Audit

The agency needs to secure the services of an auditor to conduct our annual audit. Staff will post a 30 day notice seeking proposals from those interested in conducting the audit. Staff will then evaluate the proposals and bring back a recommendation to the Board. Staff will be looking for one or two board members willing to serve on the evaluation committee. Staff recommends the Board authorize the beginning of this process

7. Authorize CalVans Title VI Policy

CalVans receives Federal funds in the form of JARC (Job Access Reverse and Commute) and CMAQ (Congestion Mitigation and Air Quality) funds used to reduce the monthly cost for first time riders. The attached VI Policy complies with Federal requirements and provides a policy for outreach to minority communities. This is important because a large portion of CalVans ridership is made up of those who struggle because of economic and/or language barriers.

Staff recommends adoption of the attached the attached Title VI Policy.

8. Approve At-Will Agreement for Executive Director Position

Attached is "ACKNOWLEDGE OF AT-WILL APPOINTMENT" for the Executive Directors position. This document has been modified so that payment is not required should the director be dismissed for acts of moral turpitude. The compensation has also been reduced from three month to two pay periods.

It is recommended that the Board approve the attached At-Will agreement for the Executive Director's Position.

9. Announce Next Meeting Date

The next meeting will be April 12th at 10 a.m.

California Vanpool Authority
(CalVans)

Minutes of Board Meeting

A regular meeting of the California Vanpool Authority was called to order by Joe Neves, Chairman of Board at 10:00 a.m. on February 9, 2012, in the conference room of CalVans, 1340 North Drive, Hanford, CA. 93230

California Vanpool Authority Members

AMBAG – Association of Monterey Bay Area Governments
Fresno COG – Fresno Council of Governments
KCAG – Kings County Association of Governments
MCTC – Madera County Transportation Commission
NCTPC – Napa County Transportation & Planning Agency
SACOG – Sacramento Area Council of Governments
SBCAG – Santa Barbara County Association of Governments
TCAG – Tulare County Association of Governments
VCTC – Ventura County Transportation Commission

1. CALL TO ORDER

Roll Call – Clerk of the Board

Directors present:

Fresno COG	Sylvia V. Chavez, Mayor City of Huron*	Primary
KCAG	Joe Neves, Supervisor District 1	Primary
SACOG	Jim Brown, Principal Planner Expert	Alternate
SBCAG	Janet Wolf, Supervisor District 2	Alternate
TCAG	Rudy Mendoza, Woodlake City Council	Primary
VCTC	Jamey Brooks, Mayor Pro-tem Fillmore	Primary

*Chavez joined the meeting at 10:05

Directors absent:

MCTC Robert Poythress, Mayor of Madera

Counsel present: Zack Smith

Staff/Visitors by location:

Fresno - Paul Marquez
Hanford - Trish Barberick, Heather Corder, Temo Ortiz, Lee Serna, Angie Dow and Christine Chavez.
Huron - Gus Banda

Napa -

Diane Meehan

Santa Barbara -

Ron Hughes, Susan Haverland, Kent Epperson
and Mary O'Gorman

Ventura -

Alan Holmes

2. UNSCHEDULED APPEARANCES:

This time is made available for comments from the public on matters within the Boards jurisdiction that are not on the agenda. Members of the public may comment on any item that is on the today's agenda when the item is called and should notify the Chairman of their desire to address the Board when the item is called. A maximum of (5) five minutes is allowed for any one item.

3. CONSENT CALENDAR:

Motion was made, seconded Mendoza/Brooks and carried unanimously to approve the consent calendar Item A): Approval of minutes of January 12, 2012 with changes noting Board Alternates Wolf and Brown as Alternates not visitors, B): Approval of CalVans uniform policy and C): Declare older 2002/2003 vanpools as surplus and authorize their sale. Commissioner Brooks abstained from the minutes of January 12, 2012.

4. SYSTEM UPDATE.

Ron Hughes reported that the Kings County Area Public Transit Agency (KCAPTA) has been reporting ridership data to the National Transit Data Base System as part of the annual transit reporting for KCAPTA. In the beginning data was only reported for the general vanpools and only for the Hanford small UZA area. \$600,000 in additional Federal 5307 funds in each of the last two (2) years was received for the agency.

Three (3) years ago the reporting was expanded to include all vanpools with reporting including UZA areas outside of the Hanford areas. This expanded reporting has generated additional transit funds for Porterville Transit and Fresno Area Express. The additional funds were as follows; \$300,000 for Hanford small UZA, \$200,000 for Porterville small UZA and \$557,000 for Fresno large UZA.

Post funds have been used to purchase new vans for existing vanpool drivers. The drivers who have been with the program the longest are the first to receive the new vans. Staff is proposing to continue this practice going forward.

CalVans Staff will be making presentations to the agencies that have received funding through the vanpool reporting. It is anticipated that the funds will continue to increase since the number of vanpools being reported has more than doubled in the past three (3) years.

The ability to purchase replacement vans will encourage more residents to start or join a vanpool.

Staff has received a number of calls from businesses in the Valley that are attempting to comply with the new requirements of the San Joaquin Air Pollution Control District's e-TRIP program. Businesses with 100 employees or more are required to submit an annual plan on how they will achieve a reduction in the number of single vehicle trips by their employees.

Staff has placed a vast amount of information on the CalVans website for those interested in joining or starting a vanpool. Staff also spoke with the Air District about developing a tool kit for employers that would assist them in complying with the e-TRIP program.

Commissioner Brooks would like a tool kit for all the Counties to use. This would benefit the entire region.

Commissioner Mendoza would like CalVans to work with the Air District on how to monitor compliance. He also wanted to know what the consequences are if the employer fails to participate with the program. Another question was what if an employer has multiple locations.

Ron Hughes explained the methodology to get employees out of their cars and reduce the vehicles to the business. The website defines what consists of an employer having 100 employees.

Paul Marquez from Caltrans stated Caltrans has a bulletin Board with driving alternates such as van or car pools. Each large employer should put something together giving employees alternates to driving their own vehicle.

CalVans staff recently met with staff from the Bay area 511 rideshare group. Staff explored ways to improve CalVans presence for vanpools from Napa and the Sacramento area to the Bay area. The Bay area 511 staff is concerned that the Bay area transit agencies might be losing out of funding because of non-reporting by private company vanpools such as VPSI and Enterprise. Another meeting with Bay area 511 will be in the Hanford office to go over our reporting methods and possible methods they could use to advocate for counting trips in the Bay area.

CalVans Staff reported that each year the Agricultural community holds an annual conference in Monterey. Staff has attended the conference and has given out information and flyers on the vanpool program. Recent inspections and citations by

the Federal Department of Labor have continued to keep an interest in the vanpool program in the San Joaquin and Salinas Valley areas.

5. AUTHORIZE SUBMITTAL OF JARC (Job Access and Reverse Commute) APPLICATIONS.

Ron Hughes reported that Caltrans has called for submittal of JARC applications in the rural areas in the State. The funds being applied for represent the rural parts of the State outside of any UZA area. The funding is competitive with the applicant able to secure up to \$400,000 for a single project.

The agency has received several JARC grants in the past that are being used to reduce the cost of new vanpool riders by as much as \$75 per month. Projects are underway in Kings, Monterey and Kern Counties. These applications were submitted in partnership with the individual County Planning agencies, allowing CalVans to submit multiple grants. These applications do not affect currently funded projects, but will add money for future projects.

Ron Hughes stated that if the funds are not used the grant money reverts back to the Federal Government.

Commissioner Brown stated the transit committee supports this in the Sacramento area.

Kent Epperson would like to look into the process of JARC and rideshare subsidy.

Staff proposed to submit one grant application for \$400,000 on behalf of CalVans for general marketing and outreach in the entire CalVans area. Staff would then work with each agency member to submit individual grants for use by those traveling to or from a member's jurisdiction.

Staff also commented that eighty (80) percent of all vanpool riders stay in a vanpool.

Motion was made, seconded Brown/Brooks and unanimously carried to authorize submittal of JARC applications.

6. REVIEW ACCOUNTING PROCEDURES FOR RECEIPT AND POSTING OF VANPOOL PAYMENTS.

Ron Hughes explained the current procedures used for posting vanpool payments and outlined how monies are received and deposited in the office. Staff works diligently to make sure that the system in place has checks and balances. Several steps occur before the actual receipt of money in the office.

Staff explained the differences between general vanpool and agricultural vanpool payments. For general vanpools a bill is prepared and sent to each main driver on the third week of the month. The bill includes a Quick books statement showing any credit or amount owed from the prior month, an information memo and a speeding report if needed. Most drivers receive the report electronically which saves time, paper and postage. The main driver collects from each rider the amount reflected in the bill. A payment form is completed listing all riders and how much they paid. This payment is placed in a self addressed stamped envelope and mailed to our office. The envelope is received in our office and opened by two accounting clerks. Each employee counts the money and then applies the payment to the account.

The agricultural vanpools are billed through the vehicles mobile data terminal on a weekly basis and tracked using Quick books set to a weekly aging cycle. The report is generated on Sunday at midnight summarizing how far each vanpool traveled each day of the week. This data is then adjusted using an excel spreadsheet to reflect the cost of .80¢ per mile, broken down by the number of riders each day. The information is reviewed for accuracy and then sent to the vehicle's MDT. The driver reviews this information with the riders. The main driver then completes the form titled "Agricultural VP Weekly Payments" that lists who rode, days worked, where they worked and type of work they did. The form and money from each rider is mailed using a self addressed stamped envelope. The same process is used to open each envelope by the accounting clerks at the main office.

Angie Dow clarified the opening process of each envelope. A standard procedure of opening payment envelopes made with strict procedures of handling cash. Annual audits are made and zero incidents have occurred in regard to any missing funds. Each employee must count the cash within the envelope and both employees verify the amount, date receipt and initial payment.

Staff explained one of the goals is to make it easy to understand and pay the bill.

Motion was made, seconded Mendoza/Brown and carried unanimously to accept the accounting procedures for receipt and posting vanpool payments.

7. ASSUME ASSIGNMENT OF SERVICE AGREEMENT FROM KCAPTA TO CALVANS.

Ron Hughes explained the vanpool program has always utilized an outside vendor for servicing the vans. Service is performed either at the driver's worksite or home while the van is parked. This is less expensive than bringing the vans in for service. By servicing on site we minimize staff costs, reduce the need to have spare vans and do not inconvenience the vanpool group by pulling their van.

The agency has gone out to bid four (4) times in the last nine (9) years. Each time the project has been bid, the cost has been reduced. This was the case this time also.

The Service Agreement with Mobile Maid and Oil Butler has an assign ability clause allowing its assignment by KCAPTA to CalVans. For that reason, Staff recommended that the CalVans assume the responsibility of KCAPTA under the terms of the agreement.

The MDT's notifies Staff and Mobile Maid and Oil Butler when a vehicle is due for service. Service is completed within a 1000 – 2000 mile window, with service being completed at 6,000, 12,000, 24,000 miles respectively. At 100,000 miles, plugs and wires are changed. At 150,000 miles the hoses and belts are replaced. We currently have some vehicles with over 300,000 miles.

Commissioner Wolf questioned if the service covered all areas.

Staff replied that the majority of service is performed in the Hanford area but the agreement with Mobile Maid and Oil Butler is for all counties that CalVans currently serves.

Staff commented that bids went out to Fresno, Madera and Hanford because the majority of service needed is within these Counties. CalVans currently has vanpools in other areas such as Monterey, Ventura and Sacramento to name a few.

Motion was made, seconded Chavez/Brooks and carried unanimously to assume assignment of Service Agreement from KCAPTA to CalVans.

8. APPROVE AT-WILL AGREEMENT FOR EXECUTIVE DIRECTOR.

Ron Hughes commented that the At-will agreement for Executive Director of CalVans will be brought back at the next meeting and will include the moral turpitude clause.

This item was tabled until 3/8/12.

9. AUTHORIZE RESOLUTION 2012-5 ESTABLISHING TECHNICAL ADVISORY COMMITTEE.

Ron Hughes requested the Board authorize a Technical Advisory Committee, Resolution 2012-5.

Staff recommended that the committee be made up of a staff member from each of the member's agencies. It would be the goal of the committee to review and make recommendations on all the items brought before the Board.

The Board will meet on the fourth Thursday of the month, two (2) weeks before the CalVans Board meeting. This should provide sufficient time between meetings.

Motion was made, seconded Wolf/Brown and carried unanimously to authorize resolution 2012-5 establishing a Technical Advisory Committee.

10. ANNOUNCE NEXT MEETING DATE.

The next meeting will be held on Thursday, March 8th, 2012 at 10:00 a.m.

11. MISCELLANEOUS COMMENTS FROM BOARD AND STAFF

Ron Hughes, Executive Director of CalVans, commented that the Technical Advisory Committee should eliminate the November 22, 2012 meeting date, due to the Thanksgiving holiday.

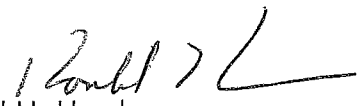
Commissioner Neves requested any conflicts with the schedule of meetings be discussed.

No conflicts were made.

12. ADJOURNMENT.

The meeting was adjourned at 10:47 a.m.

Respectfully submitted,


Ronald H. Hughes
Executive Director

2/9/2012 tb

FACTORS AND UNIT VALUES FOR AREAS 200,000 TO 1 MILLION IN POPULATION
 FRESNO UZA 64

1/2 Year Apportionments

BAKERSFIELD 2012 NTD DATA		FISCAL YEAR 2012 APPORTIONMENT DATA UNIT VALUES	
POPULATION	554,923	POPULATION	\$ 1.59984792
DENSITY	4,003	POPULATION X DENSITY	\$ 0.00069999
REVENUE MILES	7,111,279	BUS REVENUE VEHICLE MILE	\$ 0.27182732
PASSENGER MILE	46,222,721	BUS INCENTIVE	\$ 0.00505970
OPERATING COST	\$ 43,508,550		

BAKERSFIELD VAN POOLS	
REVENUE MILES (30 vans @ 90 miles per day)	702,000
PASSENGER MILES (30 vans with 11 pass)	7,722,000
OPERATING COST (@.75 per Mile)	526,500

Average number of vans:
 Average number of Passengers:
 Average Round trip distance:

30
11
90

Annual revenue per van:	\$ 18,449
Yearly Increase in 5307 funds	\$ 553,455

Trip Reduction	VMT Reduction
5,500	247,500
165,000	7,425,000

FISCAL YEAR 2012 APPORTIONMENT		FISCAL YEAR 2012 APPORTIONMENT	
WITHOUT VANPOOLS		WITH VANPOOLS	
POPULATION	\$ 887,792	POPULATION	\$ 887,792
POPULATION X DENSITY	\$ 1,554,928	POPULATION X DENSITY	\$ 1,554,928
BUS REVENUE MILES	\$ 1,933,040	BUS REVENUE MILES	\$ 2,123,863
BUS INCENTIVE	\$ 248,463	BUS INCENTIVE	\$ 334,368
Total Calculated Section 5307	\$ 4,624,223		\$ 4,900,950
			\$ 276,728
			\$ 85,905
			\$ 190,823
			\$ -
			\$ -
			\$ 887,792
			\$ 276,728

DIFFERENCE (ROUNDING) \$ 6

ADD: SECTION 5340 GROWING STATES APPORTIOI \$ 231,659

50% 5307 & 5340 APPORTIONMENTS 4,855,888

Estimated full 5307 APPORTIONMENT 9,711,775

(Apportionment amount is based on funding made available under THUD Appropriations/SL Extension Enacted - P.L. 112-55/112-30)

	Urbanized Area (UZA) Description	Passenger Miles per Vehicle Revenue Mile	Passenger Miles per Vehicle Revenue Hour	Vehicle Revenue Mile per Capita	Vehicle Revenue Hour per Capita	Passenger Miles per Capita	Passenger Trips per Capita	Number of Performance Factors Met or Exceeded	STIC Funding: @ ~\$131,788 per Factor Met or Exceeded
	Average for UZAs with populations 200,000 - 999,999	6.536	109.294	12.609	0.819	97.343	16.388		
2010	With Vanpool	4.048	80.074	22.888	1.157	92.646	14.064	2	263,576
	Without Vanpool	4.023	55.180	13.638	0.994	54.870	13.300	2	263,576
2011	With Vanpool	5.278	94.514	23.435	1.309	123,685	15.285	3	395,364
	Without Vanpool	3.766	50.922	14.633	1.082	55.114	13.402	2	263,576
2012	With Vanpool	5.517	84.121	27.308	1.494	125,677	15.834	3	395,364
	Without Vanpool	3.526	46.992	15.701	1.178	55.359	13.504	2	263,576
	Add a Van	45			1.709			6	790,728
	Total # of Vans in Area	111	109,435	35,221		173,621	17,423		

Additional vanpools needed for additional STIC Point = 34 45 16

CALIFORNIA VANPOOL AUTHORITY

TITLE VI POLICY

Board Approved February 12, 2012

TITLE VI POLICY

The California Vanpool Authority (CALVANS) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI of the Civil Rights Act of 1964. If you believe you have been subjected to discrimination under Title VI, you may file a written complaint with the Executive Director, California Vanpool Authority, 1340 North Drive, Hanford, CA 93230; at (559) 852-2711; or by e-mail to ron.hughes@co.kings.ca.us.

TITLE VI PROGRAM MONITORING

The requirement to establish internal monitoring processes and methodologies is applicable to all recipients of Federal assistance. CALVANS must monitor its service once per year, or when major service changes are proposed, using the procedures outlined in this section.

a. Civil Rights Assurance

The Assurances that are signed by CALVANS' Executive Director and attested by CalVans' attorney, assure that the level and quality of transit service and related benefits are provided in a manner consistent with Title VI. Program monitoring is conducted to ensure that CALVANS complies with this assurance.

b. Incorporation of Corrective Actions into TIP

If previous Title VI deficiencies have been found by CALVANS or through an audit review, the corrective action to remedy these deficiencies must be incorporated into CALVANS's TIP to assure compliance with Title VI.

c. Monitoring Procedures

CALVANS must implement complaint procedures to monitor the level and quality of transit service provided to the minority community against overall system averages to determine compliance with Title VI. These comparisons will measure the actual realization of established service policies and standards.

PUBLIC INFORMATION REQUIREMENTS

CALVANS will disseminate Title VI Program information to CALVANS employees, contractors, subcontractors, and beneficiaries as well as the general public. Public dissemination will include the posting of public statements, inclusion of Title VI language in contracts, and publishing annually the Title VI Policy Statement in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings in minority publications

- a. CALVANS's Title VI Policy and any other related information will be available to the public upon request.
- b. More detailed information regarding complaint procedures and Title VI civil rights will be included in brochures and other materials distributed to the public by CALVANS.
- c. Multilingual Requirements. Where a significant number or portion of the population eligible to be served by CALVANS needs service information in a language other than English to participate in Federally funded programs, CALVANS shall take every reasonable step to provide information in appropriate languages. In cases where CALVANS posts signs warning the general public about dangerous situations information must be in other languages when a significant number of the population is non English speaking.

LIMITED ENGLISH PROFICIENCY (LEP) FOUR FACTOR ANALYSIS AND LANGUAGE ASSISTANCE PLAN

For all service-related planning and policy changes under consideration, CALVANS staff will analyze and conduct the four-factor framework provided in the DOT LEP Guidance.

Factor 1: Identify LEP Persons in CALVANS Service Area-The number of proportion of LEP Persons served or encountered in CALVANS's service area.

Methodology for Data Sources:

- To determine LEP population in CALVANS Service Area the most current US Census Data will be the primary base for this analysis. We will complement the Census data with other data sources available through the California Department of Education Demographics Office.

According to the 2010 census data, approximately 56% of California's population are speaks a language other than English at home with Spanish being the most used non-English speaking language (37%).

Factor 2: The frequency of contacts with LEP Individuals with CALVANS services.

Methodology:

- Conduct survey of LEP persons
- Survey and collect data from drivers, route supervisors, and ticket agents to determine the frequency of contact with LEP persons, as well as the languages spoken.

Factor 3: Assessing the importance of CALVANS's services.

Methodology:

- Identify CALVANS's critical services or activities

CALVANS has identified the following services or activities:

- Public Notices regarding services or activities
- General system information

Factor 4: Resources available to CALVANS and the cost.

Methodology:

- Create and inventory of language assistance measures currently provided, along with the associated cost.
- Determine what, if any, additional services are needed to provide meaningful access.
- Analyze CALVANS's budget.

CALVANS will ensure that public notices and general information, such as the promotional material is available in Spanish and made available for viewing in places where individuals with limited English proficiency congregate.

CALVANS will also maintain a list of those staff members who speak a language other than English to provide points of contact for person needing information.

PUBLIC PARTICIPATION PLAN

The Public Participation Plan outlines the strategies that CALVANS will use to engage the public in the process of transportation decisions. This plan is utilized to cultivate relations with the community and encourage interaction with the minority and non-English speaking communities. Public Notices and general information will be provided in both English and Spanish.

a. OPPORTUNITIES FOR PUBLIC COMMENT:

CALVANS routinely provides opportunities for public comment, and continually strives to find new and innovative opportunities to solicit public comments and involve all segments of the population. Comments are accepted at any time by phone, fax, email, US mail, in person, or at any open meeting. Examples of these opportunities include:

- The public is notified of monthly CALVANS Board meetings. The public is invited to attend these meetings. Meeting announcements are posted at CALVANS office, at the meeting location.

b. ENGAGING TITLE VI PROTECTED GROUPS

CALVANS realizes that there are large segments of the population from whom input is rarely if ever received. In an effort to hear a truly representative voice of the public, CALVANS will make all significant service-related planning and policy publications available in accessible formats.

c. PUBLIC OUTREACH

CALVANS publishes monthly memos and newsletter as an on-going, proactive dissemination of service information and to cultivate public relations. This publication contains articles and features of current issues and projects. Moreover, it services as a valuable informational tool to present transportation planning to the public.

d. STAFF ACCESSIBLE

Staff is accessible in person, on the phone, by mail, by fax, or by email. Contact information is provided on the agency's website, and public notices.

e. PROVIDE SERVICE FOR THE DISABLED AND LEP

Upon advance notice, special accommodations will be provided for public meetings. These services include translators, special assistance, and or transportation.

f. PLANS WITH SPECIFIC PUBLIC PARTICIPATION REQUIREMENTS

The Federal Transportation Improvement Program (FTIP) implements the policy and investment priorities expressed by the public and adopted by the Kings County Association of Governments (KCAG) in the Regional Transportation Plan (RTP). In this respect, public comments made as part of the RTP are reflected in the FTIP as well.

The FTIP covers a four-year timeframe, and all projects included in the FTIP must be consistent with the RTP. The FTIP is a comprehensive listing of Kings County transportation projects that:

- Receive federal funds, or are
- Subject to federally required action, or are
- Regionally significant, for federal air quality conformity purposes.

The FTIP is updated every two years with amendments occurring as needed and require the following public notification.

- Legally noticed 45 day public comment period;
- Legally noticed public meeting;
- Posting of information on KCAG website during the public comment period;
- Publishing amendment information as part of the following publicly available KCAG agendas: Technical Advisory Committee and Transportation Policy Committee;
- Consideration and response to public comments received during the comment period.

COMPLAINTS OF DISCRIMINATION PROCEDURE

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by CALVANS as to consultants, and contractors. Intimidation or retaliation of any kind is prohibited by law. The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution.

Complaint Procedure

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited by nondiscrimination requirements may file a complaint with CALVANS. The complaint form is available in hard copy from CALVANS (Appendix 1). A formal complaint must be filed within 180 days of the alleged occurrence.
2. In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Title VI Coordinator will interview the complainant and if necessary assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the complainant or his/her representative.
3. Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.
4. CALVANS will provide the complainant or his/her representative and any contractor (respondent) with a written acknowledgement that CALVANS has received the complaint within five (5) working days of receipt.
5. A copy of the complaint will be forwarded to CALVANS's legal council for review.
6. The Executive Director will assign an investigator to the complaint (this may be the Title VI Coordinator or other designated staff).
7. The Investigator will determine if the complaint has investigative merit:
 - a. It was received within 180 days of the alleged occurrence.
 - b. It is does not appear to be frivolous or trivial.
 - c. It involves CALVANS or CALVANS contractors and not another entity.
 - d. A complaint against a contractor involves a CALVANS Federally Funded contract.

8. The complainant and contractor or other party to the complaint will be notified of the status of the complaint within 10 days of receipt of the complaint, *by registered mail*;
 - a. That the complaint will not be investigated and the reasons why the complaint does not have investigative merit.
 - b. That the complaint will be investigated and a request for additional information needed to assist the investigator.

9. The complainant or contractor must submit the requested information within 60 working days from the date of the original request. Failure of the complainant to submit additional information within the designated timeframe may be considered good cause for a determination of no investigative merit. Failure of the contractor to submit additional information within the designated timeframe may be considered good cause for a determination of noncompliance under the contract.

10. The internal investigator and/or contractor must within 15 working days, supply the Executive Director with status report of their investigation and/or resolution of the complaint.

11. Within 60 working days of the receipt of the complaint, the investigator will prepare a written report for the Executive Director.

The report shall include:

 - a. A narrative description of the incident. Including persons or entities involved.
 - b. A statement of the issues raised by the complainant and the respondent's reply to each of the allegations.
 - c. Citations of relevant Federal, State and local laws, CALVANS policy etc.
 - d. Description of the investigation, including list of the persons contacted and a summary of the interviews conducted.
 - e. A statement of the investigator's finding and recommendations for disposition.

12. The investigative report and findings of the complaint will be sent to legal counsel for review.

13. The Executive Director shall, based on the information before him or her and in consult with legal counsel, make a determination on the disposition of the complaint. Determination shall be made within 10 days from Executive Director's receipt of the investigator's report.

Examples of disposition are as follows:

 - a. Complainant is found to have been discriminated against. CALVANS or Contractor is therefore in noncompliance with Title VI regulations. Reasons for the determination will be listed. Remedial actions that CALVANS or the Contractor must take will be listed.
 - b. Complaint is found to be without merit. Reasons why will be listed.

14. Notice of the Executive Director's determination will be mailed to the complainant and contractor. Notice shall include information regarding appeal rights of complainant and instructions for initiating such an appeal.

Example of a notice of appeal follows:

 - a. CALVANS will only reconsider this determination, if new facts, not previously considered.
 - b. If the complainant is dissatisfied with the determination and/or resolution set forth by CALVANS, the same complaint may be submitted to the Federal Transit Administration (FTA) for investigation. For more information, please contact the Federal Transit Administration, Office of Civil Rights,

201 Mission Street, Suite 1650; San Francisco, CA 94105 / (415) 744-3133.

15. A copy of the complaint and CALVANS's investigation report/letter of finding and Final Remedial Action Plan will be issued to FTA within 90 days of the receipt of the complaint.
16. After receiving FTA's comments, briefings may be scheduled with all relevant parties to the complaint.
17. A summary of the complaint and its resolution must be included in the annual report to the FTA.

RECORD KEEPING REQUIREMENTS

The Title VI manager shall ensure that all records relating to CALVANS's compliance to Title VI are maintained for a minimum of seven years.

Records must be available for compliance review audits.

Copies of the following material will be kept available by the Title VI Coordinator for dissemination to the public upon demand:

- CALVANS's Title VI policy.
- Annual reports to FTA.
- Audit report findings and recommendations.
- Summaries of actions taken by CALVANS to remedy audit findings.
- Complaints received and a summary of their disposition.
- Annual report to Executive Director regarding Title VI compliance.

Appendix 1

CALIFORNIA VANPOOL AUTHORITY

TITLE VI COMPLAINT FORM

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Home Telephone No: (_____) _____

Work Telephone No: (_____) _____

Were you discriminated against because of:

Race National Origin

Color

Other

Date of Alleged Incident: _____

Explain as clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include the names and contact information of any witnesses. If more space is needed please use the back of the form.

Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? _____ Yes _____ No

If yes, check all that apply:

_____ Federal agency _____ Federal court _____ State agency
_____ State court _____ Local agency

Please provide information about a contact person at the agency/court where the complaint was filed.

Name _____

Address _____

City, State, and Zip Code _____

Telephone Number _____

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

Signature

Date

Please mail this form to:

CALVANS
Title VI Coordinator
P.O. Box 209
Hanford CA 93232

ACKNOWLEDGMENT OF AT-WILL APPOINTMENT

I understand that the position of Executive Director, to which I have been appointed, is an "At-will" position. I understand that such At-will positions are not within the California Vanpool Authority ("CalVans") classified service or its merit system. By this, I understand that my At-will employment with CalVans may be terminated without cause or notice at any time by the Board of Directors as my appointing authority.

I specifically understand and agree that my At-will status means the following:

1) I will not at any time acquire any property right or otherwise vested interest in my At-will position. *Initial:* _____

2) I will not enjoy a right to permanent or continued employment as *Executive Director* or the right of return to any previous merit system position which I may have held within CalVans. *Initial:* _____

3) My At-will employment as Executive Director may be terminated at any time, "for cause" or without cause or notice, at the will of the Board of Directors at its sole discretion, except that my At-will employment may not be terminated except "for cause" by the Board of Directors, if a majority of its members are new to the Board of Directors since this document was signed, until six (6) months have passed since the last member of such new majority assumed office. *Initial:* _____

4) If CalVans elects to terminate my At-will employment as Executive Director, at any time or for any reason, CalVans shall pay to me as Executive Director a sum equivalent to my compensation for two (2) pay periods from the date of my termination, at my then-current rate of pay. Notwithstanding the preceding, if my termination as Executive Director is "for cause," CalVans shall have no obligation to pay the severance amount set forth in this paragraph. As used in this document, "for cause" means my dishonesty, drunkenness on duty, use of illegal drugs, inexcusable absence without leave, commission of a crime involving moral turpitude or the misuse of CalVans property. In such instance, my sole remedy as Executive Director shall be a judicial action in declaratory relief to determine whether there was substantial evidence of the "for cause" behavior acted upon by the Board of Directors. If the court determines that there was not substantial evidence, I shall receive the severance amount for the termination of my At-will employment as Executive Director as set forth in this paragraph, but no other damages. *Initial:* _____

I have read and understand the foregoing statement and voluntarily accept my At-will employment status as Executive Director as further detailed in this document.

Date: _____ Print name here: _____

Signature: _____

c: Personnel File
Board of Directors