

CALIFORNIA VANPOOL AUTHORITY

Board of Directors

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

Meeting Date: September 12, 2013

Time: 10:00 AM

Place: Kings County Association of Governments
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, 147 Fourth Street, Community Room, Gonzales, CA 93936
- Fresno Council of Governments, Huron City Hall, Council Chambers, 36311 Lassen Avenue, Huron, CA 93234
- Kern Council of Governments, Conference Rm. 336 Pacific Ave., Shafter, CA 93263, **and second location of** 1401 19th Street, Board Room, Bakersfield, CA 93301
- Madera County Transportation Commission, Citizens Business Bank, Room 101, 2001 Howard Road, Madera, CA 93637
- Merced County Association of Governments, Conference Room, 369 West 18th Street, Merced, CA 95340
- 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, Solvang City Hall, 1644 Oak Street Solvang, Ca. 93463
- Tulare County Association of Governments, Conference Room, 210 N Church St., Suite B, Visalia, CA 93291
- Southern California Association of Governments, 950 County Square Drive, Suite 101, Ventura, CA 93003
- 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

Please note that the Brown Act requires that Board members calling in do so from one of the above locations noted above. Please contact Ronald Hughes the Executive Director at least 72 hours before the meeting date and time if you plan on calling in from another location.

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.	
3.	Consent Items: 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.	Approval
3.	A. Minutes of June 27, 2013 B. Disposal of older equipment	Action
4.	System Update a. Announcement by Caltrans of JARC awards b. FY 12-13 Ridership data c. FY 12-13 NTD data by UZA d. LA Metro vanpool support for Ventura region e. Federal Department of Labor issues	Information
5.	Establish Marketing Advisory Group	Action
6.	Review Employee MOU regarding employee benefits	Action
7.	Review and Accept FY 11-12 Audit Report	Action
8.	Miscellaneous Comments	Information
9.	Adjournment = <u>Next meeting October 10th</u>	

Attachments:

<u>Item</u>	<u>Page</u>	<u>Description</u>
A-	9	Board Minutes of June 27, 2013
B-	17	TAC Minutes of August 22, 2013
C-	23	Comparison of FY 11-12 and FY 12-13 NTD Data by County
D-	24	Comparison of FY 11-12 and FY 12-13 NTD Data by UZA
E-	25	Employee MOU for Unrepresented General/Management Employees

3. Consent Items

A. Minutes of June 27, 2013

The attached minutes are from the last meeting and are ready for approval, pending any changes from the members.

B. Disposal of older equipment

The following vehicles have reached the end of their useful life. Staff is recommending that the equipment be declared surplus and disposed of:

VP #	Year	Make	Model	Mileage	VIN #
VP-125	2004	Chevy	Astro	146,080	1GNDM19X84B100702
VP-133	2006	Chevy	Uplander	114,000	1GNDV23LX6D107702
VP-154	2005	Chevy	Astro	175,034	1GNDM19X25B128755
VP-158	2006	Chevy	Uplander	111,000	1GNDV23L96D125849
VP-162	2006	Chevy	Uplander	121,000	1GNDV23L16D104851
VP-165	2007	Chevy	Uplander	128,000	1GNDV23107D100564
VP-169	2006	Chevy	Uplander	145,000	1GNDV23L66D200586
VP-217	2002	Dodge	Ram	157,773	2B5WB25Y42K129707
VP-218	2001	GMC	Safari	102,721	1GKDM19W21B512940

4. System Update

a. Announcement by Caltrans of JARC awards

Staff has received preliminary notice that the JARC (Job Access and Reverse Commute) application for Kern County was approved. Unfortunately the applications for Tulare, Merced, Sutter, and Yolo were not approved. The grant will provide support for new vanpool riders in Kern County who start or join an existing vanpool. The funding comes from Federal funds the State has on hand so that there will be no delay in moving forward on the project. In Addition, Kern COG Staff has already gone through the process of getting the project on its FTIP, its list of federally approved projects. This allows the project to get underway as soon an Agreement with Caltrans is signed.

b. FY 12-13 Ridership data

Staff has competed the NTD (National Transit Database) reporting for FY 12-13. This reporting consists of counting all miles traveled by each van, the number of passengers carried, how long they traveled and the miles they traveled in each van. The process starts with the gathering of information through the use of the Webtech system that the agency uses to locate and track all vehicles. The system allows Staff to run reports by location, miles traveled and the driver of the van. General vanpool drivers upload the number of riders they are carrying each day using the on-board terminal located in each van. This information is gathered through a combination of sources. The agricultural vanpool drivers count their riders each day and submit that information weekly with their payment.

Staff down loads each vanpool's information from the web based system at the beginning each month. This process takes several days and involves 1,600 lines of data for each vanpool. Staff has developed several macros or formulas that drop out most of the excess data leaving beginning and ending points along with the number of riders. Staff spends several weeks doing additional cleanup, adding the agricultural riders to their respective van, as well as assigning the UZA and determining the vanpools county of origin. This information is then summarized by both UZA and County. The miles traveled, riders carried, time spent traveling, and passenger miles are then reported to the Federal NTD (National Transit Data Base) system.

The passenger lane miles, the distance passengers traveled in the vanpools, increased by 15%, going from 65,545,721 to 77,218,081 miles. This information is then sorted by the County the vanpool trip originated in. The following lists each County and the information for each. Each County may use this information to show a reduction in trips occurring in their County and thus help them meet the requirements of AB 32. The attachment titled "Comparison of FY 11-12 and FY 12-13 NTD Data by County" compares the past two years.

FY 2012-2013

County	Passengers	Miles	Pass Lane Miles
Fresno	498,640	2,446,109	21,144,454
Tulare	421,007	2,060,590	15,305,562
Kings	345,820	1,758,423	12,356,831
Yuma	191,288	550,165	6,684,183
Kern	108,559	570,550	5,286,133
Monterey	131,090	403,481	4,294,297
Madera	52,040	250,021	2,824,892
San Luis Obispo	37,924	368,715	2,690,006
Imperial	40,610	114,233	1,444,972
Ventura	42,820	119,409	1,399,107
Santa Barbara	39,168	83,756	785,073
Los Angeles	11,467	100,689	776,810
Sonoma	21,060	53,231	627,313
Merced	7,536	50,492	315,936
Napa	9,063	30,314	240,355
Stanislaus	4,303	27,392	236,813
Yolo	3,888	13,809	187,263
Lake	1,838	10,760	114,714
Santa Clara	2,565	18,477	106,124
San Benito	2,017	11,428	98,737
Sacramento	4,240	14,274	73,290
Solano	1,542	8,051	61,660
Santa Cruz	1,424	4,929	61,208
Mendocino	1,230	3,769	49,768
Riverside	1,196	4,488	37,915
Placer	568	1,578	8,410
Orange County	450	695	6,255
Totals	1,983,353	9,079,827	77,218,081

c. FY 12-13 NTD data by UZA

The reporting of NTD data by UZA area results in additional Federal 5307 funding for the transit agencies in which the trips are reported. The UZAs come in two sizes; the large ones represent areas larger than 200,000, the smaller ones are under 200,000 but over 50,000. The larger areas receive additional funding based on the additional passengers carried and miles traveled. The smaller UZAs receive funding based on their ability to receive up to 6 points for being efficient in one of 6 categories. Last year each of the points was worth an additional \$180,461 in Federal 5307 funds. The following shows the six categories and gives an example of two UZAs:

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: @ ~ \$180,461 per Factor Met or Exceeded
	6.221	105.980	10.450	0.660	80.161	12.661		
Hanford, CA	7.146	192.914	23.598	0.874	168.633	10.839	5	902,303
Madera, CA	8.152	394.729	2.780	0.057	22.663	0.562	2	360,921

The following list shows those agencies receiving a share of the 4.1 million dollars generated through the reporting of vanpool trips by CalVans. The funding is broken down into two columns, one showing total funding and the portion that can be used for an agency's operational needs. Small UZA's do not have this restriction.

Transit Agency	City	Total Funds	Operations Funds
GET (Golden Empire Transit District)	Bakersfield, CA	161,098	79,005
FAX (Fresno Area Express)	Fresno, CA	1,874,819	932,364
GCT (Gold Coast Transit)	Oxnard, CA	2,922	2,922
Caltrain	San Jose, CA	414	414
Stockton, CA	Stockton, CA	3,800	3,800
VCC (Visalia City Coach)	Visalia, CA	846,972	390,890
MAX (Madera Area Express)	Madera, CA	360,922	360,922
THE BUS	Merced, CA	180,461	180,461
Porterville Transit	Porterville, CA	180,461	180,461
KART (Kings Area Rural Transit)	Hanford	541,383	541,383
Totals		\$ 4,153,253	\$ 2,672,622

The funding will continue to grow our as fleet and areas continue to grow. The funding shown is based on the number of vans being reported two years ago. It is important to note that most transit agencies do well to make their fare box requirement of 20%. The 20% is that portion of the funding that comes from those riders using the service. With the exception of incentives for joining or starting a vanpool, CalVans recovers 100% of it operational cost from those who use its service. With a budget of \$7,684,585, CalVans NTD reporting has generated excess revenue of \$4,153.253 or 54% to other agencies.

Cities and counties benefit from the use of vanpools by their residents. One is the expansion of public transit trips available to their residents and the ability of individuals to travel to businesses in their areas. Staff looked at Kings County as an example of what these trips mean.

The following lists those trips that in some way impact Kings County:

Trip Path	# of Vanpools	Annual Trips	Passenger Miles
Trips originating in Kings County	86	430,000	16,447,500
Trips to Kings County	61	305,000	11,666,250
Trips through Kings County	38	190,000	7,267,500
Total	185	925,000	35,381,250

Trips originating in Kings County cities have a positive impact on the disposable income available to those residents using the vanpools. Those riding in 86 vanpools have an increased disposable income of approximately 11 million dollars. This represents savings that would have been spent on transportation, but can now be spent on items such as recreation, home improvements and the like.

The impact to Kings County roads can also be measured in longer life and fewer cars on the roadways. Avenal Cutoff is one of the roads that many of the vanpools travel on the way to work at one of the three prisons located in the southwest corner of the County. A traffic count on March 19, 2010 showed 3,088 vehicles per day using the Avenal Cutoff between Nevada Avenue and Highway 198. The 69 vanpools that now travel that portion of the roadway eliminate an additional 1,250 vehicle trips that would have occurred. This is a 28% reduction, resulting in less wear and tear on the pavement and less congestion on the roadway.

The last benefit is simply that those in Kings County have access to a much larger public transit fleet than many other counties. KART, Kings County local transit provider provides 812,000 trips annually for those needing access to and between the major communities in Kings County. CalVans provides 735,000 trips to those entering or leaving Kings County. In addition 190,000 trips that occur as riders travel through Kings County. CalVans is able to augment the KART service by providing an additional 735,000 trips for those residents in Kings County or for those employed by a Kings County employer. Staff could have made the same argument or case for Tulare or Fresno County. Each has the same Vanpool characteristics as Kings County.

The following lists all UZAs that CalVans reported to. In reporting a trip Staff looks to see if the Vanpool started or ended in a UZA. If it did, then the trip is reported in that area. If the trip goes between two UZAs the trip is reported to the largest UZA served by CalVans. If a van traveled between a large and small UZA the trip is usually assigned to the larger UZA. If there is a choice between an area CalVans services and one outside, the trip is assigned to the one in the CalVans area. Some trips start in a UZA outside of the CalVans area but never travel to a UZA within CalVans service area. These are assigned to the UZA the trip started in. This is why you see a number of UZAs outside the CalVans service area. The attachment titled "Comparison of FY 11-12 and FY 12-13 NTD Data by UZA" compares the past two years.

FY 2012 - 2013

	Passengers	Miles	Passenger Lane Miles
Atascadero	20,684	222,337	1,501,728
Bakersfield	59,447	340,421	2,986,251

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Calexico	34,315	98,576	1,220,547
Camarillo	2,392	5,428	73,844
Delano	21,108	94,502	866,409
El Centro	694	3,505	48,220
Fairfield	885	4,997	40,241
Fresno	279,383	1,623,546	12,754,858
Gilroy	1,170	4,672	68,298
Hanford	307,276	1,600,804	10,824,768
Hollister	247	1,622	10,034
Lancaster	12,176	102,805	816,684
Lompoc	345	1,721	17,465
Madera	57,427	291,613	3,314,987
Merced	5,568	40,130	246,474
Napa	10,167	35,009	277,337
Oxnard	12,820	34,650	344,785
Palmdale	764	5,208	51,730
Paso Robles	17,266	144,758	1,226,354
Porterville	84,086	468,138	3,212,056
Rural	477,897	1,657,585	17,414,351
Sacramento	3,674	12,732	63,014
Salinas	91,927	284,833	3,005,962
San Jose	3,143	22,040	128,694
Santa Barbara	6,838	25,688	208,037
Santa Maria	36,489	66,537	672,562
Santa Rosa	20,571	53,961	637,260
Simi Valley	20	130	649
Turlock	4,169	27,874	229,127
Visalia	280,738	1,431,561	10,473,528
Watsonville	1,598	6,842	69,609
Woodland	4,089	15,943	216,473
Yuma	123,980	349,659	4,195,745

d. LA Metro vanpool support for Ventura region

Staff has received final approval for the LA Metro subsidy of \$400 a month for Ventura vanpools traveling into the LA area. Challenges put forth by Enterprise and vRide were addressed by Staff at LA Metro. There may not be many riders traveling from Ventura to LA, but being able to offer the subsidy to those that do will help.

e. Federal Department of Labor issues

The Federal Department of Labor has sent out mixed messages over the past several months when talking to growers about the CalVans program. In the San Benito area a DOL Staff person suggested that a grower consider using the CalVans program to avoid running afoul of the Department regulations. In the Bakersfield area an inspector from the LA area expressed concern where another grower was encouraging his workers to use the program. The inspector was from the LA area and knew nothing

about the project. It was suggested that the water containers located on the front of the vans were a problem because they tended to indicate that a FLC (Farm Labor Contractor) was driving. This would be a violation of the DOL laws.

Staff explained to the inspector that putting the water containers on the front of the vans was done in response to concerns of the CHP that the containers in the vehicles were a hazard in the event of an accident. It also did not make sense to have each of the passengers carry a 2-3 gallon container for personal use. Each of these could injure other passengers in the event of an accident.

The ongoing problem is that the inspectors brought in from outside the valley have little knowledge about how CalVans operates. They see the CalVans program as one sponsored or operated by the growers not the workers. It is frustrating that after 11 years of operation that some of the California DOL offices have not yet heard about the CalVans program. The Regional office knows about it, word just does not get out to the field offices in California.

5. Establish Marketing Advisory Group

Staff would like to put together a marketing group and is looking for volunteers. Staff would suggest that the group be limited to three members so that it remains workable. Items developed by the groups would be brought back before the entire TAC group. Are there three members from the TAC that would be willing to be part of the group?

6. Review Employee MOU regarding employee benefits

Since its separation from KCAPTA (Kings County Area Public Transit Agency), CalVans has referred to the MOU KCAPTA had under the County of Kings. With the recent change to a separate retirement agency and the fact that KCAPTA updated their MOU, Staff is recommending that CalVans adopts its own MOU. The employee benefits covered in the attached MOU are the same as those adopted earlier by CalVans with the following exceptions:

Section 1. OVERTIME

Sick leave will not be counted as time worked for purposes of computing overtime.

Section 14. RETIREE HEALTH INSURANCE

The reference to CalPERS was changed to PARS.

Staff is recommending that the MOU for Unrepresented General and Management Employees be adopted.

7. Review and Accept FY 11-12 Audit Report

The FY 11-12 Audit was reviewed at the last Board meeting, but was not formally adopted. Staff is putting it back on the agenda for formal adoption at the next Board meeting.

California Vanpool Authority (CalVans)

Minutes of Board Meeting

A special meeting of the California Vanpool Authority was called to order by Joe Neves, Chairman of the Board at 10:01 a.m. on June 27, 2013, 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
Kern COG – Kern Council of Governments
MCTC – Madera County Transportation Commission
MCAG – Merced County Association of Governments
NCTPA – 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:

AMBAG	Scott Funk	Primary
Fresno COG	Sylvia Chavez	Primary
KCAG	Joe Neves	Primary
Kern COG	Jon Johnston	Primary
MGAC	Jerry O'Banion	Primary
SBCAG	Jim Richardson	Primary
VCTC	James White	Primary

Directors absent:

MCTC	Robert Poythress/Max Rodriguez
NCTPA	Keith Caldwell/Tom Roberts
SACOG	Kirk Trost/Sharon Sprowls
TCAG	Rudy Mendoza/Janet Hinesly

Counsel present: Zack Smith

Staff/Visitors in attendance:

Ron Hughes, Heather Corder, Georgina Cardenas, Carmen Mora, Tomas Hernandez, Gus Banda, Temo Ortiz, and Trish Barberick from CalVans.

Also in attendance were Bob Snoddy, Suzanne Campbell, Colleen Carlson, Bob Knudson and Rebecca Carr.

2. UNSCHEDULED APPEARANCES:

There were no unscheduled appearances.

3. CONSENT CALENDAR:

A. Minutes of May 9, 2013 and B. Disposal of older equipment.

Motion was made, seconded Funk/Johnston and unanimously carried to approve the consent calendar A: Approval of minutes of May 9, 2013 and B. Disposal of older equipment.

4. SYSTEM UPDATE.

a. Regional reports from Transit Coordinators:

Ron explained that there has been a lot of activity over the past month as Staff has fielded a number of requests for new vanpools as well as attending a number of presentations at employer's worksites for those interested in forming a vanpool. Each Coordinator gave a brief update on what has been happening in their area

Georgina Cardenas – Sacramento/Napa

Georgina reported currently there are 19 vanpools primarily in Napa. There is a new contract with Foothill Packing for 10-20 Farm Labor vehicles. General vanpools which were used down here are being requested to the Stockton Medical facility. Most employees were transferred and now live in Elk Grove.

Carmen Mora – Salinas/Monterey/San Benito and Santa Cruz

Carmen reported currently 52 Farm Labor and 6 General Vanpool vehicles are being used in the area, totaling 58. Also 8 vans are returning from being used in Yuma. A CHP class for Farm Labor drivers is scheduled on Sunday, July 28th at the office in Greenfield at 10:00. She also reported that they are currently working with companies in Hollister referred by the DOL to use our service.

Tomas Hernandez – Ventura/Santa Barbara

Tomas reported there are 22 Farm Labor vehicles and 4 General Vanpools (Commuters) being used in the area. Most are traveling from Ventura to Santa Barbara and back, from Lompoc to Santa Barbara and Santa Maria to Santa Barbara. MD Labor is the largest packing company in the area using our service.

CalVans has currently been working with green businesses in the Santa Barbara and Ventura area to help them retain their certificate for transportation. We are hoping to get some media attention with the HOV (High Occupancy Vehicle) lane being built in the Santa Barbara – Ventura corridor and get more vanpools out because they will be able to use that lane. Over 100,000 total vehicle miles and 36,000 passenger miles were used Jan-Mar.

Gus Banda – Farm Labor San Joaquin Valley

Gus reported that the current focus is exchanging vehicles in Fresno County. Also at the same time we are expanded. 26 vanpools have been started in June due to the vouchers Fresno County is providing. The 8 vans returning from Yuma will be used in the Kern area in 2 weeks. Gus commented that even with the increase per mile we are moving forward and 10 more vehicles are scheduled to go out this month.

Temo Ortiz – General Vanpools San Joaquin Valley

Temo reported he has been working with the Sierra Conservation Center; they are looking at getting 3 vans to travel from Merced to Tuolumne County. He has also been working with Kings County in getting 15 new vehicles which will free up 15 vans. The Tulare County IRS building is closing and employees are looking at our vanpools to travel to Fresno for their work. He is currently working on getting two 24-hour vanpools started: one traveling from Porterville to Corcoran and back and the other from Hanford to Pleasant Valley State Prison (PVSP) and back: all working different shifts. Lastly, CalVans is working with students from Madera to travel to Fresno College.

Commissioner Neves thanked the Transit Coordinators for their reports.

b. Award from Breathe California.

Ron attended an awards ceremony in Monterey last month where CalVans received recognition for its positive impact towards reducing Green House Gases. The award noted the 450 vanpools CalVans operates and the corresponding number of vehicles removed from the road way each day.

Following the award, Staff met with AMBAG Staff to discuss ways of tracking or measuring trips in the Monterey area.

c. Deployment of new vans.

Ron reported that Staff is now receiving the new vans that were ordered several months ago. About half the vans have arrived with about half of these going into service as soon as they are ready. The 30 CNG Ford vans are being phased in: due to the fact that only about 3 per week can be fitted with the necessary CNG equipment.

The vanpools going to Farm Workers take time to prepare because they need to have the vinyl mats removed and rhino-lining surface applied to the floor. The demand for agricultural vanpools remains strong with vans going out as soon as they are ready.

Commissioner Neves stated that there wasn't much of a winter or rain, so there was no reason to suspend services as Farm Workers continued to work all winter.

Ron commented that we had vans in Yuma for 4-5 months and the employees kept working for the company just at a different location.

d. California agricultural workforce housing and transportation project summit.

Staff reported that CalVans participated in the California Agricultural Workforce Housing and Transportation Project Summit held on May 8th in Sacramento. The meeting was well attended. Several participants spoke about how the CalVans program has had a positive impact on their workers and recommended possible expansion.

5. REVIEW ANNUAL FINANCIAL REPORT.

Commissioner Neves stated that the auditor would be calling in later and requested we move this item to end of the meeting.

Heather Corder, Accountant Auditor, reported that the Audit was performed by the Firm of Dedekian, George, Small and Markarian. Jeff Markarian planned on attending the meeting but was unable to do so and left some notes for the Board.

He commented that the separation went really well and was impressed with how well we separated our financials and job duties.

Although it states in our financials an operating loss of 1.3 million, \$923,000 is depreciation transferred from KCAPTA along with fixed assets.

He did recommend that CalVans clear up the retirement issue, which we now have and that CalVans have a fixed asset program which is beneficial to our company.

Heather also commented that on page 4 of the report it shows an operating loss of \$1,321,050, this was offset by non-operating revenue such as vouchers and grants provided by other agencies as well as the capital contributions coming into CalVans from the vanpool program generated under KCAPTA.

Commissioner White inquired regarding the accrued vacation/sick leave. Heather responded that the report shows service hours and the range in which vacation/sick leave is accrued.

Commissioner Neves stated this was just an information item but that it needed to be a motion to adopt.

Commissioner Johnston also inquired if this was supposed to be received and filed. A motion item.

CalVans will do some research and get back to the Board.

6. ESTABLISHMENT OF PARS RETIREMENT SYSTEM

In December 2011 the vanpool program split from KCAPTA to CalVans. Prior to the separation KCAPTA Staff worked with CalPERS Staff in submitting an application for CalVans to join CalPERS. CalPERS Staff guided KCAPTA Staff through the process, stating the application process would take several months to complete. They directed KCAPTA to continue paying CalVans employee and employer retirement contributions into CalPERS through KCAPTA, stating that when CalVans was approved the funds would be rolled into CalVan's retirement account.

18 months after the application was submitted, CalPERS denied CalVans application.

Staff has worked diligently in trying to find a compatible retirement system for its employees. Staff identified the PARS program as being one compared to CalPERS in that it is a defined benefit plan. The PARS program will be able to pick up the employees' contribution and vesting for the 18 month period that CalVans thought they were in CalPERS.

Staff was asked at the last Board meeting to look into some private retirement options. Staff contacted the firms of Buckman-Mitchell, Nationwide and Fidelity in reviewing alternate retirement plans. It appeared that the plans they offered for public agencies are a tax deferred 457 plans. Unlike CalPERS and PARS, their programs are not a defined benefit plan.

Staff also researched the retirement plan offered to Tulare County Employees. Tulare County employees are under TCERA (Tulare County Employees' Retirement Association) which is defined benefit plan but is only open to employees of Tulare County.

In reviewing options, Staff found that most public employees are enrolled in a defined benefit plan as opposed to a 457 plan.

CalVans is a public agency with employees who have been in the CalPERS retirement system. Moving to PARS will maintain the same defined benefit system and provide the minimal disruption for the employees. Moving to a 457 plan would result in employees losing 18 months of retirement service benefits and expose

CalVans to possible Social Security liability. Joining PARS does not obligate CalVans to future payments or the payment for other agencies that may not be adequately funded, as under the CalPERS plan.

With the rollover of funds from CalPERS into PARS the plan will be 100% funded, there will be no unfunded liabilities. The only obligations are for those that have occurred in the past, which would be covered by past contributions.

Staff recommended that the Board approve establishing PARS as the retirement plan for employees and authorize the Executive Director to sign the documents required for joining PARS.

Commissioner Funk inquired if the employees had been informed about CalPERS and PARS.

Ron replied that there had been a staff meeting and the employees have been informed and kept updated regarding retirement plans.

Motion was made, seconded Funk/O'Banion and unanimously carried to approve the establishment of the PARS retirement system for employees and authorize the Executive Director to sign the documents required for joining PARS.

7. PROVIDE EMPLOYEES A RAISE FOR THEIR CONTRIBUTION INTO PARS.

Ron reported that in the past, CalVans paid both the employer and employee portion of contributions into the retirement system for employees. Changes to California retirement law requires that employees begin paying their portion of their retirement contributions that the employer may have been paying on their behalf. The new law requires that the employer and the employee pay their contributions separately. CalVans has been paying the employees' 7% contribution in the past.

With the establishment of the new retirement plan, Staff recommended that the employees receive a pay raise of 8.56% that will be withheld from their check and sent to PARS for their retirement. The employees will not see a wage increase as the 8.56% will be automatically deducted from their pay. Any changes going forward will be the responsibility of the employee. This is a one time action to transition from CalPERS to PARS. There will be a slight cost increase of \$7,262 per year due to the increase in FICA, due to the employee's higher earnings. The employer contribution paid by CalVans will drop from 10.28% to 8.56%, representing a 1.72% drop, when PARS receives all contributions from CalPERS.

Commissioner Richardson inquired if this would increase employees' taxes. Ron replied that it would.

Commissioner Johnston inquired if going forward, if there is an increase, would the employees be responsible for that increase.

Ron replied that the employees would be responsible for any increases going forward.

Motion was made, seconded Chavez/Johnston and unanimously carried to provide a one time 8.56% raise to employees to cover their contribution into PARS.

8. DISCUSS CALPERS APPEAL PROCESS.

Ron reported that in a denial letter from CalPERS, dated May 24, 2013, it explained their reasons for the denial of CalVans into membership with CalPERS. The three reasons were:

1. One of our members, TCAG is not a public agency.
2. CalVans is not primarily funded through tax revenues
3. Fresno Council of Governments does not specify the appropriate common powers.

In response:

1. TCAG is a Joint Powers Agency, formed in the same fashion as other member agencies. It is believed CalPERS concern comes from the fact that their Board is made up of all Supervisors as well as a Council member from each city, who then appoint up to three "Citizens at Large" to serve on the Board. In discussions with CalPERS Staff, they expressed concern that one of the "at large members" could end up serving on the CalVans Board.
2. CalPERS guidelines requires that retirement paid on behalf of the employees has to come from revenue other than passenger fares. CalVans does recover a large portion of its revenue from passenger fares, but also receives approximately 3 million in Federal, State and local taxes or assessment from various government agencies.
3. Prior to joining CalVans, Fresno COG's attorney drafted an amendment that was adopted by their JPA to address the "common powers" issue, so that they could become a member of CalVans.

Staff submitted an appeal to the CalPERS decision with the intent of rejoining CalPERS should the appeal be successful. However, given the following reasons, Staff believes it may be better to remain with PARS, as opposed to rejoining CalPERS:

1. PARS has lower participation cost.
2. With PARS, CalVans will have no unfunded liability, as opposed to CalPERS which does.
3. The PARS plan can be modified as needed going forward.

After speaking with our Attorney, it will take about \$5,000 and four months to appeal the CalPERS denial.

Does the Board wish to continue the appeal to address these concerns or drop the appeals process.

Commissioner Johnston stated he would recommend we drop the appeal and not spend the \$5000, as we have replaced CalPERS with PARS.

Commissioner White seconded the motion, if that was a motion.

Commissioner Johnston stated he could make that a motion.

Commissioner Neves stated he would have liked to appeal the decision and \$5000 seemed like a small investment to do that. He would have liked to have had the decision corrected and cleared.

Motion was made, seconded Johnston/White and carried six to one to discontinue the appeal to CalPERS.

9. MISCELLANEOUS COMMENTS FROM THE BOARD AND STAFF.

Commissioner White thanked everyone for putting money into a marketing fund and inquired if there is a video available for marketing CalVans.

Ron replied that we have some videos but CalVans will get something together this year and at the next meeting we are hoping to form a marketing committee.

Commissioner Richardson inquired if the paper copy of the agenda could be sent out earlier.

Commissioner Johnston stated the electronic agenda can be downloaded to an adobe file.

Ron stated we would try and get them out a little earlier.

The next meeting will be on August 8th at 10:00a.m. There will not be a July meeting.

Commissioner Neves wished everyone a nice weekend and to try and stay cool in this heat.

The meeting was adjourned at 10:43 a.m.

Respectfully submitted,



Ronald H. Hughes
Executive Director

6/27/2013 tb

Technical Advisory Committee Minutes

A special unofficial meeting of the California Vanpool Authority Technical Advisory Committee was held on August 22, 2013 at 1:30 p.m. 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
Kern COG – Kern Council of Governments
KCAG – Kings County Association of Governments
MCTC – Madera County Transportation Commission
Merced COG – Merced County of Governments
NCTPA – 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. ROLL CALL AND ATTENDANCE

Ron Hughes, Heather Corder, Gus Banda, Temo Ortiz, Cecelia Marquez and Trish Barberick from CalVans.

Also attending were Bob Snoddy, Suzanne Martinez, Alan Holmes, Suzanne Campbell, Teresa Nickell and Christine Chavez.

2. PUBLIC COMMENT

No comments were received.

3. CONSENT ITEMS

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 June 27, 2013.
- B. Disposal of older equipment

Motion was made, seconded Christine Chavez/Suzanne Martinez and unanimously carried to approve A). The minutes of June 27, 2013.

Motion was made, seconded Alan Holmes/Suzanne Martinez and unanimously carried to approve B). Disposal of older equipment.

4. SYSTEM UPDATE

A. Announcement by Caltrans of JARC awards.

Staff received preliminary notice that the JARC application for Kern County was approved. Unfortunately, the applications for Tulare, Merced, Sutter and Yolo were not approved. The grant will provide support for new vanpool riders in Kern County who start or join an existing vanpool.

Staff also reported that they were not given a reason why the other Counties were not approved.

Bob Snody commented that a 5304 grant application has been received for Kern River Valley and that CalVans will be brought up in discussion as an alternate transportation source.

Ron thanked Bob for including CalVans in future discussions as an alternate transportation source.

B. FY 12-13 Ridership data.

Ron reported that Staff has completed the National Transit Database (NTD) reporting for FY 12-13. This report consists of counting all miles traveled by each van, its passengers and the miles the passengers traveled in each van. The passenger lane miles and the distance passengers are carried in the vanpools increased by .15%, going from 65,545,721 to 77,218,081 miles.

Ron reported there was also an increase in vanpool use in Yuma, Arizona, from 15 vans last year to 80 vans this year.

C. FY 12-13 NTD data by UZA.

The reporting of NTD data by UZA area results in additional Federal 5307 funding for the transit agencies in which the trips are reported. The UZA come in two sizes; the large ones represent areas larger than 200,000 and the smaller ones are under 200,000 but over 50,000.

Some trips start in a UZA outside of the CalVans area but never travel to a UZA within CalVans service area. These are assigned to the UZA the trip started in.

A report of FY 11-12 and FY 12-13 NTD data by UZA that compares the past two years was explained.

D. LA Metro vanpool support for Ventura region.

Staff reported it had received the final approval for the LA Metro subsidy of \$400 a month for Ventura vanpools traveling into the LA area. Challenges put forth by Enterprise and vRide were addressed by Staff at LA Metro. Their challenges were not withheld. There may not be many riders traveling from Ventura to LA, but being able to offer the subsidy to those that do will be helpful.

E. Federal Department of Labor Issues.

The DOL has sent out mixed messages over the past several months when talking with growers about the CalVans program. An inspector from the LA area knew nothing about the project and gave erroneous information. This was in regard to the water containers located on the front of the vans that CalVans started 11 years ago. The inspector assumed that a Farm Labor Contractor was driving.

Staff explained to the inspector that putting water containers on the front of the vans were done in response to concerns of the CHP, that containers of water in the vehicles were a hazard in the event of an accident.

The ongoing problem is that the inspectors brought in from outside the valley have little knowledge about how CalVans operates. They see the CalVans program as one sponsored or operated by the growers not the workers.

5. ESTABLISH MARKETING ADVISORY GROUP.

Staff requested volunteers to put together a marketing group. Items developed by the group would be brought back before the entire TAC group.

Christine inquired if CalVans staff could order marketing items. Ron replied he would be the CalVans employee in charge.

Alan inquired if the \$30,000 was for both agricultural and general vanpools.

Ron replied that the \$30,000 marketing fund is for both, agricultural and general vanpools.

Ron commented that currently CalVans has three brochures and a website.

Alan Holmes volunteered and he also volunteered Kent Epperson. Suzanne Campbell and Christine Chavez also volunteered to be on the marketing advisory group.

Motion was made, seconded Alan Holmes/Christine Chavez and unanimously carried to approve the establishment of a marketing advisory group.

6. REVIEW EMPLOYEE MOU REGARDING EMPLOYEE BENEFITS.

Staff reported that since its separation from KCAPTA, CalVans has referred to the MOU KCAPTA had under the County of Kings. With the recent change to a separate retirement agency and the fact that KCAPTA updated their MOU, Staff is recommending that CalVans adopts its own MOU.

Staff reported that the new MOU is the same as those adopted earlier by the CalVans Board with the following exceptions:

Section 1. Overtime

Sick leave will not be counted as time worked for purposes of computing overtime.

Section 14. Retiree health insurance

The reference to CalPERS was changed to PARS.

Staff recommended that the MOU for unrepresented general and management employees be adopted.

Alan inquired about the cash out of vacation time, if it was only available to management employees.

Ron replied that accumulated vacation time is cashed out when an employee is terminated. Management gets 48 additional vacation hours in the beginning of the fiscal year. If management vacation is not used

during the fiscal year, any remaining management vacation is paid out on the last check of the fiscal year.

Christine commented that the vacation accrual seemed low. Ron replied that is the same amount of vacation time the County of Kings receives.

Bob inquired how many employees CalVans had. Trish Barberick, H/R – Office manager for CalVans, replied CalVans has thirty two employees. Three are management and two are extra help employees.

Alan commented that he thought the general employees seemed to receive higher vacation leave than the average public employee.

Ron replied that the general employees accrue the same amount of vacation leave as the County of Kings employees.

Motion was made, seconded Suzanne Martinez/Christine Chavez and unanimously carried to approve the employee MOU regarding employee benefits.

7. REVIEW AND ACCEPT FY 11-12 AUDIT REPORT

Staff reported that the FY 11-12 audit was reviewed at the last Board meeting, but was not formally adopted. Staff put it back on the agenda for formal adoption at the next Board meeting.

8. MISCELLANEOUS COMMENTS

Christine Chavez inquired when the next regular CalVans Board meeting would be.

Ron replied the next CalVans Board meeting would be on Thursday, September 12th at 10:00 a.m.

Ron also commented that he had been in contact with PARS and had received a copy of an e-mail dated 8/22/2013 from Reuben Jimenez from CalPERS that said they should finalize the information by next week. CalVans prepared a letter to CalPERS with the plan participant's information for CalPERS to distribute the roll over funds to PARS.

Alan inquired if the social security issue had been resolved.

Ron replied that PARS covered CalVans employees back to 12/26/2011 when CalVans separated from KCAPTA, so that there was not an issue with social security. The agreement with PARS is dated 12/26/2011.

ANNOUNCE NEXT MEETING DATE

The next California Vanpool Authority Board meeting is scheduled for Thursday, September 12th at 10:00 a.m. in the CalVans conference room located at 1340 North Drive, Hanford, CA.

ADJOURNMENT

The meeting was adjourned at 1:56 p.m.

Respectfully submitted


Ron Hughes
Executive Director

8/22/13 tb

Comparison of FY 11-12 and FY 12-13 NTD Data by County

County	FY 2011-2012			FY 2012-2013			Annual Change			% Change		
	Passengers	Miles	Pass Lane Miles	Passengers	Miles	Passenger Lane Miles	Passengers	Miles	Passenger Lane Miles	Passengers	Miles	Passenger Lane Miles
Fresno	475,371	2,350,598	19,995,972	498,640	2,446,109	21,144,454	23,269	95,512	1,148,482	5%	4%	5%
Imperial	4,709	17,146	225,685	40,610	114,233	1,444,972	35,901	97,087	1,219,287	88%	85%	84%
Kern	106,711	487,683	4,773,692	108,559	570,550	5,286,133	1,848	82,867	512,441	2%	15%	10%
Kings	307,185	1,643,521	10,854,598	345,820	1,758,423	12,356,831	38,635	114,902	1,502,233	11%	7%	12%
Lake	2,157	10,722	110,292	1,838	10,760	114,714	(319)	38	4,422	-17%	0%	4%
Los Angeles	5,938	66,652	364,325	11,467	100,689	776,810	5,529	34,037	412,486	48%	34%	53%
Madera	35,810	171,133	1,859,181	52,040	250,021	2,824,892	16,230	78,887	965,711	31%	32%	34%
Mendocino	0	0	0	1,230	3,769	49,768	1,230	3,769	49,768	100%	100%	100%
Merced	9,221	46,240	314,986	7,536	50,492	315,936	(1,685)	4,252	950	-22%	8%	0%
Monterey	117,033	389,749	3,982,283	131,080	403,481	4,284,297	14,057	13,732	312,014	11%	3%	7%
Napa	8,120	19,835	205,877	9,063	30,314	240,355	943	10,479	34,478	10%	35%	14%
Orange County	0	0	0	450	695	6,255	450	695	6,255	100%	100%	100%
Placer	0	0	0	568	1,578	8,410	568	1,578	8,410	100%	100%	100%
Riverside	1,260	6,033	90,490	1,196	4,488	37,915	(64)	(1,545)	(52,575)	-5%	-34%	-139%
Sacramento	0	0	0	4,240	14,274	73,290	4,240	14,274	73,290	100%	100%	100%
San Benito	1,229	4,401	38,807	2,017	11,428	98,737	788	7,027	59,930	39%	61%	61%
San Bernardino	3,151	14,354	208,275	0	0	0	(3,151)	(14,354)	(208,275)	#DIV/0!	#DIV/0!	#DIV/0!
San Diego	1,176	1,228	17,196	0	0	0	(1,176)	(1,228)	(17,196)	#DIV/0!	#DIV/0!	#DIV/0!
San Joaquin	894	5,247	45,261	0	0	0	(894)	(5,247)	(45,261)	#DIV/0!	#DIV/0!	#DIV/0!
San Luis Obispo	35,503	302,357	2,288,619	37,924	388,715	2,690,006	2,421	66,358	401,388	6%	18%	15%
Santa Barbara	16,332	51,033	356,731	39,168	83,756	785,073	22,836	32,723	428,342	58%	39%	55%
Santa Clara	3,056	19,061	124,857	2,565	18,477	106,124	(491)	(584)	(18,732)	-19%	-3%	-18%
Santa Cruz	742	7,168	26,818	1,424	4,929	61,208	682	(2,240)	34,390	48%	-45%	5%
Solano	2,457	7,318	58,437	1,542	8,051	61,660	(915)	733	3,224	-59%	9%	5%
Sonoma	0	0	0	21,060	53,231	627,313	21,060	53,231	627,313	100%	100%	100%
Stanislaus	4,485	27,240	246,441	4,303	27,392	236,813	(182)	152	(9,629)	-4%	1%	-4%
Tulare	435,893	2,071,857	15,797,548	421,007	2,060,590	15,305,562	(14,886)	(11,267)	(491,986)	-4%	-1%	-3%
Ventura	53,889	157,570	1,838,301	42,820	119,409	1,399,107	(11,069)	(38,161)	(439,195)	-26%	-26%	-31%
Yolo	3,645	17,242	193,310	3,888	13,809	187,263	243	(3,434)	(6,047)	6%	-25%	-3%
Yuba	491	3,915	34,889	0	0	0	(491)	(3,915)	(34,889)	#DIV/0!	#DIV/0!	#DIV/0!
Yuma	42,434	121,300	1,492,852	191,288	550,165	6,684,183	148,855	428,865	5,191,332	78%	78%	78%
Totals	1,678,892	8,020,603	65,545,721	1,983,353	9,079,827	77,218,081	304,462	1,059,225	11,672,360	15%	12%	15%

Highlighted areas denote CalVan Member areas.

Comparison of FY 11-12 and FY 12-13 NTD Data by UZA

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FY 2012 - 2013

County	FY 2011 - 2012		FY 2012 - 2013		Annual Change		% Change	
	Passengers	Passenger Lane Miles	Passengers	Passenger Lane Miles	Passengers	Miles	Passengers	Miles
Atascadero	220	13,723	20,684	1,501,728	20,464	220,761	99%	99%
Bakersfield	66,399	3,063,108	59,447	2,986,251	(6,952)	41,910	-12%	12%
Calexico	2,179	115,230	34,315	1,220,547	32,136	90,216	94%	92%
Camarillo	389	16,770	2,392	73,844	2,003	4,095	84%	75%
Delano	12,562	482,051	21,108	866,409	8,546	22,946	40%	24%
El Centro	2,562	62,479	694	48,220	694	3,505	100%	100%
Fairfield	278,415	12,555,370	885	40,241	(1,677)	(3,087)	-189%	-62%
Fresno	279,457	9,813,144	1,170	68,298	968	10,411	0%	1%
Glitroy	1,170	77,717	307,276	10,824,768	1,170	4,672	100%	100%
Hanford	279,457	9,813,144	-	-	27,819	57,541	9%	4%
Hemet	1,170	77,717	-	-	(1,170)	(5,181)	#DIV/0!	#DIV/0!
Hollister	5,938	364,325	247	10,034	247	1,622	100%	100%
Lancaster	160	7,647	12,176	816,684	6,238	36,154	51%	35%
Lodi	692	32,876	-	-	(160)	(765)	#DIV/0!	#DIV/0!
Lompoc	34,866	1,800,782	345	17,465	(347)	(7,028)	-101%	-408%
Madera	9,125	43,469	57,427	3,314,987	22,561	126,002	39%	43%
Merced	777	21,765	5,568	246,474	(3,557)	(3,339)	-64%	-8%
Monterey	8,080	202,577	10,167	35,009	(777)	(3,711)	#DIV/0!	#DIV/0!
Napa	4,724	141,827	12,820	344,785	2,087	15,586	21%	45%
Oxnard	28,703	1,865,427	764	51,730	8,096	22,995	63%	66%
Palmdale	97,374	3,850,875	17,266	1,226,364	764	5,208	100%	100%
Paso Robles	497,127	18,289,632	84,086	3,212,056	(11,437)	(102,873)	-66%	-71%
Porterville	38,831	1,430,251	477,897	17,414,351	(19,230)	(91,048)	-4%	-5%
Rural	2,866	117,115	3,143	128,694	3,674	12,732	100%	100%
Sacramento	1,014	44,512	91,927	3,005,962	3,674	12,732	58%	51%
Salinas	742	26,818	6,838	208,037	277	4,296	9%	19%
San Jose	15,111	30,350	36,489	672,562	5,824	14,673	85%	57%
Santa Barbara	629	33,571	20,571	637,260	(742)	(7,168)	#DIV/0!	#DIV/0!
Santa Maria	4,485	246,441	20,571	637,260	21,378	36,186	59%	54%
Santa Rosa	273,073	9,896,295	20,571	637,260	20,571	53,961	100%	100%
Simi Valley	2,454	138,302	20,571	637,260	20	130	100%	100%
Stockton	22,571	739,599	20	130	(629)	(3,716)	#DIV/0!	#DIV/0!
Turlock	4,485	246,441	4,169	229,127	(316)	633	-8%	2%
Visalia	273,073	9,896,295	280,738	10,473,528	7,665	49,685	3%	3%
Watsonville	2,454	138,302	1,598	69,609	1,598	6,842	100%	100%
Woodland	22,571	739,599	4,089	216,473	1,635	3,572	40%	22%
Yuma	22,571	739,599	123,980	4,195,745	101,409	290,706	82%	83%
Totals	1,692,695	8,088,292	1,983,353	9,079,827	1,983,353	9,079,827	100%	100%

Highlighted areas denote UZAs in CalVans Member areas.

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CALIFORNIA VANPOOL AUTHORITY
(CALVANS)

UNREPRESENTED GENERAL AND MANAGEMENT
EMPLOYEES

EMPLOYMENT BENEFITS

Adopted _____

UNREPRESENTED GENERAL EMPLOYEES

1. OVERTIME

All employees shall receive FLSA overtime consistent with existing law. FLSA overtime shall be computed at a rate equal to one and one half times the employee's regular hourly rate for hours "worked" in excess of forty (40) hours per week. The workweek is defined as seven (7) consecutive calendar days (Monday to Sunday).

Only hours "worked" shall be counted as time worked for purposes of computing time and half overtime, except for hours paid for pre-approved vacation, comp time and holidays. These hours shall be counted as hours worked for purposes of computing overtime. Sick leave shall not count as hours worked for the purpose of computing overtime.

CalVans will pay an amount equal to time and half over and above current hourly rate of pay for an employee required to work in excess of eight (8) hours per workday or an approved alternate longer regular work day. A workday is defined as a 24-hour period.

All overtime worked shall be either paid on the payday following the pay period in which it was earned, or accumulated at the same rate as overtime and may be taken off at a time designated by the employee with the approval of their supervisor.

2. COMPENSATORY TIME OFF

Compensatory time is any time which may be taken off by an employee in lieu of cash payment for hours worked beyond the normal work period. Compensatory time is to be formally recorded. Employees with thirty (30) or less accrued compensatory time may elect to use vacation or comp time. Employees with more than thirty (30) accrued hours comp time shall use comp time before using vacation time.

Maximum compensatory time accumulated is limited to forty (40) hours and comp time off shall be used as soon as practical after it is earned and no vacation time may be taken until all accumulated comp time off has been exhausted. Comp time off shall be administered in the same manner as vacation time.

3. SICK LEAVE

All regular full-time and part time employees will accrue sick leave as follows:

<u>Service hours</u>	<u>Hours earned</u>	<u>Based on hours worked</u>
0-10,400	80 (10 days)	.038462
10,400-20,800	88 (11 days)	.042308
20,801+	96 (12 days)	.046154

Absence due to death in the family

Whenever any regular full time or part time employee is compelled to be absent from duty by death in the employee's immediate family, accumulated sick leave with pay, up to forty (40) hours may be granted.

Immediate family is defined as follows:

- Children
- Parents
- Grandchildren
- Grandparents
- Brothers
- Sisters
- Spouse or registered domestic partner
- Whether by blood, marriage or adoption

4. FAMILY ILLNESS LEAVE

In compliance with Labor Code 233, an employee shall be permitted to use in any calendar year the employee's accrued and available sick leave to attend to an illness of an immediate family member. All conditions and restrictions placed by CalVans for employees to use their sick leave shall apply.

Employees shall indicate request for family illness leave on an appropriate CalVans form for approval.

This does not extend the maximum period of leave to which an employee is entitled under Section 12945.2 of the Government Code under the Family Medical Leave Act (FMLA) of 1993, as amended, regardless of whether the employee receives sick leave compensation during that leave.

5. USE OF EMPLOYEE BENEFITS

No employee shall be discriminated against or disciplined for the legitimate use of any right, privilege or benefit.

6. VACATION

An eligible employee may accrue vacation at the appropriate rate applicable to the employees' length of service (2080 hours worked equals one year) as follows:

<u>Service hours</u>	<u>Hours earned</u>	<u>Based on hours worked</u>
0-4,160	80 (10 days)	.038462
4,161-10,400	96 (12 days)	.046154

10,401-20,800	120 (15 days)	.057693
20,801-31,200	140 (17.5 days)	.067308
31,201+	160 (20 days)	.076924

An eligible employee may accrue vacation at the appropriate rate applicable to the employee's length of service (as set forth above) until the employee reaches one of the following accrued hours of vacation limits:

<u>Hours earned</u>	<u>Maximum limit</u>
80 (10 days)	160 hours
96 (12 days)	192 hours
120 (15 days)	240 hours
140 (17.5 days)	280 hours
160 (20 days)	320 hours

Once the appropriate accumulation limit has been reached, the employee shall cease to earn additional vacation hours until the employee's accumulated vacation balance falls below the limits set above.

The Executive Director may permit employees in positions that require one year probation to take up to five days of vacation upon completion of six months of service, provided that the employee has a current performance evaluation with an overall rating of satisfactory or above.

Employees with an overall performance evaluation of less than satisfactory shall not be permitted to take vacation until they have completed probation. For purposes of eligibility to receive vacation leave under this section, an employee's performance will be presumed to be satisfactory if there is not a current performance evaluation.

7. HOLIDAYS

The days established as holiday are as follows:

- January 1, New Year's Day
- Third Monday in January, Martin Luther King Day
- Third Monday in February, Presidents Day
- Last Monday in May, Memorial Day
- July 4, Independence Day
- First Monday in September, Labor Day
- November 11, Veterans Day
- The day designated as Thanksgiving Day
- The day following Thanksgiving Day
- The working day before the day observed for Christmas Day
- December 25, Christmas Day
- The working day before the day observed for New Year's Day

When a holiday established falls on a Saturday, the Friday before that day shall be observed as the holiday.

When a holiday established falls on a Sunday, the Monday after that day shall be observed as the holiday.

Part time employees shall be credited with holiday pay at the same ratio rate of their work day.

Extra help employees are not entitled to paid holidays.

An additional eight (8) hours of vacation (part time employees shall be credited at the same ratio rate as their regular work day) shall be added, in a lump sum amount, to each permanent employee's vacation account the first pay period in July of every year. This time shall not become vested until added to the employees vacation balance.

8. CALL BACK PAY AND/OR STANDBY

CalVans will compensate employees for a minimum of two (2) hours at the overtime rate when they are called back for active duty and have previously departed the worksite.

Standby duty is any time other than your normal work schedule when you are required to be ready to immediately report for duty. The rate for stand by pay is \$1.75 per hour. A half an hour over time will be credited to an employee when they take a work related phone call after they have departed the worksite.

9. HEALTH/DENTAL/VISION

Employees who elect to use the health plan offered by Kings County must continue to participate in the dental and vision plans and must remain in that plan until the open enrollment period of the plan. The insurance premiums are pre-taxed and employees will not be allowed to drop the insurance coverage except at open enrollment unless the employee has a qualifying status change.

Effective May 27, 2013 and based on 24 pay periods, CalVans contribution to the Health/Dental/Vision plan shall be as follows:

<u>Health/Dental/Vision</u>	<u>CalVans monthly contribution</u>
Single coverage	\$350.08
Two-party	\$637.48
Family	\$959.24

Insurance premium increases shall be split 50/50 between the employer and the Employee.

10. DISABILITY INSURANCE (S.D.I)

Since December 26, 2011 CalVans has contracted for State Disability Insurance for all employees. Premiums for the insurance are paid by the employee and all employees must participate.

11. RETIREMENT

Effective July 1, 2013 (PP14)

New permanent employees hired on or after December 26, 2011 are eligible for retirement through the Public Agency Retirement Services (PARS). The formula is 2% at 62. Employee contribution is currently 8.56% of salary. Such contributions shall vest to the employee. CalVans also pays an employer rate of 8.56%. In order to receive the employer portion, you must have at least 5 years vested and retire. Any future increase in the contribution rate will be split 50/50 between the employee and CalVans.

The final computation for retirement will be calculated by the employees annual compensation (salary) during the three (3) consecutive years immediately preceding the effective date of their retirement and/or separation from CalVans.

12. MILEAGE

Employees may be required to use personal vehicles for travel in performance of their duties. In this case, the mileage shall be reimbursed at the rate allowable under I.R.S. regulations as determined and administered by the Director of Finance.

13. TERM LIFE INSURANCE

CalVans will provide (through Kings County), at CalVans expense a \$10,000 death benefit group life insurance policy covering each permanent employee, effective 12/26/2011. The life insurance coverage will terminate upon the employee's date of separation from CalVans employment, whether through voluntary resignation, layoff, termination or retirement.

14. RETIREE HEALTH INSURANCE

Employees who retire in good standing from PARS at the time of their separation from CalVans employment will receive a percentage of the dollar value of accrued sick leave (at the time of retirement) put into an "account" to be used toward Kings County health insurance premiums only, at a rate not to exceed the family option per month until the employee and/or spouse, if covered, is eligible (by age) for Medicare or the money runs out, whichever is first. The retiree health benefit percentage shall be as follows:

<u>Service hours</u>	<u>Health benefit (based on hours)</u>
20,801-31,200	25%
31,201-41,600	35%
41,601 and over	45%

To qualify for the retiree health benefit the employee and any dependents must be enrolled in the Kings County's existing health benefit plan at the time of the employees' separation from CalVans service. Health benefit payments may be used toward coverage for the employee's dependent(s) only as long as the dependent(s) is eligible for coverage under the plan, has not reached Medicare age and in the case of children, only to the age permitted under the plan. If the employee dies after retirement (or while still employed in good standing) prior to Medicare age and there is money remaining in the account, the employee's spouse and/or covered dependent(s) may continue to use the account towards Kings County's health insurance premiums only within COBRA guidelines, if eligible as stated above. Any balance in the account remains the property of CalVans.

15. DIRECT DEPOSIT OF PAYROLL CHECKS

All employees shall be requested to participate in the direct deposit of their CalVans payroll checks. Prior to commencement of employment, all employees shall complete a direct deposit authorization form for the direct deposit of payroll checks.

16. UNIFORM ALLOWANCE

Certain permanent employees whom are on the regular CalVans payroll as of June 30th shall be entitled to receive an annual uniform allowance of \$200 for boots and a jacket on the first check of the fiscal year. Employees entitled to the uniform allowance are as follows:

- Transit Aide
- Transit Aide Lead Worker
- Service Writer

UNREPRESENTED MANAGEMENT EMPLOYEES

Management Group I = Appointed officials in salary bands.
Executive Director

Management Group II = Middle management not in Group I or III
Accountant Auditor
Office Manager

Confidential Management Group III =
(non-exempt)

1. VACATION

An eligible management employee may accrue vacation at the appropriate rate applicable to the employee's length of service (2080 hours of actual service as defined in Kings County (CalVans) Personnel rules equals one year) as follows:

<u>Service hours</u>	<u>Hours earned</u>	<u>Rate</u>
0-10,400	96 (12days)	.046154
10,401-20,800	120 (15 days)	.057693
20,801-31,200	140 (17.5 days)	.067308
31,201+	160 (20 days)	.076924

An eligible management employee may accrue vacation at the appropriate rate applicable to the employee's length of service (as set forth above) until the employee reaches one of the following accrued hours of vacation limits:

<u>Hours earned</u>	<u>Maximum vacation limits</u>
96 (12days)	192 hours
120 (15 days)	240 hours
140 (17.5 days)	280 hours
160 (20 days)	320 hours

Once the appropriate accumulation limit has been reached, the employee shall cease to earn additional vacation hours until the employee's accumulated vacation balance falls below the limits listed above.

Management employees in Group I & II will be granted 48 hours of vacation time in the first full pay period of each fiscal year (or pro-rated upon hire date).

Management employees in Group III will be granted 40 hours of vacation time in the first full pay period of each fiscal year (or pro-rated upon hire date). All other terms described below apply.

This 48 hours is a separate leave benefit and not counted against the maximum vacation accrual established based on length of service. Employees may, at their option, sell back up to 48 hours of accrued vacation each fiscal year at their hourly rate of pay. This leave will be tracked separately from the regular vacation accrual and will not carry over from year to year. If this time is not used by the end of the fiscal year any remaining balance will be automatically cashed out to the employee (fiscal year is defined as the last day of pay period 13 in any year). Any sale of management vacation hours will be deducted only from the management vacation leave balance. All other terms described above apply.

Management employees may, at their option, sell back an additional 8 hours of accrued regular vacation each fiscal year at their hourly rate of pay, to be contributed directly to the employee's deferred compensation account.

2. HEALTH/DENTAL/VISION PLAN PREMIUM CONTRIBUTION

Employees who elect to use a Health Plan offered by the County (CalVans) must continue to participate in the Dental and Vision plans and must remain in the plan until the open enrollment period of the plan. Employee's Health/Dental/Vision contributions are pre-taxed and employees will not be allowed to drop insurance coverage except at open enrollment unless the employee has a qualifying status change.

Effective May 27, 2013, CalVans contribution (per month based on 24 pay periods) to the Health/Dental/Vision Plan shall be as follows:

<u>Health/Dental/Vision</u>	<u>CalVans monthly contribution</u>	<u>Employees share</u>
Single coverage	\$514.14	0
Two-party	\$936.22	0
Family	\$1408.80	0

CalVans shall pay 100% of the insurance premium (including the medical, dental and vision plans) for the health plan offered by the County for each management employee and their eligible family members, based on their enrollment in such health plan.

3. DEFERRED COMPENSATION

For every three (3) dollars contributed to the CalVans contracted deferred compensation program by management employees, CalVans shall contribute one (1) dollar to the employee's account up to a maximum of twenty five hundred dollars (\$2,500) per calendar year.

4. TERM LIFE/ACCIDENT INSURANCE

Term life/accident insurance (with an option for portability when leaving CalVans service in good standing) is provided for management employees as follows:

Management Group I	\$50,000
Management Group II/III	\$40,000

5. LONG TERM DISABILITY INSURANCE

Long Term Disability (LTD) insurance is provided to all management employees.

6. SICK LEAVE

All permanent management employees will accrue sick leave as follows:

<u>Service hours</u>	<u>Hours earned</u>	<u>Sick leave rate</u>
0-10,400	80 (10 days)	.038462
10,401-20,800	88 (11 days)	.042308
20,801+	96 (12 days)	.046154

Management employees hired after December 26, 2011 or later, who retire in good standing from PARS at the time of their separation from CalVans (or in the event of death of an employee, who were eligible to retire) will receive a percentage of the dollar value of accrued sick leave put into an “account” to be used toward all or part of the total premium for CalVans (Kings County) health insurance until the employee and/or spouse or dependent if covered, is no longer eligible (by age and within COBRA guidelines if applicable) for the County health insurance program, or the money runs out, whichever is first. If a balance remains at the time the employee and/or spouse or eligible dependent can no longer participate in the County health insurance, this amount can be applied toward a Medicare Part B plan or Medicare supplement. Participation in the County health insurance program is not required for the employee and/or spouse or eligible dependent. The employee can direct all or part of the funds in this account to Medicare Part B. The retiree health benefit shall be as follows:

<u>Service hours</u>	<u>Percentage of compensation</u>
10,401-41,600	40%
41,601 and over	50%

To qualify for the retiree health benefit the employee and any eligible dependents to be covered must be enrolled in the County’s existing health benefit plan at the time of the employee’s separation from CalVans service. However, the employee or eligible dependent may defer use of this benefit if otherwise covered on the County health plan at retirement. Health benefit payments may be used toward coverage for the employee’s dependents only as long as the dependent(s) is eligible for coverage under the plan and in the case of children, only to the age permitted under the plan. In all other instances any balance in the account remains the property of CalVans.

7. OTHER CONDITIONS

The following conditions of employment applicable to general employees shall also be applicable to management: Sections 4, 5, 7, 10, 11, 12 & 15.