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DATE: September 11, 2019  
TIME: 9:00 a.m.  
PLACE: City of Clearlake  
Council Chambers  
14050 Olympic Drive  
Clearlake, CA

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1. Call Meeting to Order
2. Roll Call

**PUBLIC EXPRESSION**

3. Public input on any unmet transit need or any other item within the jurisdiction of this agency, but which is not otherwise on the above agenda

**CONSENT CALENDAR**

4. Approval of Minutes of the August 7, 2019 meeting  
*Review and proposed approval*

**REGULAR CALENDAR**

5. Paratransit Services Driver Shortage Update and Potential Impacts and Consequences  
*Review Mark Wall's Memo and propose direction.*

**REPORTS**

6. Transit Coordinator's Report
7. Paratransit Services Report
8. Lake Links Update
  - a. Mobility Manager's Report
9. Announcements

**ADJOURN**

#### PUBLIC EXPRESSION

Any member of the public may speak on any agenda item when recognized by the Chair for a time period, not to exceed 3 minutes per person and not more than 10 minutes per subject, prior to the Public Agency taking action on that agenda item.

#### AMERICANS WITH DISABILITIES ACT (ADA) REQUESTS

To request disability-related modifications or accommodations for accessible locations or meeting materials in alternative formats (as allowed under Section 12132 of the ADA) please contact the Lake Transit Authority Administrative office at (707) 263-7868, at least 72 hours before the meeting.

#### ADDITIONS TO AGENDA

The Brown Act, Section 54954.2, states that the Board may take action on off-agenda items when:

- a) a majority vote determines that an "emergency situation" exists as defined in Section 54956.5, **or**
- b) a two-thirds vote of the body, or a unanimous vote of those present, determines that there is a need to take immediate action and the need for action arose after the agenda was legally posted, **or**
- c) the item was continued from a prior, legally posted meeting not more than five calendar days before this meeting.

#### CLOSED SESSION

If agendaized, Lake Transit Authority may adjourn to a closed session to consider litigation or personnel matters (i.e. contractor agreements). Discussion of litigation or pending litigation may be held in closed session by authority of Govt. Code Section 54956.9; discussion of personnel matters by authority of Govt. Code Section 54957.

POSTED: September 6, 2019



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## LAKE TRANSIT AUTHORITY

### (DRAFT) MEETING MINUTES

Wednesday, August 7, 2019

**Location:** City of Lakeport  
225 Park Street, Lakeport, California

#### Present

Bruno Sabatier, Supervisor, County of Lake  
Moke Simon, Supervisor, County of Lake  
Russ Cremer, City Council, City of Clearlake  
Stacey Mattina, City Council Member, City of Lakeport  
Chuck Leonard, Member at Large

#### Absent

Russell Perdock, Council Member, City of Clearlake  
Kenneth Parlet, Council Member, City of Lakeport  
Vacant Position, Member at Large

#### Also Present

Lisa Davey-Bates, Executive Director – Lake Transit Authority  
James Sookne, Program Manager – Lake Transit Authority  
Alexis Pedrotti, Project Coordinator– Lake Transit Authority  
Charlene Parker, Admin. Staff - Lake Transit Authority  
John Speka, Planning Staff – Lake APC  
Wanda Gray, Operations Manager – Paratransit Services  
Rick Hamilton, RHA Outdoor

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### 1. Call Meeting to Order

Chair Mattina called the meeting to order at 9:01am.

### 2. Roll Call

Secretary Alexis Pedrotti called roll. Members present: Sabatier, Simon, Cremer, Mattina and Leonard.

### PUBLIC EXPRESSION

### 3. Public input on any unmet transit need or any other item within the jurisdiction of this agency, but which is not otherwise on the above agenda

No public input was received.

## CONSENT CALENDAR

### 4. Approval of Minutes of the June 12, 2019 meeting (Draft)

*Director Leonard made a motion to approve the minutes of June 12, 2019, as presented. The motion was seconded by Director Cremer and carried unanimously.*

## REGULAR CALENDAR

### 5. Resolution No. 2019-20-1 Approving the Project List for FY 2019-20 for the California State of Good Repair Program

James Sookne reported that this is the 3<sup>rd</sup> year of State of Good Repair (SGR) funds available to Lake Transit Authority as a result of Senate Bill (SB) 1. James stated that the estimated SGR funds available for this fiscal year amount to \$93,430. He suggested that we add the SGR funds to an existing SGR funded project. He explained that last year, we allocated around \$66,500 of the SGR funds for the construction of the Transit Hub. James noted that this is a good strategy, being as the approximately \$160,000 allocated will partially fund construction of the Transit Hub, and it will make the project competitive for future grants with a local match funding. James said that the only change in the new guidelines is that the regional entity (Lake Area Planning Council) must approve and submit all projects from LTA to Caltrans.

*Director Simon made a motion to approve Resolution 2019-20-1 approving the project list for FY 2019-20 for the California State of Good Repair Program, as presented. The motion was seconded by Director Sabatier and carried unanimously.*

*Roll Call Vote: Ayes (6) Directors Sabatier, Simon, Cremer, Mattina, and Leonard; Noes (0) Abstain (0); Absent (2) – Director Parlet, Perdock, Vacant Member-at-Large*

### 6. Review and Accept the Annual Report

James referenced the Annual Report in the agenda packet. He stated that the overall system ridership for the year was at 319,957 (an increase of about .3% from last year). James explained that this is a considerable increase from the first quarter, when ridership was down almost 10%. James said that although revenue has declined about 3%, passengers per hour has gone up by 3.5%. James also discussed that Lake Transit has bought three new buses and one van with a combination of SGR and PTMISA funds. He stated that, beginning in August, he added time-performance tracking to the Annual Report. He said that only 10% of the bus routes are running late, largely due to detours the buses are sent on while there are road closures on Routes 1 and 8. James stated that although there is a reduction of service across the entire system, the only two routes that show a reduction in passengers per hour are Routes 2 and 8. The LCTOP-funded free College Fare and the Summer Cruisin' programs had approximately 11,500 riders last year. Director Mattina expressed approval of the new charts for the bus routes, and asked if there are any questions. Director Sabatier asked how long the free college fare could be funded. James replied that the LCTOP funding is effective for two more years. Director Sabatier expressed concern that there were only two years left of funding and asked whether we should look into the process of adding the additional fare into students' college tuition soon, so there wouldn't be a gap in transportation service later. Director Sabatier stated that, in his experience, such a process may prove to be lengthy. James said that one of the projects in the APC work program is a Transit Survey, where we will capture the student data and make determinations based off of what is collected. Lisa explained that our staff has met with staff from Mendocino College, who say they are aware that the program is grant funded and will ultimately end. Mendocino College staff agreed that the survey would be a good place to start, and they are willing to work together through the transition.

*Director Sabatier made a motion to approve the Annual Report, as presented. The motion was seconded by Director Simon and carried unanimously.*

## **7. Fiscal Year 2019/20 LTA Operations and Capital Budget Amendment #1**

James reported that there are a few changes to the Budget that was presented in June. James said that the changes include a decline in regular passenger fares, which proved to be lower than the estimated amounts. Although the inter-city passenger fares increased, this estimate will remain the same because there is a set funding amount allocated toward the intercity fares. James said that the special transit fares went down for fiscal year 2019/20, because of an error that included LCTOP funds twice. James stated that he included an additional \$127,647 of fiscal year 2018/19 LCTOP funds to the budget amendment. He then explained that these funds are the first of three years of funding for solar canopies, and that the project will start after the final funding is received in fiscal year 2020/2021. James said that the only other change to the budget is a decline in the Capital Project Reserve funds. Initially, the Capital Project Reserve funds were viewed as an estimate, and the amount of reserves was corrected with the actual amount.

*Director Cremer made a motion to approve the Fiscal Year 2019/20 LTA Operations and Capital Budget Amendment #1, as presented. The motion was seconded by Director Simon and carried unanimously.*

## **8. Lake Transit Authority Procurement Policy**

James reported that it was brought to our attention that Lake Transit Authority didn't have a procurement policy for Federal Grant Awards. James noted that all the purchases that staff have made prior to the policy were compliant with the proposed procurement policy for consideration today and State standards. James said that a procurement policy is required by Caltrans; division of Rail and Mass Transit. James explained that he used the standardized policy template from Caltrans, and that he didn't make any changes to the policy. The policy mandates that staff establish a standard code of conduct for the Board members to abide by. This will be developed and brought back to a future meeting.

*Director Cremer made a motion to approve the Lake Transit Authority Procurement Policy, as presented. The motion was seconded by Director Leonard and carried unanimously.*

## **REPORTS**

### **9. Transit Coordinator's Report**

James Sookne was available for questions. No questions were asked.

### **10. Meetings Report**

Report was included in the board packet. Staff was happy to answer any questions, however there were none.

### **11. Lake Links Update**

Lisa Davey-Bates reported that Karl Parker just returned from vacation and is interviewing applicants for the Lake Links administrative assistant position today. Director Cremer said that Lake Links had a Board meeting yesterday, where they discussed the budget, the new office space, and Paul Branson's replacement. Paul Branson made the decision to step down, as of October 1<sup>st</sup>, from the CEO Position. Paul's position was initially an interim position which requires more time than he had realized. Paul will continue as a Lake Links Board Member. Lisa noted that Lake Links rented an office space on Lake Shore Drive from Jeff Smith, which will work out nicely. Lisa discussed that APC Staff will work with Lake Links staff on 5310 grants to apply for additional funding to continue the Pay-Your-Pal program as well as the Mobility Manager and Administrative Assistant positions. LTA staff will be putting together an application to continue the Out-of-County NEMT program.

## **12. Announcements**

Wanda announced that the Mt. Konocti bus tours are going fantastic. The reservations are coming in and everyone, including the driver, enjoyed the tour. Director Simon asked about the process of the Mt. Konocti tours because it was his understanding that there were a few no-shows. He asked if there are people on standby to ensure that the bus is full. Wanda explained that, after the first week, they did have some kinks to work out. Staff has decided that the tours should be paid for in advance to ensure that costumers show up. Wanda said that we also need to have additional seats available for customers with wheelchairs. Director Sabatier suggested getting together with Wanda at a later time to talk about a night-time tour.

Director Sabatier announced that he received a customer call regarding how well the bus drivers and routes are at Lake Transit, however the customer stated that they had difficulty finding where the bus stops are located. James said we have the signs at the office, and we are working with each agency to get additional signs installed.

### **ADJOURN**

Chair Mattina adjourned the Lake Transit Meeting at 9:29am.

Respectfully Submitted,

### ***DRAFT***

Charlene Parker  
Executive Assistant

# Memorandum



To: Board of Directors  
From: Mark Wall, Mark Wall Associates  
Date: 9/6/2019  
Re: Paratransit Services request to cancel Saturday Services

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## **Recommendation:**

That the request by Paratransit Services to cancel Saturday services for a period of six weeks due to a driver shortage be denied and that the contractor be advised of the contract clause, Section 9.6(5), regarding liquidated damage assessments of \$100 for each missed schedule and Section 8.3, the Performance Guarantee clause in which the Contractor may forfeit up to \$100,000 for failure to perform.

## **Background:**

Since at least 2015, Paratransit Services has repeatedly requested relief due to driver shortages. In most cases, the relief requested has been increased contract rates to provide for wage increases to help attract and retain drivers.

In 2015, LTA hired a consultant to do a driver wage and benefit survey of similar California transit agencies. The survey found that LTA compensation rates were at the very bottom of the 19 agencies that responded. Based on this, LTA requested that Caltrans approve a sole source contract rate increase to provide for driver wages. Caltrans approved this because LTA based the request on labor shortages due to the national emergency Valley Fire. In 2017, LTA conducted a Request for Proposals. Companies submitting proposals were all made aware of existing driver compensation, the history regarding wages, and the desire to see compensation improve. A sample contract included with the RFP provided for annual rate increases based on either the California All Urban Wage Earners CPI or the percentage increase in the California minimum wage, whichever is greater. In addition, contractors were free to propose even higher rates if they felt wages needed to be higher. Paratransit Services did not propose higher wages, apparently believing that the increase generated by the percentage increase in the minimum wage would be sufficient. That increase has averaged approximately 8% annually, and this is the amount that Paratransit Services has passed on to employees.

In addition to relief on wage and benefit issues, Paratransit Services has requested that LTA reduce driver standards to make hiring easier. This includes allowing Class C drivers to be substituted for Class B drivers on smaller vehicles, and elimination of General Public Paratransit Vehicle (GPPV) certifications for Dial-A-Ride and route deviation services. We have allowed elimination of the GPPV certification so long as the CHP accepts this. The downgrade from Class B to Class C is under consideration.

Whether the current driver shortage is due to wages and benefits, working conditions, driver qualification requirements, or other factors, a primary responsibility of the operations contractor is to provide an adequate work force to reliably operate the transit schedules. Paratransit Services has had a chronic labor shortage with all or most drivers already working overtime for

more than two years. It is occurring even though fewer operating hours are scheduled than in the past.

All of the relief requested either increases contract rates, or decreases contractor operating expense.

Paratransit Services has been a good contractor in many ways for the past decade; however, it is important to send a message that it is not acceptable to have continued labor shortages, potential service reliability and safety impacts, and reluctance to assist LTA with continued improvements to services in Lake County.

It is important to note that the initial term of the existing contract ends on June 30, 2020. The contractor's response to this current situation will likely weigh on the decision to exercise an option term, or to conduct a new procurement.