

**LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY**  
**1362 Rutan Court, Suite 100**  
**Livermore, CA 94551**

**BOARD OF DIRECTORS MEETING**

**DATE:** June 2, 2025

**PLACE:** LAVTA Offices, Diana Lauterbach Room,  
1362 Rutan Court, Suite 100, Livermore, CA

**TIME:** 4:00pm

**TELECONFERENCE LOCATIONS**

Scott Haggerty Heritage House  
4501 Pleasanton Avenue  
Pleasanton, CA 94566

**BOARD MEMBERS**

**EVAN BRANNING – CHAIR**  
**CRAIG EICHER**  
**DAVID HAUBERT**  
**MICHAEL McCORRISTON**

**JULIE TESTA – VICE CHAIR**  
**JEAN JOSEY**  
**KRISTIE WANG**

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*Agenda Questions: Please call the Front Desk at (925) 455-7555 or send an email to [frontdesk@lavta.org](mailto:frontdesk@lavta.org)*

*Documents received after publication of the Agenda and considered by the Board of Directors in its deliberation will be available for inspection only via electronic document transfer, due to the COVID-19 outbreak. See the COVID-19 provisions outlined below. Please call or email the Executive Director during normal business hours if you require access to any such documents.*

**MEETING PROCEDURE**

This Board of Directors meeting will be conducted in person and on the web-video communication platform, Zoom. In order to view and/or participate in this meeting remotely, members of the public will need to download Zoom from its website, [www.zoom.us](http://www.zoom.us).

We encourage members of the public to access the meeting online using the web-video communication application, Zoom. Zoom participants will have the opportunity to speak during Public Comment. It is recommended that anyone wishing to participate in the meeting remotely complete the download process before the start of the meeting.

Public comments will also be accepted via email until 1:00 p.m. on Monday, June 2, 2025, at [frontdesk@lavta.org](mailto:frontdesk@lavta.org). Please include “Public Comment BOD – 6/2/2025” and the agenda item in the subject line. In the body of the email, please include your name. Public comments submitted will be read during Public Comment and will be subject to the regular three-minute time restriction.

There will be zero tolerance for any person addressing the Board making profane, offensive or disruptive remarks, or engaging in loud, boisterous, or other disorderly conduct, that disrupts the orderly conduct of the public meeting.

#### **How to listen and view meeting video:**

- From a PC, Mac, iPad, iPhone or Android device click the link below:  
<https://zoom.us/j/86715841855>  
Passcode: BOD1362Mtg
- To supplement a PC, Mac, tablet or device without audio, please also join by phone:  
Dial: 1 (669) 900-6833  
Webinar ID: 867 1584 1855  
Passcode: 761222  
*To comment by video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will be muted.*

#### **How to listen only to the meeting:**

- For audio access to the meeting by telephone, use the dial-in information below:  
Dial: 1 (669) 900-6833  
Webinar ID: 867 1584 1855  
Passcode: 761222  
*Please note to submit public comment via telephone dial \*9 on your dial pad. The meeting’s host will be informed that you would like to speak. If you are chosen, you will be notified that your request has been approved, and you will be allowed to speak. You will then dial \*6 to unmute when it is your turn to make your comment for up to 3 **minutes**. After the allotted time, you will be muted.*

#### **To submit written comments:**

- Provide public written comments prior to the meeting by email, to [frontdesk@lavta.org](mailto:frontdesk@lavta.org)  
If you are submitting public comment via email, please do so by 1:00 p.m. on Monday, June 2, 2025 to [frontdesk@lavta.org](mailto:frontdesk@lavta.org). Please include “Public Comment BOD – 6/2/2025” and the agenda item to which your comment applies in the subject line. In the body of the email, please include your name. Public comments submitted will be read during Public Comment and will be subject to the regular three-minute time restriction.

1. **Call to Order and Pledge of Allegiance**
2. **Roll Call of Members**
3. **Meeting Open to Public**
4. **May 7, 2025 Tri-Valley Accessible Advisory Committee Minutes**
5. **Consent Agenda**

**Recommend approval of all items on Consent Agenda as follows:**

**A Treasurer's Report**

**Recommendation:** The Finance & Administration Committee recommends that the Board of Directors approve the April 2025 Treasurer's Report.

**B Minutes of May 5, 2025 – Board of Director's Meeting**

**C Minutes of May 9, 2025 – Special Board of Director's Meeting**

**D Vontas Maintenance Agreement**

**Recommendation:** Staff recommends that the Board of Directors approve Resolution 19-2025, authorizing the Executive Director to enter into a three-year maintenance agreement contract with Vontas, a business unit of Trapeze Software Group, Inc., beginning July 1, 2025, in an amount not to exceed \$551,204

**E TAAC Appointments for Terms Starting in FY2026**

**Recommendation:** Staff recommends that the Board ratify the Tri-Valley Accessible Advisory Committee (TAAC) appointments for terms starting on July 1, 2025.

**F Updated Public Transportation Agency Safety Plan**

**Recommendation:** Staff recommends that the Board of Directors approve Resolution 20-2025 adopting the updated LAVTA Public Transportation Agency Safety Plan

**G Amendment to Lease Agreement with T-Mobile West Tower LLC for Cell-Site at LAVTA Administration and Maintenance Facility**

**Recommendation:** The Finance and Administration Committee recommends that the Board of Directors approve the proposed amendment to the Lease Agreement between LAVTA and T-Mobile West Tower LLC for continued use of space at the LAVTA Operations and Maintenance Facility for a telecommunications cell-site.

**H Amendment to Funding Agreement with the City of Pleasanton for ADA Transportation Services**

**Recommendation:** The Finance and Administration Committee recommends the Board approve the first amendment to the Memorandum of Understanding (MOU) with the City of Pleasanton for the provision of ADA paratransit services in FY26 and FY27.

**6. Elect Chair / Vice Chair**

**Recommendation:** Staff recommends the Board nominate and elect a LAVTA Board Chair and Vice Chair for FY2026 in accordance with the agency's bylaws.

**7. Legislative Update**

**Recommendation:** The Finance and Administration Committee recommends the Board receive an informational report on recent legislative activities and approve one Support position.

**8. Executive Director's Report**

**9. Matters Initiated by the Board of Directors**

Items may be placed on the agenda at the request of three members of the Board.

**10. Next Meeting Date is Scheduled for: July 7, 2025**

**11. Adjournment**

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

*I hereby certify that this agenda was posted 72 hours in advance of the noted meeting.*

*/s/ Lynn Domagas*

*5/30/2025*

*LAVTA, Executive Assistant*

*Date*

*On request, the Livermore Amador Valley Transit Authority will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. A written request, including name of the person, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service should be sent at least seven (7) days before the meeting. Requests should be sent to:*

*Executive Director  
Livermore Amador Valley Transit Authority  
1362 Rutan Court, Suite 100  
Livermore, CA 94551  
Fax: 925.443.1375  
Email: [frontdesk@lavta.org](mailto:frontdesk@lavta.org)*

**LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY**  
**1362 Rutan Court, Suite 100**  
**Livermore, CA 94551**

**Tri-Valley Accessible Advisory Committee**

**DATE:** Wednesday, May 7, 2025

**PLACE:** LAVTA Administrative Office

**TIME:** 3:30 p.m.

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**DRAFT MINUTES**

**1. Call to Order**

The Vice Chair Esther Waltz called the meeting to order at 3:30 pm.

**2. Roll Call**

Members Present:

|                           |                                |
|---------------------------|--------------------------------|
| Judith LaMarre            | City of Livermore              |
| Susan O'Neill             | City of Livermore – Alternate  |
| Carmen Rivera-Hendrickson | City of Pleasanton             |
| Jennifer White            | City of Pleasanton             |
| Sue Tuite                 | City of Pleasanton – Alternate |
| Herb Hastings             | County of Alameda              |
| Esther Waltz              | PAPCO Representative           |

Staff Present:

|                   |                   |
|-------------------|-------------------|
| Michael Tobin     | LAVTA             |
| Kadri Kulm        | LAVTA             |
| John Sanderson    | County Connection |
| Christian Sanchez | Transdev          |
| Jon Huynh         | Transdev          |
| Regina Flores     | MV                |

Guests:

|                 |   |
|-----------------|---|
| Cheryl Heyk     | Attendant for Carmen Rivera-Hendrickson |
| Andrea Renzulli | TAAC applicant                          |

**3. Approval of Agenda and Modifications if necessary**

Approved.  
Hastings/ Rivera-Hendrickson

- 4. Citizens' Forum: An opportunity for members of the audience to comment on a subject not listed on the agenda (under state law, no action may be taken at this meeting)**

None

- 5. Minutes of the March 5, 2025 meeting of the Committee**

Approved.  
Hastings/ Tuite

- 6. TAAC Recruitment**

LAVTA is recruiting for TAAC membership for terms starting in July, 2025. LAVTA board will ratify appointments at their June 2<sup>nd</sup> meeting.

- 7. Para-Taxi Reimbursement Program Modifications**

The TAAC recommends to the LAVTA Board of Directors approving changing the Para-Taxi reimbursement request period from the current within 90-days of the ride to within 60-days of the ride. TAAC did not approve going 100% from the current paper-based reimbursement request submittal to fully electronic process nor going 100% from check-based system to direct deposit only. TAAC is open to looking at the reimbursement request period again in a year and then possibly changing it from 60-days to either 45 or 30-days.

Approved.  
Rivera-Hendrickson/Hastings

- 8. Wheels Access Update**

LAVTA released a Request for Proposals and received two proposals. With the RFP LAVTA is seeking for a third-party contractor to perform travel navigator consultations, travel training and ADA paratransit eligibility phone assessments.

- 9. Rescheduling of the July, 2025 TAAC meeting**

The committee approved rescheduling the next TAAC meeting for July 30, 2025 at 3:30pm. The location is the Bray Community Room at the Dublin Civic Center.

Approved.  
White/Tuite

- 10. PAPCO Report**

Vice-Chair Waltz provided an overview of the latest PAPCO meeting as well as the PAPCO Paratransit Program Plan sub-committee meetings where several TAAC members participated. LAVTA program was approved unconditionally.

## **11. Service Updates and Concerns**

Carmen Rivera-Hendrickson reported that on her way to PAPCO meeting in Oakland a small van was sent for her while she requires an oversized van. Christian Sanchez responded that Transdev is currently retraining call center staff. Christian added that due to current shortage of LAVTA drivers they are also using County Connection cutaway vehicles to provide LAVTA service in addition to vehicles dedicated to LAVTA service.

Carmen said she has been having problems with the way some drivers secure her motorized wheelchair on fixed route buses. Regina Flores responded that drivers are instructed not to take securement instructions from passengers.

Carmen also said she does not like the Route 3 schedule in the afternoons as she is having hard time getting to/from Kaiser. Mike Tobin said LAVTA will be looking at the schedules in August.

Herb Hastings reported that the Dial-A-Ride reservationist the day before had picked up saying 'thank you for calling County Connection' instead of LAVTA. Christian Sanchez said this is because the same call center is use for both services, but call center staff is being retrained.

## **12. Adjournment**

Meeting adjourned at 4:45 pm.

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

STAFF REPORT

SUBJECT: Treasurer's Report for April 2025

FROM: Tamara Edwards, Director of Finance

DATE: June 2, 2025

**Action Requested**

Approve the Treasurers Report for April 2025.

**Discussion**

***Cash accounts:***

Our petty cash account (101) has a balance of \$200, and our ticket sales change account (102) continues with a balance of \$240 (these two accounts should not change).

***General checking account activity (105):***

|                                |                |
|--------------------------------|----------------|
| Beginning balance Aprill, 2025 | \$1,050,943.31 |
| Payments made                  | \$2,051,634.11 |
| Deposits made                  | \$2,558,740.85 |
| Transfer from LAIF             | \$2,000,000.00 |
| Ending balance April30, 2025   | \$3,558,050.81 |

***Farebox account activity (106):***

|                                |              |
|--------------------------------|--------------|
| Beginning balance Aprill, 2025 | \$48,631.70  |
| Deposits made                  | \$106,524.93 |
| Ending balance April30, 2025   | \$155,156.63 |

***LAIF investment account activity (135):***

|                                |                 |
|--------------------------------|-----------------|
| Beginning balance Aprill, 2025 | \$25,109,825.91 |
| Transfer to General Checking   | \$2,000,000.00  |
| Ending balance April30, 2025   | \$23,109,825.91 |

***Operating Expenditures and Revenues Summary:***

As this is the tenth month of the fiscal year, in order to stay on target for the budget this year expenses (at least the ones that occur on a monthly basis) should not be higher than 83% The agency is at 73.53% overall.



***Operating Revenues Summary:***

While expenses are at 73.53%, revenues are at 86.8%. Additionally, the agency has a healthy cash flow and reserve balance.

**Contracts Executed in April by the Executive Director between \$50,000 and \$100,000.**

None

**Recommendation**

The Finance and Administration Committee recommends that the Board of Directors approve the April 2025 Treasurer's Report.

**Attachments:**

1. April 2025 Treasurer's Report

**LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY  
BALANCE SHEET  
FOR THE PERIOD ENDING:  
April 30, 2025**

**ASSETS:**

|   |            |                   |
|---|------------|-------------------|
| 101 PETTY CASH                          | 200        |                   |
| 102 TICKET SALES CHANGE                 | 240        |                   |
| 105 CASH - GENERAL CHECKING             | 3,558,050  |                   |
| 106 CASH - FIXED ROUTE ACCOUNT          | 155,156    |                   |
| 107 Clipper Cash                        | 980,974    |                   |
| 108 Rail                                | 0          |                   |
| 109 BOC                                 | 46         |                   |
| 120 ACCOUNTS RECEIVABLE                 | 824,998    |                   |
| 135 INVESTMENTS - LAIF                  | 23,109,826 |                   |
| 13599 INVESTMENTS - LAIF Mark to Market | (43,343)   |                   |
| 14001 Due From Rail                     | 2,930,530  |                   |
| 150 PREPAID EXPENSES                    | 135,353    |                   |
| 160 OPEB ASSET                          | 69,638     |                   |
| 165 DEFERRED OUTFLOW-Pension Related    | 777,421    |                   |
| 166 DEFERRED OUTFLOW-OPEB               | 593,386    |                   |
| 170 INVESTMENTS HELD AT CALTIP          | 0          |                   |
| 175 CEPPT RESTRICTED INVESTMENTS        | 310,502    |                   |
| 111 NET PROPERTY COSTS                  | 57,761,136 |                   |
| <b>TOTAL ASSETS</b>                     |            | <b>91,164,112</b> |

**LIABILITIES:**

|   |           |                  |
|---|-----------|------------------|
| 205 ACCOUNTS PAYABLE                      | 131,764   |                  |
| 211 PRE-PAID REVENUE                      | 2,899,128 |                  |
| 21101 Clipper to be distributed           | 886,628   |                  |
| 22000 FEDERAL INCOME TAXES PAYABLE        | 0         |                  |
| 22010 STATE INCOME TAX                    | 38        |                  |
| 22020 FICA MEDICARE                       | (47)      |                  |
| 22050 PERS HEALTH PAYABLE                 | 0         |                  |
| 22040 PERS RETIREMENT PAYABLE             | (98)      |                  |
| 22030 SDI TAXES PAYABLE                   | (0)       |                  |
| 22070 AMERICAN FIDELITY INSURANCE PAYABLE | 1,299     |                  |
| 22090 WORKERS' COMPENSATION PAYABLE       | 123,561   |                  |
| 22100 PERS-457                            | 0         |                  |
| 22110 Direct Deposit Clearing             | 0         |                  |
| 22120 Compensated absences                | 126,117   |                  |
| 23101 Net Pension Liability               | 1,605,376 |                  |
| 23105 Deferred Inflow- OPEB Related       | 374,181   |                  |
| 23104 Deferred Inflow- Pension Related    | 141,094   |                  |
| 23103 INSURANCE CLAIMS PAYABLE            | 3,724     |                  |
| 23102 UNEMPLOYMENT RESERVE                | 7,889     |                  |
| <b>TOTAL LIABILITIES</b>                  |           | <b>6,300,654</b> |

**FUND BALANCE:**

|   |             |                   |
|---|-------------|-------------------|
| 301 FUND RESERVE                            | 57,544,179  |                   |
| 304 GRANTS, DONATIONS, PAID-IN CAPITAL      | 32,164,157  |                   |
| 30401 SALE OF BUSES & EQUIPMENT             | 86,871      |                   |
| FUND BALANCE                                | (4,931,748) |                   |
| <b>TOTAL FUND BALANCE</b>                   |             | <b>84,863,458</b> |
| <b>TOTAL LIABILITIES &amp; FUND BALANCE</b> |             | <b>91,164,112</b> |

**LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY  
OPERATING EXPENDITURES  
FOR THE PERIOD ENDING:  
April 30, 2025**

|   | BUDGET              | CURRENT<br>MONTH   | YEAR TO<br>DATE     | BALANCE<br>AVAILABLE | PERCENT<br>BUDGET<br>EXPENDED |
|---|---------------------|--------------------|---------------------|----------------------|-------------------------------|
| 501 02 Salaries and Wages                     | \$2,244,059         | \$154,661          | \$1,601,734         | \$642,325            | 71.38%                        |
| 502 00 Personnel Benefits                     | \$1,656,498         | \$75,070           | \$1,387,917         | \$268,581            | 83.79%                        |
| 503 00 Professional Services                  | \$1,576,482         | \$99,694           | \$899,268           | \$677,214            | 57.04%                        |
| 503 05 Non-Vehicle Maintenance                | \$1,170,734         | \$71,957           | \$870,007           | \$312,727            | 74.31%                        |
| 503 99 Communications                         | \$6,402             | \$199              | \$1,771             | \$4,631              | 27.66%                        |
| 504 01 Fuel and Lubricants                    | \$1,663,500         | \$66,975           | \$807,911           | \$855,589            | 48.57%                        |
| 504 03 Non contracted vehicle maintenance     | \$90,001            | \$0                | \$9,524             | \$80,477             | 10.58%                        |
| 504 99 Office/Operating Supplies              | \$60,022            | \$1,377            | \$37,124            | \$22,898             | 61.85%                        |
| 504 99 Printing                               | \$134,000           | \$1,309            | \$42,113            | \$91,887             | 31.43%                        |
| 505 00 Utilities                              | \$521,285           | \$40,334           | \$368,698           | \$152,587            | 70.73%                        |
| 506 00 Insurance                              | \$648,917           | \$1,714            | \$723,727           | (\$74,810)           | 111.53%                       |
| 507 99 Taxes and Fees                         | \$111,868           | \$13,187           | \$93,554            | \$18,314             | 83.63%                        |
| 508 01 Purchased Transportation Fixed Route   | \$11,986,359        | \$1,011,047        | \$10,060,737        | \$1,925,622          | 83.93%                        |
| 2-508 02 Purchased Transportation Paratransit | \$2,564,940         | \$157,274          | \$1,130,714         | \$1,434,226          | 44.08%                        |
| 508 03 Purchased Transportation WOD           | \$200,000           | \$20,296           | \$163,323           | \$36,677             | 81.66%                        |
| 509 00 Miscellaneous                          | \$155,281           | \$4,338            | \$121,959           | \$33,322             | 78.54%                        |
| 509 02 Professional Development               | \$132,500           | \$2,895            | \$96,956            | \$35,544             | 73.17%                        |
| 509 08 Advertising                            | \$174,000           | \$5,080            | \$36,738            | \$137,262            | 21.11%                        |
| <b>TOTAL</b>                                  | <b>\$25,096,848</b> | <b>\$1,727,404</b> | <b>\$18,453,774</b> | <b>\$6,655,073</b>   | <b>73.53%</b>                 |

**LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY  
REVENUE REPORT  
FOR THE PERIOD ENDING:  
April 30, 2025**

| ACCOUNT              | DESCRIPTION                              | BUDGET            | CURRENT<br>MONTH | YEAR TO<br>DATE   | BALANCE<br>AVAILABLE | PERCENT<br>BUDGET<br>EXPENDED |
|----------------------|--|-------------------|------------------|-------------------|----------------------|-------------------------------|
| 4010100              | Fixed Route Passenger Fares              | 1,560,675         | 117,720          | 988,107           | 572,568              | 63.3%                         |
| 4020000              | Business Park Revenues                   | 226,476           | 20,100           | 192,531           | 33,945               | 85.0%                         |
| 4020500              | Special Contract Fares                   | 613,318           | 74,746           | 218,792           | 394,526              | 35.7%                         |
| 4020500              | Special Contract Fares - Paratransit     | 37,200            | 2,502            | 23,631            | 13,569               | 63.5%                         |
| 4010200              | Paratransit Passenger Fares              | 162,675           | 8,955            | 88,981            | 73,694               | 54.7%                         |
| 4060100              | Concessions                              | 23,916            | 4,138            | 16,776            | 7,140                | 70.1%                         |
| 4060300              | Advertising Revenue                      | 190,000           | 0                | 190,000           | -                    | 100.0%                        |
| 4070400              | Miscellaneous Revenue-Interest           | 350,000           | 0                | 344,469           | 5,531                | 98.4%                         |
| 4070300              | Non transportation revenue               | 181,956           | 18,873           | 164,965           | 16,991               | 90.7%                         |
| 4099100              | TDA Article 4.0 - Fixed Route            | 12,847,398        | 0                | 13,682,140        | (834,742)            | 106.5%                        |
| 4099500              | TDA Article 4.0-BART                     | 101,010           | 17,594           | 68,779            | 32,231               | 68.1%                         |
| 4099200              | TDA Article 4.5 - Paratransit            | 253,114           | 0                | 0                 | 253,114              | 0.0%                          |
| 4099600              | Bridge Toll- RM2, RM3                    | 1,364,384         | 591,360          | 603,624           | 760,760              | 44.2%                         |
| 4099900              | Other local funds                        | 106,300           | 807              | 33,208            | 73,092               | 31.2%                         |
| 4110100              | STA Funds-Paratransit                    | 148,001           | 0                | 0                 | 148,001              | 0.0%                          |
| 4110500              | STA Funds- Fixed Route BART              | 496,359           | 0                | 309,993           | 186,366              | 62.5%                         |
| 4110100              | STA Funds-pop                            | 1,983,778         | 1,153,428        | 2,513,450         | (529,672)            | 126.7%                        |
| 4110100              | STA Funds- rev                           | 694,172           | 0                | 281,369           | 412,803              | 40.5%                         |
| 4110100              | STA Funds- Lifeline                      | 56,967            | 0                | 0                 | 56,967               | 0.0%                          |
| 4130000              | FTA Section                              | -                 | 0                | 0                 | -                    | 100.0%                        |
| 4130000              | FTA Section 5307 ADA Paratransit         | 579,428           | 0                | 229,495           | 349,933              | 39.6%                         |
| 4640500              | Measure BB Paratransit Funds-GAP         | 1                 | 23,196           | 23,196            | (23,195)             | 2319559.0%                    |
| 4640200              | Measure BB Paratransit Funds-Fixed Route | 1,948,320         | 119,082          | 1,205,824         | 742,496              | 61.9%                         |
| 4640200              | Measure BB Paratransit Funds-Paratransit | 1,171,902         | 58,796           | 595,369           | 576,533              | 50.8%                         |
| <b>RAIL</b>          |  | <b>0</b>          | <b>0</b>         | <b>0</b>          |                      |                               |
| <b>TOTAL REVENUE</b> |  | <b>25,097,350</b> | <b>2,211,295</b> | <b>21,774,698</b> | <b>3,322,652</b>     | <b>86.8%</b>                  |

**LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY**  
**CAPITAL REVENUE AND EXPENDITURE REPORT (Page 1 of 2)**  
**FOR THE PERIOD ENDING:**  
**April 30, 2025**

| ACCOUNT                | DESCRIPTON                       | BUDGET            | CURRENT MONTH  | YEAR TO DATE   | BALANCE AVAILABLE | PERCENT BUDGET EXPENDED |
|------------------------|----------------------------------|-------------------|----------------|----------------|-------------------|-------------------------|
| <b>REVENUE DETAILS</b> |                                  |                   |                |                |                   |                         |
| 4090594                | TDA (office and facility equip)  | 368,700           | 0              | 0              | 368,700           | 0.00%                   |
| 4090194                | TDA Shop repairs and replacement | 165,000           | 0              | 0              | 165,000           | 0.00%                   |
| 4091094                | TDA Transit Center Improvements  | 123,317           | 0              | 0              | 123,317           | 0.00%                   |
| 409??94                | TDA (Transit Capital)            | 100,000           | 0              | 0              | 100,000           | 0.00%                   |
| 4092094                | TDA (Major component rehab)      | 462,500           | 0              | 0              | 462,500           | 0.00%                   |
| 4090094                | TDA WiFi                         | 440,000           | 0              | 0              | 440,000           | 0.00%                   |
| 4091794                | TDA bus stops                    | 863,000           | 0              | 0              | 863,000           | 0.00%                   |
| 4090694                | TDA TSP                          | 95,000            | 0              | 0              | 95,000            | 0.00%                   |
| 4090994                | TDA Buses 2025                   | 2,430,697         | 0              | 0              | 2,430,697         | 0.00%                   |
| 4090294                | TDA Atlantis                     | 14,840,483        | 0              | 0              | 14,840,483        | 0.00%                   |
| 4090696                | BT TSP                           | 2,695,000         | 0              | 0              | 2,695,000         | 0.00%                   |
| 4091796                | BT Bus Stops                     | 23,000            | 0              | 0              | 23,000            | 0.00%                   |
| 40799                  | Insurance Proceeds               | -                 | 0              | 28,963         | (28,963)          | #DIV/0!                 |
| 4110900                | State (SGR) Buses 2025           | 131,715           | 0              | 0              | 131,715           | 0.00%                   |
| 4110200                | State (LCTOP) Atlantis           | 7,595,544         | 0              | 0              | 7,595,544         | 0.00%                   |
| 4110500                | State (LCTOP) Rutan retrofit     | 944,976           | 0              | 0              | 944,976           | 0.00%                   |
| 41309                  | FTA Buses 2025                   | 10,213,047        | 0              | 0              | 10,213,047        | 0.00%                   |
| 41317                  | FTA bus stops                    | 2,000,000         | 101,485        | 101,485        | 1,898,515         | 5.07%                   |
| 41302                  | FTA Atlantis                     | 10,651,568        | 0              | 0              | 10,651,568        | 0.00%                   |
| 41305                  | FTA Rutan Retrofit               | 530,159           | 0              | 0              | 530,159           | 0.00%                   |
| 41320                  | FTA Hybrid battery packs         | 250,000           | 0              | 11,504         | 238,496           | 4.60%                   |
| 41310                  | FTA Transit Center               | 287,739           | 0              | 10,920         | 276,819           | 3.80%                   |
| 46405                  | Measure BB Atlantis              | 3,000,000         | 0              | 0              | 3,000,000         | 0.00%                   |
| <b>TOTAL REVENUE</b>   |                                  | <b>58,211,445</b> | <b>101,485</b> | <b>152,872</b> | <b>55,058,573</b> | <b>0.26%</b>            |

**LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY**  
**CAPITAL REVENUE AND EXPENDITURE REPORT (Page 2 of 2)**  
**FOR THE PERIOD ENDING:**  
**April 30, 2025**

| ACCOUNT                                       | DESCRIPTON                               | BUDGET             | CURRENT MONTH   | YEAR TO DATE     | BALANCE AVAILABLE | PERCENT BUDGET EXPENDED |
|---|--|--------------------|-----------------|------------------|-------------------|-------------------------|
| <b>EXPENDITURE DETAILS</b>                    |  |                    |                 |                  |                   |                         |
| <b>CAPITAL PROGRAM - COST CENTER 07</b>       |  |                    |                 |                  |                   |                         |
| 5550207                                       | Atlantis Facility                        | 35,868,995         | 0               | 0                | 35,868,995        | 0.00%                   |
| 5550107                                       | Shop Repairs and replacement             | 15,000             | 0               | 0                | 15,000            | 0.00%                   |
| 5550107                                       | Bus Wash                                 | 150,000            | 0               | 0                | 150,000           | 0.00%                   |
| 5552307                                       | Buses 2025                               | 12,811,559         | 0               | 880              | 12,810,679        | 0.01%                   |
| 5550507                                       | Office and Facility Equipment            | 1,909,335          | 6,850           | 767,383          | 1,141,952         | 40.19%                  |
| 5551007                                       | Transit Center Upgrades and Improvements | 411,056            | 47,929          | 56,709           | 354,347           | 13.80%                  |
| 5550607                                       | TSP                                      | 2,790,000          | 23,542          | 49,832           | 2,740,168         | 1.79%                   |
| 5550907                                       | IT                                       | 440,000            | 0               | 29,928           | 410,072           | 6.80%                   |
| 5550007                                       | WIFI routers                             | 440,000            | 0               | 0                | 440,000           | 0.00%                   |
| 5551707                                       | Bus Shelters and Stops                   | 3,093,000          | 50,415          | 125,712          | 2,967,289         | 4.06%                   |
| 5552007                                       | Major component rehab                    | 622,500            | 9,006           | 96,051           | 526,449           | 15.43%                  |
| 555??07                                       | Transit Capital                          | 100,000            | 0               | 0                | 100,000           | 0.00%                   |
| <b>TOTAL CAPITAL EXPENDITURES</b>             |  | <b>58,651,445</b>  | <b>137,742</b>  | <b>1,126,494</b> | <b>57,524,951</b> | <b>1.92%</b>            |
| <b>FUND BALANCE (CAPITAL)</b>                 |  | <b>-440000.00</b>  | <b>(36,257)</b> | <b>(973,622)</b> |                   |                         |
| <b>FUND BALANCE (CAPTIAL &amp; OPERATING)</b> |  | <b>-440,000.00</b> | <b>461,714</b>  | <b>2,331,830</b> |                   |                         |

## **MINUTES OF THE MAY 5, 2025 LAVTA BOARD OF DIRECTORS MEETING**

### **1. Call to Order and Pledge of Allegiance**

The meeting was called to order by Chair Evan Branning at 4:00pm

### **2. Roll Call of Members**

#### **Members Present**

Evan Branning – City of Livermore  
Craig Eicher – City of Pleasanton  
Jean Josey – City of Dublin  
David Haubert – County of Alameda  
Michael McCorriston – City of Dublin  
Julie Testa – City of Pleasanton  
Kristie Wang – City of Livermore

### **3. Meeting Open to Public**

No public comments.

### **4. Consent Agenda**

**Recommend approval of all items on Consent Agenda as follows:**

#### **A Minutes of the April 7, 2025, Board of Directors Meeting**

#### **B Treasurer’s Report for April 2025**

The Board of Directors approved the April 2025 Treasurer’s Report.

#### **C Approval of Resolutions Authorizing Staff to Apply for TDA, STA, RM2 and RM3 funds for Fiscal Year 2025-2026**

The Board of Directors approved Resolutions for Staff to apply for funds for Fiscal Year 2025-2026.

The Board of Directors approved the consent calendar.

Motion/Second: Haubert/Eicher  
Aye: Branning, Josey, McCorriston, Testa, Wang  
No: None  
Abstain: None

## **5. Public Hearing Regarding Staff Vacancies (AB 2561)**

Legal Counsel Conneran reported on background on Assembly Bill 2561 which requires public agencies to present status of vacancies in a public hearing but primarily for bargaining units. The Board of Directors will held a public hearing to receive any comments on LAVTA's current vacancies and retention and hiring policies as required by Assembly Bill 2561 (2024).

Chair Branning opened the public hearing at 4:03. There were no members of the public who wished to address the Board. Chair Branning subsequently closed the public hearing.

## **6. Legislative Update**

Staff provided an informational update on recent legislative activities in Washington, D.C. and Sacramento. The Board of Directors approved the four legislative positions as follows: AP 394 – Support, SB 239 – Support, SB 752 – Watch, AB 1207 -Watch.

Motion/Second: Haubert/McCorriston

Aye: Testa, Branning, Eicher, Wang, Josey

No: None

Abstain: None

## **7. Cradlepoint Routers Procurement**

Staff presented on a recommendation to purchase and install Cradlepoint Routers on the Wheels fixed route fleet. The new routers will allow for improved real-time tracking and more reliable dispatching. The Board discussed the item, including ensuring that the cellular provider(s) have good coverage in the Tri-Valley.

The Board approved (1) Resolution 17-2025 issuing a purchase order for the procurement of sixty (60) Cradlepoint R1900 routers and associated modems, switches, and antennas to Always Connect Solutions, LLC for a value of \$279,894.54, plus a 10% contingency in the amount of \$27,989.45, for a total not-to-exceed amount of \$307,884; and approved (2) Resolution 18-2025, awarding a contract to Vontas, a business unit of Trapeze Software Group, Inc. for the installation of the Cradlepoint equipment for a value of \$195,926, plus a 10% contingency in the amount of \$19,592.60, for a total not-to-exceed amount of \$215,518.60.

Motion/Second: Eicher/McCorriston

Aye: Josey, Branning, Haubert, Testa, Wang

No: None

Abstain: None

**8. FY2026 Operating and Capital Budget**

Staff reported on the Operating and Capital Budget for FY 2025. The largest line item in the budget is for Fixed Route purchased transportation the presented budget is an increase of 7% over the prior year. During fiscal year staff will be bringing options to decrease expenses to the Board and will be looking for opportunities to increase revenues.

The Board of Directors approved the FY 2026 Operating and Capital Budget and Resolution 16-2025.

Motion/Second: Haubert/Wang

Aye: Josey, Branning, Eicher, McCorriston, Testa

No: None

Abstain: None

**9. Executive Director's Report**

Executive Director Christy Wegener provided an overview on LAVTA's ridership, All Aboard Bay Area Transit Day, the Strategic Plan, and update on the Meadowlark Dairy.

The items brought up in the Executive Director's report were discussed by the Board of Directors and staff.

No public comments.

**10. Matters Initiated by the Board of Directors**

None.

**11. Next Meeting Date is scheduled for: June 2, 2025**

**12. Adjournment**

Meeting adjourned at 5:41 pm.



**MINUTES OF THE MAY 9, 2025 LAVTA BOARD OF DIRECTORS**  
**SPECIAL MEETING**

**1. Call to Order and Pledge of Allegiance**

The meeting was called to order by Chair Evan Branning at 1:00pm

**2. Roll Call of Members**

**Members Present**

Evan Branning – City of Livermore (Departed at 2:45 pm)

Craig Eicher – City of Pleasanton

Jean Josey – City of Dublin

David Haubert – County of Alameda (Departed at 2.45 pm)

Julie Testa – City of Pleasanton

Michael McCorriston – City of Dublin

Kristie Wang – City of Livermore (Arrived at 1:30 pm)

**3. Meeting Open to Public**

No public comment

**4. Strategic Plan Workshop**

Daniel Iacofano from Moore Iacofano Goltsman (MIG) led the Board of Directors through the agency's Mission, Vision, and Values.

No public comment was received.

**5. Adjournment**

Meeting was adjourned by Vice Chair Testa at 3:07pm.

## STAFF REPORT

SUBJECT: Vontas Maintenance Agreement

FROM: Michael Tobin, Director of Operations & Planning  
Ethan Yeung, Operations Analyst

DATE: June 2, 2025

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### Action Requested

Staff recommend that the Board of Directors approve Resolution 19-2025, authorizing the Executive Director to enter into a three-year maintenance agreement contract with Vontas, a business unit of Trapeze Software Group, Inc., beginning July 1, 2025, in an amount not to exceed \$551,204.

### Background

In 2002, the LAVTA Board of Directors authorized staff to deploy the Siemens TransitMaster automatic vehicle location system, herein after referred to as AVL, for the purpose of dispatching and tracking its fleet of buses, as well as disseminating real-time information of the vehicle locations to the public. Since that time, the TransitMaster product has been acquired by Trapeze Software Group, Inc., spun off into their business unit Vontas, and rebranded as OnRoute. The product has continued to evolve and has been continuously under maintenance contract since 2002. The last two contract terms have been extended to 5-year terms from the initial 2-year model in order to maximize management discount opportunities.

### Discussion

Attached for your reference is a quote for the fiscal years 2026–2028 from Vontas for their OnRoute suite of products. OnRoute is used for the real-time dispatching, tracking, and reporting of the agency's fleet service. It also controls the agency's real-time information feed to 511, Google, Apple, Bing, and Transit app—to name a few—as well as the agency's 70+ OnStreet signs. This software maintenance agreement covers ongoing software support and incident resolution, as well as regular map upgrades and one major software upgrade.

This new software agreement is essentially an extension of what the agency has had in place since the inception of the AVL system in 2002 with a few improvements. Specifically, these improvements include support for multi-mode/cellular communication and maintenance for the future deployment of turn-by-turn navigation on each vehicle. These new features will increase the communication capabilities of the fleet and assist operators in navigating their routes accurately.

This agreement also allows the agency to maintain its licensing agreement, receive regular upgrades to the latest stable version of the software, and access in-depth technical support when needed. An added benefit is the ability to budget predictably for this critical software product over the next three years.

### **Budget Impact**

Below is a table showing annual maintenance costs for each year of the agreement.

| Product                            | Year 1         | Year 2         | Year 3         | Total     |
|------------------------------------|----------------|----------------|----------------|-----------|
|                                    | 7/1/25–6/30/26 | 7/1/26–6/30/27 | 7/1/26-6/30/27 |           |
| Maintenance<br>Software<br>Support | \$172,818      | \$184,611      | \$193,775      | \$551,204 |

**3-year total (USD): \$551,204**

Sufficient funds for the base year (FY2025–26) have been included in the agency’s adopted operating budget.

### **Recommendation**

Staff recommend that the Board of Directors approve Resolution 19-2025, authorizing the Executive Director to enter into a three-year maintenance agreement contract with Vontas, a business unit of Trapeze Software Group, Inc., beginning July 1, 2025, in an amount not to exceed \$551,204.

Attachments:

1. Maintenance Quote LAVTA-Vontas.pdf
2. Resolution 19-2025



# Maintenance Quote

DATE: 05-20-2025

| SERVICE PROVIDER       |
|------------------------|
| <b>Company:</b> Vontas |

| CUSTOMER  |
|---|
| <b>Company:</b> Livermore/Amador Valley Authority (LAVTA) |

| SOFTWARE SUPPORT & SERVICE  |
|---|
| <p>Fixed Route (Qty. 99)</p> <ul style="list-style-type: none"> <li>• Software Support</li> </ul> <p>Multi-Mode (Qty. 60)</p> <p>GTFS-RT (Qty. 85)</p> <p>Turn-by-Turn (Qty. 60)</p> <p>Here Map (MDT Update) (Qty. 60)</p> <p>OnStreet Signs (Qty. 74)</p> <p>OnRoute Software Upgrade (Qty. 1)</p> <p>ThinkTransit Passes (Qty. 2/year)</p> |

| PRODUCT                      | YEAR 1<br>7/1/25-<br>6/30/26 | YEAR 2<br>7/1/26-<br>6/30/27 | YEAR 3<br>7/1/27-<br>6/30/28 | TOTAL     |
|------------------------------|------------------------------|------------------------------|------------------------------|-----------|
| Maintenance Software Support | \$172,818                    | \$184,611                    | \$193,775                    | \$551,204 |
| 3 YEAR TOTAL USD             |                              |                              |                              | \$551,204 |

**RESOLUTION NO. 19-2025**

**RESOLUTION AUTHORIZING SOFTWARE MAINTENANCE AGREEMENT  
BETWEEN LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY AND VONTAS  
(A BUSINESS UNIT OF TRAPEZE SOFTWARE GROUP)**

**WHEREAS**, the Livermore Amador Valley Transit Authority relies on the use of a licensed, maintained, and supported Automatic Vehicle Location (AVL) software product to provide real-time vehicle information to the public and for internal uses; and

**WHEREAS**, the Livermore Amador Valley Transit Authority has used the TransitMaster suite offered by Trapeze Software Group, Inc. to realize this goal since 2002; and

**WHEREAS**, the Livermore Amador Valley Transit Authority's current iteration of the contract with the Trapeze Software Group, Inc., signed in 2020, is approaching the end of its 5-year contractual lifespan; and

**WHEREAS**, the TransitMaster suite has since come under the purview of Vontas, a business unit of Trapeze Software Group, Inc., and been rebranded as OnRoute; and

**WHEREAS**, Staff desire to continue to utilize OnRoute for all AVL needs and seeks to effectuate a three-year maintenance agreement with Vontas.

**THEREFORE, BE IT RESOLVED** by the Board of Directors of the Livermore Amador Valley Transit Authority that the Executive Director may authorize a maintenance contract with Vontas for a 3-year term beginning July 1, 2025;

**PASSED AND ADOPTED THIS 2<sup>ND</sup> DAY OF JUNE 2025.**

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Evan Branning, Chair

ATTEST

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Christy Wegener, Executive Director

## STAFF REPORT

SUBJECT: TAAC Appointments for Terms Starting in FY2026

FROM: Kadri Klm, Paratransit Planner

DATE: June 2, 2025

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### Action Requested

Staff requests that the Board ratify the Tri-Valley Accessible Advisory Committee (TAAC) appointments for terms starting on July 1, 2025.

### Background

The Tri-Valley Accessible Advisory Committee consists of community members who are appointed to represent their respective cities and Alameda County on accessibility issues facing senior and disabled residents on Wheels fixed route and Dial-A-Ride services. The TAAC also includes individuals representing public social service agencies. The TAAC is comprised of ten (10) representatives, five (5) alternates, and one (1) Alameda CTC Paratransit Advisory and Planning Committee (PAPCO) representative.

According to Section 3.3 of the TAAC bylaws “The term of appointment of each committee member and alternate shall generally be for a period of two (2) fiscal years, unless a one (1) year term is necessary to ensure continuity of membership and avoid all appointments expiring at the same time. Each member shall serve for a maximum of four (4) consecutive terms (i.e. eight (8) consecutive fiscal years). A member may continue to serve for additional consecutive terms beyond the maximum of four (4) consecutive terms (i.e. eight (8) consecutive fiscal years) if no other qualified applicants apply for the open position and the member is willing to serve. The member will be appointed as an Alternate unless there is an opening for a full voting member in their jurisdiction on the committee. The term shall be for one year.”

On June 30th 2025, terms will expire for five current TAAC members and alternates:

- Sue Tuite – Dublin Representative
- Kyra Aasen – Livermore Representative
- Susan O’Neill – Livermore Alternate
- Jennifer White – Pleasanton Representative
- Kulwant Singh – Alameda County Alternate

### Discussion

LAVTA received eight applications for ten open positions starting in FY 2025/2026:

Dublin (1 member and 1 alternate needed):

- Sue Tuite – incumbent Dublin member
- Andrea Renzulli – new applicant

Staff is recommending re-appointing the current Livermore member Sue Tuite for the Dublin representative position with term expiring on June 2027 and the new applicant Andrea Renzulli for the other Dublin alternate representative position with term expiring on June 2026.

Livermore (1 member and 1 alternate needed):

- Susan O'Neill – incumbent Livermore Alternate
- Trish Ward – new applicant

Staff is recommending appointing the current Livermore alternate Susan O'Neill for the Livermore representative position with term expiring on June 2027 and Trish Ward for the Livermore alternate position with term expiring on June 2026.

Pleasanton (1 member and 1 alternate needed)

- Jennifer White – incumbent Pleasanton member
- Jeffrey Jacobsen – former TAAC member

Staff is recommending re-appointing Jennifer White for the Pleasanton representative position with term expiring on June 2027 and Jeffrey Jacobsen for the Pleasanton alternate position with term expiring on June 2026.

Alameda County (1 alternate needed)

No applications were received. The alternate position will remain open.

Social Services Agencies (2 members and 1 alternate needed)

- Janeen Rubino-Brumm – new applicant
- Kathryn Gilbreth – new applicant

Staff is recommending appointing Janeen Rubino-Brumm and Kathryn Gilbreth for the Social Services representative positions with terms expiring on June 2027. The alternate position will remain open.

### **Action Requested**

Staff recommends the Board of Directors ratify the TAAC appointments for terms starting on July 1, 2025.

Attachments:

1. TAAC Membership Terms
2. TAAC Applications Received

Tri-Valley Accessible Advisory Committee (TAAC)  
 Membership Directory for FY 2026  
*As of June 2, 2025*

Dublin Representation

| <b><i>Committee Seat</i></b>   | <b><i>Term</i></b> | <b><i>Term Beginning</i></b> | <b><i>Term Conclusion</i></b> |
|--------------------------------|--------------------|------------------------------|-------------------------------|
| Sue Tuite                      | 2 years            | July 2025                    | June 2027                     |
| Shawn Costello                 | 2 years            | July 2024                    | June 2026                     |
| Andrea Renzulli<br>(Alternate) | 1 year             | July 2025                    | June 2026                     |

Livermore Representation

| <b><i>Committee Seat</i></b> | <b><i>Term</i></b> | <b><i>Term Beginning</i></b> | <b><i>Term Conclusion</i></b> |
|------------------------------|--------------------|------------------------------|-------------------------------|
| Judith LaMarre               | 2 years            | July 2024                    | June 2026                     |
| Susan O'Neill                | 2 years            | July 2025                    | June 2027                     |
| Trish Ward<br>(Alternate)    | 1 year             | July 2025                    | June 2026                     |

Pleasanton Representation

| <b><i>Committee Seat</i></b> | <b><i>Term</i></b> | <b><i>Term Beginning</i></b> | <b><i>Term Conclusion</i></b> |
|------------------------------|--------------------|------------------------------|-------------------------------|
| Jennifer White               | 2 years            | July 2025                    | June 2027                     |
| Carmen Rivera-Hendrickson    | 2 years            | July 2024                    | June 2026                     |
| Jeffrey Jacobsen (Alternate) | 1 year             | July 2025                    | June 2026                     |

Alameda County Representation

| <b><i>Committee Seat</i></b> | <b><i>Term</i></b> | <b><i>Term Beginning</i></b> | <b><i>Term Conclusion</i></b> |
|------------------------------|--------------------|------------------------------|-------------------------------|
| Herb Hastings                | 2 years            | July 2024                    | June 2026                     |
| VACANT (Alternate)           |                    |                              |                               |

Social Services Representation

| <b><i>Committee Seat</i></b> | <b><i>Term</i></b> | <b><i>Term Beginning</i></b> | <b><i>Term Conclusion</i></b> |
|------------------------------|--------------------|------------------------------|-------------------------------|
| Amy Mauldin                  | 2 years            | July 2024                    | June 2026                     |
| Janeen Rubino-Brumm          | 2 years            | July 2025                    | June 2027                     |
| Kathryn Gilbreth             | 2 years            | July 2025                    | June 2027                     |
| VACANT (Alternate)           |                    |                              |                               |

PAPCO Representative

| <b><i>Committee Seat</i></b> | <b><i>Term</i></b> | <b><i>Term Beginning</i></b> | <b><i>Term Conclusion</i></b> |
|------------------------------|--------------------|------------------------------|-------------------------------|
| Esther Waltz                 | N/A                | 2014                         | Same as PAPCO<br>Term         |



Livermore Amador Valley  
**TRANSIT AUTHORITY**



**Livermore Amador  
Valley Transit  
Authority  
Tri-Valley Accessible**

**Advisory Committee (TAAC)**

**APPLICATION INSTRUCTIONS**

**ELIGIBILITY REQUIREMENTS**

Residents of Pleasanton, Dublin or Livermore who are elderly, disabled or care for someone who is disabled may apply to be the representative for their city or county. Persons employed in the social services field in the Tri-Valley area may apply for the Social services position only.

**RESPONSIBILITIES**

Members are expected to represent the viewpoint of the elderly and disabled community of the Tri Valley and provide input on the Wheels services. Members also act as liaisons for Wheels by informing the general public about Wheels services and policies. Meetings are held every other month and are scheduled for sixty (60) minutes. TAAC members will receive a free annual LAVTA fixed route bus pass. In addition, ADA paratransit eligible members can ride Dial-A-Ride service to and from TAAC meetings free of charge.

Appointments to the TAAC are made by the elected officials who make up the Wheels Board of Directors.

**Please send the filled out application to:**

**Attn: Kadri Kulm  
LAVTA/Wheels  
1362 Rutan Court, Suite 100  
Livermore, CA 94551, or  
kkulm@lavta.org**

## APPLICATION FOR TAAC MEMBERSHIP

### GENERAL INFORMATION

Name: Kathryn Gilbreth

Agency (if applicable): CityServe of the Tri-Valley

Address: [REDACTED]

City: Pleasanton

Zip: [REDACTED]

Home # N/A

Work # [REDACTED]

Mobile # [REDACTED]

Email address: [REDACTED]

**Which of the following open positions are you applying for?**  
(May check more than one, if applicable.)

|                        |          |
|------------------------|----------|
| City of Dublin         | <u>X</u> |
| City of Pleasanton     | _____    |
| City of Livermore      | _____    |
| Alameda County         | _____    |
| Social Services Agency | <u>X</u> |

**You are eligible for your position because you are**

**A resident of the City or County and are**

Elderly \_\_\_\_\_

Disabled \_\_\_\_\_

A Caretaker for a Disabled person \_\_\_\_\_

**Or**

Employed in Social Services in the Tri-Valley X

1. Do you or your clients use Dial-A-Ride? If yes, how often?

Yes, the clients that I serve often use Dial-A-Ride roughly 3-4 times per week.

2. Do you or your clients use Fixed Route service? If yes, how often?

Yes, the clients that I serve often use a fixed route service roughly 6-8 times per week.

3. In a single statement, why do you want to be on this committee?

I am deeply committed to advocating for those who are often overlooked, with a background in supporting individuals with special needs, aging adults, and navigating grants administration. Through these experiences, I've witnessed firsthand the profound difference that compassionate, intentional voices can make in shaping real change. I want to serve on this committee to be a dedicated advocate—one who shows up with empathy and accountability—to ensure we create lasting, meaningful impact for the communities that need it most.

4. What skills and knowledge do you feel you bring to this committee?

I bring a diverse skill set to the committee, including advocacy, compassionate communication, program and care coordination, compliance, grants administration, and grant writing. With hands-on experience building trust and rapport with diverse communities across the Tri-Valley, I am deeply passionate about creating inclusive programs and services that meet the needs of everyone, ensuring no one is left behind.

END OF APPLICATION

5. Will you be able to attend meetings during regular business hours? How flexible is your schedule?

Yes, I will be able to attend meetings scheduled during regular business hours. My workplace is understanding and accommodating of my schedule and needs.

6. Please include any additional information that may assist the decision-making process.

I lead with integrity, empathy, and a genuine commitment to serving my community. With a deep understanding of the resources and systems that support aging and disabled populations, I excel in collaborating with cross-functional teams, stakeholders, and families. I am confident in my ability to effectively communicate critical information, ensuring those needing supportive services receive the help they deserve. I currently serve as the lead program manager for RideCare Transportation with CityServe of the Tri-Valley.

END OF APPLICATION

## APPLICATION FOR TAAC MEMBERSHIP

### GENERAL INFORMATION

Name Jeffrey Jacobson

Agency (if applicable) N/A

Address [REDACTED]

City Pleasanton, CA Zip [REDACTED]

Home [REDACTED] Work # N/A Mobile # [REDACTED]

Email address: [REDACTED]

**Which of the following open positions are you applying for?**  
(May check more than one, if applicable.)

|                        |                   |
|------------------------|-------------------|
| City of Dublin         | <u>✓</u>          |
| City of Pleasanton     | <u>          </u> |
| City of Livermore      | <u>          </u> |
| Alameda County         | <u>          </u> |
| Social Services Agency | <u>          </u> |

**You are eligible for your position because you are**

**A resident of the City or County and are**

|                                   |                   |
|-----------------------------------|-------------------|
| Elderly                           | <u>          </u> |
| Disabled                          | <u>✓</u>          |
| A Caretaker for a Disabled person | <u>          </u> |

**Or**

Employed in Social Services in the Tri Valley

1. Do you or your clients use Dial-A-Ride? If yes, how often?  
yes, 5 times a week
2. Do you or your clients use Fixed Route service? If yes, how often?  
NO.
3. In a single statement, why do you want to be on this committee?  
Provide input on wheels services
4. What skills and knowledge do you feel you bring to this committee?  
very knowledgeable in dial a ride and paratransit services.
5. Will you be able to attend meetings during regular business hours? How flexible is your schedule?  
yes, very flexible
6. Please include any additional information that may assist the decision making process.

END OF APPLICATION

Livermore Amador Valley  
**TRANSIT AUTHORITY**



**Livermore Amador  
Valley Transit  
Authority  
Tri-Valley Accessible**

**Advisory Committee (TAAC)**

**APPLICATION INSTRUCTIONS**

**ELIGIBILITY REQUIREMENTS**

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**RESPONSIBILITIES**

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Appointments to the TAAC are made by the elected officials who make up the Wheels Board of Directors.

**Please send the filled out application to:**

**Attn: Kadri Kulm  
LAVTA/Wheels  
1362 Rutan Court, Suite 100  
Livermore, CA 94551, or  
kkulm@lavta.org**

## APPLICATION FOR TAAC MEMBERSHIP

### GENERAL INFORMATION

Name \_\_\_\_\_ SUSAN A O'NEILL \_\_\_\_\_

Agency (if applicable) \_\_\_\_\_

Address \_\_\_\_\_ [REDACTED] \_\_\_\_\_

City \_\_\_\_\_ LIVERMORE \_\_\_\_\_ Zip \_\_\_\_\_ [REDACTED] \_\_\_\_\_

Home # \_\_\_\_\_ Work # \_\_\_\_\_ Mobile [REDACTED] \_\_\_\_\_

Email address:  
\_\_\_\_\_ [REDACTED] \_\_\_\_\_

**Which of the following open positions are you applying for?**  
(May check more than one, if applicable.)

|                        |             |
|------------------------|-------------|
| City of Dublin         | _____       |
| City of Pleasanton     | _____       |
| City of Livermore      | _____x_____ |
| Alameda County         | _____       |
| Social Services Agency | _____       |

**You are eligible for your position because you are**

**A resident of the City or County and are**

Elderly \_\_\_\_\_x\_\_\_\_\_

Disabled \_\_\_\_\_

A Caretaker for a Disabled person \_\_\_\_\_

**Or**

Employed in Social Services in the Tri Valley \_\_\_\_\_



1. Do you or your clients use Dial-A-Ride? If yes, how often?

Yes, I use it about 10-12 times a year or more.

2. Do you or your clients use Fixed Route service? If yes, how often?

Yes, I use it about 8-10 times a year or more.

3. In a single statement, why do you want to be on this committee?

I want to be on this committee to help improve the service for its riders, especially in communication.

4. What skills and knowledge do you feel you bring to this committee?

I have had experience riding Dial-a-Ride and taking transfer rides for 14 years now. I also have good communication skills.

5. Will you be able to attend meetings during regular business hours? How flexible is your schedule?

Yes, I will be able to attend meetings during regular business hours. My schedule is flexible.

6. Please include any additional information that may assist the decision making process.

I have had experience as an alternate member of TAAC for the City of Livermore.

END OF APPLICATION

Livermore Amador Valley Transit Authority  
Tri-Valley Accessible Advisory Committee (TAAC)

Application  
Page 1 of 2

## APPLICATION FOR TAAC MEMBERSHIP

# RECEIVED

### GENERAL INFORMATION

APR 21 2025

Name Andrea Renzulli

Livermore Amador Valley  
Transit Authority

Agency (if applicable) \_\_\_\_\_

MAILIN

Address \_\_\_\_\_

City Dublin

Zip \_\_\_\_\_

Home # \_\_\_\_\_

Work # \_\_\_\_\_

Mobile # \_\_\_\_\_

Email address \_\_\_\_\_

**Which of the following open positions are you applying for?**  
(May check more than one, if applicable.)

City of Dublin ☒

City of Pleasanton ☐

City of Livermore ☐

Alameda County ☒

Social Services Agency ☐

**You are eligible for your position because you are**

**A resident of the City or County and are**

Elderly ☒

Disabled ☒

A Caretaker for a Disabled person ☐

**Or**

Employed in Social Services in the Tri Valley ☐

I have volunteered  
at senior centers.

I helped organize  
an unofficial senior  
support network  
during the pandemic.

I was a caregiver  
for several family  
members over a  
period of a few years

1. Do you or your clients use Dial-A-Ride? If yes, how often?

Although I personally have not used Dial-A-Ride, I have worked with / helped others who do.

2. Do you or your clients use Fixed Route service? If yes, how often?

I have used your fixed-route service. At one point I was using it five days a week. I now use it occasionally (perhaps once a month). However, I personally know many people who are regular riders / passengers (including Dublin High and Las Positas College students).

3. In a single statement, why do you want to be on this committee?

Public transit is a critical resource. I want to make sure that this resource meets the needs of our community (particularly its most vulnerable members) while increasing ridership and being fiscally responsible.

4. What skills and knowledge do you feel you bring to this committee?

I have a varied work background in education (college), Counseling, finance (risk management and insurance), and government. I know how to listen to / collaborate with others, be an ardent advocate, make effective presentations, make sound decisions, and balance the books. Having used public transit in the Bay Area (bus, BART, train, light rail, ferry, etc.), I am aware of some of the major transportation issues.

5. Will you be able to attend meetings during regular business hours? How

flexible is your schedule? Yes. Your afternoon meetings should not pose a problem. My schedule should be flexible enough to accommodate some additional meetings and/or events.

6. Please include any additional information that may assist the decision

making process. In the last few years, I have discovered that our local public officials / decision-makers don't always listen to or respect residents — particularly seniors and those with disabilities. We can do better. If chosen, I will do all I can — on an advisory basis — to address problems and effect solutions.

END OF APPLICATION

Livermore Amador Valley  
**TRANSIT AUTHORITY**



**Livermore Amador  
Valley Transit  
Authority  
Tri-Valley Accessible**

**Advisory Committee (TAAC)**

**APPLICATION INSTRUCTIONS**

**ELIGIBILITY REQUIREMENTS**

Residents of Pleasanton, Dublin or Livermore who are elderly, disabled or care for someone who is disabled may apply to be the representative for their city or county. Persons employed in the social services field in the Tri-Valley area may apply for the Social services position only.

**RESPONSIBILITIES**

Members are expected to represent the viewpoint of the elderly and disabled community of the Tri Valley and provide input on the Wheels services. Members also act as liaisons for Wheels by informing the general public about Wheels services and policies. Meetings are held every other month and are scheduled for sixty (60) minutes. TAAC members will receive a free annual LAVTA fixed route bus pass. In addition, ADA paratransit eligible members can ride Dial-A-Ride service to and from TAAC meetings free of charge.

Appointments to the TAAC are made by the elected officials who make up the Wheels Board of Directors.

**Please send the filled out application to:**

**Attn: Kadri Kulm  
LAVTA/Wheels  
1362 Rutan Court, Suite 100  
Livermore, CA 94551, or  
kkulm@lavta.org**

## APPLICATION FOR TAAC MEMBERSHIP

### GENERAL INFORMATION

Name Janeen Rubino-Brumm

Agency (if applicable) \_\_\_\_\_

Address [REDACTED]

City Pleasanton

Zip [REDACTED]

Home # \_\_\_\_\_ Work # \_\_\_\_\_ Mobile # [REDACTED]

Email address: [REDACTED]

**Which of the following open positions are you applying for?**  
(May check more than one, if applicable.)

City of Dublin \_\_\_\_\_

City of Pleasanton X \_\_\_\_\_

City of Livermore \_\_\_\_\_

Alameda County \_\_\_\_\_

Social Services Agency \_\_\_\_\_

**You are eligible for your position because you are**

**A resident of the City or County and are**

Elderly \_\_\_\_\_

Disabled \_\_\_\_\_

A Caretaker for a Disabled person X \_\_\_\_\_

**Or**

Employed in Social Services in the Tri Valley \_\_\_\_\_

1. Do you or your clients use Dial-A-Ride? If yes, how often?

My adult son uses Dial-A-Ride daily to his adult community day program

2. Do you or your clients use Fixed Route service? If yes, how often?

No, I do not.

3. In a single statement, why do you want to be on this committee?

I have been an advocate for the I/DD community for 28 years because of my son, Andrew. I also work with the I/DD community as the WorkAbility Specialist for PUSD, I have been deeply involved (board member & board president) with Sunflower Hill for over 11 years, and am on the board of the Alameda County Developmental Disabilities Council.

4. What skills and knowledge do you feel you bring to this committee?

Many years of experience with the I/DD community

5. Will you be able to attend meetings during regular business hours? How flexible is your schedule?

Yes, I will be able to attend during regular business hours if given notice so that I can plan around the meetings.

6. Please include any additional information that may assist the decision making process.

Thank you for the opportunity to serve our disabled population.



END OF APPLICATION

## APPLICATION FOR TAAC MEMBERSHIP

## GENERAL INFORMATION

Name Sue Tuite

Agency (if applicable) \_\_\_\_\_

Address City Dublin Zip Home # ~~918~~ - \_\_\_\_\_ Work # \_\_\_\_\_ Mobile # Email address: 

**Which of the following open positions are you applying for?**  
 (May check more than one, if applicable.)

|                        |                                     |
|------------------------|-------------------------------------|
| City of Dublin         | <input checked="" type="checkbox"/> |
| City of Pleasanton     | <input type="checkbox"/>            |
| City of Livermore      | <input type="checkbox"/>            |
| Alameda County         | <input type="checkbox"/>            |
| Social Services Agency | <input type="checkbox"/>            |

**You are eligible for your position because you are**

**A resident of the City or County and are**

|                                   |                                     |
|-----------------------------------|-------------------------------------|
| Elderly                           | <input type="checkbox"/>            |
| Disabled                          | <input checked="" type="checkbox"/> |
| A Caretaker for a Disabled person | <input type="checkbox"/>            |

**Or**

Employed in Social Services in the Tri Valley \_\_\_\_\_



1. Do you or your clients use Dial-A-Ride? If yes, how often?

yes I use Dial-A-Ride very often and I Love it.

2. Do you or your clients use Fixed Route service? If yes, how often?

yes I use fixed route a Lot

3. In a single statement, why do you want to be on this committee?

I Love working with the TAAC Team

4. What skills and knowledge do you feel you bring to this committee?

I bring a Lot to the team I go out and Look at stops and bring the info back to the Team.

5. Will you be able to attend meetings during regular business hours? How flexible is your schedule?

yes I'm very flexible

6. Please include any additional information that may assist the decision making process.

I am able to help in any way I can be of assistance.

END OF APPLICATION



Livermore Amador Valley  
**TRANSIT AUTHORITY**



**Livermore Amador  
Valley Transit  
Authority  
Tri-Valley Accessible**

**Advisory Committee (TAAC)**

**APPLICATION INSTRUCTIONS**

**ELIGIBILITY REQUIREMENTS**

Residents of Pleasanton, Dublin or Livermore who are elderly, disabled or care for someone who is disabled may apply to be the representative for their city or county. Persons employed in the social services field in the Tri-Valley area may apply for the Social services position only.

**RESPONSIBILITIES**

Members are expected to represent the viewpoint of the elderly and disabled community of the Tri Valley and provide input on the Wheels services. Members also act as liaisons for Wheels by informing the general public about Wheels services and policies. Meetings are held every other month and are scheduled for sixty (60) minutes. TAAC members will receive a free annual LAVTA fixed route bus pass. In addition, ADA paratransit eligible members can ride Dial-A-Ride service to and from TAAC meetings free of charge.

Appointments to the TAAC are made by the elected officials who make up the Wheels Board of Directors.

**Please send the filled out application to:**

**Attn: Kadri Kulm  
LAVTA/Wheels  
1362 Rutan Court, Suite 100  
Livermore, CA 94551, or  
kkulm@lavta.org**

## APPLICATION FOR TAAC MEMBERSHIP

### GENERAL INFORMATION

Name Trish Ward

Agency (if applicable) \_\_\_\_\_

Address [REDACTED]

City Livermore Zip [REDACTED]

Home # [REDACTED] Work # \_\_\_\_\_ Mobile # [REDACTED]

Email address: [REDACTED]

**Which of the following open positions are you applying for?**  
(May check more than one, if applicable.)

|                        |          |
|------------------------|----------|
| City of Dublin         | _____    |
| City of Pleasanton     | _____    |
| City of Livermore      | <u>✓</u> |
| Alameda County         | _____    |
| Social Services Agency | _____    |

**You are eligible for your position because you are**

**A resident of the City or County and are**

|                                   |          |
|-----------------------------------|----------|
| Elderly                           | _____    |
| Disabled                          | _____    |
| A Caretaker for a Disabled person | <u>✓</u> |

**Or**

Employed in Social Services in the Tri Valley \_\_\_\_\_

1. Do you or your clients use Dial-A-Ride? If yes, how often?  
Yes. Daily.
  
2. Do you or your clients use Fixed Route service? If yes, how often?
  
  
  
  
  
  
  
  
  
3. In a single statement, why do you want to be on this committee?  
I would like to contribute to a streamlined, customer-centric, ease-of-use experience for all transit riders, from scheduling to pick up and drop off.
  
  
  
  
  
  
  
  
  
4. What skills and knowledge do you feel you bring to this committee?  
I have built operational divisions in companies, run my own, and consult others to build, develop and maintain operational function, yield high sales and offer excellent customer experience.
  
  
  
  
  
  
  
  
  
5. Will you be able to attend meetings during regular business hours? How flexible is your schedule?  
Yes. With notice, my schedule is very flexible.
  
  
  
  
  
  
  
  
  
6. Please include any additional information that may assist the decision making process.

END OF APPLICATION

END OF APPLICATION

## APPLICATION FOR TAAC MEMBERSHIP

### GENERAL INFORMATION

Name Jennifer White

Agency (if applicable) \_\_\_\_\_

Address [REDACTED] \_\_\_\_\_

City Pleasanton CA Zip [REDACTED] \_\_\_\_\_

Home # \_\_\_\_\_ Work # \_\_\_\_\_ Mobile # [REDACTED]

Email address: [REDACTED] \_\_\_\_\_

**Which of the following open positions are you applying for?**  
(May check more than one, if applicable.)

|                        |          |
|------------------------|----------|
| City of Dublin         | _____    |
| City of Pleasanton     | <u>✓</u> |
| City of Livermore      | _____    |
| Alameda County         | _____    |
| Social Services Agency | _____    |

**You are eligible for your position because you are**

**A resident of the City or County and are**

|                                   |          |
|-----------------------------------|----------|
| Elderly                           | _____    |
| Disabled                          | <u>✓</u> |
| A Caretaker for a Disabled person | _____    |

**Or**

Employed in Social Services in the Tri Valley \_\_\_\_\_

1. Do you or your clients use Dial-A-Ride? If yes, how often?

No I don't at is time.

2. Do you or your clients use Fixed Route service? If yes, how often?

Yes I do I use them very often like every  
everyday.

3. In a single statement, why do you want to be on this committee?

because really like lending about the bus in are  
committee.

4. What skills and knowledge do you feel you bring to this committee?

I feel I'm bring I'm no li@ge about the bus and  
about committee

5. Will you be able to attend meetings during regular business hours? How flexible is your schedule?

Yes I will be able to attend.

6. Please include any additional information that may assist the decision making process.

I wood love to shar my information and  
and I wood love to hlep dre committee.

END OF APPLICATION

## STAFF REPORT

SUBJECT: Updated Public Transportation Agency Safety Plan

FROM: Mike Tobin, Director of Operations & Planning

DATE: June 2, 2025

---

### **Actions Requested**

Staff requests the Board to approve Resolution 20-2025 and the updated Public Transportation Agency Safety Plan.

### **Background**

In keeping with LAVTA's organizational focus on safety, staff have developed a robust safety and security program implemented in partnership with both our transit operations contractor and our paratransit contractor.

The Federal Transit Administration (FTA) requires that public transportation systems receiving federal funds maintain a Public Transportation Agency Safety Plan (PTASP) that includes the processes and procedures to implement a Safety Management System (SMS). An SMS is a comprehensive approach to bringing management and labor together to better control risk, detect and correct safety problems earlier, and measure safety performance more precisely. The rule (49 CFR Part 673) went into effect on July 19, 2019 with a compliance date of July 20, 2021.

This safety plan formalizes and codifies LAVTA existing safety practices and contractor oversight related to safety in one comprehensive document as well as incorporates the safety plans of the fixed-route and paratransit contractors and was last approved by the Board in 2023. The PTASP is not required to be updated unless there are changes, but it must be reviewed at least annually.

### **Discussion**

LAVTA and the Safety Committee have completed the annual review of the PTASP and made updates to the annual safety performance targets to reflect a rolling average of the last 3 years of LAVTA's safety performance data.

### Safety Performance Targets

Annual safety performance targets below based on an average of the previous 3 years of LAVTA's safety performance data (2022 through 2024).

| Mode of Service   | Fatalities (total) | Average Annual Fatalities (per 100k VRM) | Injuries (total) | Average Annual Injuries (per 100k VRM) | Average Annual Transit Worker Assaults (per 100k VRM) | Safety Events (total) | Average Annual Safety Events (per 100k VRM) | Average Annual System Reliability (VRM/failures) |
|-------------------|--------------------|--|------------------|--|---|-----------------------|---|--|
| Fixed Route Bus   | 0                  | 0  | 1                | .2                                     | 0   | 3                     | 2   | 27,520   |
| ADA / Paratransit | 0                  | 0  | 0                | 0                                      | 0   | 0                     | .33   | 228,300  |

Table 1 Safety Performance Targets

### Risk Reduction

LAVTA has been working with our contractor to deploy a comprehensive, multi-faceted strategy to reduce accidents, as well as regularly meeting with a task force to identify environmental hazards throughout the service area and report them to the cities and public works for mitigation. We recognize that post-COVID has brought back increased traffic congestion and thus a higher risk of traffic accidents and are focusing on addressing safety measures within our control.

The operator training course has been updated and enhanced for more rigorous training of new hires. The contractor team frequently hosts various safety campaigns corresponding to relevant, current risks out on the road and has even made their monthly safety meetings more immersive by taking operators out in a transit vehicle to discuss problem areas.

We have also recently implemented DriveCam and Mobileye, which are advanced driver monitoring tools that report on risky, correctable operator behaviors and provide driver assistance through cameras and audible notifications of potential traffic dangers, respectively. These technologies are an industry best practice; implemented in early April 2025, we are already seeing the return on investment with proactive coaching opportunities with operators, both new and senior.

While implementing these methods takes time and might not turn around our accident rate overnight, we expect the payoff to continue long-term and for this metric to improve over the next year.

### Recommendation

Staff recommends that the Board of Directors approve Resolution 20-2025 adopting the updated LAVTA Public Transportation Agency Safety Plan.

Attachments:

1. Resolution 20-2025
2. LAVTA Agency Safety Plan June 2025



**RESOLUTION NO. 20-2025**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE  
AMADOR VALLEY TRANSIT AUTHORITY ADOPTING THE UPDATED  
LAVTA PUBLIC TRANSPORTATION AGENCY SAFETY PLAN**

**WHEREAS** the Federal Transit Administration (FTA) requires that public transportation systems receiving federal funds develop a Public Transportation Agency Safety Plan (PTASP) that includes the processes and procedures to implement a Safety Management System (SMS); and

**WHEREAS** the PTASP is a required document that must be reviewed at least annual and updated if necessary; and

**WHEREAS** LAVTA has reviewed the PTASP and updated the safety performance targets and statistics;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Board of Directors to adopt LAVTA's revised PTASP.

**APPROVED AND PASSED** this 2nd day of June 2025.

---

Evan Branning, Chair

**ATTEST:**

---

Christy Wegener, Executive Director

# Livermore Amador Valley **TRANSIT AUTHORITY**



## Public Transportation Agency Safety Plan (PTASP)





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## 1. Transit Agency Information

|  |  |  |  |
|--|--|--|--|
| <b>Transit Agency Name</b>   | Livermore Amador Valley Transit Authority              |  |  |
| <b>Transit Agency Address</b>  | 1362 Rutan Court, Livermore, California. 94551         |  |  |
| <b>Name and Title of Accountable Executive</b>   | Christy Wegener, Executive Director                    |  |  |
| <b>Name of Chief Safety Officer or SMS Executive</b>   | Mike Tobin, Director of Operations                     |  |  |
| <b>Mode(s) of Service Covered by This Plan</b>   | Fixed Route Bus;<br>Paratransit                        | <b>List All FTA Funding Types (e.g., 5307, 5310, 5311)</b> | 5307, 5339   |
| <b>Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)</b> | Fixed Route Bus (contracted); Paratransit (contracted) |  |  |
| <b>Does the agency provide transit services on behalf of another transit agency or entity?</b>     | Yes  | No<br><input checked="" type="checkbox"/>                  | <b>Description of Arrangement(s)</b><br>not applicable |
| <b>Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided</b>        | not applicable   |  |  |

## 2. Plan Development, Approval, and Updates

|   |  |   |
|---|--|---|
| <b>Name of Person Who Drafted This Plan</b>   | Christy Wegener, Executive Director  |   |
| <b>Signature by the Accountable Executive</b> | <b>Signature of Accountable Executive</b>  | <b>Date of Signature</b>  |
|   | <br>Executive Director  |  5/28/2025 |
| <b>Approval by the Board of Directors</b>     | <b>LAVTA Board of Directors</b>  | <b>Date of Approval</b>   |
|   |  Resolution XX-2025   |  6/2/2025  |
|   | <b>Relevant Documentation</b>  |   |
|   | A copy of LAVTA Resolution XX-2025, approving the PTASP, is maintained on file by the Director of Finance, LAVTA   |   |
| <b>Addresses FTA 49 CFR Part 670</b>          | This PTASP addresses all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan |   |

| Version Number and Updates<br>(History of successive versions of this plan) |  |   |             |
|---|--|---|-------------|
| Version Number  | Section/Pages Affected                     | Reason for Change   | Date Issued |
| 1   |  | New Document  | 12/7/2020   |
| 2   | Section 3, Exhibit 4, Exhibit 11           | Update Safety Performance Targets; new Bipartisan Infrastructure requirements   | 5/31/2022   |
| 3   | Section 1, Section 3, Section 4, Section 7 | Update executives; update safety performance targets; remove redundant language; add information on new ESRP portal; add de-escalation training to Section 7 Safety Promotion   | 6/6/2023    |
| 4   | Section 3, Section 5                       | Update Safety Performance Targets based on a three-year rolling average instead of five, per new PTASP requirements; updated language to reiterate cooperation and commitment to maintaining safety risk reduction programs per updates from FTA's PTASP Final Rule released April 2024 | 6/26/2024   |
| 5   | Section 3                                  | Update Safety Performance Targets   | 5/23/2025   |

**Annual Review and Update of the Public Transportation Agency Safety Plan**

*(The process and timeline for conducting an annual review and update of the PTASP)*

This plan will be jointly reviewed and updated by the Chief Safety Officer and Accountable Executive by July 1 of each year. The Accountable Executive will review and approve any changes, signing the new PTASP, then forward to the LAVTA Board of Directors for review and approval.

### 3. Safety Performance Targets

| Safety Performance Targets   |                    |  |                  |  |   |                       |   |  |
|--|--------------------|--|------------------|--|---|-----------------------|---|--|
| <i>Annual safety performance targets below based on an average of the previous 3 years of LAVTA's safety performance data (2021 through 2023).</i> |                    |  |                  |  |   |                       |   |  |
| Mode of Service  | Fatalities (total) | Average Annual Fatalities (per 100k VRM) | Injuries (total) | Average Annual Injuries (per 100k VRM) | Average Annual Transit Worker Assaults (per 100k VRM) | Safety Events (total) | Average Annual Safety Events (per 100k VRM) | Average Annual System Reliability (VRM/failures) |
| Fixed Route Bus  | 0                  | 0  | 1                | .2                                     | 0   | 3                     | 2   | 27,520   |
| ADA / Paratransit  | 0                  | 0  | 0                | 0                                      | 0   | 0                     | .33   | 228,300  |

| Safety Performance Target Coordination  |  |                          |
|---|--|--------------------------|
| <i>(How LAVTA coordinates with the State and Metropolitan Planning Organization(s) (MPO) in the selection of State and MPO safety performance targets)</i>  |  |                          |
| LAVTA's Accountable Executive will share our PTASP, including safety performance targets, with the Metropolitan Planning Organization (MPO) in our service area each year after its formal adoption by the LAVTA Board of Directors. LAVTA's Accountable Executive will also provide a copy of our formally adopted plan to the California Department of Transportation. LAVTA personnel are available to coordinate with the California Department of Transportation and the MPO in the selection of California and MPO safety performance targets upon request. |  |                          |
| Targets Transmitted to the State  | State Entity Name                            | Date Targets Transmitted |
|   | California Department of Transportation      |                          |
| Targets Transmitted to the Metropolitan Planning Organization(s)  | MPO Name                                     | Date Targets Transmitted |
|   | Metropolitan Transportation Commission (MTC) |                          |

## 4. Safety Management Policy

**Safety is a core value at LAVTA, and managing safety is a core business function. We will develop, implement, maintain, and continuously improve processes to ensure the safety of our customers, employees, and the public.**

### **Responsibility/Accountability:**

LAVTA's Safety Management Policy applies to employees (including contracted) and to every aspect of LAVTA's activities. A positive safety culture includes ownership by all employees to identify and correct any deficiencies at all levels.

### **LAVTA is committed to the following safety objectives:**

- Communicating the purpose and benefits of the Safety Management System (SMS) to all staff, managers, supervisors, employees, and service contractors.
- Providing a culture of open reporting of all safety concerns, ensuring that no action will be taken against any employee who discloses a safety concern through LAVTA's Employee Safety Reporting Program (ESRP), unless such disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures.
- Providing appropriate management involvement and the necessary resources to establish an effective ESRP that will encourage employees to communicate and report any unsafe work conditions, hazards, or at-risk behavior to the management team.
- Identifying hazardous and unsafe work conditions and analyzing data from the ESRP. (After thoroughly analyzing provided data, the transit operations division will develop processes and procedures to mitigate safety risk to an acceptable level.)
- Establishing safety performance targets that are realistic, measurable, and data driven. Continually improving our safety performance through management processes that ensure appropriate safety management action is taken and is effective.

Working proactively towards identifying and reducing the existence of hazards and risks in the workplace and our system, LAVTA implemented a Safety Management System (SMS) to prevent accidents, reduce risk of injury and assaults on transit workers, and minimize damage to property and equipment.

As the Accountable Executive for all operations and activities, I will ensure that resources are available to ensure our SMS is robust and successful. LAVTA executives, employees, and contractors will take steps to prevent workplace incidents and injuries, provide support of safety initiatives, and encourage employee communication in order to achieve a safer, healthier workplace. I hold executives, employees, and contractors accountable for safety performance.

The SMS is managed under my authority by the Chief Safety Officer who reports directly to me. All levels of management and employees are accountable for the delivery of the highest level of safety performance, starting with the Executive Director/CEO.



Christy Wegener, LAVTA Executive Director and Accountable Executive



|  |  |
|--|--|
| <b>Safety Management Policy Communication</b><br><i>(How the safety management policy is communicated throughout LAVTA and to contractors)</i>   |  |
| <p>The Chief Safety Officer, who leads LAVTA's SMS activities, distributes the Safety Management Policy Statement to employees and contractor staff. The policy is also posted on bulletin boards at headquarters and in the operations and maintenance break areas of the operating division (on-site contractor areas). LAVTA has incorporated distribution of the Safety Management Policy into new-hire orientation and all-staff annual safety refreshers, and into Safety Committee meetings with internal and contractor staff.</p> |  |
| <b>Authorities, Accountabilities, and Responsibilities</b><br><i>(For the development and management of the SMS)</i>   |  |
| <b>Accountable Executive</b>   | <p>The Executive Director serves as LAVTA's Accountable Executive with the following authorities, accountabilities, and responsibilities under this plan:</p> <ul style="list-style-type: none"> <li>• Controls and directs human and capital resources needed to develop and maintain the PTASP and SMS.</li> <li>• Designates an adequately trained Chief Safety Officer who is a direct report.</li> <li>• Ensures that LAVTA's SMS is effectively implemented.</li> <li>• Ensures action is taken to address substandard performance in LAVTA's SMS.</li> <li>• Assumes ultimate responsibility for carrying out LAVTA's PTASP and SMS.</li> <li>• Maintains responsibility for carrying out the agency's Transit Asset Management Plan.</li> </ul>  |
| <b>Chief Safety Officer or SMS Executive</b>   | <p>The Accountable Executive designates the Director of Operations as LAVTA's Chief Safety Officer. The Chief Safety Officer has the following authorities, accountabilities, and responsibilities under this plan:</p> <ul style="list-style-type: none"> <li>• Develops LAVTA's PTASP and SMS policies and procedures in cooperation with frontline employee representatives.</li> <li>• Ensures and oversees day-to-day implementation and operation of LAVTA's SMS for both agency and contractors, and oversees the ESRP</li> <li>• Coordinates with the Safety Committee to: <ul style="list-style-type: none"> <li>○ Establish and maintain the Safety Risk Register to monitor and analyze trends in hazards, incidents, and accidents; and</li> <li>○ Ensure regular meetings are being held and the Safety Committee meets the Bipartisan Infrastructure Law requirement of having an equal number of frontline employee representatives and management representatives; and</li> <li>○ Ensure that the Safety Committee conducts safety risk assessments for identified risks where needed to make recommendations for safety risk mitigations, and</li> <li>○ Ensure the Safety Committee reviews/approves updates to the PTASP.</li> </ul> </li> <li>• Advises the Accountable Executive on SMS progress and status.</li> </ul> |

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|  | <ul style="list-style-type: none"><li>• Identifies any substandard performance in LAVTA's SMS and develops action plans for approval by the Accountable Executive.</li><li>• Ensures LAVTA policies are consistent with LAVTA's safety objectives.</li><li>• Provides Safety Risk Management (SRM) expertise and support for other LAVTA personnel who conduct and oversee Safety Assurance activities.</li></ul> |
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| <p><b>Agency Executive Leadership and Contractor Management Staff</b></p> | <p>LAVTA Executive Leadership and Contractor Management Staff also have authorities and responsibilities for day-to-day SMS implementation and operation of LAVTA's SMS under this plan. LAVTA Executive Leadership and Contractor Management Staff include:</p> <ul style="list-style-type: none"> <li>• Director of Planning and Marketing (LAVTA),</li> <li>• Director of Finance, Human Resources and Procurement (LAVTA),</li> <li>• Operations/Safety/Maintenance managers and supervisors (contractor)</li> </ul> <p>LAVTA Executive Leadership and Contractor Management personnel have the following authorities, accountabilities, and responsibilities:</p> <ul style="list-style-type: none"> <li>• Participate as members of LAVTA's Safety Committee (operations and maintenance staff will be rotated through the Safety Committee while other positions are permanent members).</li> <li>• Complete training on SMS and LAVTA's PTASP elements.</li> <li>• Oversee day-to-day operations of the SMS in their departments.</li> <li>• Modify policies in their departments consistent with implementation of the SMS, as necessary.</li> <li>• Provide subject matter expertise to support implementation of the SMS as requested by the Accountable Executive or the Chief Safety Officer, including SRM activities, investigation of safety events, development of a safety risk mitigation and reduction program, and monitoring of mitigation effectiveness.</li> </ul>  |
| <p><b>Key Staff and Activities</b></p>                                    | <p>LAVTA uses the Safety Committee, the Campus Safety Committee, as well as the monthly Drivers' Meeting and monthly All-Staff Meeting, to support its SMS and safety programs, which includes active participation and compliance from contractors:</p> <ul style="list-style-type: none"> <li>• <b>Safety Committee (LAVTA/contractor):</b> Any safety hazards reported will be jointly evaluated by the Safety Committee and the Chief Safety Officer during the bimonthly meeting. The Safety Committee members include the Chief Safety Officer (Director of Operations), Paratransit Planner, and contractor staff (General Manager, Safety Manager, Road Supervisor, Operator, and Mechanic), who will meet to review issues and make recommendations to improve safety. The safety committee also approves the ASP prior to approval by LAVTA's Board of Directors or Equivalent Entity.</li> <li>• <b>Campus Safety Committee (LAVTA):</b> Regularly reviews Facilities hazard issues at LAVTA's properties and follows up with mitigations</li> <li>• <b>Drivers' Meetings (contractor):</b> A permanent agenda item in all monthly Drivers' Meetings is dedicated to safety. Safety issues are discussed and documented, and shared with the Safety Committee.</li> <li>• <b>Monthly All-Staff Meetings (LAVTA):</b> Hazard reports and mitigations will be shared, safety topics will be brought up for open discussion, further feedback solicited, and hazard self-reporting further encouraged. Information discussed in these meetings will be documented.</li> </ul> |

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| <p><b>Contracted Staff Responsibilities</b></p>   | <p>Contractors, at a minimum, are required to provide an equivalent level of safety reporting program standards and objectives as outlined in this policy and also implement a process to allow employees to report safety conditions and concerns to management. They may also have their own enhanced safety protocols for risk mitigation beyond what is required from LAVTA. LAVTA provides regularly scheduled oversight of the contractor's SMS through the described <i>Key Staff and Activities</i> above.</p> |
| <p><b>Employee Safety Reporting Program</b><br/> <i>(These are the processes and protections for employees (including contract) to report safety conditions to management)</i></p>  |  |
| <p>Our front-line employees are our best source of information for identifying hazards. Nobody knows more about the actual safety performance of the transit system than the employees who deliver the service.</p> <p>The Employee Safety Reporting Program (ESRP) is intended to help the Accountable Executive and other senior managers get important safety information from across the transit agency. It can be an agency's most important source of safety data.</p> <p>There are two types of safety reporting programs: mandatory and voluntary.</p> <ul style="list-style-type: none"> <li>• <b>Mandatory:</b> Employees must report hazards that are compliance-based and address regulatory issues. Employees are required to immediately report every incident and accident. An employee's failure to report or provide truthful information of an unsafe hazard or act could result in disciplinary action.</li> <li>• <b>Voluntary:</b> Employees are strongly encouraged to report hazards and can report anonymously. Every employee is empowered to report any unsafe hazard / risk to their supervisor or senior management without fear of retribution or penalty.</li> </ul> <p>Employees will have the option to report anonymously to maintain confidentiality. The ESRP is non-punitive and employees will not be disciplined for the act of reporting the Hazard or Near Miss. However, employees must report hazards that are compliance-based and address regulatory issues. Record falsification, Drug &amp; Alcohol violations, grossly negligent behavior, and failure to report accidents/incidents and serious safety hazards are examples of employee behaviors that may result in disciplinary action.</p> <p>Forms of reporting can include submitting a completed SMS Hazard/Risk Report Form (Exhibit 2) or utilizing a centrally located Safety Suggestion Box in break rooms.</p> <p>The Hazard/Risk Report Form shall be completed immediately, so proactive measures can be taken as soon as possible. Depending on the perceived level of risk and severity, the report shall be submitted immediately or by the end of their shift.</p> <p>LAVTA staff is currently implementing a cloud-based software solution that allows all employees, including frontline, to submit hazards through a convenient online portal. Hazards will be stored in a centralized database that will allow staff to efficiently track and assess each reported hazard, determining its level of risk. This assessment involves a comprehensive evaluation to gauge the potential impact and likelihood of the hazard occurring. By thoroughly analyzing these factors, staff can assign an appropriate risk mitigation plan tailored to address the specific hazard.</p> |  |

Input by employees into the ESRP can include safety concern reporting, operational system description, hazard identification, safety deficiencies, risk assessments, potential consequences of hazards, or recommended safety risk mitigations.

Examples of reports may include the following:

- Safety hazards in the operating environment (for example, county road conditions)
- Policies and procedures that aren't working as intended (for example, insufficient time to complete pre-trip inspections)
- Events that senior managers might not otherwise know about (for example, near misses)
- Information about why a safety event occurred (for example, radio communication challenges contributed to an incident)

The information we receive through this source will help us resolve the reported hazard and notify the supervisor or senior management of changes that may need to be made to mitigate safety hazards in the future.

The Chief Safety Officer will lead the effort on collection, analysis, resolution, and monitoring of hazards and feedback entered through the ESRP. Safety reports collected by the contractor will be addressed in a timely matter, according to their severity, and shared with the Chief Safety Officer/Director of Operations in regularly scheduled meetings and as needed. The Chief Safety Officer will take the lead on the Safety Risk Management process, with inputs from subject-matter experts in operations and maintenance.

## 5. Safety Risk Management

### Safety Risk Management (SRM) Process

*(These are the methods/processes of identifying hazards and their consequences, associated safety risks, and mitigations/strategies to address these things once they've been assessed)*

LAVTA uses the SRM process as a primary method to ensure the safety of our operations, passengers, employees, vehicles, and facilities. It is a process whereby hazards and their consequences are identified, assessed for potential safety risk, and resolved in a manner acceptable to LAVTA's leadership. LAVTA's SRM process allows us to carefully examine what could cause harm and determine whether we have taken sufficient precautions to minimize the harm, or if further mitigations are necessary. Our fixed route contractor's SRM process is documented in Exhibit 1. Our paratransit contractor's SRM process is documented in Exhibit 2.

LAVTA's Chief Safety Officer leads LAVTA's SRM process, working with LAVTA's Safety Committee (includes contractors; through regularly scheduled meetings listed in Section 4) to identify hazards and consequences, assess safety risk of potential consequences, and mitigate safety risk as a part of the safety risk reduction program aimed to reduce the rates of accidents, injuries, and assaults on transit workers. The results of LAVTA's SRM process will be documented in our Safety Risk Register and referenced materials.

LAVTA's SRM process applies to all elements of our system including our operations, maintenance, facilities, vehicles, personnel recruitment, training, and supervision.

In carrying out the SRM process, LAVTA uses the following terms:

- **Event** – Any accident, incident, or occurrence.
- **Hazard** – Any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure belonging to LAVTA; or damage to the environment.
- **Risk** – Composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk Mitigation** – Method(s) to eliminate or reduce the effects of hazards.
- **Consequence** – An effect of a hazard involving injury, illness, death, or damage to LAVTA property or the environment.

### Safety Hazard Identification

The safety hazard identification process offers LAVTA and its contractors the ability to identify hazards and potential consequences in the operation and maintenance of our system. Hazards can be identified through a variety of sources, including:

- ESRP;
- Review of vehicle camera footage;
- Review of monthly performance data and safety performance targets;

- Observations from supervisors (contractor);
- Maintenance reports (contractor);
- Comments from customers, passengers, and third parties, including LAVTA's transit insurance pool and vendors;
- Safety Committee, Drivers', and All-Staff Meetings (LAVTA/contractor);
- Results of audits and inspections of vehicles and facilities;
- Results of training assessments;
- Investigations into safety events, incidents, and occurrences; and
- Federal Transit Administration (FTA) and other oversight authorities (mandatory information source).

When a safety concern is observed by LAVTA's management or supervisory personnel or contractor management staff, whatever the source, it is reported to LAVTA's Chief Safety Officer. Procedures for reporting hazards to LAVTA's Chief Safety Officer are reviewed during All-Staff Meetings and in the Safety Committee meetings. LAVTA's Chief Safety Officer also receives employee reports from the ESRP, customer comments related to safety, and the dispatch daily Operations Log. LAVTA's Chief Safety Officer reviews these sources for hazards and documents them in LAVTA's Safety Risk Register.

LAVTA's Chief Safety Officer also may enter hazards into the Safety Risk Register based on their review of LAVTA's operations and maintenance, the results of audits and observations, and information received from FTA and other oversight authorities, as well as the National Transportation Safety Board.

LAVTA's Chief Safety Officer may conduct further analyses of hazards and consequences entered into the Safety Risk Register to collect information and identify additional consequences and to inform which hazards should be prioritized for safety risk assessment. In following up on identified hazards, LAVTA's Chief Safety Officer may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assessing the possible hazardous condition, generating visual documentation (photographs and/or video), and taking any measurements deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;
- Review any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.);
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any past reported hazards of a similar nature; and
- Evaluate tasks and/or processes associated with the reported hazard.

LAVTA's Chief Safety Officer will then prepare an agenda to discuss identified hazards and consequences with the Safety Committee during bimonthly meetings. This agenda may include additional background on the hazards and consequences, such as the results of trend analyses, vehicle camera footage, vendor documentation, reports and observations, or information supplied by FTA or other oversight authorities.

Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the SRM

process (with or without the full Safety Committee) for safety risk assessment and mitigation. This means that the Chief Safety Officer believes immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment that would constitute a violation of Environmental Protection Agency or California environmental protection standards. Otherwise, the Safety Committee will prioritize hazards for further SRM activity.

### **Safety Risk Assessment**

LAVTA assesses safety risk associated with identified safety hazards using its safety risk assessment process. This includes an assessment of the likelihood and severity of the consequences of hazards, including existing mitigations, and prioritizing hazards based on safety risk.

The Chief Safety Officer and Safety Committee (LAVTA/contractor) assess prioritized hazards using LAVTA's Safety Risk Matrix (Exhibit 5) and review the assessments and mitigation in the bimonthly meetings. This matrix expresses assessed risk as a combination of one severity category and one likelihood level, also referred to as a *hazard rating*. For example, a risk may be assessed as "1A" or the combination of a Catastrophic (1) severity category and a Frequent (A) probability level.

This matrix also categorizes combined risks into levels, High, Medium, or Low, based on the likelihood of occurrence and severity of the outcome. For purposes of accepting risk:

- "High" hazard ratings will be considered unacceptable and require action from LAVTA to mitigate the safety risk,
- "Medium" hazard ratings will be considered undesirable and require LAVTA's Safety Committee to make a decision regarding their acceptability, and
- "Low" hazard ratings may be accepted by the Chief Safety Officer without additional review.

Using a categorization of High, Medium, or Low allows for hazards to be prioritized for mitigation based on their associated safety risk.

The Chief Safety Officer schedules safety risk assessment activities on the Safety Committee agenda and prepares a Safety Risk Assessment Package. This package is distributed at least one week in advance of the Safety Committee meeting. During the meeting, the Chief Safety Officer reviews the hazard and its consequence(s) and reviews available information distributed in the Safety Risk Assessment Package on severity and likelihood. The Chief Safety Officer may request support from members of the Safety Committee in obtaining additional information to support the safety risk assessment.

Once sufficient information has been obtained, the Chief Safety Officer will facilitate completion of relevant sections of the Safety Risk Register, using the LAVTA Safety Risk Assessment Matrix, with the Safety Committee. The Chief Safety Officer will document the Safety Committee's safety risk assessment, including hazard rating and mitigation options for each assessed safety hazard in the Safety Risk Register. The Chief Safety Officer will maintain on file Safety Committee agendas, Safety Risk Assessment Packages, additional information collection, and completed Safety Risk Register sections for a period of three years from the date of generation.

### **Safety Risk Mitigation**

LAVTA's Accountable Executive and Chief Safety Officer review current methods of safety risk mitigation and establish methods or procedures to mitigate or eliminate safety risk associated with specific hazards based on recommendations from the Safety Committee (after contractors have gone through their SRM processes documented in Exhibits 1 and 2). LAVTA can reduce safety risk by reducing the likelihood



and/or severity of potential consequences of hazards.

Prioritization of safety risk mitigations is based on the results of safety risk assessments. LAVTA's Chief Safety Officer tracks and updates safety risk mitigation information in the Safety Risk Register and makes the Register available to the Safety Committee and LAVTA staff upon request.

In the event that the agency fails to meet a safety risk reduction program safety performance target, funds not less than 0.75 percent of LAVTA's Section 5307 will be allocated in the following fiscal year to projects reasonably expected to assist in meeting targets.

In the Safety Risk Register, LAVTA's Chief Safety Officer will also document any specific measures or activities, such as reviews, observations, or audits, that will be conducted to monitor the effectiveness of mitigations once implemented.

## 6. Safety Assurance

Through our Safety Assurance process, LAVTA and contractors:

- Evaluate our compliance with operations and maintenance procedures to determine whether our existing rules and procedures are sufficient to control our safety risk;
- Assess the effectiveness of safety risk mitigations to make sure the mitigations are appropriate and are implemented as intended;
- Investigate safety events to identify causal factors; and
- Analyze information from safety reporting, including data about safety failures, defects, or conditions.

### **Safety Performance Monitoring and Measurement**

*(Activities used to monitor the system for compliance with procedures for operations and maintenance)*

LAVTA has many processes in place to monitor its entire transit system (including contractors) for compliance with operations and maintenance procedures on a quarterly and annual basis and as needed, including:

- Safety audits,
- Informal inspections,
- Regular review of onboard camera footage to assess drivers and specific incidents,
- Safety surveys,
- ESRP,
- Investigation of safety occurrences,
- Safety review prior to the launch or modification of any facet of service,
- Daily data gathering and monitoring of data related to the delivery of service, and
- Regular vehicle inspections and preventative maintenance.

These activities are mirrored by the contractors and outlined in Exhibits 3 and 4. Results from the above processes from both contractors and internal staff are compared against recent performance trends quarterly and annually by the Chief Safety Officer to determine where action needs to be taken. The Chief Safety Officer enters any identified non-compliant or ineffective activities, including mitigations, back into the SRM process for reevaluation by the Safety Committee (LAVTA/contractor).

*(Activities used to monitor operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended).*

LAVTA monitors safety risk mitigations to determine if they have been implemented and are effective, appropriate, and working as intended. Contractors will monitor these (per Exhibits 3 and 4) and report back to LAVTA and the Safety Committee (LAVTA/contractor). The Chief Safety Officer maintains a list of safety risk mitigations in the Safety Risk Register. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The Chief Safety Officer establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns monitoring activities to the appropriate director,

manager, or supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports; conducting job performance observations; or other activities. The Chief Safety Officer will endeavor to make use of existing LAVTA processes and activities before assigning new information collection activities.

LAVTA's Chief Safety Officer and Safety Committee (LAVTA/contractor) review the performance of individual safety risk mitigations during bimonthly Safety Committee meetings, based on the reporting schedule determined for each mitigation, and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the Safety Committee will propose a course of action to modify the mitigation or take other action to manage the safety risk. Additionally, the system itself is being evaluated to ensure its effectiveness. The Chief Safety Officer will approve or modify this proposed course of action and oversee its execution.

LAVTA's Chief Safety Officer and Safety Committee also monitor LAVTA's operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from accident, incident, and occurrence investigations;
- Monitoring employee safety reporting;
- Reviewing results of internal safety audits and inspections; and
- Analyzing operational and safety data to identify emerging safety concerns, including data submitted to the NTD

The Chief Safety Officer works with the Safety Committee and Accountable Executive to carry out and document all monitoring activities.

*(Activities used to conduct investigations of safety events to identify causal and latent factors).*

LAVTA maintains documented procedures for conducting safety investigations of events (accidents, incidents, and occurrences, as defined by FTA) to find causal and contributing factors and review the existing mitigations in place at the time of the event (see Safety Event Investigation Procedures Manual, Exhibit 6). These procedures also reflect all traffic safety reporting and investigation requirements established by California Department of Motor Vehicles.

The Chief Safety Officer maintains all documentation of LAVTA's and the contractors' investigation policies, processes, forms, checklists, activities, and results. Investigation reports are prepared and shared with the Safety Committee (LAVTA/contractor) for integration into their analysis of the event.

The Safety Committee determines whether:

- The accident was preventable or non-preventable;
- Personnel require discipline or retraining;
- Latent factor(s) (beyond human factors such as errors, violations, the condition of an individual, or lack of communication or coordination between individuals, equipment and infrastructure failures in vehicles or technological components, organizational or environmental elements, or elements outside of the agency's control) contributed to the safety event;
- The causal factor(s) indicate(s) that a safety hazard contributed to or was present during the event;
- There are larger factors outside the control of the agency; and
- The accident appears to involve underlying organizational causal factors beyond just individual employee behavior, such as management elements, and agency/contractor

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| policies and procedures.   |
| <i>(Activities used to monitor information reported through internal safety reporting programs).</i>   |
| <p>The Chief Safety Officer and Safety Committee (LAVTA/contractor) routinely (bimonthly meetings) review safety data captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels. When necessary, the Chief Safety Officer and Safety Committee ensure that the concerns are investigated or analyzed through LAVTA's SRM process.</p> <p>The Chief Safety Officer and Safety Committee also review internal and external reviews, including audits and assessments, with findings concerning LAVTA's safety performance, compliance with operations and maintenance procedures, or the effectiveness of safety risk mitigations.</p> |

## 7. Safety Promotion

### Competencies and Training

*(The safety training program is relayed and promoted to all agency employees and contractors directly responsible for safety)*

LAVTA's comprehensive safety training program applies to all LAVTA employees and contractors directly responsible for safety, including:

- Bus vehicle operators,
- Dispatchers,
- Maintenance technicians,
- Managers and supervisors,
- Agency Leadership and Executive Management, and
- Chief Safety Officer and Accountable Executive.

LAVTA dedicates resources to conduct a comprehensive safety training program, as well as training on SMS roles and responsibilities. The scope of the safety training, including annual refresher training, is appropriate to each employee's individual safety-related job responsibilities and their role in the SMS. Contractors are required to conduct trainings and report status updates to LAVTA's Chief Safety Officer.

Basic training requirements for any employee or contractor operating LAVTA services, including frequencies and refresher training, are documented in the LAVTA Employee Handbook (Exhibit 4), MV Employee Handbook (Exhibit 5), Operator Requirements and Training Program (Exhibit 6) and/or Maintenance Safety Handbook (Exhibit 7).

Operations safety-related skill training (contractor) includes the following:

- Comprehensive new-hire bus vehicle operator classroom and hands-on skills training,
- Bus vehicle operator refresher training,
- Bus vehicle operator retraining (recertification or return to work),
- Bus vehicle operator de-escalation training,
- Classroom and on-the-job training for dispatchers,
- Classroom and on-the-job training for operations supervisors and managers, and
- Accident investigation training for operations supervisors and managers.

Vehicle maintenance safety-related skill training (contractor) includes the following:

- Ongoing vehicle maintenance technician skill training,
- Ongoing skill training for vehicle maintenance supervisors,
- Accident investigation training for vehicle maintenance supervisors,
- Ongoing hazardous material training for vehicle maintenance technicians and supervisors, and
- Training provided by vendors.

LAVTA's Accountable Executive and Agency Leadership and Contractor Management staff must complete FTA's SMS Awareness online training and an executive session on safety management sponsored by LAVTA's transit insurance pool.

## Safety Communication

*(The processes and activities by which safety and safety performance information is communicated throughout the organization and to contractors)*

LAVTA's Chief Safety Officer and Director of Finance (providing the human resources function) coordinate LAVTA's safety communication activities for the SMS. Contractors will, at a minimum, mirror LAVTA's frequency with which safety updates and performance information is communicated to employees and/or as required contractually at monthly meetings and report back to the Chief Safety Officer. LAVTA may also inquire and poll employee and contractor staff to ensure their awareness of the latest safety information shared. These activities focus on the three categories of communication activity established in 49 CFR Part 673:

- **Communicating safety and safety performance information throughout the agency:** LAVTA communicates information on safety and safety performance during monthly All-Staff Meetings. LAVTA also has a permanent agenda item in all monthly Drivers' Meetings (contractor) dedicated to safety. Information typically conveyed during these meetings includes safety performance statistics, lessons learned from recent occurrences, upcoming events that may impact LAVTA's service or safety performance, and updates regarding SMS implementation. LAVTA also requests information from drivers during these meetings, which is recorded in meeting minutes. Finally, LAVTA's Director of Finance, who oversees human resources, posts safety bulletins and flyers on the bulletin boards located in all bus operator and maintenance technician break rooms (contractor areas), advertising safety messages and promoting awareness of safety issues.
- **Communicating information on hazards and safety risks relevant to employees' roles and responsibilities throughout the agency:** As part of new-hire training, LAVTA distributes safety policies and procedures, included in the LAVTA Employee Handbook, to all employees. LAVTA and contractors provide training on these policies and procedures and discuss them during safety talks between supervisors and bus operators and vehicle technicians. Contractors will also communicate their own safety information and trainings as outlined in Exhibits 3, 4, 8, and 9 to staff. For newly emerging issues or safety events at the agency, LAVTA's Chief Safety Officer issues bulletins or messages to employees that are reinforced by supervisors in one-on-one or group discussions with employees. Contractors communicate this information to their employees, log, and report back to the Safety Committee (LAVTA/contractor).
- **Informing employees of safety actions taken in response to reports submitted through the ESRP:** LAVTA provides targeted communications to inform employees of safety actions taken in response to reports submitted through the ESRP, including handouts and flyers, safety talks, updates to bulletin boards, and one-on-one discussions between employees and supervisors. This information is also relayed to contractors so they can pass it on to their staff.

## 8. Additional Information

**Supporting Documentation**

*(Used to implement and carry out the PTASP that are not included elsewhere in this document)*

LAVTA will maintain documentation related to the implementation of its SMS; the programs, policies, and procedures used to carry out this PTASP; and the results from its SMS processes and activities for three years after creation. Please also see accompanying Exhibits. They will be available to the FTA or other Federal or oversight entity upon request.

## 9. Definitions of Terms Used in the Safety Plan

LAVTA incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

- **Accident** means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.
- **Accountable Executive** means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.
- **Equivalent Authority** means an entity that carries out duties similar to that of a Board of Directors for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.
- **Event** means any Accident, Incident, or Occurrence.
- **Hazard** means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- **Incident** means an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.
- **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.
- **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
- **Occurrence** means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.
- **Operator** of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.
- **Performance measure** means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
- **Performance target** means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.
- **Public Transportation Agency Safety Plan** means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.



- **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.
- **Safety Assurance** means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
- **Safety Management Policy** means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.
- **Safety Management System** means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.
- **Safety performance target** means a performance target related to safety management activities.
- **Safety Promotion** means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.
- **Safety risk assessment** means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
- **Safety Risk Management** means a process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.
- **Serious injury** means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.
- **Transit agency** means an operator of a public transportation system.
- **Transit Asset Management Plan** means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

## 10. Commonly Used Acronyms

| Acronym  | Word or Phase  |
|----------|--|
| ADA      | American's with Disabilities Act of 1990                   |
| PTASP    | Public Transportation Agency Safety Plan (Part 673)        |
| CFR      | Code of Federal Regulations                                |
| ESRP     | Employee Safety Reporting Program                          |
| FTA      | Federal Transit Administration                             |
| LAVTA    | Livermore Amador Valley Transit Authority                  |
| MPO      | Metropolitan Planning Organization                         |
| Part 673 | 49 CFR Part 673 (Public Transportation Agency Safety Plan) |
| SMS      | Safety Management System                                   |
| SRM      | Safety Risk Management                                     |
| U.S.C.   | United States Code   |
| VRM      | Vehicle Revenue Miles                                      |

## 11. Exhibits

|  |     |
|--|-----|
| Exhibit 1: MV Safety Management System (SMS), Hazard/Risk Report Form, Risk Severity Matrix..... | 1   |
| Exhibit 2: Transdev (LAVTA/CCCTA) (SMS).....   | 37  |
| Exhibit 3: Safety Event Investigation/Reporting Procedures.....                                  | 87  |
| Exhibit 4: LAVTA Employee Handbook.....  | 91  |
| Exhibit 5: MV Employee Handbook.....   | 180 |
| Exhibit 6: Operator Requirements and Training Program.....                                       | 280 |
| Exhibit 7: MV Maintenance Safety Handbook.....   | 302 |
| Exhibit 8: Safety Strategies for Infectious Diseases.....  | 420 |

## STAFF REPORT

SUBJECT: Amendment to Lease Agreement with T-Mobile West Tower LLC for Cell-Site at LAVTA Administration and Maintenance Facility

FROM: Mike Tobin, Director of Operations & Planning

DATE: June 2, 2025

---

### Action Requested

The Finance and Administration Committee requests that the Board approve the proposed amendment to the Lease Agreement between LAVTA and T-Mobile West Tower LLC, providing for T-Mobile's continued use of space at the LAVTA Operations and Maintenance Facility for a telecommunications cell-site.

### Background

In 2006, LAVTA received a proposal from T-Mobile to install a cell tower at its Rutan Court facility. In May 2007, the Livermore City Planning Commission approved the construction of a 40-foot telecommunications facility, and the LAVTA Board approved the installation and lease in September 2007.

The original lease commenced on March 26, 2008, with an initial five-year term expiring March 25, 2013. The agreement included three five-year extension options, all of which were exercised by the lessee. The final extension is currently set to expire on March 25, 2028.

In late 2023, Crown Castle—representing T-Mobile—approached LAVTA with a request to expand the cellular equipment on-site, which would have increased the carrier's footprint and rent. After evaluating the proposal, LAVTA staff declined the expansion request but used the opportunity to initiate a conversation about extending the current lease and potentially revising the terms and conditions of the lease agreement.

### Discussion

Following extended negotiations with Crown Castle, staff reached agreement on terms for an amended lease that provides long-term certainty while preserving favorable financial conditions for LAVTA. The key terms of the proposed amendment are as follows:

- Term Extension: The lease will be extended for four (4) additional five-year terms, resulting in a new final expiration date of March 25, 2048.

- Annual Rent Escalation: The lease will maintain the existing 5% annual rent escalation, which is favorable compared to industry norms and will help ensure lease payments remain aligned with market trends over time.
- Current Rent: The current base rental rate will remain unchanged, with the existing 5% annual escalation continuing to apply throughout the lease term.
- Administrative Fee: T-Mobile will pay LAVTA a one-time administrative fee of \$4,000 to cover legal and administrative costs associated with processing the lease amendment.

Staff believe that this amendment preserves a steady and growing revenue stream for LAVTA while avoiding operational disruption or the need to market the site to a new tenant when the current lease expires.

### **Budget Considerations**

Currently, LAVTA receives \$3,929.18 per month in rentals fees from T-Mobile. Any revenue generated from this lease agreement will be included in all future operating budgets.

### **Next Steps**

Based on a favorable review from LAVTA's Legal Counsel, Staff, and the F&A Committee, and provided the LAVTA Board approves, LAVTA's Executive Director will finalize and execute the Lease with T-Mobile.

### **Recommendation**

The Finance and Administration Committee recommend that the Board of Directors approve the proposed amendment to the Lease Agreement between LAVTA and T-Mobile West Tower LLC for continued use of space at the LAVTA Operations and Maintenance Facility for a telecommunications cell-site.

Attachments:

1. Proposed Draft Amendment

## FIRST AMENDMENT TO LEASE

THIS FIRST AMENDMENT TO LEASE (the “First Amendment”) is made effective this \_\_\_\_\_ day of \_\_\_\_\_, 2025 (“Effective Date”), by and between LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY, a joint powers authority (hereinafter referred to as “Lessor”) and T-MOBILE WEST TOWER LLC, a Delaware limited liability company, by and through its Attorney In Fact, CCTMO LLC, a Delaware limited liability company (hereinafter referred to as “Lessee”).

### RECITALS

WHEREAS, Lessor and Omnipoint Communications, Inc., a Delaware corporation, d/b/a T-Mobile (“Original Lessee”) entered into a Lease dated September 10, 2007, a memorandum of which was recorded in the official records of Alameda County, California (“Official Records”) on July 10, 2008 at Instrument No. 2008212834 (the “Lease”) whereby Original Lessee leased certain real property, together with access and utility easements, located in Alameda County, California from Lessor (the “Premises”), all located within certain real property owned by Lessor (“Lessor’s Property”); and

WHEREAS, T-Mobile West Tower LLC is currently the Lessee under the Lease as successor in interest to the Original Lessee; and

WHEREAS, the Premises may be used for the purpose of constructing, maintaining and operating a Wireless Facility, as defined in Section 4.01 of the Lease; and

WHEREAS, the Lease had an initial term that commenced on March 26, 2008 and expired on March 25, 2013. The Lease provides for three (3) extensions of five (5) years each, all three (3) of which were exercised by Lessee. According to the Lease, the final extension expires on March 25, 2028; and

WHEREAS, Lessor and Lessee desire to amend the Lease on the terms and conditions contained herein.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, Lessor and Lessee agree as follows:

1. Recitals; Defined Terms. The parties acknowledge the accuracy of the foregoing recitals. Any capitalized terms not defined herein shall have the meanings ascribed to them in the Lease. All references in the Lease to the capitalized term “Authority” shall be replaced with “Lessor”.

2. Term. Section 2 of the Lease is being amended by deleting the following:

If Lessee has complied with all terms and conditions of the Lease at the end of each lease term and is not in default under the Lease, Authority shall grant Lessee the right and option (“Renewal Option”) to extend the term of this Lease for three (3) additional five (5) year terms (“Renewal Terms”).

and adding the following:

If Lessee has complied with all terms and conditions of the Lease at the end of each lease term and is not in default under the Lease, Lessor shall grant Lessee the right and option ("Renewal Option") to extend the term of this Lease for seven (7) extensions of five (5) years each (each extension is referred to as a "Renewal Term").

The remainder of Section 2 of the Lease remains unchanged by this First Amendment. Lessor and Lessee hereby acknowledge that Lessee has exercised three (3) Renewal Terms, leaving a balance of four (4) Renewal Terms. If all Renewal Terms are exercised, the final Renewal Term will expire on March 25, 2048.

3. Survey. Lessee reserves the right, at its discretion and at its sole cost, to obtain a survey ("Survey") specifically describing the Premises and any access and utility easements associated therewith. Lessee shall be permitted to attach the Survey as an exhibit to this First Amendment and any related memorandum for recording, which shall update and replace the existing description, at any time prior to or after closing of this First Amendment.

4. Administrative Fee. Tenant will pay to Landlord a one-time amount of Four Thousand and 00/100 Dollars (\$4,000.00) for the full execution of this First Amendment, payable within thirty (30) days of the full execution of this First Amendment ("Administrative Fee"). In the event that this First Amendment (and any applicable memorandum of Lease and/or amendment) is not fully executed by both Landlord and Tenant for any reason, Tenant shall have no obligation to pay the Administrative Fee to Landlord.

5. Representations, Warranties and Covenants of Lessor. Lessor represents, warrants and covenants to Lessee as follows:

a) Subject to approval by Lessor's Board of Directors, Lessor is duly authorized to and has the full power and authority to enter into this First Amendment and to perform all of Lessor's obligations under the Lease as amended hereby.

b) Lessee is not currently in default under the Lease, and to Lessor's knowledge, no event or condition has occurred or presently exists which, with notice or the passage of time or both, would constitute a default by Lessee under the Lease.

c) Lessor agrees to provide such further assurances as may be requested to carry out and evidence the full intent of the parties under the Lease as amended hereby, and ensure Lessee's continuous and uninterrupted use, possession and quiet enjoyment of the Premises under the Lease as amended hereby.

d) Lessor acknowledges that the Premises, as defined, shall include any portion of Lessor's Property on which communications facilities or other Lessee improvements exist on the date of this First Amendment.

6. Notices. Lessee's notice address as stated in Section 20.05 of the Lease is amended as follows:

If to Lessee:

T-Mobile West Tower LLC  
12920 S.E. 38<sup>th</sup> Street  
Bellevue, WA 98006  
Attn: Leasing Administration

With a copy to:

T-Mobile West Tower LLC  
c/o CCTMO LLC  
Attn: Legal – Real Estate Department  
2000 Corporate Drive  
Canonsburg, PA 15317

7. IRS Form W-9. Lessor agrees to provide Lessee with a completed IRS Form W-9, or its equivalent, upon execution of this First Amendment and at such other times as may be reasonably requested by Lessee. In the event the Lessor's Property is transferred, the succeeding Lessor shall have a duty at the time of such transfer to provide Lessee with a completed IRS Form W-9, or its equivalent, and other related paper work to effect a transfer in the rent to the new Lessor. Lessor's failure to provide the IRS Form W-9 within thirty (30) days after Lessee's request shall be considered a default and Lessee may take any reasonable action necessary to comply with IRS regulations including, but not limited to, withholding applicable taxes from rent payments.

8. Counterparts. This First Amendment may be executed in separate and multiple counterparts, each of which shall be deemed an original but all of which taken together shall be deemed to constitute one and the same instrument.

9. Remainder of Lease Unaffected. In all other respects, the remainder of the Lease shall remain in full force and effect. Any portion of the Lease that is inconsistent with this First Amendment is hereby amended to be consistent.

10. Recordation. Lessee, at its cost and expense, shall have the right to record a memorandum of this First Amendment in the Official Records at any time following the execution of this First Amendment by all parties hereto.

[Signature pages follow]



Lessor and Lessee have caused this First Amendment to be duly executed on the day and year first written above.

**LESSOR:**  
LIVERMORE AMADOR VALLEY  
TRANSIT AUTHORITY, a joint powers  
authority

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Lessor affirms that this First Amendment was  
approved at a duly noticed public meeting  
held on \_\_\_\_\_ 2025

[Lessee Execution Page Follows]

This First Amendment is executed by Lessee as of the date first written above.

**LESSEE:**

T-MOBILE WEST TOWER LLC, a  
Delaware limited liability company

By: CCTMO LLC, a Delaware limited  
liability company  
Its: Attorney In Fact

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

## STAFF REPORT

SUBJECT: Amendment to Funding Agreement with the City of Pleasanton for ADA Transportation Services

FROM: Kadri Klm, Paratransit Planner

DATE: June 2, 2025

---

### Action Requested

Recommend the Board of Directors approve the first amendment to the Memorandum of Understanding (MOU) with the City of Pleasanton for the provision of ADA paratransit services in FY26 and FY27.

### Background

In December 2022, LAVTA entered into a cost-sharing agreement with the City of Pleasanton to provide all ADA transportation services to Pleasanton residents. The Staff Report from December 5, 2022 is included as Attachment 1. The MOU term expires on June 30, 2025; both the City of Pleasanton and LAVTA desire to extend the MOU.

### Discussion

Transferring ADA ridership from Pleasanton Rides to LAVTA has allowed Pleasanton Rides to operate exclusively as a senior transportation service for older adults. The partnership has proven beneficial for LAVTA and the City of Pleasanton and both parties are in favor of extending the agreement for two additional fiscal years. With the amended MOU (Attachment 2), LAVTA will continue receiving City of Pleasanton's MTC TDA 4.5 funds and 35% of Pleasanton's Measure BB funds over the duration of the agreement, through June 2027.

The Pleasanton City Council approved the amendment at their May 6, 2025 meeting.

### Recommendation

The Finance and Administration Committee recommends the Board approve the first amendment to the Memorandum of Understanding (MOU) with the City of Pleasanton for the provision of ADA paratransit services in FY26 and FY27.

Attachment:

1. December 5, 2022 Staff Report
2. Amended Memorandum of Understanding

## LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

## STAFF REPORT

SUBJECT: Funding Agreement with the City of Pleasanton for ADA Transportation Services

FROM: Christy Wegener, Executive Director

DATE: December 5, 2022

---

**Action Requested**

Staff requests the Board of Directors approve Resolution 46-2022 allowing the Executive Director to enter into a Memorandum of Understanding (MOU) with the City of Pleasanton to relinquish their TDA 4.5 funds and a percentage of the ACTC Measure BB funds and to complete the transfer of ADA transportation services from Pleasanton to LAVTA.

**Background**

In 2017, LAVTA and the Pleasanton Paratransit Program (Pleasanton Rides) engaged Nelson Nygaard, an industry leader in transportation planning, to explore the effectiveness of the current organization, management, and delivery of paratransit services in the Tri-Valley and prepare recommendations for service improvements. The City Paratransit services provided transportation for seniors and people with disabilities residing in Pleasanton. While LAVTA provided services to people with disabilities in Pleasanton, Dublin and Livermore. Therefore, both LAVTA and Pleasanton Rides provided paratransit services to Pleasanton residents.

Nelson Nygaard provided a comprehensive study of paratransit services called Mobility Forward: Tri-Valley Paratransit Study. The goals of the study were to continue to meet paratransit needs of Tri-Valley residents; identify opportunities for greater partnership and efficiencies between the City and LAVTA; and/or identify opportunities for consolidation or re-organization of paratransit services in the Tri-Valley. The study evaluated current service delivery and determined how to best meet residents need. A final report of the study was adopted by the Board in 2019.

This staff report addresses one of the four final report recommendations – Transfer Americans with Disability Act (ADA) services from the City to LAVTA. disabilities with a sub-recommendation to operate Pleasanton Rides as a senior transportation service for older adults, utilizing a contractor instead of City staff.

Currently, the City of Pleasanton receives transportation funding from MBB and MTC TDA 4.5 funds for both paratransit (senior riders) and ADA services.

### Discussion

LAVTA provides ADA transportation services to approximately 316 Pleasanton residents, resulting in roughly 4,802 annual trips. This number is expected to increase over the next few years, rising to 8,239 annual trips in 2024. LAVTA estimates the cost to provide ADA service to Pleasanton residents to be approximately \$330,000 in fiscal year 2022/23, \$412,000 in fiscal year 2023/24, and \$471,000 in fiscal year 2024/25.

In consideration of an equitable revenue sharing option, Nelson Nygaard developed different funding options for the City and LAVTA to consider. Options provided all Pleasanton MTC TDA 4.5 funds and a portion of MBB funds to LAVTA. The suggested revenue sharing arrangement was based upon retaining the Pleasanton Rides program without impact to the general fund, maintaining an adequate MBB reserve fund balance to purchase program vehicles, and providing some City transportation specific funds to LAVTA. City staff evaluated all financial options and proposed a revenue sharing arrangement where LAVTA would receive all the City's MTC TDA 4.5 monies and an increasing share (25% up to 35%) of the City's Measure BB monies.

### Fiscal Impact

| <b>Estimated Pleasanton Rides Available Funds (prior to revenue sharing)</b> |   |   |   |
|--|---|---|---|
|  | <b>FY 23</b>  | <b>FY 24</b>                              | <b>FY 25</b>                              |
| Measure BB   | \$542,000   | \$569,100                                 | \$597,500                                 |
| MTC TDA 4.5  | \$105,000   | \$110,200                                 | \$115,700                                 |
| <b>Total Available</b>   | <b>\$647,000</b>  | <b>\$679,300</b>                          | <b>\$713,300</b>                          |
| <b>Estimated Costs for LAVTA</b>   |   |   |   |
| LAVTA cost to transport Pleasanton ADA residents                             | \$330,400   | \$412,339                                 | \$471,715                                 |
| Pleasanton revenue share with LAVTA  | \$120,250<br>(50% MTC TDA 4.5 + 12.5%, MBB) (prorated six months) | \$280,980<br>(100% MTC TDA 4.5 + 30% MBB) | \$324,907<br>(100% MTC TDA 4.5 + 35% MBB) |
| <b>Total LAVTA Obligation</b>  | <b>(\$210,150)</b>  | <b>(\$131,359)</b>                        | <b>(\$146,808)</b>                        |
| <b>Estimated Totals for Pleasanton Rides</b>                                 |   |   |   |
| Expense  | \$454,000   | \$476,000                                 | \$515,000                                 |
| Revenue  | \$526,750<br>(50% MTC TDA 4.5 + 87.5% MBB) (six months)           | \$398,370<br>(0% MTC TDA 4.5 + 70% MBB)   | \$388,411<br>(0% MTC TDA 4.5 + 65% MBB)   |

The City of Pleasanton will share the transportation-specific funds with LAVTA:

Fiscal Year 2022/23 (half of a year) – 50% of City MTC TDA 4.5 and 12.5% of MBB funds (12.5% is based upon a full year at 25%) - **\$120,250**

Fiscal Year 2023/24 - 100% of City MTC TDA 4.5 and 30% of MBB funds - **\$280,980**

Fiscal Year 2024/25 - 100% of City MTC TDA 4.5 and 35% of MBB funds - **\$324,907**

The City and LAVTA staff have drafted a MOU (attached) with the proposed end date of June 2025 to allow both the City and LAVTA to assess ridership and cost trends and adjust future MBB funding as needed. MBB funds have historically increased year-to-year but, the increase varies. A more accurate revenue sharing discussion is recommended towards the end of this MOU term.

### **Recommendation**

Staff recommends that the Board of Directors approve Resolution 46-2022 allowing the Executive Director to enter into a Memorandum of Understanding (MOU) with the City of Pleasanton to relinquish their TDA 4.5 funds and a percentage of the ACTC Measure BB funds and to complete the transfer of ADA transportation services from Pleasanton to LAVTA.

### **Attachments:**

1. Resolution 46-2022
2. Draft Memorandum of Understanding

*Approved:* \_\_\_\_\_

**RESOLUTION 46-2022**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER IN AN MOU WITH THE  
CITY OF PLEASANTON TO RECEIVE FUNDING FOR ADA PARATRANSIT  
SERVICES FOR PLEASANTON RESIDENTS**

WHEREAS, in 2017 the City of Pleasanton and LAVTA entered into a study to determine the best manor to provide service to mutual customers; and

WHEREAS, the final report from the study was adopted by both the LAVTA Board of Directors and Pleasanton's City Council in 2019; and

WHEREAS, the study found that LAVTA and the City of Pleasanton have provided duplicate American with Disabilities Act (ADA) services; and

WHEREAS, one of the recommendations of the study was to transfer ADA services from the City of Pleasanton to LAVTA; and

WHEREAS, the City of Pleasanton wishes to implement this recommendation and to share the costs of current and future Pleasanton ADA trips;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Livermore Amador Valley Transit Authority to accept the funding for the services from the City of Pleasanton; and

BE IT FURTHER RESOLVED by the Board of Directors of the Livermore Amador Valley Transit Authority to authorize the Executive Director to enter into an MOU with the City of Pleasanton, in a form approved by Legal Counsel; and

PASSED AND ADOPTED this 5th day of December 2022.

---

David Haubert, Chair

Attest:

---

Christy Wegener, Executive Director

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF PLEASANTON AND THE  
LIVERMORE-AMADOR VALLEY TRANSIT AUTHORITY  
TO RELINQUISH METROPOLITAN TRANSPORTATION COMMISSION –  
TRANSPORTATION DEVELOPMENT ACT 4.5 FUNDS AND TO ALLOCATE AN  
ANNUAL PERCENTAGE OF CITY OF PLEASANTON ALAMEDA  
TRANSPORTATION COMMISSION – MEASURE BB FUNDS IN ORDER TO  
TRANSFER THE OPERATION OF ADA TRANSPORTATION SERVICES FROM  
PLEASANTON TO LAVTA**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into between the CITY OF PLEASANTON, a municipal corporation ("City"), and the Livermore-Amador Valley Transit Authority (“LAVTA”), each also individually referred to as "Party" and collectively referred to as the "Parties".

*RECITALS*

WHEREAS, City is dedicated to providing efficient and responsive senior citizen transportation for Pleasanton residents 70 and older through the Pleasanton Rides Program; and

WHEREAS, LAVTA provides equal access to a variety of safe, affordable and reliable public transportation choices, increasing the mobility and improving the quality of life of those who use their services; and

WHEREAS, LAVTA is the local mandated Americans with Disability Act (ADA) transportation provider; and

WHEREAS, City has provided duplicative ADA transportation services for Pleasanton residents and will no longer provide said services; and

WHEREAS, City agrees to relinquish its Metropolitan Transportation Commission – Transportation Development Act 4.5 funds for LAVTA to claim, and City agrees to provide a percentage of its Alameda Transportation Commission – Measure BB funds as described below; and

WHEREAS, LAVTA agrees to take over the operation of all ADA transportation services for Pleasanton residents; and

**NOW, THEREFORE**, the Parties agree as follows:

**1. Cost sharing to off-set current and future Pleasanton ADA certified trips.** City will provide LAVTA with the following funding allocation:



- a. City will relinquish its annual Metropolitan Transportation Commission – Transportation Development Act 4.5 fund allocation. LAVTA will need to request said funds to be directly allocated to LAVTA. For Fiscal Year 2022/23 City will relinquish 50% of its allocation, reflecting a January 1, 2023 effective date.
- b. City will complete an annual fund transfer, during the month of June, of its Alameda County Transportation Commission – Measure BB funds.
- c. City Measure BB fund allocations to be transferred with the following percentages:
  - i. Fiscal Year 2022/23 (half year allocation, January 1 to June 30) – 25%
  - ii. Fiscal Year 2023/24 – 30%
  - iii. Fiscal Year 2024/25 – 35%

2. **Requirements.** LAVTA must transport all Pleasanton residents that qualify for transportation services under the Americans with Disability Act. Said transportation services must start January 1, 2023 and continue through June 30, 2025. To secure these funds LAVTA must:

- a. Apply to the Metropolitan Transportation Commission to acquire the City of Pleasanton relinquished allocation of MTC TDA 4.5 funds.
- b. Invoice the City for the LAVTA portion of Measure BB funds. Invoices must be submitted by May 30 of each year, up to and including May 30, 2025. Invoice amount must equal the amount described in Section 1.c. City will pay invoice within 30 days or receipt of invoice. LAVTA shall send invoice to:

City of Pleasanton  
 123 Main Street  
 Pleasanton, CA 94566  
 Attn: Finance Department

3. **Term.** The term of this MOU begins on the date of the last signature below and ends June 30, 2025.

4. **Amendment.** This MOU may only be amended in writing and signed by both Parties.

5. **Notice.** Any notice required to be given by this MOU will be sufficient if hand delivered mailed or sent prepaid by commercial overnight delivery services as follows or to such other addresses as the affected Parties will specify in writing.

**To City:**

City of Pleasanton  
123 Main Street  
Pleasanton, CA 94566

Attn: City Manager    Attn: Interim Executive Director & Director of Finance

**To District:**

Livermore-Amador Valley Transit Authority  
1362 Rutan Court, Suite 100  
Livermore, CA 94551

**6. Electronic Signatures.** This MOU may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement. Counterparts may be delivered via facsimile, electronic mail (including pdf or any electronic signature complying with U.S. federal E-Sign Act of 2000 (15 U.S. Code §7001 et seq.), California Uniform Electronic Transactions Act (Cal. Civil Code §1633.1 et seq.), or other applicable law) or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes.

**CITY OF PLEASANTON****LIVERMORE-AMADOR VALLEY TRANSIT AUTHORITY**

\_\_\_\_\_  
Gerry Beaudin, City Manager

\_\_\_\_\_  
Christy Wegener, Executive Director

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Jocelyn Kwong, City Clerk

\_\_\_\_\_  
Jennifer Suda, Executive Assistant

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Daniel G. Sodergren, City Attorney

**FIRST AMENDMENT  
TO  
MEMORANDUM OF UNDERSTANDING BETWEEN LIVERMORE AMADOR  
VALLEY TRANSIT AUTHORITY  
AND CITY OF PLEASANTON**

**THIS FIRST AMENDMENT** to the Memorandum of Understanding to Relinquish Metropolitan Transportation Commission (“MTC”) – Transportation Development Act (“TDA”) 4.5 Funds and to Allocate an Annual Percentage of City of Pleasanton Alameda Transportation Commission (ATC) – Measure BB Funds in Order to Transfer the Operation of ADA Transportation Services From Pleasanton To LAVTA dated December 5, 2022 (“Agreement”) by and between the LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY, a joint exercise of powers agency established pursuant to California law, hereinafter referred to as "LAVTA," and the City of Pleasanton, hereinafter referred to as “City,” is made and entered into on **(Effective Date)**.

**WITNESSETH**

**WHEREAS**, on December 5, 2022, LAVTA and the City entered into the Agreement for the City to relinquish their MTC TDA 4.5 funds and to allocate an annual percentage of their ATC Measure BB funds in order to transfer the operation of ADA services to LAVTA; and

**WHEREAS**, in accordance with Section 4 of the Agreement, LAVTA and the City desire to extend the term through June 30, 2027 and update funding allocation to account for the extended term.

**IT IS HEREBY AGREED**, by the Parties that the Agreement is revised and amended as follows:

- 1. COST SHARING (MTC – TDA 4.5 Fund Allocation):** Section 1.a is hereby deleted and replaced in its entirety with the following:

City will relinquish its annual Metropolitan Transportation Commission – Transportation Development Act 4.5 fund allocation. LAVTA will need to request said funds to be directly allocated to LAVTA.

- 2. COST SHARING (Measure BB Fund Allocation):** Section 1.c is hereby deleted and replaced in its entirety with the following:

City Measure BB fund allocations to be transferred with the following percentages:

- i. Fiscal Year 2025/26 - 35%
- ii. Fiscal Year 2026/27 - 35%

- 3. REQUIREMENTS:** Section 2. Requirements is hereby deleted and replaced in its entirety with the following:

LAVTA must transport all Pleasanton residents that qualify for transportation services under the Americans with Disability Act. Said transportation services continue through June 30, 2027. To secure these funds LAVTA must:

- a.** Apply to the Metropolitan Transportation Commission to acquire the City's relinquished allocation of MTC TDA 4.5 funds.
- b.** Invoice the City for the LAVTA portion of Measure BB funds. Invoices must be submitted by August 30 of each year, up to and including August 30, 2027. Invoice amount must equal the amount described in Section 1.c. City will pay invoice within 30 days or receipt of invoice. LAVTA shall send invoice to:

City of Pleasanton  
123 Main Street  
Pleasanton, CA 94566  
Attn: Finance Department

- 4. TERM.** Section 3. Term is hereby deleted and replaced in its entirety with the following:

The term of this MOU begins on December 5, 2022 and ends June 30, 2027.

- 5. EFFECT.** Except as and solely to the extent amended by this First Amendment, the Agreement will continue in full force and effect in accordance with its terms.

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment to the Agreement to be executed by and through their respective officers on Effective Date.

**CITY OF PLEASANTON**

**LIVERMORE-AMADOR VALLEY TRANSIT  
AUTHORITY**

\_\_\_\_\_  
Gerry Beaudin, City Manager

\_\_\_\_\_  
Christy Wegener, Executive Director

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Jocelyn Kwong, City Clerk

\_\_\_\_\_  
Lynn Domagas, Executive Assistant

**APPROVED AS TO FORM:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Daniel G. Sodergren, City Attorney

\_\_\_\_\_  
Michael Conneran, Legal Counsel

## STAFF REPORT

SUBJECT: Election of LAVTA Chair and Vice Chair

FROM: Christy Wegener, Executive Director

DATE: June 2, 2025

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### Action Required

Elect a new Chair and Vice Chair of the LAVTA Board of Directors for FY25.

### Background

Per the Bylaws, the FY26 LAVTA Chair should represent the City of Pleasanton and the Vice Chair should represent Alameda County.

Sections 4.03, 4.04 and 4.05 of LAVTA Bylaws read as follows:

- 4.03** Term of Office. The Chair and Vice Chair shall serve one (1) year terms of office commencing on July 1 of each year. There shall be no limit on the number of terms that a Director may serve as Chair or Vice Chair. The Chair shall rotate among the four Members on an annual basis with a Pleasanton, County, Dublin, and Livermore sequence.
- 4.04** Qualifications. In casting votes for Chair and Vice Chair, members of the Board may consider the candidate's leadership qualities, ability to conduct meetings of the Board expeditiously and fairly, and willingness to represent and implement positions adopted by the Board when such positions are at variance with his/her political views, as well as any other factors deemed pertinent.
- 4.05** Nomination and Election of Officers Nomination and election of officers shall be carried out in such a manner and schedule as determined by the Board of Directors.

### Next Steps

Per the Bylaws of the Authority, the Chair shall appoint the members of the Committees and the Chair of each committee subject to Board approval. If there are fewer than three standing committees, the Chairs of committees will be from jurisdictions other than that of the Chair and Vice-Chair.

The following is the current membership of the two LAVTA committees:

*Project & Services Committee*

David Haubert (County of Alameda), Chair

Jean Josey (Dublin), Vice Chair

Evan Branning (Livermore)

Craig Eicher (Pleasanton)

*Finance & Administration Committee*

Michael McCorriston (Dublin), Chair

Kristie Wang (Livermore), Vice Chair

Julie Testa (Pleasanton)

Board members should advise the Board Chair if they would like to be considered for a different committee assignment within the next two weeks. At the July Board meeting the Chair will bring back recommendations for both committee membership and committee Chair positions for Board consideration.

**Recommendation**

Staff recommends the Board nominate and elect a LAVTA Board Chair and Vice Chair for FY2026 in accordance with the agency's bylaws.

## STAFF REPORT

SUBJECT: Legislative Update

FROM: Jennifer Yeamans, Senior Grants & Management Specialist

DATE: June 2, 2025

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### Action Requested

Receive an informational update on recent legislative activities in Washington, D.C. and Sacramento and approve one position referred by the Finance & Administration Committee.

### Background

In February 2025, the Board of Directors approved LAVTA's 2025 Legislative Program to support LAVTA's advocacy needs and priorities in the coming year. Since then, LAVTA staff along with our state and federal advocacy partners have tracked the full scope of legislative initiatives in both Sacramento and Washington, D.C., in consideration of LAVTA's interests. This update reports on recent legislative activities with a focus on legislation moving through the State Legislature, and recommends the Board of Directors approve one position.

### Discussion

#### *Federal Activities*

The most recent weekly report from LAVTA's Washington, D.C., representative Carpi & Clay is included as [Attachment 1](#). As reported last month, Congress is moving ahead with activities related to reauthorization of the federal surface transportation programs, currently authorized by the Infrastructure Investment and Jobs Act (IIJA) through September 2026. The process is extensive and involves multiple committees in both chambers. Meanwhile, earlier this month the Republican-led House continues to advance both a reconciliation package backed by the Administration as well as the President's FY26 "Skinny" budget proposal, which calls for a 22.6% reduction in non-defense spending, none of which are currently slated to impact transit.

On May 5, the Federal Transit Administration (FTA) released their full FY 2025 apportionments, which includes formula funds flowing to the Livermore-Pleasanton-Dublin Urbanized Area that LAVTA uses mainly for transit capital and ADA operating needs. For nationwide competitive bus grants, FTA will administer \$398 million in Bus and Bus Facilities program funds for FY25 and \$1.1 billion in Low or No Emission (LowNo) funds authorized under the IIJA. FTA released a Notice of Funding Opportunity for both programs on May 15, which staff is reviewing in relation to the LAVTA's current needs and priorities.

### *State Activities*

The Legislature has been hearing the last of bills introduced in their houses of origin prior to the June 6 deadline for them to advance from a floor vote to the other chamber. An updated matrix of bills being tracked by LAVTA's Sacramento advocate, Townsend Public Affairs (TPA), is included as Attachment 2, including LAVTA's past positions taken.

### State Budget Update

On May 14, Governor Newsom released the May revise of the FY 2025-26 state budget. Compared to January's preliminary budget, the May revise anticipates a shortfall of \$12 billion due to downgraded economic and revenue forecasts driven by changes in federal policy since January, specifically the broad imposition of tariffs, which are forecast to substantially trim corporate profit growth in 2025 and the revenues that the state draws from taxable corporate profits. Meanwhile, expenditures in many categories are expected to increase, including healthcare. The May revise would close the budget shortfall with a combination of spending reductions, borrowing from future commitments, and spreading the allowable withdrawal from reserves in 2024-25 over the next two years.

Within that shifting landscape, transportation revenues and expenditures on which LAVTA relies for both capital and operating needs are forecast to be relatively stable, though statewide sales and use taxes are forecast to be 0.7% lower than January's budget, due to lower-than-anticipated taxable sales in the second half of 2024 and extending into 2025 due to a weaker economic outlook. In addition, the budget proposes to eliminate certain spending categories that LAVTA relies on within the Cap and Trade framework as described below.

### Cap and Trade Reauthorization Update

Last month, the Board approved a **Watch** position on AB 1207 (Irwin), one of the placeholder measures to reauthorize the state's cap-and-trade system created under the California Global Warming Solutions Act of 2006, which is currently set to expire December 31, 2030. LAVTA currently benefits from several existing competitive and formulaic programs aimed at expanding public transit as a mechanism to reduce greenhouse gas emissions in the transportation sector.

Since May's Board action, a clearer picture of the reauthorization process and timing has emerged through both Legislative leaders as well as the Governor's May Revise, which proposes an extension of the Cap-and-Trade program (re-dubbed "Cap-and-Invest"), with an intent to craft clear guiding principles that enable a stable and predictable price on carbon emissions to grow investments in carbon reduction and clean technologies through 2045. The May revise states the Administration's intent to work with the Legislature to design an expenditure plan that invests the program's proceeds in "transformative climate projects," such as High-Speed Rail, as well as other climate programs, starting as soon as FY26.

However, details proposed by Department of Finance staff to the Assembly Budget Subcommittee #4 on Climate Crisis, Resources, Energy, and Transportation at their May 15 hearing proposed to eliminate beginning in FY26 certain existing allocations and continuous appropriations currently authorized statutorily through FY29, including the formula-based Low Carbon Transit Operating Program (LCTOP) and the competitive Transit and Intercity



Rail Capital Program (TIRCP), both of which LAVTA plans to rely on to help fund its Atlantis facility construction needs in the coming years. The Governor's proposal also eliminates other funds intended to help sustain near-term Bay Area transit operating and capital needs in order to help balance the budget.

Consistent with LAVTA's 2025 Legislative Program, the Board may consider formalizing advocacy principles for the new Cap-and-Invest expenditure plan in alignment with its own principles as well as our industry and regional partners, which include the following:

- Support for a long-term extension, for predictability in both auction markets and for funding recipients
- Maintenance of continuous appropriation shares aimed at transportation and specifically growing transit ridership and supporting infrastructure needed to convert transit fleets to zero-emission
- Fair distribution of statewide funds in both competitive and formula-based programs
- Increased funding for transit operations and flexibility for use of formula funds to sustain existing operations.

Staff and TPA will continue to monitor reauthorization negotiations as budget negotiations continue toward the June 15 legislative deadline and likely beyond.

#### SB 79 (Wiener) Overview

SB 79 has not previously been included on TPA's recommended watchlist for LAVTA, but an informational update on the bill's provisions is provided here. As currently drafted this bill would make transit-oriented development (TOD) an allowable use on specified sites, give transit agencies more flexibility under the Surplus Land Act, and exempt specified projects from the California Environmental Quality Act (CEQA). Specifically, the bill's author aims to tackle the housing affordability and climate crises together by allowing for upzoning land for multi-family homes up to 75 feet within a half mile of specified major train stations and bus rapid transit stops, in order to enhance the feasibility of TOD and increase access to high-quality transit. Second, the bill authorizes local transit agencies to develop at the same or greater density on land they own. Attachment 3 provides a summary analysis of the bill heard in the Senate Local Government Committee earlier this month, prior to being further amended on May 14.

LAVTA currently owns three parcels of land, all in Livermore: the Rutan operations and maintenance facility, the Atlantis operations and maintenance facility (both located in areas zoned for industrial uses), and the Livermore Transit Center. All of these are in active use for public transportation purposes and not considered surplus land. LAVTA does not currently operate service that would designate any of its own stops as a "major transit stop" (defined as the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during peak commute hours), besides those already connecting to rail (BART and ACE); however, LAVTA's Long Range Transit Plan does identify future rail transfer stations in Livermore at Isabel and Midtown which do not currently meet this threshold but would in the future when served by Valley Link.

LAVTA's 2025 Legislative Program has two principles related to the policy objectives SB 79's author aims to advance:

- Enhance operating conditions to support safety and performance goals
- Enhance public transit's role in addressing climate change and air quality issues

However, the associated strategies the Board has adopted to advance these principles do not directly address local land use strategies or decisions. Rather, LAVTA's strategic priorities are more closely aligned with operational strategies such as ensuring passenger safety in and around our system to make it attractive to riders, advancing transit priority measures, and building support for transitioning to zero-emissions fleets.

This bill is controversial. Though it has passed through two policy committees thus far, it cleared both without the support of the committee chair, which is unusual. Its provisions are of limited applicability to LAVTA, though there could conceivably be future ridership benefits should other transit agencies currently owning surplus land within LAVTA's service area, such as BART, make use of its provisions to develop transit-oriented improvements that would help generate transit ridership in the future. Regardless, any such developments would be beyond the scope of LAVTA's direct influence or impact, and the bill's stated aims do not correspond closely to strategies identified in LAVTA's adopted Legislative Program. For these reasons, staff is not recommending the Board take a position on this bill.

#### **SB 752 (Richardson) – Recommend Support**

Earlier this month, pending further policy details and other agency and stakeholder positions, the LAVTA Board of Directors took a Watch position on this bill, which would extend the state General Fund-only sales and use tax exemption for public transportation agencies to purchase zero-emission vehicles from January 1, 2026, to January 1, 2028. On May 14, the bill passed the Senate Revenue and Taxation Committee unanimously, with the support of numerous transit agencies and the California Transit Association as co-sponsor, as well as the nation's only California-based zero-emission bus manufacturer, Gillig. There is no recorded opposition to this bill to date. However, the bill was held by the Senate Appropriations Committee at the May 23 deadline for fiscal bills and so will remain inactive for the rest of this year.

A full analysis by the Senate Revenue and Taxation Committee of both the state and local revenue implications as well as the list of organizations in support is provided as [Attachment 4](#). The bill is aligned with LAVTA's 2025 Legislative Program principle to "advocate for programs and incentives to minimize undue burdens including unfunded mandates on transit agencies transitioning to ZEB technology." For these reasons, staff is recommending the Board move from a Watch to a **Support** position on this bill, which may be taken up next year as a two-year bill.

#### **SB 63 (Wiener) Update (Support If Amended)**

LAVTA staff and TPA continue to engage with the authors of SB 63 to authorize a regional transit revenue measure in the minimum extent of Alameda, Contra Costa, and San Francisco Counties with provisions for San Mateo and Santa Clara Counties to opt-in by August 11, with a principal focus on large regional operators facing "fiscal cliff" operating shortfalls as

soon as FY26 including BART, SF Muni, AC Transit, and Caltrain. Following the Board's action in April, LAVTA staff transmitted the Board's Support If Amended position to the bill's authors and our delegation. As amendments continue to be developed, LAVTA's Executive Director also signed on to a joint letter co-signed by the East Bay Small Operators in support of further amendments to address our agencies' funding needs. A copy of this letter is provided as Attachment 5.. The bill passed out of Senate Appropriations May 23 and if it clears a Senate floor vote by the June 6 deadline will head next the Assembly for consideration. Staff will provide further updates at your meeting.

**Next Steps**

If approved by the Board of Directors, LAVTA and TPA staff will communicate LAVTA's position to the relevant Committees of the Legislature and to our delegation. Staff with the support of TPA will continue provide updates to the Finance & Administration Committee and/or the Board as may be appropriate.

**Fiscal Impact**

None

**Recommendation**

The Finance and Administration Committee recommends the Board receive an informational report on recent legislative activities and approve one Support position.

**Attachments:**

1. Federal Transportation Weekly Update (May 22)
2. State Legislative Matrix (partial; as of May 27)
3. SB 79 (Wiener) Analysis – Senate Local Government Committee
4. SB 752 (Richardson) Analysis – Senate Revenue & Taxation Committee
5. SB 63 Request for Amendments – East Bay Small Operators



May 22, 2025

## THIS WEEK IN CONGRESS

**House Approves Reconciliation Bill.** On May 22<sup>nd</sup>, the House approved by a party-line vote of 215-214, [H.R. 1, the Big Beautiful Bill Act](#). The bill includes the following transportation-related provisions:

- Rescinds EPA's Clean Heavy Duty Vehicle Grant Program
- Provides \$12.5 billion for the FAA to improve air traffic control technology
- Imposes a new annual \$250 fee on electric vehicles and a \$100 fee for hybrid vehicles.
  - Fees would be adjusted for inflation and amounts would be deposited into the highway trust fund (HTF).
  - States who do not collect the fee would be subject to 125% withholding of highway-related federal funding.
  - Fees terminate on October 1, 2035.
  - States would receive up to \$2 million in grants to help with implementation.
- Provides \$5 million for FMCSA to establish a public website with data on whether a covered motor carrier meets the agency's operating requirements.
  - Assesses an annual \$100 fee for each individual seeking access to the data.
- Rescinds unobligated funds related to developing sustainable aviation fuels.
- Rescinds unobligated funds for programs to streamline environmental reviews of surface transportation projects.

### **House Appropriations Committee Releases FY 2026 Appropriations Markup Schedule.**

This week, Chair Tom Cole (R-OK) released the markup schedule for the twelve FY 2026 appropriations bills. The FY 2026 Transportation, Housing and Urban Development appropriations bill will be considered by the Subcommittee on July 7<sup>th</sup> and the full Committee on July 10<sup>th</sup>.

### [FULL SCHEDULE](#)

**Senate Committee Approves Transportation Bills and Nominations.** On May 21<sup>st</sup>, the Commerce, Science, and Transportation Committee approved the following transportation-related nominations and bills:

- [\*\*S. 337, the Household Goods Shipping Consumer Protection Act\*\*](#) – clarifies the authority of the Federal Motor Carrier Safety Administration (FMCSA) relating to the shipping of household goods.
- [\*\*S. 1442, the Combating Trafficking in Transportation Act\*\*](#) – allows the installation of human trafficking awareness signs at rest stops to be eligible for funding under the surface transportation block grant program.
- David Fink, to be the Administrator of the FRA
- Robert Gleason, to be a Director of the Amtrak Board of Directors\

The bills and nominations now head to the full Senate for consideration.

### [\*\*MORE INFORMATION\*\*](#)

**House Subcommittee Holds Hearing on TSA Oversight.** On May 20<sup>th</sup>, the Homeland Security Subcommittee of the Appropriations Committee held a TSA Oversight hearing. TSA Acting Administrator Ha Nguyen McNeill testified. In her opening statement, Acting TSA Administrator Ha McNeill emphasized the agency's commitment to enhancing transportation security through technological advancements and improved passenger experiences. She highlighted initiatives such as the deployment of Credential Authentication Technology and Computed Tomography scanners, enforcement of REAL ID requirements, and preparations for major upcoming events like the 2026 World Cup and 2028 Summer Olympics, all aimed at ensuring a secure and seamless travel environment.

### [\*\*MORE INFORMATION\*\*](#)

## **THIS WEEK AT THE DEPARTMENT OF TRANSPORTATION**

**DOT IG Publishes Report on FRA Inspection and Data Collection Processes.** DOT's Office of Inspector General (DOT IG) has published a report titled [\*\*FRA Needs to Improve Its Inspection and Data Collection Processes to Effectively Oversee Compliance with the Roadway Worker Protection Regulation\*\*](#). The report highlights that the FRA has conducted fewer Roadway Worker Protection (RWP) inspections in recent years, with a 17% decrease in RWP-related inspection reports in 2022 compared to previous years. Additionally, the FRA's oversight is hindered by inconsistent documentation of on-track safety program reviews and the ineffective use of available data for planning and enforcement. The agency assessed \$1.3 million in penalties for 472 RWP violations between fiscal years 2018 and 2023 but reported inaccurate data in its Annual Enforcement Reports due to a system issue. To address these issues, the report makes 13 recommendations aimed at enhancing the FRA's inspection processes, data collection, and overall compliance oversight.



U.S. Department  
of Transportation

Federal Motor  
Carrier Safety  
Administration

**FMCSA Publishes CMVOST NOFO.** FMCSA has published a notice of funding opportunity (NOFO) through the FY 2025 Commercial Motor Vehicle Operator Safety Training Program (CMVOST). The grants will go to organizations that provide commercial motor vehicle (CMV) operator training, including accredited public or private colleges, universities, vocational-technical schools, post-secondary educational institutions, truck driver training schools, associations, and State and local governments. Applications are due by June 20, 2025.

[\*\*MORE INFORMATION\*\*](#)

**FMCSA Publishes HP-CMV NOFO.** FMCSA has published a NOFO for the availability of \$86.6 million through the FY 2025 High Priority Program – Commercial Motor Vehicle (HP-CMV) Grant Program. The grants will help fund innovative projects that enhance commercial vehicle safety. Applications are due by June 20, 2025.

[\*\*MORE INFORMATION\*\*](#)

**FMCSA Publishes HP-IDT NOFO.** FMCSA has published a NOFO for the availability of \$40 million through the FY 2025 High Priority Program – Innovative Technology Deployment (HP-IDT) Grant Program. The program will fund projects that advance the technological capability and promote the deployment of intelligent transportation system applications for CMV operations including CMV commercial driver and carrier specific information systems and networks and to support maintain CMV information systems networks to link Federal motor carrier safety information systems with State CMV systems improve safety and productivity of CMVs and commercial drivers and reduce costs associated with CMV operations and regulatory requirements. Applications are due by June 20, 2025.

[\*\*MORE INFORMATION\*\*](#)

## OTHER

**GAO Publishes Report on Transportation Discretionary Grants.** The Government Accountability Office (GAO) has published a report titled [\*\*Transportation Grants: Applicants\*\*](#)

**Cited Benefits of Combined Application, but DOT Should Improve Transparency.** The report found that applicants generally appreciated the streamlined Multimodal Project Discretionary Grant (MPDG) process, which combined multiple grant applications into one, but also noted challenges such as limited staffing and technical expertise. However, GAO identified significant transparency issues in how DOT selected projects for awards, including undefined criteria for what made an application “exemplary” and insufficient documentation of selection decisions. GAO reiterated prior recommendations that DOT clearly define selection criteria and fully document key decision points. Implementing these recommendations would help ensure greater fairness and accountability in DOT’s competitive grant programs.



*Channon Hanna, Partner at Carpi & Clay Government Relations, brings over 20 years of expertise in navigating federal transportation policy complexities to advance priorities for public and private sector clients across all modes of transportation.*



## Livermore Amador Valley Transit Authority

### Legislative Matrix

#### Support

##### **AB 394 (Wilson, D) Public transportation providers.**

**Last Amended:** 04/23/2025

**Status:** 05/23/2025 - From committee: Do pass. (Ayes 14. Noes 0.) (May 23).

**Calendar:** 05/27/25 #67 A-SECOND READING FILE -- ASSEMBLY BILLS



**Location:** 05/23/2025 - Assembly SECOND READING

**Summary:** Current law defines a battery as any willful and unlawful use of force or violence upon the person of another. Current law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of their duties, the penalty is imprisonment in a county jail not exceeding one year, a fine not exceeding \$10,000, or both the fine and imprisonment. Current law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, 2, or 3 years, or by both that fine and imprisonment. This bill would expand this crime to apply to an employee, public transportation provider, or contractor of a public transportation provider. (Based on 04/23/2025 text)

##### **SB 239 (Arreguin, D) Open meetings: teleconferencing: subsidiary body.**

**Last Amended:** 04/07/2025

**Status:** 05/08/2025 - Read second time. Ordered to third reading.

**Calendar:** 05/27/25 #194 S-SENATE BILLS -THIRD READING FILE



**Location:** 05/08/2025 - Senate THIRD READING

**Summary:** The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified. Current law, until January 1, 2026, authorizes specified neighborhood city councils to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if, among other requirements, the city council has adopted an authorizing resolution and 2/3 of the neighborhood city council votes to use alternate teleconference provisions, as specified. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require the subsidiary body to post the agenda at each physical meeting location designated by the subsidiary body, as specified. The bill would require the members of the subsidiary body



to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. (Based on 04/07/2025 text).

### Recommend Support

#### **SB 752 (Richardson, D) Sales and use taxes: exemptions: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses.**

**Status:** 05/23/2025 - May 23 hearing: Held in committee and under submission.



**Location:** 05/19/2025 - Senate APPR. SUSPENSE FILE

**Summary:** Existing state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes, including, until January 1, 2026, an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, specified zero-emission technology transit buses sold to specified public agencies that are eligible for specified incentives from the State Air Resources Board. This bill would extend the exemption for specified zero-emission technology transit buses until January 1, 2028. This bill contains other related provisions. (Based on 02/21/2025 text)

### Recommend Watch (Formal)

#### **AB 1207 (Irwin, D) Climate change: market-based compliance mechanism: price ceiling.**

**Last Amended:** 03/17/2025

**Status:** 05/08/2025 - Read second time. Ordered to third reading.

**Calendar:** 05/27/25 #454 A-THIRD READING FILE - ASSEMBLY BILLS



**Location:** 05/08/2025 - Assembly THIRD READING

**Summary:** The California Global Warming Solutions Act of 2006, until January 1, 2031, authorizes the State Air Resources Board to adopt a regulation establishing a system of market-based declining aggregate emissions limits for sources or categories of sources that emit greenhouse gases (market-based compliance mechanism) that meets certain requirements. Current law requires the state board, in adopting the regulation to, among other things, establish a price ceiling for emission allowances sold by the state board. Current law requires the state board, in establishing the price ceiling, to consider specified factors, including the full social cost associated with emitting a metric ton of greenhouse gases. This bill would require the state board to instead consider the full social cost associated with emitting a metric ton of greenhouse gases, as determined by the United States Environmental Protection Agency in November 2023. (Based on 03/17/2025 text)

#### **SB 63 (Wiener, D) San Francisco Bay area: local revenue measure: transportation funding.**

**Last Amended:** 05/23/2025

**Status:** 05/23/2025 - From committee: Do pass as amended. (Ayes 4. Noes 1.) (May 23). Read second time and amended. Ordered to second reading.

**Calendar:** 05/27/25 #15 S-SENATE BILLS - SECOND READING FILE



**Location:** 05/23/2025 - Senate SECOND READING

**Summary:** (1)Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would establish

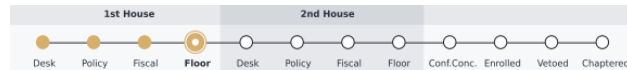
the Transportation Revenue Measure District with jurisdiction extending throughout the boundaries of the Counties of Alameda and Contra Costa and the City and County of San Francisco and would require the district to be governed by the same board that governs the commission, thereby imposing a state-mandated local program. The bill would authorize a retail transactions and use tax applicable to the entire district to be imposed by the board of the district or by a qualified voter initiative for a duration of 10 to 15 years, inclusive, and generally in an amount of 0.5%, subject to voter approval at the November 3, 2026, statewide general election. After allocations are made for various administrative expenses, the bill would require an unspecified portion of the proceeds of the tax to be allocated by the commission to initiatives included in a specified commission plan and to the Alameda-Contra Costa Transit District, the Peninsula Rail Transit District, commonly known as Caltrain, the San Francisco Bay Area Rapid Transit District, and the San Francisco Municipal Transportation Agency for operating expenses, and would require the remaining proceeds to be subvended directly to the counties comprising the district for public transportation expenses, as prescribed. This bill contains other related provisions and other existing laws. (Based on 05/23/2025 text)

**SB 840 (Limón, D) Greenhouse gases: report.**

**Last Amended:** 03/26/2025

**Status:** 05/23/2025 - From committee: Do pass. (Ayes 6. Noes 0.) (May 23). Read second time. Ordered to third reading.

**Calendar:** 05/27/25 #433 S-SENATE BILLS -THIRD READING FILE



**Location:** 05/23/2025 - Senate THIRD READING

**Summary:** The California Global Warming Solutions Act of 2006 requires the State Air Resources Board, in adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions to ensure that the statewide greenhouse gas emissions are reduced to at least 40% below the 1990 levels no later than December 31, 2030. The act requires the Legislative Analyst's Office, until January 1, 2030, to annually submit to the Legislature a report on the economic impacts and benefits of those greenhouse gas emissions reduction targets. The act, until January 1, 2031, establishes the Independent Emissions Market Advisory Committee and requires the committee to annually report to the state board and the Joint Legislative Committee on Climate Change Policies on the environmental and economic performance of the regulations establishing the market-based compliance mechanism and other relevant climate change policies. This bill would extend indefinitely the requirement for the Legislative Analyst's Office to annually submit to the Legislature the report on the economic impacts and benefits of those greenhouse gas emissions targets. The bill would require the committee, at a public hearing, to review the annual report by the Legislative Analyst's Office. (Based on 03/26/2025 text)

**Recommend Watch (Informal)**

**AB 939 (Schultz, D) The Safe, Sustainable, Traffic-Reducing Transportation Bond Act of 2026.**

**Status:** 03/10/2025 - Referred to Com. on TRANS.



**Location:** 03/10/2025 - Assembly Transportation

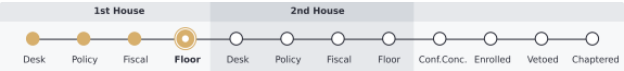
**Summary:** Would enact the Safe, Sustainable, Traffic-Reducing Transportation Bond Act of 2026 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$20,000,000,000 pursuant to the State General Obligation Bond Law to finance transit and passenger rail improvements, local streets and roads and active transportation projects, zero-emission vehicle investments, transportation freight infrastructure improvements, and grade separations and other critical safety improvements. The bill would provide for the submission of the bond act to the voters at the November 3, 2026, statewide general election. (Based on 02/19/2025 text)

**SB 419 (Caballero, D) Hydrogen fuel.**

**Last Amended:** 05/05/2025

**Status:** 05/23/2025 - From committee: Do pass. (Ayes 5. Noes 0.) (May 23). Read second time. Ordered to third reading.

**Calendar:** 05/27/25 #339 S-SENATE BILLS -THIRD READING FILE



**Location:** 05/23/2025 - Senate THIRD READING

**Summary:** Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill would, on and after July 1, 2026, provide an exemption from the taxes imposed by the Sales and Use Tax Law for the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, hydrogen fuel, as defined. (Based on 05/05/2025 text)

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## SENATE COMMITTEE ON LOCAL GOVERNMENT

**Senator María Elena Durazo, Chair**  
**2025 - 2026 Regular**

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|                 |         |                      |          |
|-----------------|---------|----------------------|----------|
| <b>Bill No:</b> | SB 79   | <b>Hearing Date:</b> | 4/30/25  |
| <b>Author:</b>  | Wiener  | <b>Fiscal:</b>       | Yes      |
| <b>Version:</b> | 4/23/25 | <b>Consultant:</b>   | Peterson |

### ***LOCAL GOVERNMENT LAND: PUBLIC TRANSIT USE: HOUSING DEVELOPMENT: TRANSIT-ORIENTED DEVELOPMENT***

*Makes transit-oriented development an allowable use on specified sites, gives transit agencies more flexibility under the Surplus Land Act, and exempts specified projects from the California Environmental Quality Act.*

### **Background**

***Land use.*** The California Constitution allows cities and counties to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power (commonly called the police power) that cities and counties derive their authority to regulate behavior to preserve the health, safety, and welfare of the public—including land use authority.

Cities and counties use their police power to enact zoning ordinances that shape development, such as setting maximum heights and densities for housing units, minimum numbers of required parking spaces, setbacks to preserve privacy, lot coverage ratios to increase open space, and others. These ordinances can also include conditions on development to address aesthetics, community impacts, or other particular site-specific consideration. Zoning ordinances and other development decisions must be consistent with the city or county’s general plan.

***Housing streamlining laws.*** Local governments have broad authority to define the specific approval processes needed to satisfy these considerations. Some housing projects can be permitted by city or county planning staff “ministerially” or without further approval from elected officials, but most large housing projects require “discretionary” approvals from local governments, such as a conditional use permit or a change in zoning laws. This process requires hearings by the local planning commission and public notice and may require additional approvals. In 2017, the Legislature enacted a substantial package of legislation aimed at addressing the state’s housing crisis. Among others, the Legislature enacted SB 35 (Wiener) to provide for a streamlined, ministerial process for approving housing developments that are in compliance with the applicable objective local planning standards—including the general plan, zoning ordinances, and objective design review standards. SB 35 was intended to enable developments that face local opposition, but are consistent with local objective development standards, to be constructed. To be eligible for streamlining under SB 35, a specified percentage of the total housing units in the development must be affordable to lower-income households.

SB 423 (Wiener, 2023) extended the sunset for SB 35 until January 1, 2036, and made many changes to SB 35’s provisions. Some of the most significant changes, included:

- Authorizing SB 35 to apply within the coastal zone, beginning January 1, 2025, consistent with the applicable local coastal plan or land use plan, except in areas that are environmentally sensitive or hazardous;
- Requiring that, in jurisdictions not meeting their housing targets for above moderate-households, projects eligible for SB 35 streamlining must contain at least 10% of the units affordable to very low-income households (i.e., 50% of the area median income (AMI) or below); and
- Amended labor standards that apply to projects over 85 feet in height above grade.

***Density bonus law.*** The state’s density bonus law grants certain benefits to developers who build affordable units in order to encourage greater affordable housing production. Density bonus law requires cities and counties to grant a density bonus when an applicant for a housing development of five or more units seeks and agrees to construct a project that will contain at least one of the following:

- 10 percent of the total units of a housing development for lower income households;
- 5 percent of the total units of a housing development for very low-income households;
- A senior citizen housing development or mobile home park;
- 10 percent of the units in a common interest development for moderate-income households;
- 10 percent of the total units for transitional foster youth, disabled veterans, or homeless persons; or
- 20 percent of the total units for lower income students in a student housing development.

If a project meets one of these conditions, the city or county must allow an increase in density on a sliding scale from 20 percent to 50 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan, depending on the percentage of affordable units.

***Incentives, concessions, waivers, and other benefits.*** Density bonus law (DBL) also grants “incentives or concessions” that can be used to modify development policies that add costs or reduce the number of units that a developer can build on a site. Incentives and concessions can vary widely based on the individual projects, but examples can include reduced fees, waivers of zoning codes, or reduced parking requirements. The number of incentives or concessions a project may be eligible for is based on the percentage of affordable units contained in the project, up to a maximum of four. DBL also allows “waivers” of any development standards that physically prevent the developer from constructing a project at the density allowed to the project, along with the incentives or concessions, under density bonus law. Finally, density bonus law reduces or eliminates the parking that can be required in connection with a project.

***Surplus Land Act.*** Public agencies are major landlords in some communities, owning significant pieces of real estate. When properties become surplus to an agency’s needs, public officials want to sell the land to recoup their investments. The Surplus Land Act (SLA) spells out the steps local agencies must follow when they want to dispose of land. It requires local governments to give a “first right of refusal” to other governments and nonprofit housing developers, and to negotiate in good faith with them to try to come to agreement. This means that local agencies must open their properties up to affordable housing developers first, even if they have a different purpose in mind for the property.

Before local officials can dispose of property, they must declare that the land is no longer needed for the agency's use in a public meeting and declare the land either "surplus land" or "exempt surplus land." Land that is being used for an agency's use is not subject to the SLA. "Agency's use" includes land that is being used, or is planned to be used pursuant to a written plan adopted by the local agency or will be disposed of to support agency work or operations.

As a general rule, agency's use cannot include commercial or industrial uses or activities, and land disposed of for the purpose of investment or generating revenue cannot be considered necessary for the agency's use. As a result, cities and counties are limited in their ability to dispose of properties for economic development or revenue generation purposes. However, most special districts are not subject to those restrictions on agency's use as long as they can demonstrate that use of the site will do one of the following:

- Directly further the express purpose of agency work or operations.
- Be expressly authorized by a statute governing the local agency.

Transit districts can only dispose of property for commercial or revenue generation purposes if they meet specific requirements for developing affordable housing across their portfolio of properties, and have made a certain amount of progress towards building that housing.

The SLA designates certain types of land as "exempt surplus land." Statute provides that the entirety of the SLA does not apply to disposals of exempt surplus land. All other surplus land must follow the procedures laid out in the SLA before a local agency can sell it.

***California's housing crisis.*** California has the largest concentration of severely unaffordable housing markets in the nation, with the average home value in California at \$773,363. To keep up with demand, the Department of Housing and Community Development (HCD) estimates that California must plan for the development of more than 2.5 million homes over the next eight years, and no less than one million of those homes must meet the needs of lower-income households (more than 640,000 very-low income and 385,000 low-income units are needed). For decades, not enough housing was constructed to meet need, resulting in a severe undersupply of housing.

According to HCD, completed residential construction is up 13.1% (99,130 units in 2022 to 112,076 units in 2023). Construction has been up every year since 2018. Additionally, the share of lower-income units in new development has nearly doubled since 2018, now representing 19% of permitted units and 16% of completed units in 2023. VLI unit completions increased by 44.2% from 2022-2023, while low-income unit completions rose by 75.7%, a 61.5% overall increase in affordable housing production.

Housing production advocates want to expand housing opportunities near transit stations.

### **Proposed Law**

Senate Bill 79 includes three major components:

- Makes transit-oriented development an allowable use on any site zoned residential, mixed, commercial, or light industrial development;
- Makes changes to the SLA; and

- Exempts certain projects on land owned by a public transit agency from the California Environmental Quality Act (CEQA).

***Transit oriented development.*** SB 79 makes housing development projects (projects) near transit-oriented development stops (TODS) an allowable use on any site zoned residential, mixed, commercial, or light industrial development. Under the measure, a TOD is a major transit stop, excluding any stop served by rail transit with a frequency of fewer than 10 total trains per weekday. Under the measure, there are three tiers of TODS:

- Tier 1: TODS served by heavy rail transit or very high frequency commuter rail;
- Tier 2: TODS, excluding Tier 1, served by light rail transit, high-frequency commuter rail, or by bus rapid transit service; and
- Tier 3: TODS, excluding Tier 1 and Tier 2, served by frequent commuter rail service or by ferry service.

The standards for a project depend on the tier, the distance from TODS, and whether the project is adjacent to TODS, as described in the table below.

Development proponents may seek a further increased density in accordance with applicable density bonus law. However, if a project proposes a height in excess of the local height limit, the local government does not have to grant additional height under density bonus law, unless the project is 100% affordable housing.

SB 79 allows a transit agency to adopt objective standards for both residential and commercial developments proposed on land owned the transit agency owns, or on which it has a permanent operating easement, if the objective standards allow for the same or greater development intensity as that allowed by local standards or applicable state law.

| TODS Type     | Distance from TODS   | Standards for Project   |
|---------------|----------------------|---|
| <b>Tier 1</b> | ¼ mile from stop     | <ul style="list-style-type: none"> <li>• <b>Max Height:</b> 75 ft. or 95 ft. if adjacent to stop</li> <li>• <b>Min Density:</b> 120 units per acre (u/a) plus any density bonus or 160 u/a if adjacent to stop</li> <li>• <b>Floor Area Ratio (FAR):</b> 3.5 or 4.5 if adjacent to stop</li> <li>• + 3 concessions or incentives under DBL</li> </ul> |
|               | ¼ - ½ mile from stop | <ul style="list-style-type: none"> <li>• <b>Max Height:</b> 65 ft. or 85 ft. if adjacent to stop</li> <li>• <b>Min Density:</b> 100 u/a plus any density bonus or 140 u/a if adjacent to stop</li> <li>• <b>FAR:</b> 3 or 4 if adjacent to stop</li> <li>• + 2 concessions or incentives under DBL</li> </ul>   |
| <b>Tier 2</b> | ¼ mile from stop     | <ul style="list-style-type: none"> <li>• <b>Max Height:</b> 65 ft. or 85 ft. if adjacent to stop</li> <li>• <b>Min Density:</b> 100 u/a plus any density bonus or 140 u/a if adjacent to stop</li> <li>• <b>FAR:</b> 3 or 4 if adjacent to stop</li> <li>• + 2 concessions or incentives under DBL</li> </ul>   |
|               | ¼ - ½ mile from stop | <ul style="list-style-type: none"> <li>• <b>Max Height:</b> 55 ft. or 75 ft. if adjacent to stop</li> <li>• <b>Min Density:</b> 80 u/a plus any density bonus or 120 u/a if adjacent to stop</li> </ul>   |

|                |                      |  |
|----------------|----------------------|--|
|                |                      | <ul style="list-style-type: none"> <li>• <b>FAR:</b> 2.5 or 3.5 if adjacent to stop</li> <li>• + 1 concessions or incentives under DBL</li> </ul>  |
| <b>Tier 3:</b> | ¼ mile from stop     | <ul style="list-style-type: none"> <li>• <b>Max Height:</b> 55 ft. or 75 ft. if adjacent to stop</li> <li>• <b>Min Density:</b> 80 u/a plus any density bonus or 120 u/a if adjacent to stop</li> <li>• <b>FAR:</b> 2.5 or 3.5 if adjacent to stop</li> <li>• + 1 concession or incentive under DBL</li> </ul> |
|                | ¼ - ½ mile from stop | <ul style="list-style-type: none"> <li>• <b>Max Height:</b> 45 ft. or 65 ft. if adjacent to stop</li> <li>• <b>Min Density:</b> 60 u/a plus any density bonus or 100 u/a if adjacent to stop</li> <li>• <b>FAR:</b> 2 or 3 if adjacent to stop</li> <li>• No additional concessions or incentives</li> </ul>   |

Regardless of the tier, all SB 79 projects must comply with the anti-displacement provisions in the Housing Crisis Act of 2019 (SB 330, Skinner). Additionally, SB 79 projects are considered consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirements or other similar provision for purposes of the Housing Accountability Act.

*Streamlining for SB 79 projects.* SB 79 projects can opt to use SB 35/423 streamlining provisions, but with some differences. Unlike SB 35/423 projects, SB 79 projects:

- Can be on a parcel within the coastal zone that is not zoned for multifamily housing;
- Do not have to be in a jurisdiction subject to SB 35/423 streamlining; and
- Do not have to be consistent with consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time that the development is submitted to the local government.

To be eligible for streamlining, SB 79 projects must generally meet the same SB 35/423 affordability requirements.

*Local government accountability.* If a local government denies an SB 79 project in a high-resource area, as determined by the California Tax Credit Allocation Committee, then it is presumed to be in violation of the Housing Accountability Act (HAA), and is immediately liable for penalties under that law, unless it can demonstrate that it has a health, life, or safety reason for denying the project.

*Allowed local ordinances.* SB 79 allows local governments to adopt ordinances that revise applicable zoning requirements on individual sites within a TOD zone, provided that the revisions maintain an average density allowed for the applicable tier, or up to a 100% increase. Local governments must submit a copy of any ordinance to HCD for review within 60 days of adoption. When HCD receives an ordinance, it must review the ordinance and determine whether it complies with SB 79. If it determines the ordinance does not comply, then HCD must notify the local government in writing and give them a reasonable time, not to exceed 30 days, to respond. The local government must consider any findings HCD makes, and either amend the ordinance to comply with these findings, or adopt the ordinance without changes. If the local government adopts the ordinance without changes, it must explain the reasons why it believes the ordinance complies with SB 79 despite HCD's findings. If the local government adopts the



ordinance without making these findings, HCD can notify the Attorney General that the local government is violating SB 79.

**SLA changes.** SB 79 expands the definition of “agency’s use,” to include any land leased to support public transit operations, which means these provisions do not go through the SLA process.

Also, SB 79 provides that in the case of a public transit operator, “agency use” can include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development or be for the sole purpose of investment or generation of revenue if the agency’s governing body takes action in a public meeting declaring that the use of the site will do one of the following:

- Directly further the express purpose of agency work or operations; or
- Be expressly authorized by a statute governing the local agency, as specified.

**CEQA exemption.** This bill also provides that CEQA does not apply to any public or private residential, commercial, or mixed-used project that, at the time the development proponent files the project application, is located entirely or principally on land a public transit agency owns, if it includes specified transit infrastructure or an agreement to finance transit infrastructure, maintenance, or operations.

### Comments

1. Purpose of the bill. According to the author, “SB 79 tackles the root causes of California’s affordability crisis by allowing more homes to be built near major public transportation stops and on land owned by transit agencies – bolstering transit use, slashing climate emissions, and supporting public transportation in the process.

“SB 79 allows more homes near transit in two major ways. First, SB 79 allows for upzoning land for multi-family homes up to 75 feet within a half mile of specified major train stations and bus rapid transit stops. This change will ensure that transit oriented developments (TODs) are feasible and enhance access to transit. Second, SB 79 authorizes local transit agencies to develop at the same or greater density on land they own. All TODs under SB 79 are eligible for the streamlined ministerial approvals process under SB 423 (Wiener, 2023) if they meet the law’s environmental, labor, and affordability standards.

“California needs to build millions of new homes in sustainable locations to meet state housing goals, slash climate emissions, and reduce the cost of living, but overly restrictive zoning codes make building such homes illegal. SB 79 allows building more homes near transit to lower costs for families while bolstering public transit use and supporting cash-strapped transit agencies.”

2. Downtown train. TOD projects host a multitude of benefits. They offer residents a place to live without needing a car to get around, and if that resident uses transit, could help address climate change. For higher-income households, TOD projects may reduce the number of vehicles they have or reduce the number of vehicle trips they take. For lower-income residents, they can offer even greater benefits. Rather than forcing these households to purchase a vehicle to travel to jobs, they can find a home that allows them to travel via transit. The state’s housing crisis is also most acute at lower income levels.

SB 79 allows more homebuilding on parcels near transit. While SB 79 requires certain levels of affordability on projects that opt to use SB 35/423 streamlining, developers can decide whether they want to avoid affordability requirements and associated costs in exchange for the traditional, discretionary housing approval process. Deed-restricted affordable housing units limit developers return on investment because they cannot charge rents or sell units for as high as they otherwise could. Additionally, SB 79 requires projects that do not use streamlining provisions to meet local inclusionary requirements, but not all local governments have such a policy. As a result, SB 79 does not guarantee that every SB 79 project will include some level of affordability.

Providing truly affordable housing opportunities is pivotal to ensuring that individuals experiencing homelessness, or at risk of homelessness, have a roof over their heads. While the state needs homes at all income levels, if projects do not have to include deed-restricted affordable units, the state may miss an opportunity to address its greatest housing needs on the parcels where housing for lower-income individuals may further multiple state goals, including both housing and improvements in transit ridership. Accordingly, while requiring an affordable housing component to all SB 79 projects may mean SB 79 generates fewer market-rate units, the overall public benefits may be greater. The Committee may wish to consider amending the bill to expand SB 79's affordable housing requirements.

3. Thank you, next. Local governments are subject to many planning requirements, especially when it comes to housing. The housing element process requires local agencies to consider many different factors, including how economic, environmental, fiscal, and community factors influence their ability to address regional housing needs. Among the many factors local agencies must include is a statement of the community's goals, quantified objectives, policies relative to affirmatively furthering fair housing, and to the maintenance, preservation, improvement, and development of housing. After balancing factors such as these, local governments have to identify and implement programs and policies to make sites available to accommodate their share of regional housing needs at all income levels, which, crucially, which must include any necessary rezonings. Existing law defines affirmatively furthering fair housing to require, "...taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws."<sup>1</sup> HCD must approve local housing elements as meeting the requirements of state law, and in recent years, the Legislature has strengthened requirements contained in, and consequences of violating, housing element law. If a local government does not rezone to allow development at the levels required in its approved housing element, or does not adopt a compliant housing element, it may be subject to various penalties, including enhanced fines and restrictions on land use authority. As a result, housing elements are more meaningful, and more local governments are faithfully implementing the law to allow for more dense development in a way that suits their communities.

Despite local governments' efforts to work through this process to meet their housing needs in a way that balances all these factors, SB 79 applies. Even for a well-meaning local government, such as a city HCD has designated as pro-housing and has a compliant housing element, a developer could build a project on a parcel near a TODS that conflicts with the planning and zoning decisions the local has made, potentially as part of adopting a compliant housing element,

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<sup>1</sup> Government Code §8899.50.  
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to balance these competing factors. Projects could be built in a manner that does not sufficiently account for housing needs at all income levels, or in a manner that goes against their efforts to affirmatively further fair housing and ensuring all communities have access to new housing opportunities. SB 79 allows local government enacts an ordinance to implement SB 79 that might provide some flexibility, but the Committee may wish to consider amending the bill to allow additional flexibility for local agencies that comply with state housing planning requirements.

4. Don't go chasing windfalls. Valuation of real estate is complicated, but a fundamental principle is that property is as valuable as its highest and best use allows. Land that can only accommodate construction of a few new units of housing is less valuable than land that can accommodate more, all else being equal, and same goes for larger developments versus smaller ones. When zoning rules change to allow more building, property values go up—an effect that was demonstrated in a recent study of upzoning in Chicago.<sup>2</sup> SB 79 allows more units to be built and reduces costs associated with developments by granting additional waivers and concessions of development policies. SB 79 also allows developers to choose the density, height, and FAR, up to the limits for the particular tier, potentially allowing them to maximize profits by building larger luxury units instead of smaller, lower priced ones. Many previous pieces of housing legislation have included provisions that help balance these private benefits with public benefits. For example, AB 2011 (Wicks, 2022) and the Middle Class Housing Act of 2022 (SB 6, Caballero) both made certain types of housing developments an allowable use on land zoned for commercial uses. AB 2011 required specific levels of affordable housing. Both measures included labor standards for all their projects, although the specific standards differ. Similarly, previous efforts at TOD upzoning, including SB 827 (Wiener, 2017) and SB 50 (Wiener, 2020), included provisions that provided explicit public benefits for projects, including certain affordability requirements. SB 79 includes some provisions in the same areas, but generally more limited requirements than previous housing production legislation. For example, SB 79 only requires specific affordability levels and labor standards if the developer opts to use SB 35/423 streamlining. If a developer opts not to use SB 35/423 streamlining, then the measure only requires the developer to meet a local inclusionary standard, if one exists. The Committee may wish to consider amending the bill to better balance private developer benefits with public benefits.

5. Changes. Studies are split on whether new housing development in a community significantly increases or decreases the net displacement of low-income households from an area. Some studies argue that new housing frees up less expensive units that would otherwise be occupied by high-income households,<sup>3</sup> while others argue that the effect is dependent on the specifics of the housing market in an area that determine whether the number of lower-income households moving into an area exceed the number moving out.<sup>4</sup> Previous legislation similar to SB 79 attempted to strike a balance by delaying implementation for sensitive communities, meaning low-income communities and communities of color at risk of gentrification, and permitted them to come up with a community plan and other policies to encourage multifamily development at varying income levels and protect vulnerable residents from displacement. SB 79, however,

<sup>2</sup> *Yonah Freemark*. (2020) "Upzoning Chicago: Impacts of a Zoning Reform on Property Values and Housing Construction." *Urban Affairs Review* 56(3), 758-789.

<sup>3</sup> *Phillips, S., Manville, M., & Lens, M.* (2021). "Research roundup: The effect of market-rate development on neighborhood rents." UCLA Lewis Center for Regional Policy Studies.

<sup>4</sup> *Karen Chapple & Taesoo Song* (29 Mar 2024): Can New Housing Supply Mitigate Displacement and Exclusion?, *Journal of the American Planning Association*, DOI: 10.1080/01944363.2024.2319293

does not identify or change its operation in any communities that might be more vulnerable to displacement. Instead, the bill cross-references the demolition protections in existing law that would apply to an SB 79 project in any case under the Housing Crisis Act. The Committee may wish to consider whether SB 79 should include more protections against displacement consistent with previous efforts.

6. I still haven't found what I'm looking for. SB 79's tiers of TODS would be a new concept in state law, so figuring out exactly where each tier is, and what projects would look like can be challenging to imagine. According to the author and sponsors, Tier 1 is intended to apply to the following stations: BART, LA Metro B and D lines, and 25 commuter rail stations. Tier 2 is intended to apply to SacRT Light Rail, SF Muni Metro, SF Muni streetcars, SF Van Ness BRT, VTA Light Rail, LA Metro A, C, E, G, J, and K Lines, San Diego MTS Trolley, Santa Ana Streetcar, 15 commuter rail stations, and 13 additional light rail or BRT stations. Tier 3 is intended to apply to 60 commuter rail stations and 10 ferry stations.

7. Imagine. California is a geographically and demographically diverse state, and that is reflected in its 483 cities and 58 counties. Local elected officials for each of those municipalities are charged by the California Constitution with protecting their citizens' welfare. One chief way local governments do this is by exercising control over what gets built in their community. Local officials weigh the need for additional housing against the concerns and desires of their constituents. Where appropriate, those officials enact ordinances to shape their communities based on local conditions and desires. SB 79 applies regardless of these efforts and the unique features of California's communities by requiring all communities near TODS to allow projects that meet SB 79's development requirements.

What existing housing exists near this vast range of transit stops varies greatly. For example, all BART stations are supposed to be tier 1 TODS. Some BART stations in places like San Francisco and Oakland already have large, tall structures surrounding them. However, in other places like Castro Valley, the neighborhoods surrounding the BART station are mostly single-family homes. Regardless of these differences, SB 79 treats these stops the same. In a suburban neighborhood like Castro Valley, this would represent a drastic change.

SB 79 includes some provisions that nod to local flexibility to tailor the bill's impacts to different communities. It allows local governments to enact ordinances to implement its provisions, and those ordinances can revise applicable zoning requirements on individual sites within a TOD zone, provided that revisions maintain the average density allowed for that tier, or up to a 100% increase. However, the bill is missing several details regarding "TOD zones," including a definition of TOD zone, that could raise questions for local governments that want to use this provision. To help ensure that SB 79 provides clear flexibility for local governments, the Committee may wish to consider amending the bill to clarify how local governments can make zoning decisions that deviate from SB 79 requirements, and require minimum densities for projects to ensure units are widely available and suitable for habitation at a range of income levels.

7. Don't you forget about me. Not only does SB 79 attempt to address the housing crisis, it also tries to address the fiscal challenges confronting the state's transit agencies. It does this in a couple ways.

- First, it allows transit agencies to adopt objective standards for both residential and commercial developments proposed on land owned the transit agency owns, or on which

it has a permanent operating easement. This allows transit agencies to make land use decisions that could conflict with those established by the city or county. However, the bill does not make clear whether this applies just to SB 79 projects or any residential or commercial development. The Committee may wish to consider amending SB 79 to clarify what projects a transit agency's zoning applies to.

- Second, it expands the definition of “agency’s use” in the SLA to include any land leased to support public transit operations. This means transit agencies could decide to lease their land for more market-rate housing, or other commercial or industrial uses, without first offering the parcel to affordable housing developers. Transit agencies already have this authority under the SLA if they adopt a program that commits to certain requirements for residential development, including a 25% inclusionary requirement, across their portfolio of properties. While SB 79’s SLA exemption could expand transit agencies’ revenue generating possibilities, it runs contrary to the purpose of the SLA, which is to prioritize affordable housing development over other competing priorities. As a result, this provision may reduce the availability of affordable housing in the state. The Committee may wish to consider amending SB 79 to remove the bill’s provisions amending the SLA.

8. Bring the noise. Unlike other recent housing streamlining bills, SB 79 expands the zones where housing can be built from residential and commercial to light industrial. Light industrial zoning varies across jurisdictions, but can include light manufacturing, warehouses, and other uses. Some light industrial zones may be adequate places to build housing, like next to a brewery. However, other light industrial zones might not be if there are potentially hazardous materials or involve pollution emissions like a warehouse. This sets a precedent for other legislation to follow, and could place housing opportunities in places that could present public health and safety risks. The Committee may wish to consider amending the bill to remove the authority to build SB 79 projects in light industrial zones.

9. Charter city. The California Constitution allows cities that adopt charters to control their own “municipal affairs.” In all other matters, charter cities must follow the general, statewide laws. Because the Constitution does not define municipal affairs, the courts determine whether a topic is a municipal affair or whether it is an issue of statewide concern. SB 79 says that its statutory provisions regarding TODS apply to charter cities because addressing the state’s housing crisis of availability and affordability is a matter of statewide concern.

10. Mandate. The California Constitution requires the state to reimburse local governments for the costs of new or expanded state mandated local programs. Because SB 79 adds to the duties of local officials, Legislative Counsel says the bill imposes a new state mandate. SB 79 disclaims the state’s responsibility for providing reimbursement by citing local governments’ authority to charge for the costs of implementing the bill’s provisions.

11. Incoming! The Senate Rules Committee has ordered a double referral of SB 79: first to the Committee on Housing, which approved the bill at its April 22<sup>nd</sup> hearing on a vote of 6-2, and second to the Committee on Local Government.

### **Support and Opposition** (4/25/2025)

Support: California Yimby (Co-Sponsor)

Greenbelt Alliance (Co-Sponsor)

Spur (Co-Sponsor)

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Streets for All (Co-Sponsor)

Alexander Pedersen - Vice Mayor, Capitola  
Brian Barnacle - Councilmember, Petaluma  
Casey Glaubman - Councilmember, Mount Shasta  
Emily Ramos - Vice Mayor, Mountain View  
James Coleman - Councilmember, South San Francisco  
Jed Leano, Councilmember, Claremont  
Jesse Zwick - Councilmember, Santa Monica  
Laura Nakamura - Vice Mayor, Concord  
Lucas Ramirez - Councilmember, Mountain View  
Mark Dinan - Vice Mayor, East Palo Alto  
Matthew Solomon - Councilmember, Emeryville  
Phoebe Shin Venkat - Councilmember, Foster City  
Rashi Kesarwani - Councilmember, Berkeley  
Rebecca Saltzman - Councilmember, El Cerrito  
Sergio Lopez - Mayor, Campbell  
Zach Hilton - Councilmember, Gilroy  
21st Century Alliance  
AARP  
Abundant Housing LA  
Active San Gabriel Valley  
All Voting Members of the North Westwood Neighborhood Council  
Bay Area Council  
Bike Culver City  
Bike East Bay  
Bike Long Beach  
Bikesd  
Business for Good San Diego  
Calbike  
California Apartment Association  
California Community Builders  
California Nightlife Association (CALNIGHT)  
Car-lite Long Beach  
Chamber of Progress  
Circulate San Diego  
City West Hollywood  
Climate Action Campaign  
Climate Hawks Vote  
Costa Mesa Alliance for Better Streets  
Council of Infill Builders  
East Bay for Everyone  
East Bay Leadership Council  
East Bay Yimby  
Eastside Housing for All  
Environmental Protection Information Center  
Everybody's Long Beach  
Families for Safe Streets San Diego  
Fieldstead and Company, INC.  
Fremont for Everyone  
Generation Housing

Glendale Yimby  
Grow the Richmond  
Hammond Climate Solutions Foundation  
House Sacramento  
Housing Action Coalition  
Housing Leadership Council of San Mateo County  
Housing Trust Silicon Valley  
Inclusive Lafayette  
Indivisible Sacramento  
Jamboree Housing Corporation  
Leadingage California  
Lisc San Diego  
Mountain View Yimby  
Napa-solano for Everyone  
National Independent Venue Association of California  
New Way Homes  
Northern Neighbors  
Our Time to ACT  
Pathway to Tomorrow  
Peninsula for Everyone  
People for Housing - Orange County  
People for Housing Oc  
People for Housing Orange County  
Prosperity California  
Redlands Yimby  
Remake Irvine Streets for Everyone (RISE)  
Ridesd  
San Diego County Bicycle Coalition  
San Fernando Valley for All  
San Francisco Yimby  
San Mateo County Economic Development Association (SAMCEDA)  
Santa Cruz Yimby  
Santa Rosa Yimby  
Sierra Business Council  
Silicon Valley Leadership Group  
Sloco Yimby  
South Bay Yimby  
South Pasadena Residents for Responsible Growth  
South San Francisco Councilmember James Coleman  
Streets are for Everyone (SAFE)  
Streets are for Everyone (SAFE) (ORG)  
Strong Towns Poway & Rb  
Strong Towns San Diego  
Strong Towns Santa Barbara  
Student Homes Coalition  
UC San Diego Housing Commission  
University of California Student Association  
Ventura County Yimby  
Walk Bike Berkeley  
Walk San Francisco

Westside for Everyone  
Wildlands Network  
Yimby Action  
Yimby Democrats of San Diego County  
Yimby LA  
Yimby Los Angeles  
Yimby Slo

Opposition: Allied Neighborhoods Association (of Santa Barbara)

Barbary Coast Neighborhood Association  
Brentwood Homeowners Association  
Burton Valley Neighborhoods Group  
California Cities for Local Control  
California Contract Cities Association  
California Preservation Foundation  
California Rural Legal Assistance Foundation  
Catalysts for Local Control  
Cheviot Hills (Los Angeles) Neighborhood Association  
Chinatown Community Development Center  
Citizen Marin  
Citizens Planning Association of Santa Barbara  
Citizens Preserving Venice  
City of Agoura Hills  
City of Anderson  
City of Artesia  
City of Azusa  
City of Belvedere  
City of Brentwood  
City of Calimesa  
City of Camarillo  
City of Carlsbad  
City of Chino  
City of Chino Hills  
City of Cloverdale  
City of Colton  
City of Concord  
City of Cotati  
City of Downey  
City of Encinitas  
City of Exeter  
City of Fairfield  
City of Folsom  
City of Fullerton  
City of Garden Grove  
City of Glendale  
City of Glendora  
City of Grand Terrace  
City of Hawthorne  
City of Hermosa Beach  
City of Hesperia



City of Highland  
City of Huntington Beach  
City of LA Mirada  
City of LA Quinta  
City of Lafayette  
City of Lakeport  
City of Lakewood CA  
City of Larkspur  
City of Lathrop  
City of Lawndale  
City of Lomita  
City of Los Alamitos  
City of Manhattan Beach  
City of Manteca  
City of Marina  
City of Mission Viejo  
City of Modesto  
City of Moorpark  
City of Moreno Valley  
City of Murrieta  
City of Napa  
City of Newport Beach  
City of Norwalk  
City of Oakley  
City of Oceanside  
City of Ontario  
City of Orange  
City of Orinda  
City of Palm Desert  
City of Palmdale  
City of Paramount  
City of Perris  
City of Pico Rivera  
City of Rancho Cordova  
City of Rancho Cucamonga  
City of Rancho Mirage  
City of Rancho Palos Verdes  
City of Redding  
City of Redlands  
City of Ripon  
City of Riverbank  
City of Rolling Hills Estates  
City of Rosemead  
City of San Fernando  
City of San Juan Capistrano  
City of San Luis Obispo  
City of San Marcos  
City of San Rafael  
City of Sausalito  
City of Scotts Valley

City of Simi Valley  
City of Solana Beach  
City of Stanton  
City of Thousand Oaks  
City of Torrance  
City of Tustin  
City of Upland  
City of Vista  
City of Walnut Creek  
City of Whittier  
City of Yucaipa  
Coalition for San Francisco Neighborhoods (CSFN)  
Coastal San Pedro Neighborhood Council  
Communities for a Better Environment  
Comstock Hills Homeowners Association  
Crescenta Highlands Neighborhood Association 2025  
Crescenta Valley Community Association 2025  
Del Rey Residents Association  
Disability Rights California  
Eastside Voice Long Beach CA  
Equitable Land Use Alliance (ELUA)  
Esperanza Community Housing Corporation  
Foothill Communities Association  
Friends of Historic Miracle Mile  
Grayburn Avenue Block Club  
Greater Toluca Lake Neighborhood Council  
Hills2000\_friends of the Hills  
Hollywoodland Homeowners Association, United Neighborhoods  
Homey  
Kennedy Commission  
Lafayette Homeowners Council  
Larchmont United Neighborhood Association  
Leadership Counsel for Justice & Accountability  
Leadership Counsel for Justice and Accountability  
League of California Cities  
Little Tokyo Service Center  
Livable California  
Livable Mountain View  
Long Beach Forward  
Marin County Council of Mayors & Council Members; City of  
Mental Health Advocacy Services  
Mission Street Neighbors  
Neighborhoods United SF  
Neighbors for a Better California  
Neighbors for a Better San Diego  
New Livable California DbA Livable California  
Nonprofit Housing Association of Northern California  
Orindans for Safe Emergency Evacuation  
Our Neighborhood Voices  
Our Neighborhood Voices -- Education Corporation

Pacific Palisades Community Council  
Physicians for Social Responsibility - Los Angeles  
Poder SF  
Public Advocates  
Public Counsel  
Public Interest Law Project  
Public Law Center  
Race & Equity in All Planning Coalition (REP-SF)  
Rise Economy  
Save Lafayette  
Sherman Oaks Homeowners Association  
Shift-Bay Area  
Spaulding Square Historical Preservation Overlay Zone (HPOZ)  
Strategic Actions for a Just Economy  
Sunnyvale United Neighbors  
Sunset Square Neighborhood Organization  
Town of Apple Valley  
United Neighbors  
Urban Habitat  
West Torrance Homeowners Association  
Western Center on Law & Poverty  
Westwood Hills Property Owners Association  
Westwood Homeowners Association  
Wilshire Montana Neighborhood Coalition  
Young Community Developers

**-- END --**

# SENATE COMMITTEE ON REVENUE AND TAXATION

Senator Jerry McNerney, Chair  
2025 - 2026 Regular

**Bill No:** SB 752  
**Author:** Richardson  
**Version:** 2/21/25  
**Consultant:** Summers

**Hearing Date:** 5/14/25  
**Tax Levy:** Yes  
**Fiscal:** Yes

## ***SALES AND USE TAXES: EXEMPTIONS: CALIFORNIA HYBRID AND ZERO-EMISSION TRUCK AND BUS VOUCHER INCENTIVE PROJECT: TRANSIT BUSES***

*Extends the state General Fund-only sales and use tax exemption for public transportation agencies to purchase zero-emission vehicles from January 1, 2026, to January 1, 2028.*

### **Background**

**Tax expenditures.** California law allows various tax incentives, such as credits, deductions, exemptions, and exclusions. When a tax law is determined to have a cost in the form of foregone revenues, such as a sales and use tax exemption, state law refers to them as “tax expenditures.” The Legislature enacts such tax incentives to compensate taxpayers for incurring certain expenses, such as costs related to child adoption, or to influence certain behaviors, such as participating in charitable giving. The Legislature uses tax incentives to encourage taxpayers to do something they would not otherwise do but for the tax incentive. The Department of Finance must annually publish a list of tax expenditures, which currently totals around \$91.5 billion.

**Sales and use tax (SUT).** State law imposes the sales tax on every retailer selling tangible personal property in this state. Retailers must register with the California Department of Tax and Fee Administration (CDTFA) and remit sales tax amounts collected at sale to CDTFA. If the purchaser does not pay the sales tax to the retailer, the purchaser is liable for paying use tax to the CDTFA. The use tax is imposed on any person consuming tangible personal property in the state. The use tax must be remitted on or before the last day of the month following the quarterly period in which the person made the purchase. The use tax rate is the same as the sales tax rate. The table below shows that the current statewide SUT rate is 7.25%. Additionally, cities and counties may increase the sales and use tax rate up to 2% with voter approval for specific or general purposes pursuant to the California Constitution’s vote requirements.

| <b>Rate</b> | <b>Jurisdiction</b>                   | <b>Purpose/Authority</b>                               |
|-------------|---------------------------------------|--|
| 3.9375%     | State (General Fund)                  | State general purposes                                 |
| 1.0625%     | Local Revenue Fund (2011 Realignment) | Local governments to fund local public safety services |
| 0.50%       | State (1991 Realignment)              | Local governments to fund health and welfare programs  |
| 0.50%       | State (Proposition 172 - 1993)        | Local governments to fund public safety services       |

| Rate         | Jurisdiction   | Purpose/Authority  |
|--------------|--|--|
| 1.25%        | Local (City/County)<br>1.00% City and County<br>0.25% Local transportation | City and county general operations.<br><br>Dedicated to county transportation purposes |
| <b>7.25%</b> | <b>Total Statewide Rate</b>  |  |

**Tax exemptions.** Many items, such as prescription drugs, food, and poultry litter, are fully exempt from the SUT in California. Other items are exempted only from the state sales tax of 3.9375%, but not the local share, such as farm equipment and machinery, diesel fuel used for farming and food processing, teleproduction and postproduction equipment, timber harvesting equipment and machinery, and racehorse breeding stock. Further, while the United States government is exempt from paying the state SUT, state law does not provide a blanket exemption from the SUT for other public agencies such as cities, counties, special districts, or state agencies. As a result, these public agencies generally pay tax when purchasing tangible personal property or using it in the state.

**Zero-emission vehicle exemptions.** State law also provides SUT exemptions for specific vehicles purchased by certain buyers. In 2022, the Legislature enacted a state General Fund-only SUT exemption on qualifying zero or near-zero emission motor vehicles purchased or leased by qualified buyers under the Clean Cars 4 All program (SB 1382, Gonzalez). Eligibility for the Clean Cars 4 All program depends on the buyer's household income level, where they reside, and whether the vehicle is leased or purchased. The SUT exemption under SB 1382 applies to purchases made between January 1, 2023, and December 31, 2027.

In 2019, the Legislature enacted AB 784 (Mullin), authorizing a state General Fund-only SUT exemption for specified zero-emission technology transit buses sold to a city, county, city and county, transportation or transit district, or other public agency providing transit services to the public. To qualify for the exemption, the transit bus must be eligible for the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), which is funded by the Air Quality Improvement Program, the General Fund, and the Greenhouse Gas Reduction Fund under the California Air Resources Board (CARB). In 2022, the Legislature extended the exemption from January 1, 2024, to January 1, 2026 (AB 2622, Mullin).

**The Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project.** CARB administers the HVIP, created by the California Alternative and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon Reduction Act of 2007 (AB 118, Nunez). HVIP provides vouchers on a first-come, first-served basis for any fleet owner or operator, including commercial operators, local governments, and non-profit agencies, to replace current vehicle fleets with hybrid and zero-emission vehicles to provide clean air benefits.

Under HVIP, manufacturers apply to CARB to determine that the vehicles they produce meet clean air targets. If CARB certifies the vehicle model, CARB lists the vehicle model on its website as qualifying for vouchers. Voucher amounts can vary and are generally based on the kind of vehicle, weight, fuel source, the number of vehicles purchased, and whether the vehicle will be used in a disadvantaged community.

First, a potential purchaser contacts a vehicle dealer to purchase a vehicle eligible for a voucher. Second, the dealer verifies that HVIP funds are available and that CARB has certified the vehicle

as eligible for a voucher. The dealer then applies to a CARB-designated grantee (currently CALSTART) for a voucher. If approved, the purchaser then pays the dealer the vehicle's purchase price minus the voucher's value. The dealer then arranges to build the vehicle to suit the purchaser's order, if stock inventory vehicle models are not already eligible. Once the vehicle is placed in service, CALSTART reimburses the dealer upon presentation of the voucher. The purchaser must report to CARB regarding their usage of the vehicle.

CARB allocates funds appropriated by the Legislature from the Greenhouse Gas Reduction Fund (GGRF) to CALSTART to pay vouchers, which is funded from auction proceeds under the state's "Cap and Trade" program authorized by the Global Warming Solutions Act (AB 32, Nunez, 2006; extended by AB 398, E. Garcia, 2017). Each year, the Legislature appropriates GGRF funds to various agencies, including CARB, for various purposes, including HVIP. In 2021, the Legislature began appropriating General Fund money for HVIP, with Governor Newsom proposing more in his annual budget proposals to supplement GGRF revenues. However, the Governor's 2025-26 budget proposal does not contain explicit General Fund or GGRF revenue for HVIP. Additionally, CARB staff is not proposing to allocate additional funding to HVIP for FY 2024-25 due to the limited funding available in the State Budget and the needs in other project categories. HVIP has funds remaining from previous years' appropriations, and CARB will continue to administer previously allocated funds until the next budget appropriation. Fiscal Year 2025-26 Funding Plan for HVIP is not yet available.

**CARB Innovative Clean Transit (ICT) regulation.** CARB ICT regulation was adopted in December 2018 and requires all public transit agencies to gradually transition to a 100% zero-emission bus (ZEB) fleet. Beginning in 2029, 100% of new purchases by transit agencies must be ZEBs, with a goal for full transition by 2040. It applies to all transit agencies that own, operate, or lease buses with a gross vehicle weight rating over 14,000 lbs. It includes standard, articulated, over-the-road, double-decker, and cutaway buses.

Seeking to decrease the burden on transit agencies, encourage early compliance with the ICT regulation, and reduce emissions by accelerating the deployment of zero-emission vehicles, the California Transit Association wants to extend the sunset date for the zero-emission bus SUT exemption.

### **Proposed Law**

Senate Bill 752 extends the state General Fund-only sales and use tax exemption for public transportation agencies to purchase HVIP-eligible zero-emission vehicles from January 1, 2026, to January 1, 2028.

### **State Revenue Impact**

CDTFA estimates revenue losses from SB 752 to be \$2,900,000 annually and would result in minor absorbable costs to administer.

### **Comments**

1. **Purpose of the bill.** According to the author, "SB 752 simply extends an existing partial sales tax exemption for zero emission busses. Extending this partial sales tax exemption has the potential to save transit agencies up to \$50,000 per bus purchased, depending on the

manufacturer and technology. Assisting public transit's transition not only helps meet our climate goals but helps communities attain better air quality as well.”

2. Windfall? Tax expenditures produce two different outcomes. First, they reward behavior that would have occurred without the tax benefit, referred to as a windfall benefit. Second, purchasers act on the incentive created by the tax expenditure to generate certain activity that would not have occurred but for the tax benefit. SB 752 encouraged public agency purchasers to choose zero-emission medium and heavy-duty transit buses eligible for HVIP vouchers by allowing a state sales and use tax exemption, equal to 3.9375% of the purchase price. However, the ICT regulation requires all public transit agencies to gradually transition to a 100% zero-emission bus fleet. While a sales tax exemption provides a financial incentive for transit agencies to purchase ZEBs, the exemption largely serves as general financial assistance for transit providers rather than a “but for” tax benefit.

3. Tradeoffs. Existing tax law provides various credits, deductions, exclusions, and exemptions for taxpayers. Since the Legislature enacts these items to accomplish some governmental purpose which have a cost, in the form of foregone revenues, state law refers to them as “tax expenditures.” This bill would extend an existing tax expenditure, with potential costs to the state General Fund. With less General Fund money, the government has less funding for important public services such as education and public safety. As a result, the state will have to reduce spending or increase taxes to match the foregone revenue. The Committee may wish to consider whether SB 752 is worth the spending cuts or tax increases.

4. State, not local. In recent years, most new sales and use tax exemptions have included only the state share of the sales tax, such as equipment used in research and manufacturing, and equipment and fuel used in agriculture. SB 752 continues this trend by extending an existing exemption that only applies against the State General Fund portion of the Sales and Use Tax. As a result, SB 752 should not affect local revenues.

5. Legislative Analyst’s Office (LAO) Report. Pursuant to Section 41 requirements from AB 2622, the LAO issued a report on April 15, 2024, entitled “Evaluation of a Tax Exemption for Zero-Emission Buses.”<sup>1</sup> The report found that the share of new ZEB buses is growing (e.g., 28% of new large-agency buses in 2022). However, adoption is uneven; five of the state’s 21 large transit agencies did not acquire any ZEBs, while others are fully converted. The exemption likely contributed to early ZEB purchases, but its precise impact cannot be isolated due to other factors influencing the pace of ZEB adoption. The report also highlights that in addition to the ZEB exemption, several other state and federal programs offer funding that transit agencies may use to convert their bus fleets to ZEBs, such as the Transit and Intercity Rail Capital Program, the Zero-Emission Transit Capital Program, HVIP funding, and federal grants. LAO concludes that the exemption is not well-targeted to agencies in greatest fiscal distress or to those with the greatest ridership loss (e.g., rail systems) and recommends “that the Legislature allow the exemption to expire as scheduled under current law.”

6. Rebuttal to the LAO Report. The California Transit Association (CTA) contends that the LAO used performance indicators and fiscal criteria not authorized or intended by the Legislature. It argues that, when evaluated according to the actual statutory goals and metrics set out in the Section 41 findings and declarations of AB 2622, the exemption has been successful

<sup>1</sup> Legislative Analyst's Office. (2024, April 15). *Evaluation of a tax exemption for zero-emission buses*. <https://lao.ca.gov/Publications/Report/4890>

and should be extended. Specifically, CTA argues that the following goals from AB 2622 Section 41 findings and declarations were achieved:

- To assist transit agencies in transitioning bus fleets to zero-emission by reducing upfront capital costs and incremental costs between technologies.
- To overcome an important upfront funding shortfall that currently impedes the procurement of zero-emission transit buses and is critically needed to help public transit agencies ramp up to the Innovative Clean Transit regulation.
- To eliminate mobile criteria pollutant emissions and clean the air in disadvantaged communities.
- To substantially reduce greenhouse gas emissions.

CTA also contends that the performance indicators from AB 2622 Section 41 findings and declarations demonstrate that the above-mentioned goals were achieved:

- The annual number of zero-emission transit bus purchases by transit authorities and agencies statewide.
- The annual number of zero-emission transit buses purchased in advance of the Innovative Clean Transit regulation timelines.

7. Section 41. Section 41 of the Revenue and Taxation Code requires any bill enacting a new tax expenditure to contain, among other things, specific goals, purposes, and objectives that the tax expenditure will achieve, detailed performance indicators, along with data collection and reporting requirements (SB 1335, Leno, 2014). AB 2622 updated AB 784 Section 41 findings and declarations in several ways. However, SB 752 does not comply with the Section 41 requirements, as it does not make the required findings and declarations.

### **Support and Opposition** (5/9/25)

**Support:** California Transit Association (Sponsor)  
 California Electric Transportation Coalition  
 Central Contra Costa Transit Authority  
 City and County of San Francisco  
 Foothill Transit  
 GILLIG  
 Madera County Transportation Commission  
 Monterey-Salinas Transit  
 Orange County Transportation Authority  
 Riverside Transit Agency  
 Sacramento Regional Transit District  
 San Diego Metropolitan Transit System  
 San Francisco Municipal Transportation Agency  
 San Mateo County Transit District  
 Santa Cruz Metropolitan Transit District  
 Santa Monica Department of Transportation  
 Solano County Transit  
 Stanislaus Regional Transit Authority  
 Sunline Transit Agency  
 Transportation Authority of Marin



Opposition: None received.

**-- END --**



Western Contra Costa  
Transit Authority



TRI DELTA TRANSIT



May 27, 2025

The Honorable Scott Wiener  
California State Senate  
1021 O Street, Suite 8620  
Sacramento, CA 95814

The Honorable Jesse Arreguín  
California State Senate  
1021 O Street, Suite 6710  
Sacramento, CA 95814

**RE: SB 63 (Wiener and Arreguín): Bay Area: Local Transportation Revenue Measure  
As amended May 23, 2025 – Request for Amendments**

Dear Senators Wiener and Arreguín:

On behalf of the Central Contra Costa Transit Authority (County Connection), Eastern Contra Costa Transit Authority (Tri Delta Transit), the Livermore Amador Valley Transit Authority (Wheels) and the Western Contra Costa Transit Authority (West CAT), we are writing to express our support for your effort to authorize a regional funding measure to support public transportation and avert disastrous cuts to service. We also respectfully request amendments to SB 63 to ensure that any future funding measure will directly support small bus operators.

Our agencies play an integral part in moving people around our East Bay communities, connecting our residents with jobs, education, healthcare services, recreational opportunities, and more. As providers of BART feeder bus service, we also provide an important connection for our residents to the broader Bay Area. Unfortunately, as currently drafted, a revenue measure authorized under SB 63 will *only* provide funding for our systems after large operator needs are met and contributions of up to 10% of total revenues are made to support the Metropolitan Transportation Commissions' broader regional transit transformation work.

#### **East Bay Small Operator Funding Needs**

The East Bay's small bus operators face the same challenges and budget shortfalls as the larger operators but have reduced and reorganized our services in recent years to remain financially stable. Despite these efforts to reduce and contain costs, County Connection, Tri Delta Transit, West CAT and Wheels are collectively projecting significant operating shortfalls beginning in FY 2025-26. Our funding shortfalls are driven by projected increases in operational costs and reductions in State Transit Assistance and

Transportation Development Act funding due to the need for the region to support larger operators, the latter attributed to the loss of millions of dollars in funding allocated by the Metropolitan Transportation Commission to provide bus connections to BART (“feeder bus service”) next fiscal year. As you are aware, in addition to providing day-to-day connections for our residents to BART service, our bus systems help BART fulfill its paratransit obligations under the Americans with Disabilities Act and provide bus bridges during service interruptions.

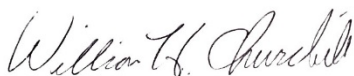
Given our significant funding shortfalls in the coming years, as well as the important local and regional service that our systems provide, we urge you to provide dedicated funding to support East Bay small bus operators in any revenue measure authorized by SB 63 by prioritizing our service needs over set-asides for MTC’s transit transformation initiatives.

### Transit Transformation

Our four agencies have worked collaboratively to coordinate and integrate public transit service in our part of the East Bay. This work has proceeded at our own initiative, without statutory mandates, and illustrates our commitment to improving the rider experience for the benefit of riders and efficiently using our resources. Together, we have overcome federal bureaucratic hurdles to develop a unique **“one-seat” paratransit service**, allowing our most vulnerable riders to cross our respective service areas without transfers so they can receive medical care and complete other important trips. We have also implemented **free transfers** between our services, established **fare capping** so riders aren’t penalized for taking multiple trips between our services on a given day, and implemented **transit hubs and coordinated schedules** to ensure that riders can easily navigate across our region.

While transit transformation is a laudable goal and our agencies supported the work that led to the 2021 Bay Area Transit Transformation Action Plan, the implementation of that plan should not take priority over maintaining vital local transit service that supports the Bay Area’s regional transportation network. For these reasons we encourage you to incorporate our suggested amendments to SB 63, ensuring that our services can continue. We look forward to working with you and the other members of our legislative delegation to continue to improve this important legislation.

Sincerely,



Bill Churchill  
General Manager  
County Connection

/s/

Christy Wegener  
Executive Director  
Wheels



Rashidi Barnes  
Chief Executive Officer  
Tri Delta Transit



Rob Thompson  
General Manager  
West CAT

(Enclosure)

CC: East Bay Small Operators Legislative Delegation  
James Barba, Office of Senate President pro Tempore McGuire  
Melissa White, Senate Transportation Committee  
Julius McIntyre, Office of Assembly Speaker Rivas  
Farra Bracht, Assembly Transportation Committee

## SB 63 Draft Amendments

### Page 9

#### 18 Chapter 3. Regional Transportation Revenue Measure

#### 19 Expenditures

20

21 67750. The board shall allocate revenues generated pursuant  
22 to Chapter 2 (commencing with Section 67740) on an annual basis  
23 as follows:

24 (a) The board shall pay the administrative costs associated with  
25 the collection of the revenues incurred by the California  
26 Department of Tax and Fee Administration pursuant to the contract  
27 entered into pursuant to Section 67730, and the amounts necessary  
28 for the commission to reimburse the one-time costs incurred by  
29 county elections officials, as provided in subdivision (g) of Section  
30 67740.

31 (b) After the amounts allocated in subdivision (a), the board  
32 may retain up to 1 percent of total revenues for the administration  
33 of this title. If the board retains more money than is necessary for  
34 administration, the board may direct those excess funds to the  
35 commission for allocation pursuant to subparagraph (E) of  
36 paragraph (1) of subdivision (c).

37 (c) (1) After the amounts allocated in subdivisions (a) and (b),  
38 the board shall allocate revenues to the commission in the amount  
39 determined pursuant to paragraph (3) (2). The commission shall  
40 allocate those revenues to the following entities for the following

### Page 10

1 purposes in accordance with Chapter 4 (commencing with Section  
2 67760) and Chapter 5 (commencing with Section 67770):

3 (A) AC Transit, exclusively for transit operations expenses.

4 (B) BART, exclusively for transit operations expenses.

5 (C) Caltrain, exclusively for transit operations  
6 expenses.

7 (D) Muni, exclusively for transit operations expenses.

8 (E) San Francisco Water Emergency Transportation Authority (SF Bay Ferry),  
exclusively for transit operations expenses.

9 (F) Central Contra Costa Transit Authority (County Connection),  
exclusively for transit operations expenses.

11 (G) Eastern Contra Costa Transit Authority (Tri Delta Transit),  
exclusively for transit operations expenses.

13 (H) Livermore Amador Valley Transit Authority (LAVTA), exclusively  
for transit operations expenses.

15 (I) Western Contra Costa Transit Authority (WestCAT), exclusive  
for transit operations expenses.

17 ~~(E) Up to 10 percent of the (2) All remaining~~ revenues to the commission,  
18 exclusively for initiatives included in the 2021 Bay Area Transit  
19 Transformation Action Plan (T-TAP), or any successor plan

20 adopted by the commission.

21 ~~(2)~~ **(3)** It is the intent of the Legislature to establish specific levels  
22 of funding for the board to allocate to the commission and for the  
23 commission to allocate to the entities specified in paragraph (1),  
24 (1) by July 31, 2025, informed by the adopted T-FRIP described  
25 in Section 67751. 2025.

26 ~~(d) (1) After the amounts allocated in subdivisions (a) to (c),~~  
27 ~~inclusive, the board shall subvene all remaining funds directly to~~  
28 ~~the counties contained in the district for public transportation~~  
29 ~~expenses. The board shall have no discretion to withhold those~~  
30 ~~funds.~~

31 ~~(2) Eligible recipients of funds provided by counties from funds~~  
32 ~~allocated pursuant to paragraph (1) include, but are not limited to,~~  
33 ~~all of the following:~~

34 ~~(A) Contra Costa County Transit Authority (County~~  
35 ~~Connection).~~

36 ~~(B) Eastern Contra Costa Transit Authority (Tri Delta Transit).~~

37 ~~(C) Livermore Amador Valley Transit Authority (LAVTA).~~

38 ~~(D) Union City Transit.~~

## EXECUTIVE DIRECTOR'S REPORT

### Projects and Services

#### Ridership

As covered in previous monthly ridership reports, we first started to see a trend last November where the post-pandemic ridership recovery (that had been observed over the prior several months before that point) began to level out. Whereas this was at first driven by a trend reversal on the school-focused routes, it is now affecting mainline (non-school routes) as well. The average weekday ridership for the mainline routes in April 2025 compared with the same month of last year was down by approximately 3%.

Systemwide, the corresponding number was a decrease of 7%. As in months prior, the larger decrease in the total number was driven by the significant tapering-off of demand in the supplemental routes traveling from East Dublin to Dublin High School (DHS) in conjunction with the ongoing transition to the new Emerald High School (EHS). As discussed in the last monthly update, this reduced demand was expected to happen because of EHS being situated much more accessibly for students living in East Dublin compared to DHS.

On the other hand, weekend (Saturday and Sunday) ridership continued to hold up: Average boardings per weekend increased from 2,855 to 2,866 compared with April 2024, driven especially by strong Saturday demand.

At the individual route level, most of the routes that were new or restored last spring had strong year-on-year (YoY) trends when comparing April of this year with April of 2024. Routes 2 (East Dublin), 4 (Central/West Dublin), 18 (Granada), and 580X (Livermore-Bart Express) all saw double-digit increases during that timeframe, albeit from low levels. The large trunk lines 10R and 30R delivered mixed results YoY: while the 10R has been holding up well (+4%), the 30R started trending down in February, with a YoY trend in April of a negative 11%.

#### Downtown Livermore Street Festival

Wheels sponsored a booth at the Livermore Downtown Street Fest this past weekend, providing free rides throughout the weekend on all Rapid (10R/30R) Routes! It was a busy and exciting time connecting with the community and helping riders get to the event while avoiding parking hassles.

We provided free rides on Routes 10R and 30R all weekend long — total ridership came in at 1,484 boardings across the two routes that weekend.



## EXECUTIVE DIRECTOR'S REPORT

### Dublin Community Safety Fair:

On May 17 Wheels participated in the first-ever Dublin Safety Fair, joining partners including the City of Dublin, Dublin Police and Fire, first aid responders, and various community service organizations. Hundreds of community members attended the event. Our team provided a Wheels bus on-site to conduct live demonstrations for attendees. Staff walked participants through boarding procedures, bike rack use, Clipper card transactions, and route planning tools.



### Shepards Gate Travel Training

Wheels staff conducted a travel training at the Shepards Gate, a residential housing community that helps women and children escape abuse, addiction, sex trafficking, and homelessness. An overview of Wheels services was provided with explanations of subsidized fare programs, along with trip planning assistance for Alameda social services.

### 2025 Bike to Wherever Day

LAVTA partnered with GILLIG to host an Energizer Station for Bike to Wherever Day. Over 50 riders stopped by to rest, learn about Wheels services, receive promotional giveaways. The event supported sustainable and transit options while engaging with our local cycling community.





## EXECUTIVE DIRECTOR'S REPORT

### MV Employee Appreciation BBQ

On May 15 MV hosted a staff BBQ to show employee appreciation! Great food, great company, and a well-deserved break for all who help keep Wheels rolling.



### New MV Safety and Training Manager

On Monday, May 12, MV Transportation's new Safety and Training manager started at the Livermore Division.

Rebecca Mitchell has been working in transportation for over 19 years and has focused on safety for over nine years. She originally wanted to help others as a nurse but found out she had a passion for transportation and safety. In her spare time, she loves escape rooms and flipping homes.



### MV General Manager Honored with MV CEO Award

At this year's MV Transportation General Manager's Annual meeting, LAVTA General Manager Regina Flores received the company's inaugural CEO Award. This recognition serves to acknowledge Regina's hard work in building a positive safety culture at LAVTA.



### LAVTA Director of Finance Honored with ROP Award

On May 7<sup>th</sup> Tamara Edwards, LAVTA's Director of Finance, was one of two mentors recognized by the Tri-Valley ROP for her mentorship of students in the Youth Innovation Program. This is Tamara's second year participating in the program and she has mentored students at both Del Valle and Valley High Schools.



## EXECUTIVE DIRECTOR'S REPORT

### Finance and Administration

#### California Transit Association Spring Legislative Conference

On May 8, staff attended the CTA Spring Legislative Conference in Sacramento. Topics for the day included a briefing on CTA legislative priorities, an update on the State's Transit Transformation Task Force, and a panel of legislators discussing Cap and Trade reauthorization. The keynote address was made by Transportation Secretary Toks Omishaken and the lunchtime remarks were provided by FTA Region 9 Administrator Ray Tellis.



#### American Public Transportation Association (APTA) Legislative Conference

The 2025 APTA Legislative Conference took place in Washington DC from May 18-20. Staff along with Chair Branning as well as staff and Board members from the East Bay Transit Coalition attended the conference. Productive meetings were held with staff from Senator Padilla and Schiff's offices, staff from Congressman Garamendi's office, and with Congressman DeSaulnier and Swalwell.



## EXECUTIVE DIRECTOR'S REPORT

### Mike Tobin Graduates Leadership Pleasanton

Earlier this month, Mike Tobin, Director of Operations & Planning, graduated from the Leadership Pleasanton Program as part of the Class of 2025. This program, hosted by the Pleasanton Chamber of Commerce, brings together aspiring leaders from all sectors of the community, including local government, education, small business and nonprofit organizations to learn about the City, and to explore the challenges and opportunities facing the community and gain insights into how collaboration, service and vision can shape the City's future.



### Ad Hoc Committees

**Paratransit:** The contract with County Connection and Transdev for the provision of joint paratransit services is expiring in June 2026. Staff is recommending an Ad Hoc Committee be formed between Central Contra Costa Transit Authority (CCCTA) and LAVTA to assess contractor performance and make a recommendation about contract extension.

**Meadowlark Dairy:** To address ongoing safety concerns, staff is recommending an Ad Hoc Committee be formed to address impacts of the Dairy on LAVTA's operations with City and Dairy Staff.

### State of California Transit Transformation Task Force (TTTF)

As the work of the TTTF is set to wrap up, MTC along with the majority of Bay Area Transportation Agencies have signed onto a letter to CalSTA to highlight Bay Area priorities, particularly the need for more transit funding. The letter is included as Attachment 2.

### Attachments:

1. Board Statistics April 2025
2. Bay Area Comment Letter on the State's Transit Transformation Task Force

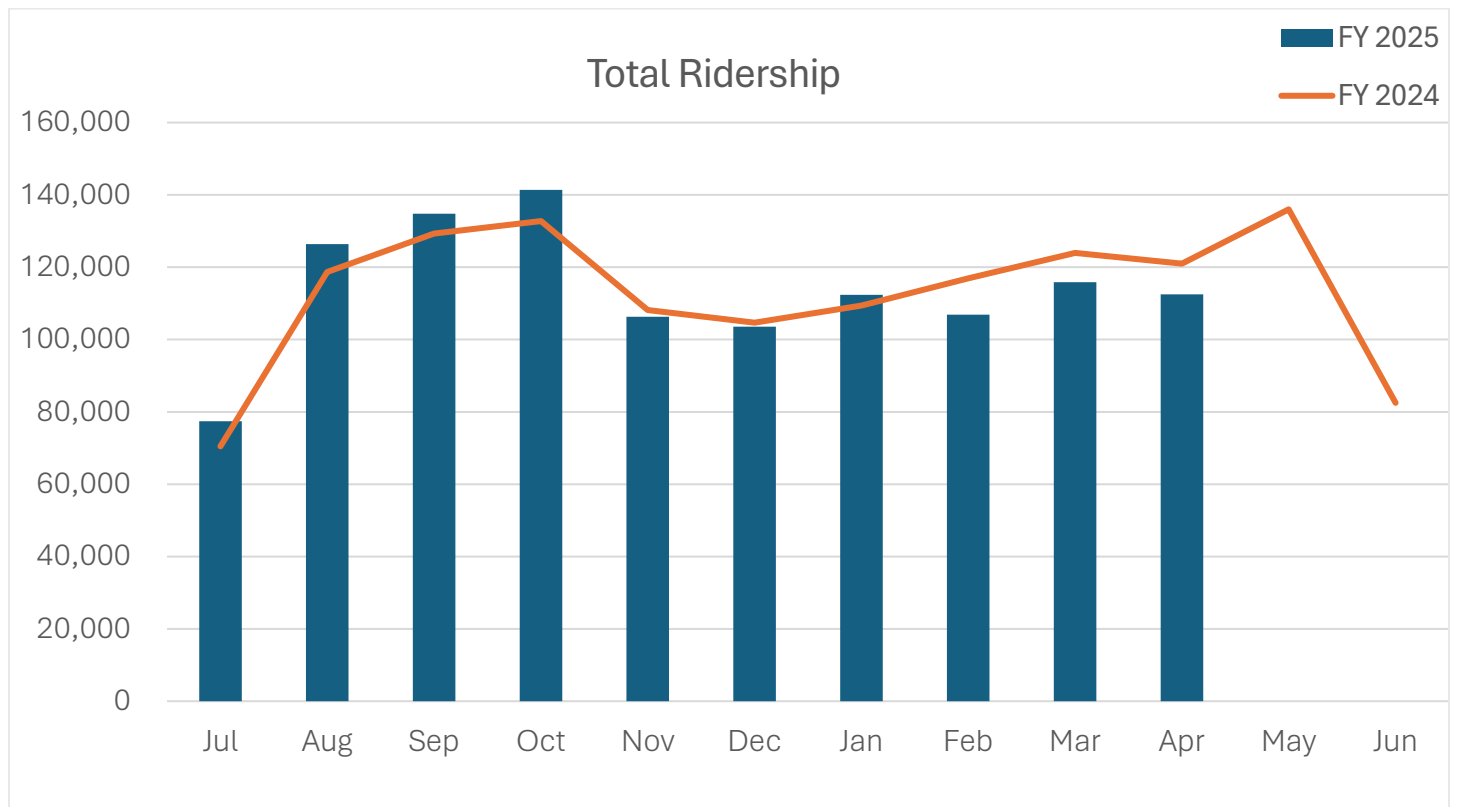


## Wheels System Performance

### FY 2025 - April

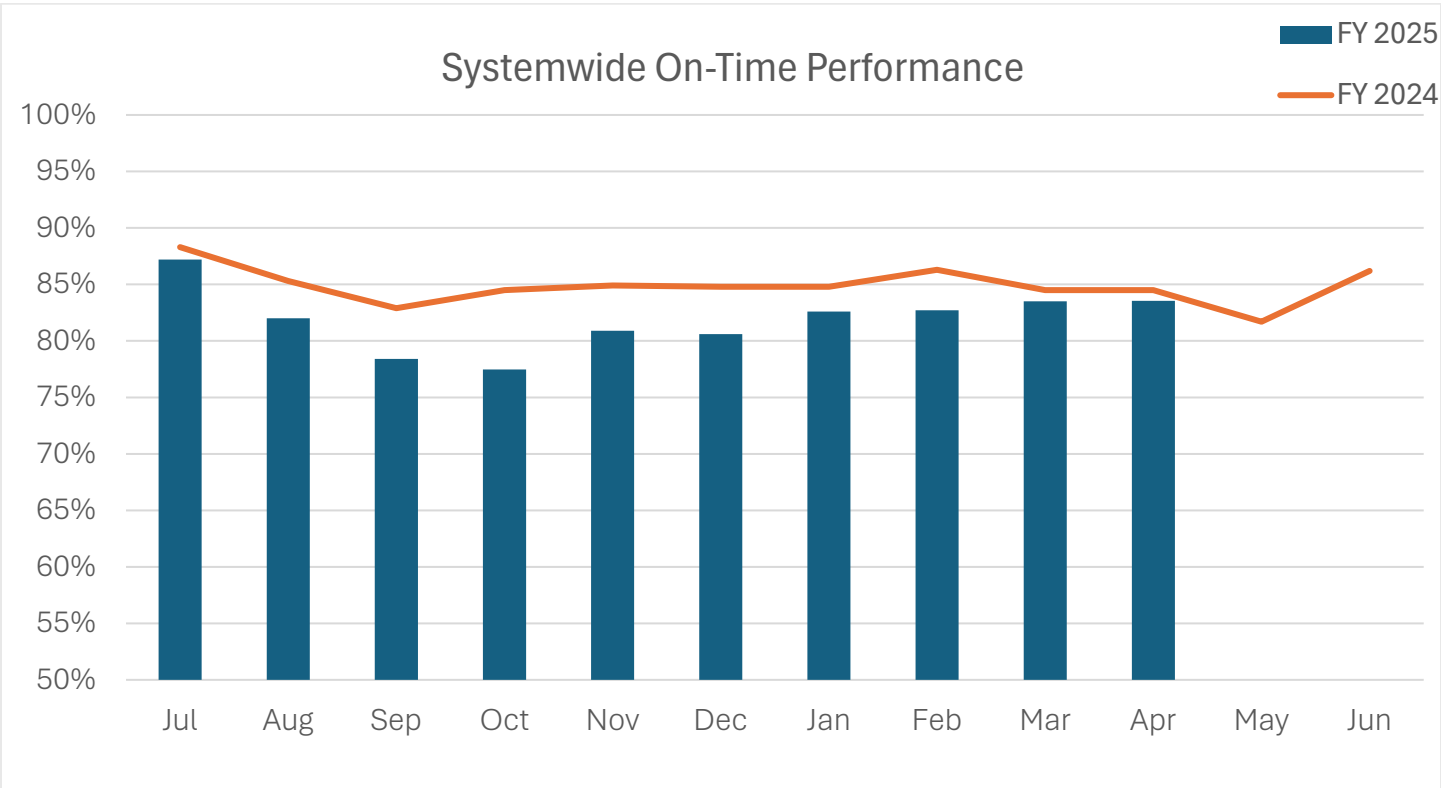
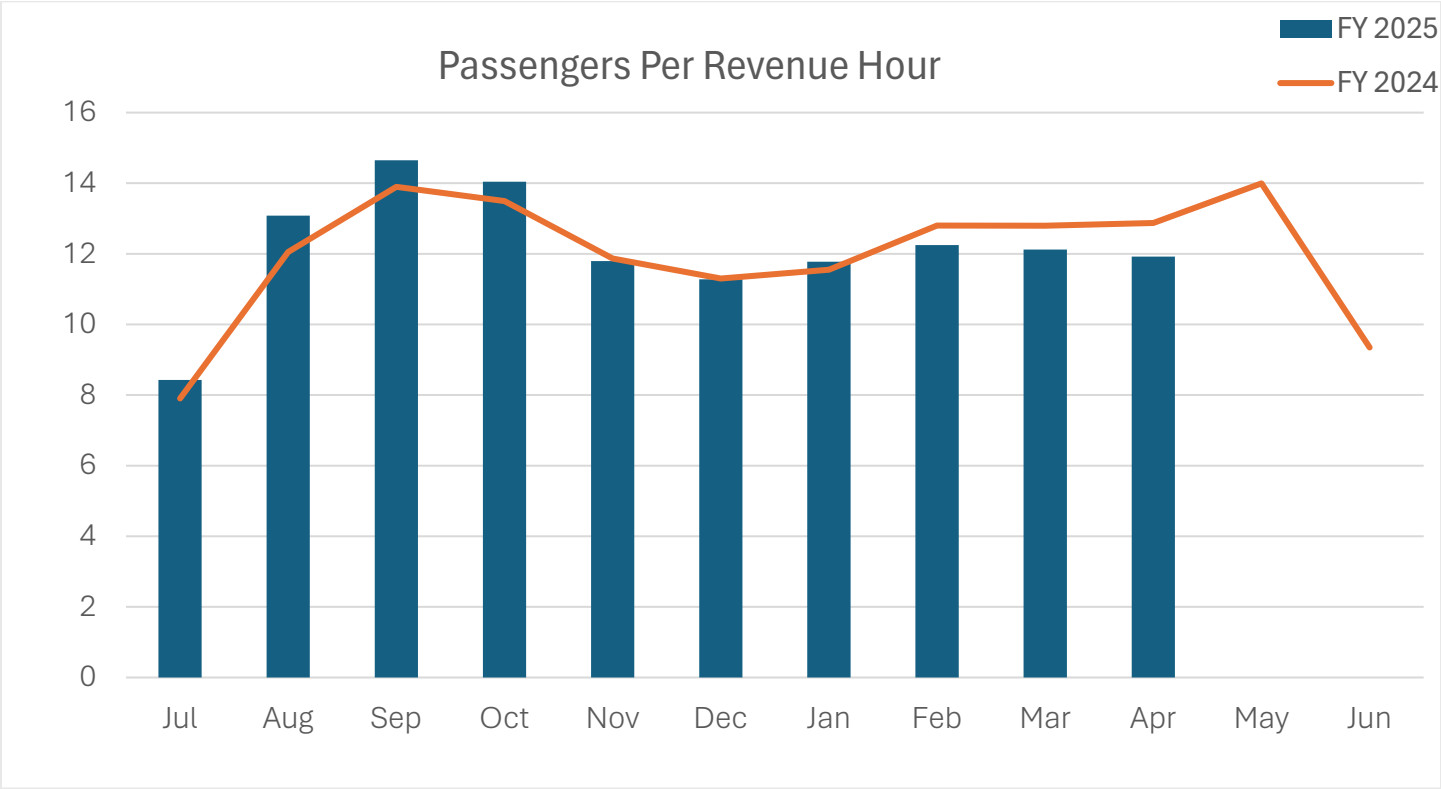
#### Fixed-Route

| Performance Indicator                     | Apr-24    | Apr-25    | MoM % Change |   | YoY % Change |   |
|---|-----------|-----------|--------------|---|--------------|---|
| Total Ridership                           | 120,975   | 112,514   | -3%          | ↓ | -7%          | ↓ |
| Total Ridership FY To Date                | 1,135,274 | 1,137,494 | N/A          |   | 0.2%         | — |
| Fully Allocated Cost Per Passenger        | \$13.29   | \$14.14   | 2%           | ↑ | 6%           | ↑ |
| Average Weekday Ridership                 | 4,981     | 4,593     | -5%          | ↓ | -8%          | ↓ |
| Average Saturday Ridership                | 1,585     | 1,666     | 2%           | ↑ | 5%           | ↑ |
| Average Sunday Ridership                  | 1,270     | 1,200     | 2%           | ↑ | -5.5%        | ↓ |
| Passengers Per Revenue Hour               | 12.88     | 11.92     | -2%          | ↓ | -7%          | ↓ |
| System-wide On-Time Performance           | 84.5%     | 83.6%     | 0.1%         | — | -1%          | — |
| Preventable Accidents Per 100,000 Miles   | 3.26      | 4.60      | 258%         | ↑ | 41%          | ↑ |
| Customer Complaints Per 100,000 Boardings | 14.05     | 11.55     | -30%         | ↓ | -18%         | ↓ |
| Miles Between Mechanical Failures         | 25,568    | 10,865    | -30%         | ↓ | -58%         | ↓ |



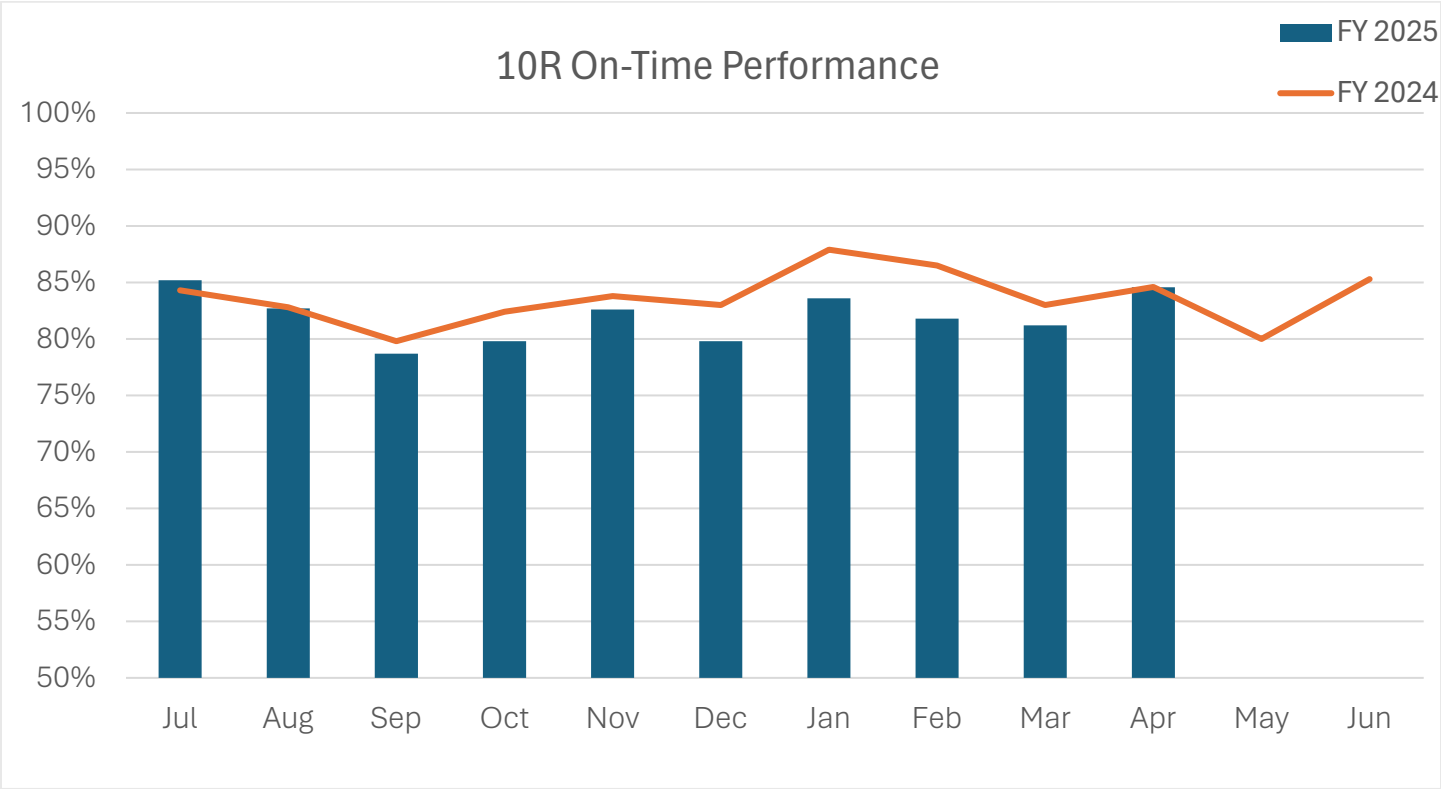
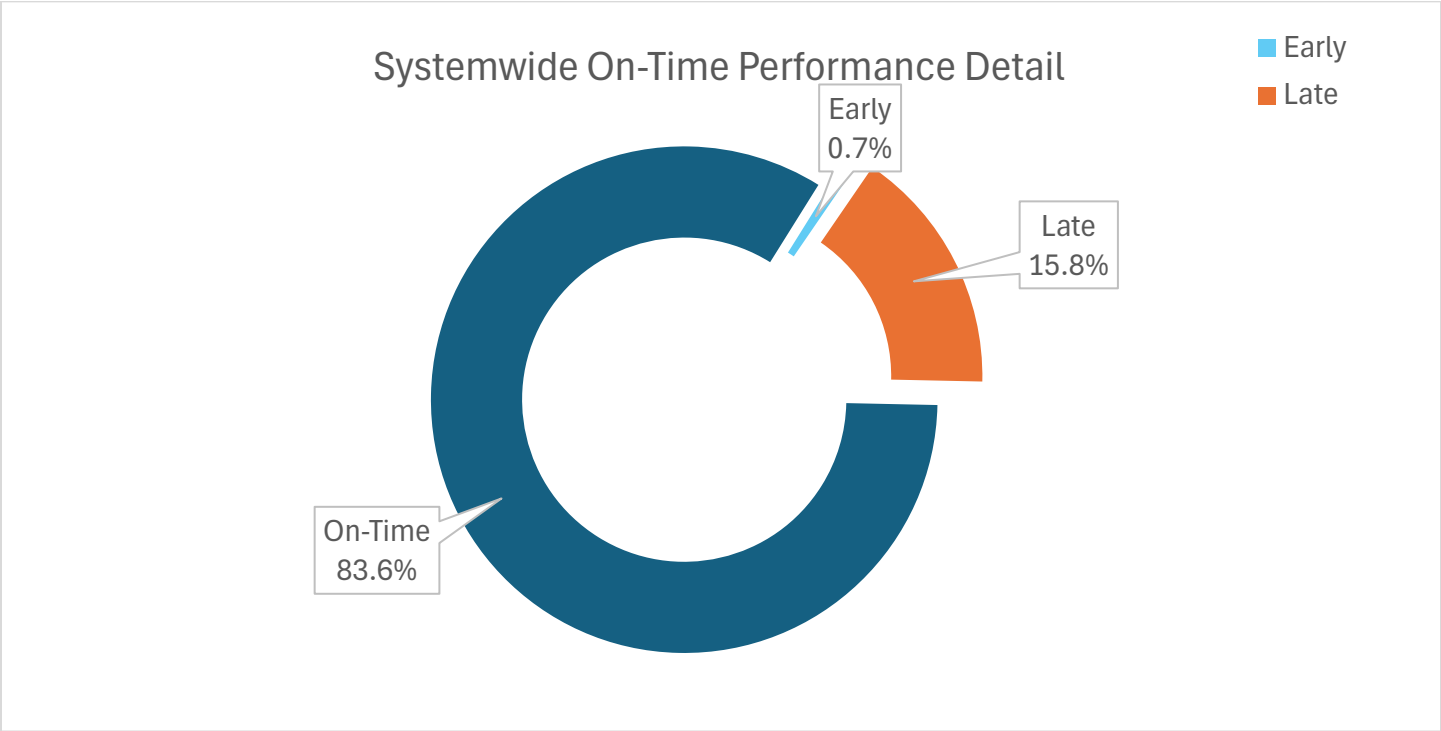


Fixed-Route



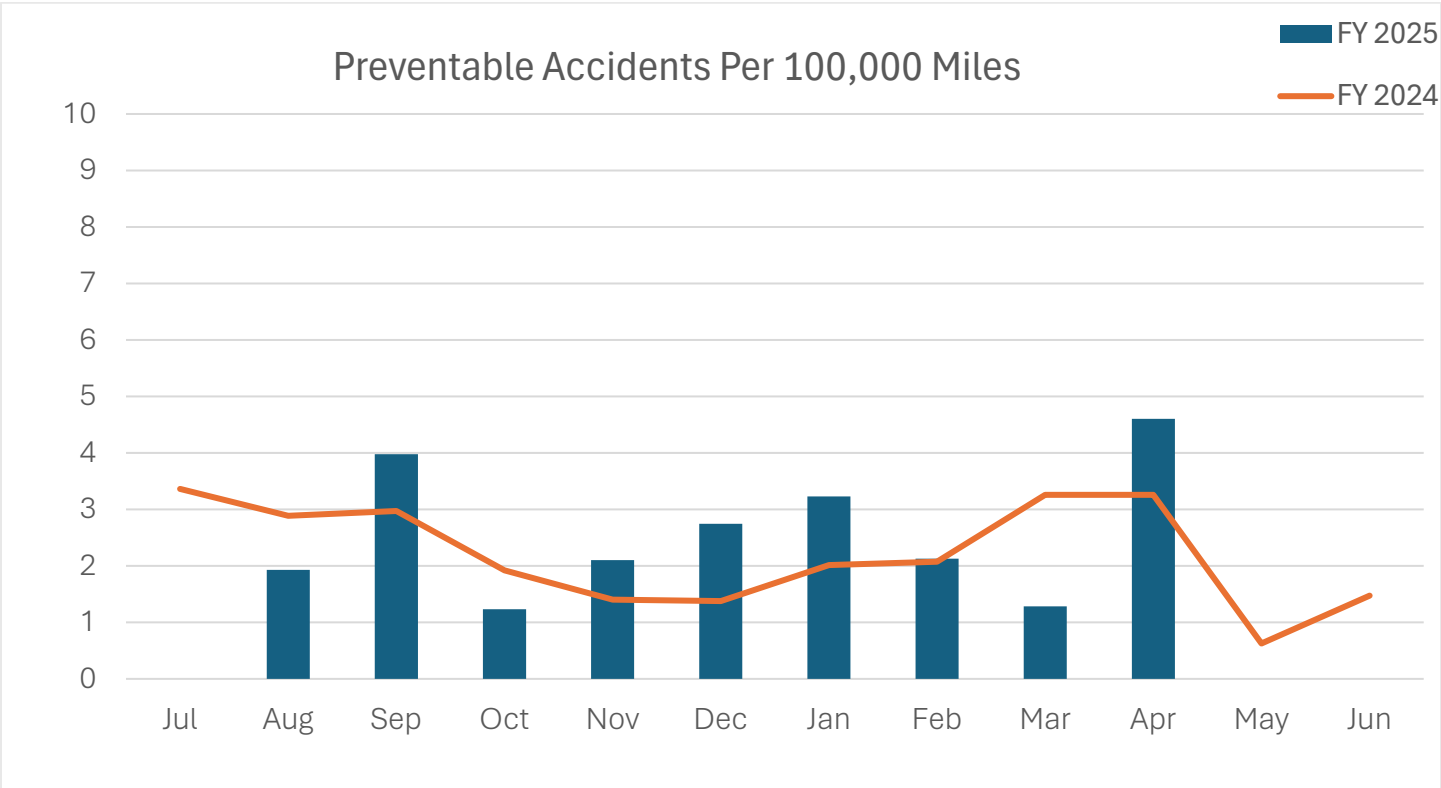
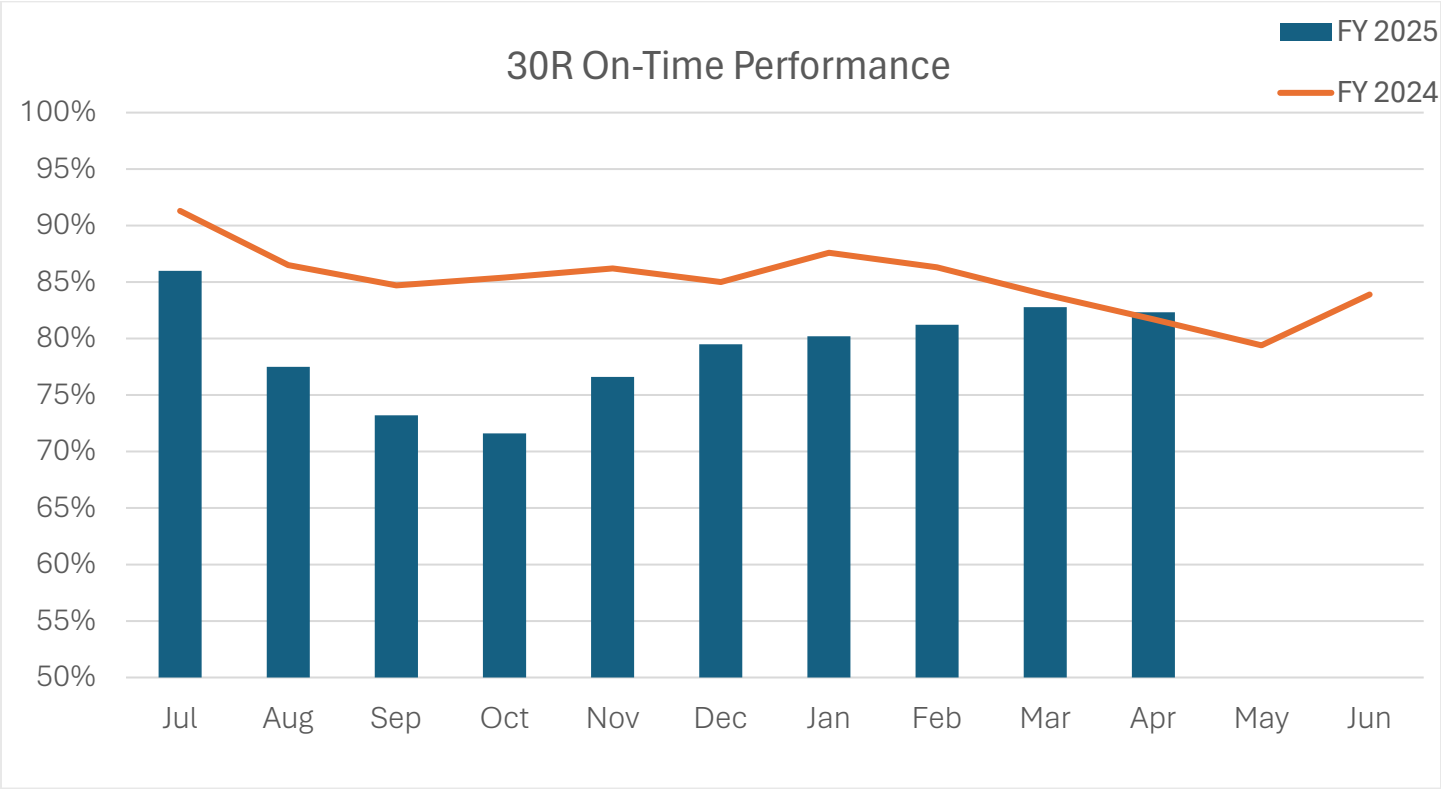


Fixed-Route



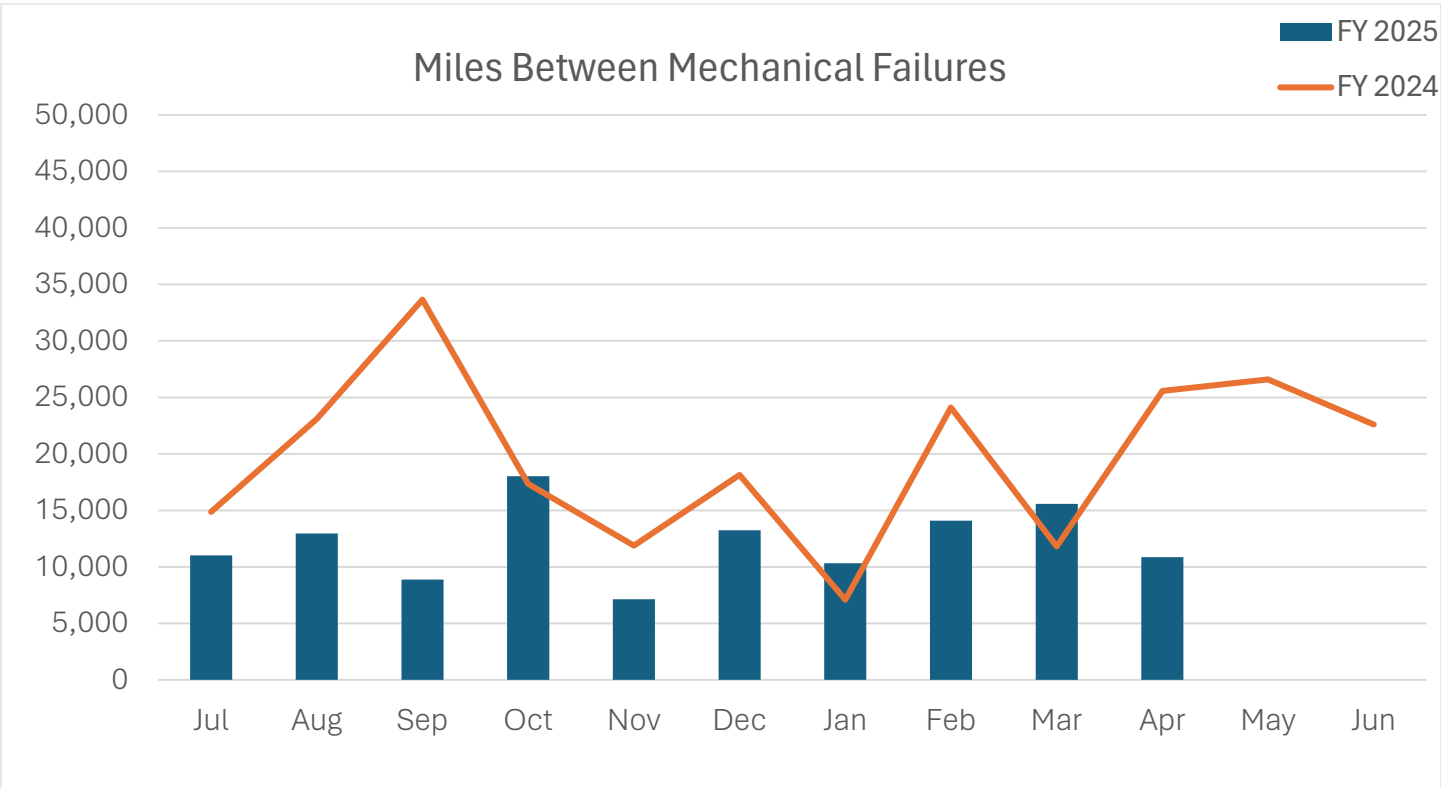
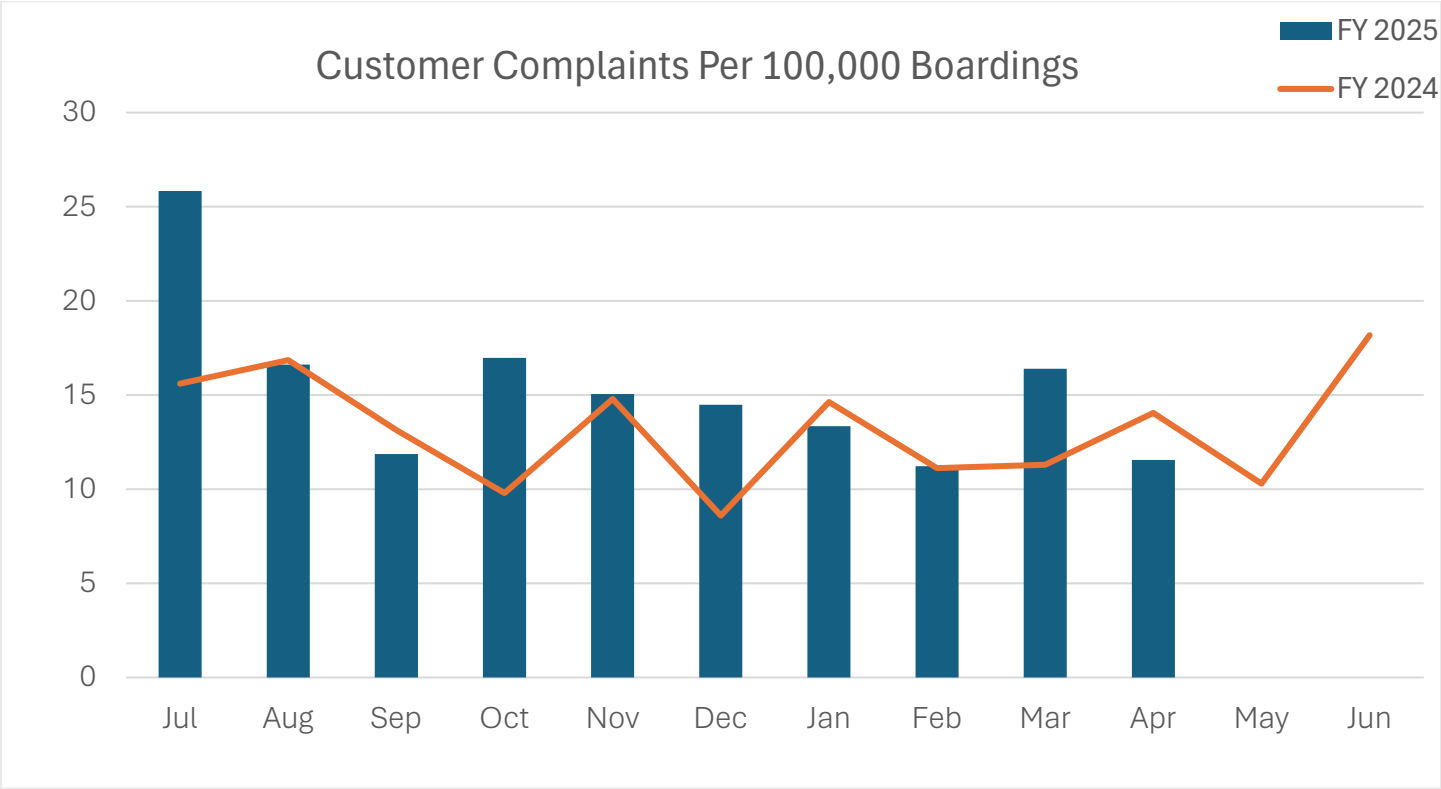


Fixed-Route





Fixed-Route

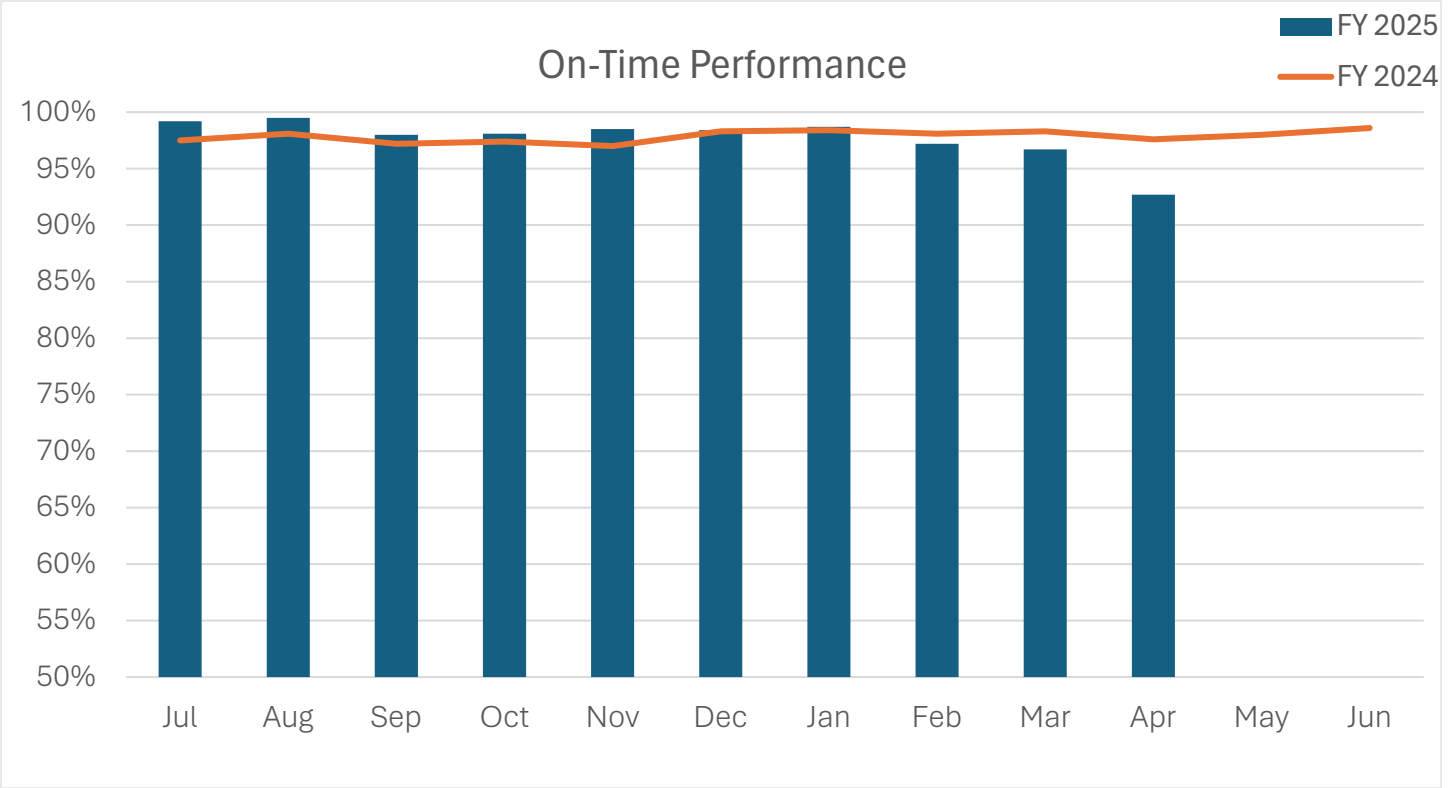






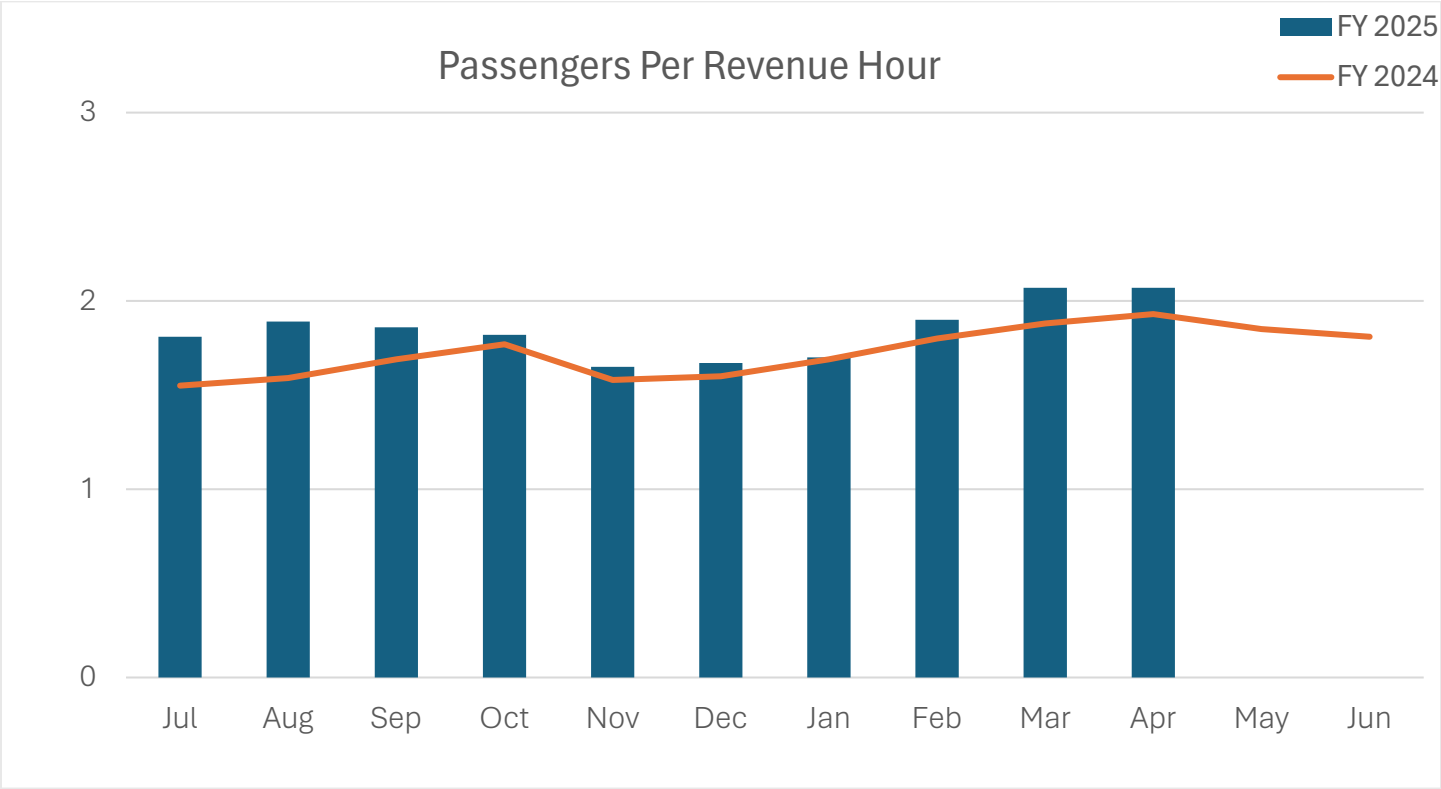
Paratransit

| Performance Indicator                               | Apr-24  | Apr-25  | MoM % Change |   | YoY % Change |   |
|---|---------|---------|--------------|---|--------------|---|
| On-Time Performance                                 | 97.6%   | 92.7%   | -4.1%        | ↓ | -5.0%        | ↓ |
| Passengers Per Revenue Hour                         | 1.9     | 2.1     | 0.0%         | — | 7.3%         | ↑ |
| Valid Complaints Per 1,000 Passengers               | 0.99    | 2.73    | 53.9%        | ↑ | 175%         | ↑ |
| Phone Holds (% of calls answered within 60 seconds) | 72.5%   | 65.1%   | -1.8%        | ↓ | -10.2%       | ↓ |
| Preventable Accidents Per 25,000 Miles              | 0.0     | 0.0     | 0.0%         | — | 0%           | — |
| Dial-A-Ride Cost Per Trip                           | \$52.94 | \$51.24 | -1.4%        | ↓ | -3.2%        | ↓ |
| Dial-A-Ride Ridership                               | 3,024   | 2,935   | 3.9%         |   | -2.9%        |   |
| One Seat Ride Ridership                             | 301     | 283     | -18.0%       |   | -6%          |   |



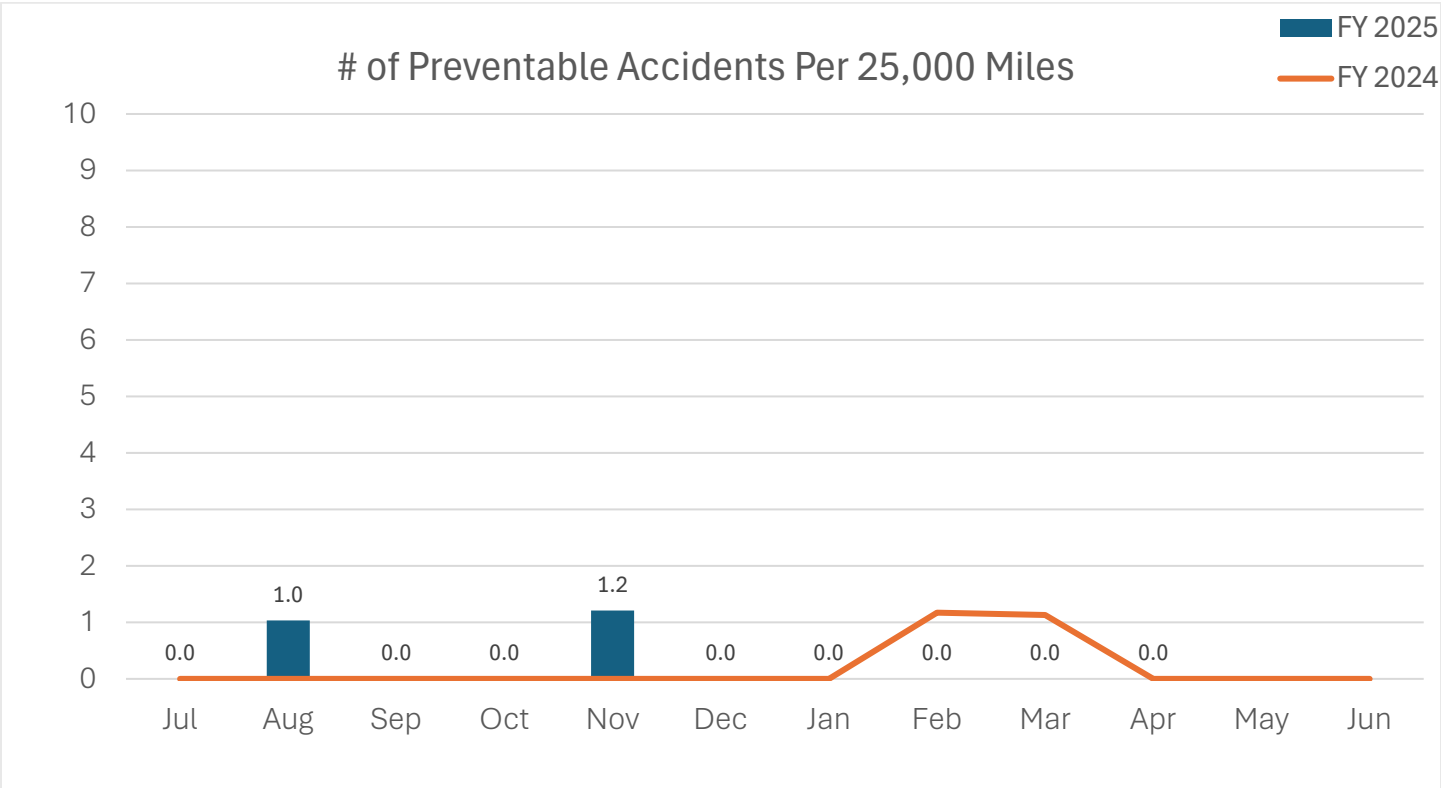
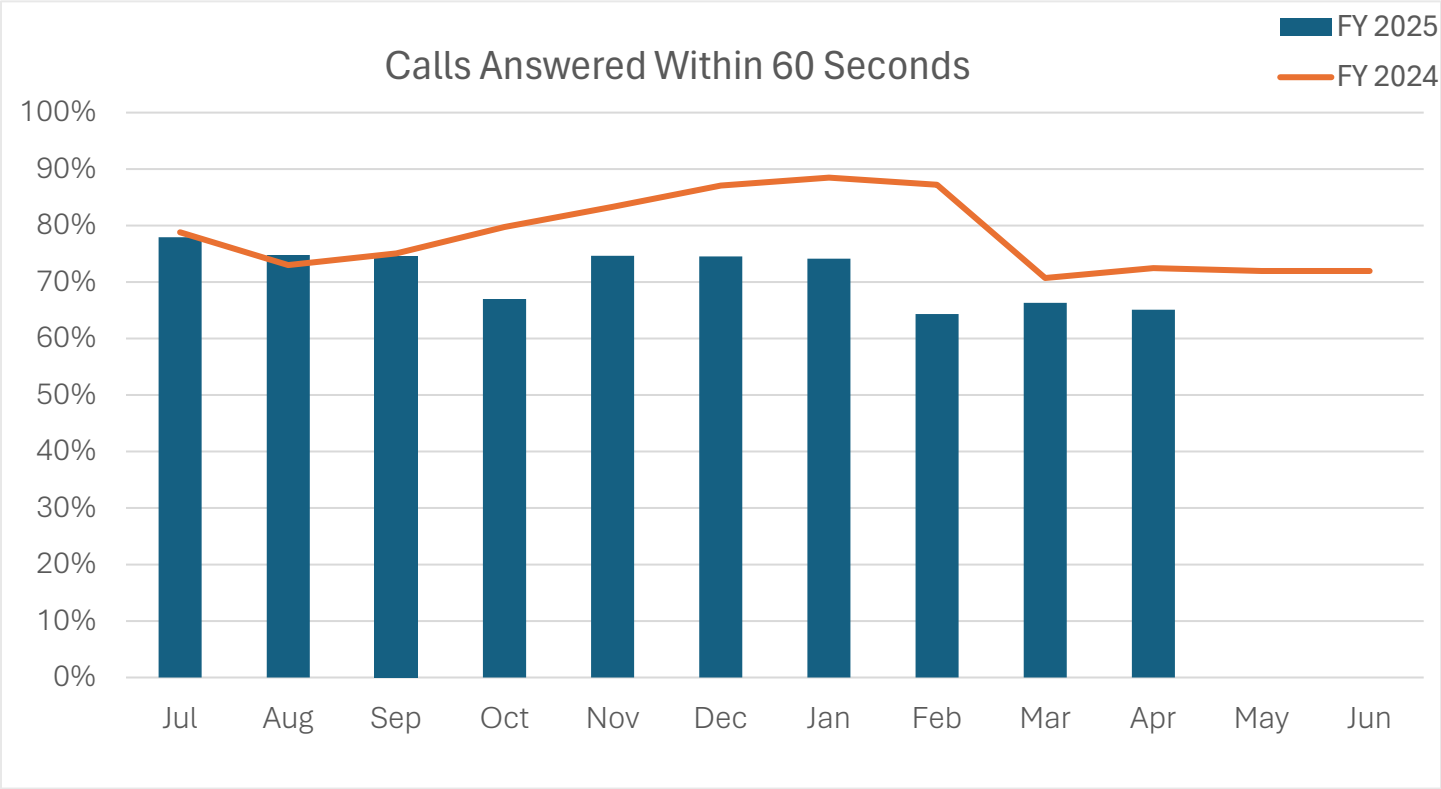


Paratransit



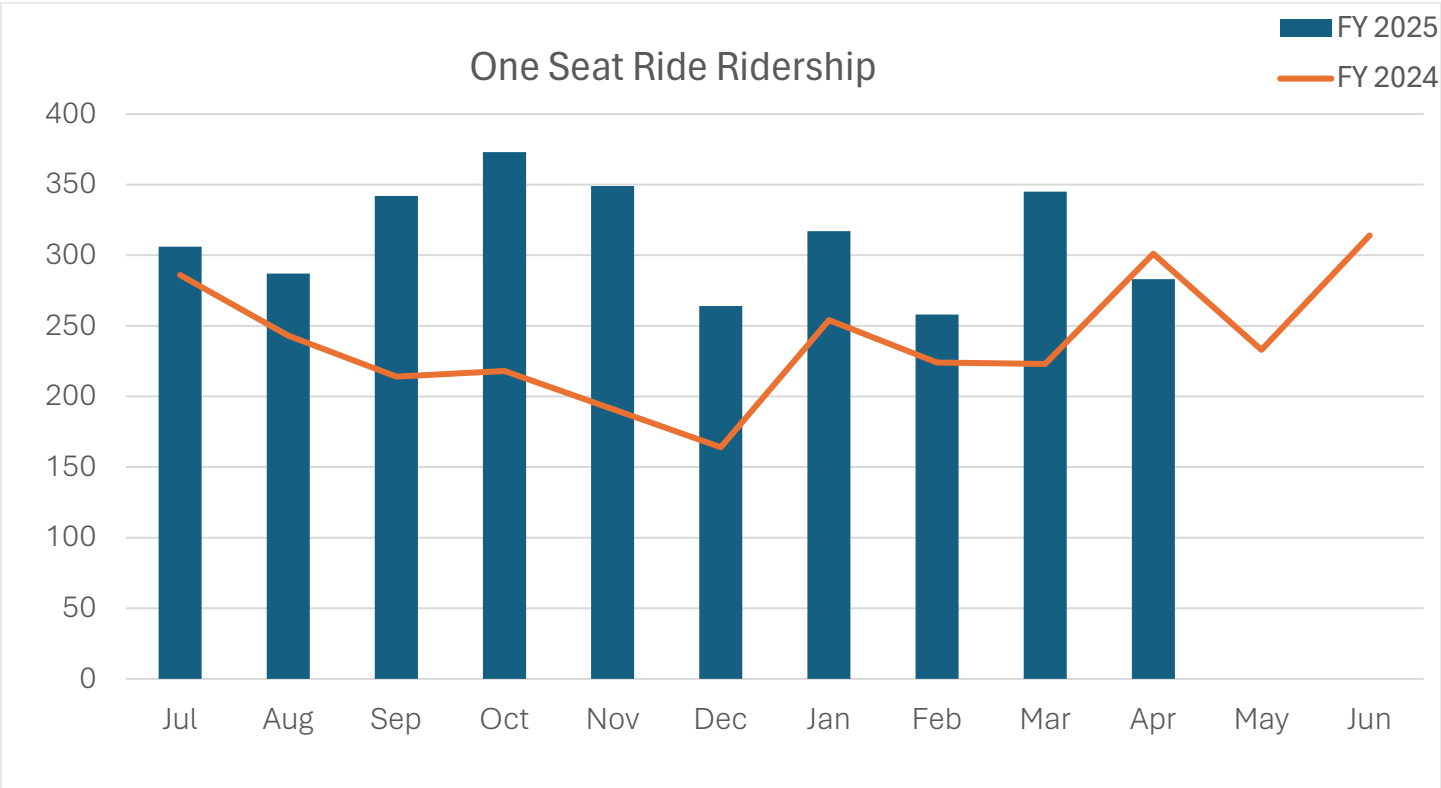
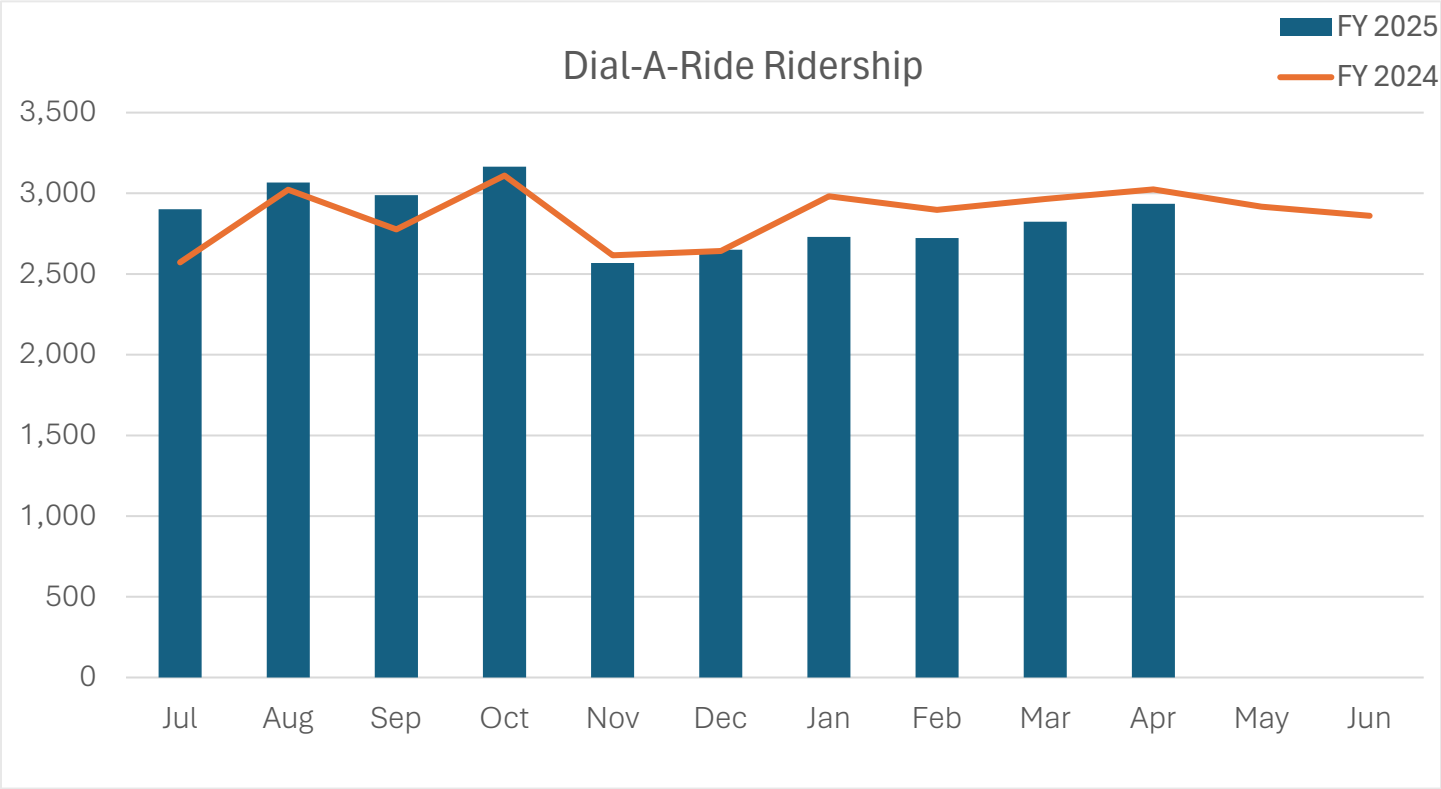


Paratransit





Paratransit





Go Tri-Valley

| Performance Indicator | Apr-24 | Apr-25 | Year Over Year % Change |
|-----------------------|--------|--------|-------------------------|
| Total Ridership       | 3,625  | 4,593  | 27%                     |
| Average Subsidy       | \$4.57 | \$4.51 | -1%                     |

