



**Yosemite Area Regional Transportation System (YARTS)
Joint Powers Authority
MINUTES**

DATE

Monday, July 20, 2020

The regular meeting of the Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority (JPA) Board was held on Monday, July 20, 2020 via teleconference/videoconference and was called to order by Chair Silveira at 1:01 p.m.

MEMBERS PRESENT

Scott Silveira, Merced County Supervisor, Chair
Bob Gardner, Mono County Supervisor, Vice Chair
Stacy Corless, Mono County Supervisor
Daron McDaniel, Merced County Supervisor
Miles Menetrey, Mariposa County Supervisor
Rosemarie Smallcombe, Mariposa County Supervisor

MEMBERS ABSENT

Rhonda Armstrong, Council Member, City of Kerman
John Gray, Tuolumne County Supervisor
Tom Wheeler, Madera County Supervisor

OTHERS PRESENT

Peggy Arnest, Fresno Council of Governments
Denise Demery, VIA Adventures
Jim Donovan, Yosemite National Park
Darin Grossi, Tuolumne County Transportation Council
Sandy Hogan, Mono County LTC
Curtis Riggs, VIA Adventures

STAFF PRESENT

Christine Chavez, Transit Manager
Kate Molthen, Assistant Transit Manager
Xavier Garcia, Transit Administrative Assistant
Stacie Guzman, Executive Director
Nav Bagri, Finance Director
Emily Haden, Legal Counsel
Adam Perez, Multimedia Specialist
Mary-Michal Rawling, Public Affairs Manager

1. Roll Call

Chair Silveira led the introductions and called the meeting to order at 1:01 p.m.

2. Public Comment

None.

3. Recognition of Service – Miles Menetrey

Stacie Guzman presented Director Menetrey with a plaque to recognize his service as Chair of the YARTS Joint Powers Authority Board for fiscal year 2019-2020.

Chair Silveira and Director Corless thanked Director Menetrey for his leadership during the unprecedented times of the COVID-19 pandemic.

4. Minutes of the June 8, 2020 YARTS Joint Powers Authority meeting

No questions.

Director Smallcombe joined the meeting at this time.

Director Gardner moved to approve the minutes of the June 8, 2020 YARTS Joint Powers Authority meeting. Seconded by Director McDaniel.

Ayes - Directors Corless, Gardner, McDaniel, Menetrey, Silveira, Smallcombe

Noes - None

MOTION CARRIED UNANIMOUSLY.

5. Information/Discussion Only

a. National Park Service Report

Jim Donovan reported that Yosemite National Park continues to operate under the day-use reservation program. Vehicles allowed to enter the park have been limited to 3,600 per day, with 1,700 private vehicles being admitted with day-use reservations and the remainder with wilderness permits, lodging, and campground reservations. The National Park Service anticipates that it will have sufficient funding to cover its obligations to YARTS for next year, barring any unexpected changes, such as park closures.

b. Service Update, Ridership History and Customer Service Reports for March 2020 - June 2020

Christine Chavez gave a PowerPoint presentation on service updates and ridership history.

Director Menetrey asked if any issues had arisen with passengers not being able to board at the El Portal stops due to buses being at capacity.

Christine Chavez and Katherine Molthen replied that no issues had been reported.

c. YARTS Quarterly Marketing and Media Update

Mary-Michal Rawling gave a PowerPoint presentation on marketing and media updates for the 4th quarter of fiscal year 2019 - 2020.

Director Smallcombe asked where the radio advertisements are being played and if there is potential for collaboration with the county Tourism Bureaus to extend the reach of the advertisements.

Mary-Michal Rawling replied that the radio advertisements are being played in the Fresno, Merced and Mariposa markets. She also replied that YARTS values its relationships with its partners and is always open to opportunities for collaboration.

Chair Silveira commented that the new schedule brochures are much easier to follow.

6. Low Carbon Transit Operations Program - Fiscal Year 2019 - 2020 and Resolution

Katherine Molthen gave a PowerPoint presentation on the LCTOP allocation for fiscal year 2019 - 2020.

No questions.

Director Smallcombe moved to:

- a. Approve the Executive Director as Authorized Agent for the LCTOP Fiscal Year 2019 - 2020 Free Fares to Yosemite for Merced and Mariposa County residents; and
- b. Adopt Resolution No. 2020/07-20-01, identifying the Executive Director as Authorized Agent for YARTS for Free Fares to Yosemite for Mariposa and Merced County residents.

Seconded by Director Corless.

Ayes - Directors Corless, Gardner, McDaniel, Menetrey, Silveira, Smallcombe

Noes - None

MOTION CARRIED UNANIMOUSLY.

7. State of Good Repair Annual Allocation and Resolution

Katherine Molthen gave a PowerPoint presentation on the State of Good Repair project allocation for fiscal year 2020 - 2021.

Director Smallcombe asked if the allocation amount for fiscal year 2020 - 2021 is the first deposit for the project and if there any reporting requirements to reassure Caltrans that progress is being made on expending the funds.

Christine Chavez replied that this is the second year of allocation for this project and reporting to Caltrans is required quarterly or semi-annually.

Director Smallcombe also asked if some of the allocated funds can be used to remove the wraps and paint the buses that are currently in a state of disrepair.

Christine Chavez replied that staff will work with VIA and acquire quotes to repair the buses with the most useful life.

Director Corless moved to:

- a. Approve the State of Good Repair Project for Fiscal Year 2020 - 2021; and
- b. Adopt Resolution No. 2020/07-20-02 authorizing the execution of the Certifications and Assurances by the Executive Director.

Seconded by Director Smallcombe.

Ayes - Directors Corless, Gardner, McDaniel, Menetrey, Silveira, Smallcombe

Noes - None

MOTION CARRIED UNANIMOUSLY.

8. COVID-19 Impact on Service Hours and Contractor Proposal for Financial Recovery

Stacie Guzman gave a PowerPoint presentation on the contractor's proposal for financial recovery due to the COVID-19 impact on service hours.

Director Menetrey asked if VIA has received any funding under their own name, such as CARES Act funding or Paycheck Protection Program (PPP) funding and where the Governor's non-essential travel ban was factored into the loss of hours calculation.

Christine Chavez replied that in response to the non-essential travel ban and the closure of Yosemite National Park, service was reduced to the emergency operations schedule instead of eliminating service entirely. This was done in an effort to mitigate the effects of COVID-19 on the contractor as much as possible.

Curtis Riggs stated that VIA did receive PPP funds in mid-May, but those funds will likely be considered a loan, not a grant. The majority of those funds will go towards variable costs such as driver wages. The financial recovery being requested is for fixed costs.

Chair Silveira asked what costs are built into the billable hourly rates that were used to calculate the financial recovery payment amount.

Nav Bagri explained that the billable hourly rates include both fixed and variable costs charged by the contractor to operate the YARTS service.

Christine Chavez added that the rates also include maintenance of the buses, excluding major components and fuel.

Chair Silveira asked if the one-time payment is meant is for recovery of fixed costs or both fixed and variable costs.

Stacie Guzman explained that Curtis Riggs' proposal requested a change to the current fee structure. Instead of using the current billable rates, he suggested changing to a fixed monthly fee for fixed costs and a lower hourly rate for actual hours operated. The one-time payment was calculated by using the existing billable rates to compensate for hours unoperated due to COVID-19. Due to the difference in opinion on whether the force majeure clause is applicable, staff stayed as true as possible to the mechanisms provided in the contract and utilized the cleanest approach to arrive at the amount of the recovery payment.

Curtis Riggs acknowledged the complexities of the situation and stated the approach that was used was a good compromise between both parties.

Chair Silveira commented that this should be a one-time payment only and additional funds should not be requested if actual costs differ from the estimated costs.

Curtis Riggs responded that it will be a one-time request if all goes as planned. However, if a major event takes place, such as a complete shutdown of the service, he would like to have an additional discussion on what's reasonable to do to mitigate the effects of said event.

Director Smallcombe moved to direct staff to enter into an agreement with VIA Adventures for the purposes of issuing a one-time payment in an amount not to exceed \$313,313 for the 2019-20 service year. Seconded by Director McDaniel.

Ayes - Directors Corless, Gardner, McDaniel, Menetrey, Silveira, Smallcombe

Noes - None

MOTION CARRIED UNANIMOUSLY.

9. YARTS/VIA Adventures, Inc. Agreement Contract Extension No. 1

Stacie Guzman stated that a special meeting would be required to execute a negotiated payment structure amendment. The proposed date for that meeting is Monday, September 21, 2020 at 1:00 p.m.

No questions.

Director Smallcombe moved to:

1. Authorize the Executive Director to execute the Amendment No. 1 between VIA Adventures, Inc. and YARTS; and
2. Direct staff to work with the contractor to negotiate a modified payment structure for the Year Three Amendment to a fixed fee plus a variable rate for 19,450 service hours (11% reduction from original contracted service hours) for an amount not to exceed \$2,471,805; and
3. Hold a special meeting on Monday, September 21, 2020 at 1:00 p.m.

Seconded by Director Corless.

Ayes - Directors Corless, Gardner, McDaniel, Menetrey, Silveira, Smallcombe

Noes - None

MOTION CARRIED UNANIMOUSLY.

10. Transit Manager's Report

a. Free Fare Days

Christine Chavez reported that Free Fare Days have been suspended until further notice since they would be very difficult to operate with the current reservation-based system and limited walk-on service. Staff is working with the Federal Highway Administration to reallocate the Federal Lands Access Program grant funds that are used to pay for Free Fare Days to instead help pay for the cost of providing free rides to children.

b. YARTS Planning Efforts

Christine Chavez reported that staff is looking for resources to help fund a planning study to evaluate operations and to determine the needs that YARTS will have in order to remain sustainable.

11. Executive Director's Report

Stacie Guzman thanked the Board for their patience during these last few challenging months and encouraged them to share any ideas they may have for the service.

12. Board Member Remarks

Director Menetrey thanked staff for all the hard work that has gone into these meetings. The information provided helps greatly in making decisions.

Director McDaniel thanked Director Menetrey for his leadership as Chair of the Board during this difficult time.

Chair Silveira commented that Tuolumne County benefits from the YARTS service and he would like for them to have a seat at the table, which will require that they contribute financially. Fresno County should also consider getting on board. If those counties decide not to join, service may have to be limited based upon the funds that are available.

13. Adjournment

THERE BEING NO FURTHER BUSINESS OF THE YARTS JOINT POWERS AUTHORITY, THE MEETING WAS ADJOURNED AT 2:47 p.m.