

ESTA BOARD AGENDA

Regular Meeting

Thursday, October 17, 2024 at 9:00am
Clint Quilter Inyo County Office Building
Room101
1360 Main St. Bishop, CA
The Agenda is available at www.estransit.com

Chairperson: Bob Gardner

Vice-Chairperson: Trina Orrill

Board Members:

Chris Bubser (Mammoth Lakes)
Karen Schwartz (Bishop)
Karen Kong (Bishop)
Trina Orrill (Inyo County)

Jeff Griffiths (Inyo County)
Lynda Salcido (Mono County)
Bill Sauser (Mammoth Lakes)
Bob Gardner (Mono County)

Note: In compliance with the Americans with Disabilities Act, if an individual requires special assistance to participate in this meeting, please contact Eastern Sierra Transit at (760) 872-1901 ext. 15 or 800-922-1930. Notification 48 hours prior to the meeting will enable the Authority to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 13.102-35.104 ADA Title II)

Voice recorded public comment: To submit public comment via recorded message, please call 760-872-1901 ext. 12 by 4pm Wednesday, October 16. Email public comment: To submit an emailed public comment to the Board please email pmoores@estransit.com by 4pm Wednesday, October 16, and provide your name, the number(s) on which you wish to speak, and your comment. These comments will be shared with all attending Board members.

Join the ZOOM meeting on your computer or mobile device by using this link:

<https://us02web.zoom.us/j/85183860716?pwd=dALawbqRBd7UWA1FCAnMUpYgleX357.1>

Meeting ID: 851 8386 0716

Passcode: 866443

Begin Recording Meeting & Call to Order

Roll Call

Pledge of Allegiance

Public Comment*: The Board reserves this portion of the agenda for members of the public to address the Eastern Sierra Transit Authority Board on any items not on the agenda and within the jurisdiction of the Board. The Board will listen to all communication, but in compliance with the Brown Act, will not take any action on items that are not on the agenda.

A. Consent Agenda (Board Action Required)

The following items are considered routine and non-controversial by staff and will be approved by one motion if no member of the ESTA or public wishes an item removed. If discussion is desired by anyone, the item will be removed from the consent agenda and will be considered separately. Questions of clarification may be made by ESTA Board members, without the removal of the item from the Consent Agenda.

- A-1 Approval of Meeting Minutes of ~~April 11 & 15, 2024~~ June 19, 2024
 - Meeting minutes from the last meeting of the ESTA Board of Directors
- A-2 SB 1 State of Good Repair Program
 - Approve Annual project list and financials for this funding source
- A-3 Annual Mammoth Mountain Service Contract
 - Authorize Executive Director to sign contract
- A-4 Drug and Alcohol Policy Update
 - Asking the Board to approve the DOT revisions and recommendations that were issued, and incorporate the changes into the ESTA Policy

B. Information Agenda (Receive and File Only)

- B-1 Executive Director Report
 - Report on activities and performance
- B-2 23/24 Financial Report
 - Tracking some late-arriving revenue before closing the books
- B-3 Financial Report
 - Report on finances FY24-25

C. Closed Session - The Board will meet with staff in closed session without the public present.

C-1 Public Comment on Closed Session Item(s)

- C-2 Public Employee Performance Evaluation – Pursuant to Government Code §54957 – Title: Executive Director
- C-3 Report on Closed session as required by law.

D. Action Agenda

- D-1 Paid Time Off Policy

- Review and approve changes to the PTO program
- D-2 Six Month Service Review
 - The Board will consider winter service recommendations
- D-3 Mammoth Fleet Replacement Plan
 - The Board will consider authorizing the executive director to use capital replacement funds to purchase heavy-duty transit buses for the Mammoth Lakes fleet
- D-4 New Administrative Position
 - The Board will consider and potentially approve a new job description for Mammoth Assistant Supervisor

E. Board Member Comments

- Board member comment on ESTA and home jurisdictions.

F. Adjournment

The next meeting of ESTA’s board December 12, 2024 at 9:00 am, in Bishop, CA. Check ESTA website for details on attending the meeting.

Eastern Sierra Transit Authority
Minutes of June 19, 2024 Special Meeting

Call to Order - 9:20 A.M. Thursday, June 19, 2024

Chairperson Gardner called The meeting of Eastern Sierra Transit Authority to order at 9:20 am in the Town of Mammoth Lakes Council Chambers

ROLL CALL

A quorum was established.

PRESENT:

Chairperson Gardner, Boardmembers Schwartz, Kong, Salcido, Griffiths, Orrill and Bubser

ABSENT:

Boardmember Sauser

Pledge of Allegiance

Chairperson Griffiths led the Pledge of Allegiance.

Public Comment: Ben Downard representing Caltons District 9 spoke. They are going thru a reorganization and will be seeking information from all agencies on concerns and reporting.

Consent Agenda

Motioned by Boardmember Salcido and seconded by Boardmember Griffiths to approve of Meeting Minutes for April 11, 2024 & Special Meeting April 15, 2024.

Paid Time Off Policy was REMOVED from this agenda.

Motion passed 7-0 with Boardmember Sauser absent.

Information Agenda

B-1 Executive Directors Report

Phil Moores introduced Carla Whisler and congratulated her on 25 years of ESTA service as a bus driver

Discussion among the board and Phil Moores.

B-2 Financial report for 2023/24

Action Agenda

Motioned by Boardmember Salcido and seconded by Boardmember Bubser to accept FY 24-25 Budget.

Motion passes 7-0 with boardmember Sauser absent.

Board Member Comments:

Boardmember Griffiths thanked ESTA for driving the Sierra Nevada Conservancy Tour in the Buttermilks. They did a great job and turned around in some tricky spots.

Boardmember Salcido asked if the new trolley was on the road. Phil said yes.

Chairperson Gardner commented that Mono County has a new program that allows Mono County residents to receive free tickets to the Yosemite Area Regional Transportation System (YARTS) into and through Yosemite National Park. Email CommDev@Mono.ca.gov or call 760-924-1800

Eastern Sierra Transit Authority
Minutes of February 08, 2023 Meeting

Adjournment

The meeting was adjourned at 9:55 am to the next Special meeting scheduled to be held August 15, 2024 at 9:00 am at Town of Mammoth Lakes Council Chambers , 437 Old Mammoth Rd., Ste. Z Mammoth Lakes, CA

Recorded & prepared by:

Linda Robinson

Linda Robinson

Board Clerk

Eastern Sierra Transit Authority

Minutes approved:

October 17, 2024

STAFF REPORT

Subject: State of Good Repair Program: 2024-25 Project List

Initiated by: Dawn Vidal, Administrative Manager

BACKGROUND:

SB-1 legislation provides approximately \$135 million annually to transit operators in California for eligible transit maintenance, rehabilitation and capital projects. This investment in public transit is referred to as the State of Good Repair (SGR) Program. The SGR Program is funded from a portion of a new Transportation Improvement Fee on vehicle registrations due on or after January 1, 2018. A portion of this fee is transferred to the State Controller's Office (SCO) for the SGR Program, which is managed and administered by the California Department of Transportation (Caltrans). These funds will be allocated under the State Transit Assistance (STA) Program formula to eligible agencies pursuant to Public Utilities Code (PUC) section 99312.1. Half of the funds are allocated according to population and half according to transit operator revenues.

ANALYSIS/DISCUSSION:

The goal of the SGR Program is to provide funding for capital assistance to rehabilitate and modernize California's existing local transit systems. Prior to receiving an apportionment of SGR funds in a given fiscal year, a potential recipient agency must submit a list of projects proposed to be funded to the Department. Each project proposal must include a description and location of the project, a proposed schedule for the project's completion, and an estimated useful life of the improvement. The Department will provide the SCO a list of all agencies that have submitted all required information and are eligible to receive an apportionment of funds. Each recipient agency is required to submit an Annual Expenditure Report on all activities completed with those funds to the Department. Each agency must also report the SGR revenues and expenditures in their annual Transportation Development Act Audit.

SGR funds are made available for capital projects that maintain the public transit system in a state of good repair. PUC section 99212.1 (c) lists the projects eligible for SGR funding, which are:

- Transit capital projects or services to maintain or repair a transit operator's existing transit vehicle fleet or transit facilities, including the rehabilitation or modernization of the existing vehicles or facilities.
- The design, acquisition and construction of new vehicles or facilities that improve existing transit services.

- Transit services that complement local efforts for repair and improvement of local transportation infrastructure.

Examples include, but are not limited to, the following:

- Replacement or rehabilitation of:
 - Rolling stock
 - Passenger stations and terminals
 - Security equipment and systems
 - Maintenance facilities and equipment
 - Ferry vessels
 - Rail
- Transit Preventative Maintenance
 - Preventative maintenance is only to maintain existing infrastructure and vehicles in a state of good repair, essentially repair and rehabilitation.
Normal maintenance such as oil changes and other regularly scheduled vehicle maintenance are to be covered under normal operating costs and are not eligible for State of Good Repair funding.
 - Public and Staff Safety
New maintenance facilities or maintenance equipment if needed to maintain the existing transit service

The August 2024 estimate of available SGR funds for FY 2024/25 identifies a total of \$90,110 in available SGR funding. Of this total SGR allocation, \$33,240 is from Inyo County population-based SGR, \$22,672 is Mono County population-based and \$34,198 is Mono County revenue-based funds. 30% of the PUC 99314, revenue-based funds or \$10,259 is due to Inyo County under the funding split provided under PUC 99314. The SGR funding will be used for Repair and Rehabilitation projects.

Prior to receiving an apportionment of SGR program funds in a fiscal year, an agency must submit a list of proposed projects to the California Department of Transportation (DOT). DOT reports to SCO the eligible agencies that will receive an allocation quarterly pursuant to PUC sections 99313 and 99314.

RECOMMENDATION

The board is requested to approve Resolution #2024-05, approving the State of Good Repair program Project List submitted by Eastern Sierra Transit Authority for FY2024-25.

Submittal Report

SGR-C18-FY24/25-0725-001

FY 24/25

Submittal Details

Program	Agency	Date Created	Date	Date
State of Good Repair Program	Eastern Sierra Transit	08/08/2024		
Address	City	State	Zip Code	
565 Airport Road	Bishop	CA	93514	
Contact		Contact Title		
Dawn Vidal		Administration Manager		
Contact Phone		Contact Email		
(760) 872-1901		dvidal@estransit.com		
Support Documentation		Additional Information		
Mono County LTC Resolution, Inyo County Resolution, ESTA Board report and Resolution, Short Range Transit Plan (See page 175 and 176)				

Project Details

Title	Description	Asset Type	Project Category	Est. Useful Life	Est. Project Start Date	Est. Project Completion Date	Est. 99313 Costs	Est. 99314 Costs
FY 24-25 Inyo - Repair and	Repair and Rehabilitation of ESTA's revenue fleet in Inyo	Rolling Stock/Fleet	Repair	3	07/01/2024	06/30/2025	\$33,240	\$0
FY 24-25 Mono - Repair &	Repair and Rehabilitation of ESTA's revenue fleet in Mono	Rolling Stock/Fleet	Repair	3	07/01/2024	06/30/2025	\$22,672	\$34,198

**RESOLUTION #2024-05
EASTERN SIERRA TRANSIT AUTHORITY APPROVING PROJECT LIST
FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM**

WHEREAS, the Eastern Sierra Transit Authority an eligible recipient and may receive State Transit Assistance funding from the State of Good Repair Program (SGR) now or sometime in the future for transit capital projects; and

WHEREAS, the statutes related to state-funded transit capital projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 1 (2017) named the Department of Transportation (Department) as the administrative agency for the SGR; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing SGR funds to eligible recipients (local agencies); and

WHEREAS, the Eastern Sierra Transit Authority approves the project list for the PUC 99313 apportionment.

WHEREAS, the Eastern Sierra Transit Authority concurs and approves the project list from the operators for the PUC 99314 apportionment.

NOW, THEREFORE, BE IT RESOLVED that the Eastern Sierra Transit Authority Board of Directors approves the region’s State of Good Repair project list for **FY 24/25**

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Eastern Sierra Transit Authority that the fund recipient (Eastern Sierra Transit Authority) agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all SGR funded transit capital projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Executive Director be authorized to execute all required documents of the SGR program and any Amendments thereto with the California Department of Transportation.

By the following vote:

Ayes: Salcido, Griffiths, Schwartz, Bubser, Orrill, Kong

Noes: 0

Abstain: 0

Absent: Gardner, Sauer



Trina Orrill
Eastern Sierra Board of Directors, Vice-Chairperson

Attest: Linda Robinson
Linda Robinson, Board Secretary

STAFF REPORT

Subject: Mammoth Mountain Ski Area Contract Amendment #13

Initiated by: Phil Moores, Executive Director

BACKGROUND

ESTA and Mammoth Mountain Ski Area (MMSA) entered into an Agreement in 2012 for the provision of enhanced transit services during the winter ski season. The Agreement has been amended annually to address each of the subsequent ski seasons.

ANALYSIS

MMSA has indicated to ESTA that it desires to continue the arrangement whereby ESTA operates the transit service on the Red, Blue, Green and Yellow Lines for the 2024/25 winter season along with early and late season route variations. Discussions involving ESTA and MMSA have culminated in a contract amendment for the coming winter season. The monthly fixed fee and base hourly rates includes the monthly fixed fee of \$62,100.00, and the hourly rate set at \$69.50 per hour. The contract assumes the cost of fuel to be \$4.50 per gallon. Fuel adjustments are addressed through a cost adjustment formula in that contract which details credits back to MMSA during times of lower gas prices as well as additional billing authorization during times of higher gas prices.

Amendment Number 13 to the Agreement between ESTA and MMSA is included on the following pages for the Board's review.

FINANCIAL

The Agreement generates around \$1.2 million in revenue in FY 2024/25.

RECOMMENDATION

The Board is recommended to approve Amendment No. 13 to the Agreement between ESTA and MMSA for the provision of transit services for the 2024/25 winter season and authorize the Executive Director to sign the Agreement.

**Amendment No. 13
to the AGREEMENT by and between
Mammoth Mountain Ski Area LLC, and
the Eastern Sierra Transit Authority**

THIS Amendment No. 13, dated July 10, 2024, to the Agreement by and between the Mammoth Mountain Ski Area LLC, hereinafter referred to as "MMSA" and the Eastern Sierra Transit Authority, hereinafter referred to as "ESTA", dated July 7, 2012, and as amended by Amendment No. 1 dated October 15, 2013, Amendment No. 2 dated October 7, 2014, Amendment No. 3 dated October 16, 2015, Amendment No. 4 dated November 11, 2016, Amendment No. 5 dated November 9, 2017, Amendment No. 6 dated October 19, 2018, Amendment No. 7 dated November 6, 2019, Amendment No. 8 dated April 15, 2020, Amendment No. 9 dated April 15, 2020, and Amendment No. 10 dated October 22, 2021, and Amendment No. 11 dated August, 2022, and Amendment No. 12 dated Oct. 6, 2023 modifies the AGREEMENT as follows:

Whereas, the AGREEMENT has expired on or about May 31, 2024;

Whereas, the Parties to the AGREEMENT desire to add a new term to the AGREEMENT covering the 2024/25 ski and Spring season and thereby revive the AGREEMENT for that time period;

Now, therefore, the Parties to the AGREEMENT agree to amend the AGREEMENT as follows:

- I. ADD to the end of the first paragraph of Section 1, Commencement and Term of Agreement, the following language:**
 1. MMSA and ESTA mutually agree to add the period of November 1, 2024 through June 30, 2025 to the term of the Agreement.

- II. REPLACE Section 15. Compensation in its entirety with the following:**
 - a.** For services rendered by ESTA under this Agreement for the 2024/2025 season, MMSA shall pay ESTA a fixed monthly sum of \$62,100.00 per month for seven (7) months from November through May, plus \$69.50 per Vehicle Service Hour. A "Vehicle Service Hour" is defined as every hour or fraction of an hour that a transit vehicle is operating from the first passenger pickup point to the last passenger delivery point as designated by the route schedules. Travel from the bus garage to and from the route, meal breaks, and storage does not constitute vehicle service and therefore is not counted as Vehicle Service Hours.

 - b.** The estimated number of Vehicle Service Hours for the 2024/25 season is 10,847 as detailed in Exhibit "A". The maximum cumulative payment obligation by MMSA to ESTA for this service level is \$1,339,312.00. This total includes the fixed fee and 20% max service hours (13,016) as described in paragraph II.d.

 - c.** The parties agree that a separate fuel adjustment provision shall be applied to the Vehicle Service Hour rate to accommodate changes in the price of fuel used in the provision of the service. The Vehicle Service Hour rate shall be increased by \$0.30 for every \$0.10 increase in the price of diesel fuel above \$5.50 per gallon. Conversely, the Vehicle Service Hour rate shall be decreased by \$0.30 for every

\$0.10 decrease in the price of diesel fuel below \$4.50 per gallon. The \$4.50 per gallon base fuel cost shall be ESTA’s total cost per gallon, inclusive of all applicable taxes and fees. The fuel adjustment provision shall be determined based on the average cost of fuel over the period covered by this Amendment and shall be invoiced at the end of said period.

- d. The Vehicle Service Hour rate of \$69.50 per hour shall be charged for all revenue hours, including special events. These rates shall be applied to all Vehicle Service Hours operated within a seasonal total range of 8,678 to 13,016, which represents a twenty percent (20%) plus or minus range from the estimated total of 10,847 Vehicle Service Hours for the season.

III. REPLACE the Scope of Work Preface, and Service Days and Hours Table of EXHIBIT ‘A’ with the following:

Scope of Work

ESTA shall operate the Red, Blue, Green, Yellow, and Blue-Yellow Combination Lines for the 2024/25 ski season. The estimated service dates and hours are detailed in the following table:

SERVICE DAYS AND HOURS:						
	Red Line	Blue Line	Green Line	Yellow Line	Blue/Yellow Combo	TOTAL
Opening Day	11/18/2024	12/7/2024	12/7/2024	12/7/2024	11/18/2024	
Closing Day	5/14/2025	4/30/2025	4/30/2025	4/30/2025	5/14/2025	
Service Days	178	144	144	144	34	
Frequency in minutes	20	15	15	20	30	
Base Daily Service Hours	31.33	10.50	10.25	10.33	8.17	
Base Season Service Hours	5,576.74	1,512.00	1,476.00	1,487.52	277.78	10,330.04
Add. Svc Hours	300.00	117.00	100.00			517.00
Total Svc Hours	5,877	1,629	1,576	1,488	278	10,847

To the extent reasonably possible, more frequent headway service shall be provided on the routes as demand warrants on busy days (weekends, holidays). Service frequency shall be adjusted as directed by MMSA with a minimum of ten (10) days advance notice. ESTA shall coordinate with MMSA staff regarding traffic flow patterns and passenger pickup/drop-off locations at each of the MMSA Lodges. Special event service may be provided by ESTA to MMSA in addition to these routes.

IV. Replace Exhibit A, Advertising with the following:

ESTA shall have the right to provide advertising space on the interior and exterior of the buses operating on the lines which are the subject of the Agreement, under the following terms and conditions:

- a. With respect to the heavy-duty transit buses operating on the lines subject to this Agreement, MMSA will have the right to refuse advertising space to entities which directly or indirectly compete with MMSA advertising sponsors. ESTA must submit all proposed advertising to MMSA for approval, which will not be unreasonably withheld.
- b. MMSA has control of the interior advertising space and receives the revenue derived from the sale of this space. ESTA has control of the exterior advertising and receives the revenue derived from the sale of exterior space.

V. UPDATE Section 26. Notices as follows:

ESTA: Executive Director
 Eastern Sierra Transit Authority
 P.O. Box 1357
 Bishop, CA 93514

MMSA: Ron Cohen
 President/COO
 Mammoth Mountain Ski Area
 P.O. Box 24
 Mammoth Lakes, CA 93546

All other terms and conditions of the AGREEMENT shall remain in full force and effect.

ACCEPTED AND AGREED:

MAMMOTH MOUNTAIN SKI AREA

EASTERN SIERRA TRANSIT AUTHORITY

Signed: _____

Signed: 

Print Name: _____

Print Name Phil Moores

Title: _____

Title: Executive Director

STAFF REPORT

Subject: Drug and Alcohol Policy Update
Initiated by: Dawn Vidal, Administration Manager

BACKGROUND:

ESTA’s Drug and Alcohol Policy is modeled on a template prepared by the Federal Transit Administration and distributed in California by the California Department of Transportation (Caltrans) and the California Association of Coordinated Transportation (CalACT). Since our last update and ESTA Board adoption there have been changes to the 49 CFR Part 40 that required changes to the policy.

ANALYSIS/DISCUSSION:

The items below summarize the changes made to the FTA policy:

- Substance Abuse Professional (SAP) evaluations may be conducted remotely.
- The DOT’s regulated industry drug testing program can include oral fluid testing.
- Changes in procedures for observed testing.

FINANCIAL CONSIDERATIONS

None.

RECOMMENDATION

The Board is requested to pass and approve Resolution 2024-06 ratifying and adopting the revised Eastern Sierra Transit Authority Drug and Alcohol Testing Policy.

RESOLUTION 2024-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EASTERN SIERRA TRANSIT AUTHORITY (ESTA) ADOPTING ESTA'S REVISED DRUG AND ALCOHOL TESTING POLICY

WHEREAS, the Eastern Sierra Transit Authority ("ESTA"), as an entity providing transit services to the public and operating vehicles in the scope of public business, must comply with safety regulations promulgated by the United States Department of Transportation, specifically, implementing the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991; and

WHEREAS, ESTA must specifically comply with the regulations of the Federal Highway Administration: and

WHEREAS, adoption of a policy to implement a program for alcohol misuse and controlled substance abuse by employees with commercial driver's licenses is one of ESTA's obligations under these regulations; and

WHEREAS, such program is intended to help prevent accidents and injuries resulting from such misuse and use of drugs and alcohol, as well as to reduce ESTA's liabilities for any such accidents and injuries; and

WHEREAS, it has been determined that the Eastern Sierra Transit Authority Drug and Alcohol Testing Policy adopted by the ESTA Board of Directors in April of 2007, and amended in November of 2012, November of 2014, January of 2016, January of 2018, May of 2019 and February 2020 is in need of clarification and update.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Eastern Sierra Transit Authority as follows:

The revised Eastern Sierra Transit Authority Drug and Alcohol Testing Policy, as mandated by the Department of Transportation, and attached hereto as Exhibit "A", and which is incorporated herein by this reference is hereby ratified and adopted October 17, 2024.

APPROVED, RATIFIED AND ADOPTED this 17th day of October, 2024, by the following vote of the Eastern Sierra Transit Authority Board of Directors:

AYES: Orrill, Griffiths, Schwartz, Salcido, Kong, Bubser

NOES:

ABSTAIN:

ABSENT: Gardner, Sauser



Trina Orrill, Vice-Chairperson

Eastern Sierra Transit Authority Board of Directors

Attest: Linda Robinson
Secretary of the Board

By: Linda Robinson
Linda Robinson

DRUG AND ALCOHOL TESTING POLICY
Eastern Sierra Transit Authority
Adopted as of October 17, 2024

A. PURPOSE

- 1) The Eastern Sierra Transit Authority provides public transit and paratransit services for the residents of Inyo and Mono Counties. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Eastern Sierra Transit Authority declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. Covered employees shall abide by the terms of this policy statement as a condition of employment. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates drug and alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result, or a refusal to test. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of specimens for drug and alcohol testing.
- 3) Any provisions set forth in this policy that are included under the sole authority of Eastern Sierra Transit Authority and are not provided under the authority of the above-named Federal regulations are underlined. Tests conducted under the sole authority of Eastern Sierra Transit Authority will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, persons controlling the dispatch or movement of revenue service vehicles and any transit employee who operates a non-revenue service vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above-mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

C. DEFINITIONS

Accident: An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Adulterated specimen: A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing, It is taken as a sample representing the whole specimen.

Alternate specimen: An authorized specimen, other than the type of specimen previously collected or attempted to be collected.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

Collection Site: A place selected by the employer where employees present themselves for the purpose of providing a specimen for a drug test.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify a specific drug or drug metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

Covered Employee Under FTA Authority: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

Cutoff: The analytical value (e.g., drug or drug metabolite concentration) used as the decision point to determine a result (e.g., negative, positive, adulterated, invalid, or substituted) or the need for further testing.

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

DOT, The Department, DOT Agency: These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of

Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Employee: Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under 49 CFR Part 40, the term employee has the same meaning as the term “donor” as found on CCF and related guidance materials produced by the Department of Health and Human Services.

Evidential Breath Testing Device (EBT): A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations, and appears on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices” because it conforms with the model specifications available from NHTSA.

Initial Drug Test: The first test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a specimen is adulterated, diluted, substituted, or invalid

Invalid Result: The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of HHS; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under 49 CFR Part 40.

Limit of Detection (LOD): The lowest concentration at which the analyte (e.g., drug or drug metabolite) can be identified.

Limit of Quantification (LOQ): For quantitative assays, the lowest concentration at which the identity and concentration of the analyte (e.g., drug or drug metabolite) can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative specimen: A specimen that is reported as adulterated, substituted, positive (for drug(s) or drug metabolite(s)), or invalid.

Oral Fluid Specimen: A specimen that is collected from an employee's oral cavity and is a combination of physiological fluids produced primarily by the salivary glands. An oral fluid specimen is considered to be a direct observation collection for all purposes of 49 CFR Part 40, as amended.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

Primary specimen: In drug testing, the specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of specimen validity

testing. The primary specimen is the portion of the donor's subdivided specimen designated as the primary ("A") specimen by the collector to distinguish it from the split ("B") specimen, as defined in 49 CFR Part 40, as amended.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine as specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split (Bottle B) specimen when the second HHS-certified laboratory corroborates the original result reported for the primary (Bottle A) specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions: Employee duties identified as:

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Driver's License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling dispatch or movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

Specimen: Fluid, breath, or other material collected from an employee at the collection site for the purpose of a drug or alcohol test.

Specimen Bottle: The bottle that, after being sealed and labeled according to the procedures in 49 CFR Part 40, is used to hold a primary ("A") or split ("B") specimen during the transportation to the laboratory. In the context of oral fluid testing, it may be referred to as a "vial," "tube," or "bottle."

Split Specimen: In drug testing, the specimen that is sent to a first laboratory and stored with its original seal intact, and which is transported to a second laboratory for retesting at the employee's request following MRO verification of the primary specimen as positive, adulterated or substituted.

Split specimen collection: A collection in which the single specimen collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: An employee's specimen not consistent with a normal human specimen, as determined by HHS (e.g., a urine specimen, with creatinine and specific gravity values that are so diminished, or so divergent that they are not consistent with normal human urine).

Test Refusal: The following are considered a refusal to test if the employee:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- (2) Fail to remain at the collection site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a specimen. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of specimen without a valid medical explanation.
- (6) Fail or decline to take an additional test as directed by the collector or the employer for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.

- (14) As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

Undiluted (neat) oral fluid: An oral fluid specimen to which no other solid or liquid has been added. For example: A collection device that uses a diluent (or other component, process, or method that modifies the volume of the testable specimen) must collect at least 1 mL of undiluted (neat) oral fluid.

Urine specimen: Urine collected from an employee at the collection site for the purpose of a drug test.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use at or above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use at or above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine or oral fluid. Specimen validity testing will be conducted on all specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the specimen, if the specimen was diluted, or if the specimen was altered.

D. EDUCATION AND TRAINING

- 1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.
- 2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion

training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

- 1) Prohibited substances addressed by this policy include the following.
 - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1308.11 through 1308.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. It is important to note that the use of marijuana in any circumstances remains completely prohibited for any safety-sensitive employee subject to drug testing under USDOT regulations. The use of marijuana in any circumstance (including under state recreational and/or medical marijuana laws) by a safety-sensitive employee is a violation of this policy and a violation of the USDOT regulation 49 CFR Part 40, as amended.

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Eastern Sierra Transit Authority supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.
 - c. Alcohol: The use of beverages containing alcohol (including mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited.

F. PROHIBITED CONDUCT

- 1) Illegal use of the drugs listed in this policy and as defined in 49 CFR Part 40, as amended is prohibited at all times. All covered employees are prohibited from reporting for duty or remaining on duty if they have used a prohibited drug as defined in 49 CFR Part 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
 - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:
 - i. The employee's alcohol concentration measures less than 0.02; or
 - ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.
- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.

- 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
- 7) Eastern Sierra Transit Authority, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
- 8) Consistent with the Drug-free Workplace Act of 1988, all Eastern Sierra Transit Authority employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify Eastern Sierra Transit Authority management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in this policy.

H. TESTING REQUIREMENTS

- 1) Drug testing and alcohol testing will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in this policy, and return to duty/follow-up.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Eastern Sierra Transit authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

All covered employees will be subject to drug testing and alcohol testing as a condition of ongoing employment with Eastern Sierra Transit Authority. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in this policy.

I. DRUG TESTING PROCEDURES

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine and/or oral fluid specimen will be collected as described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary specimen. For those specimens that are not negative, a confirmatory test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the confirmatory test are at or above the minimum thresholds established in 49 CFR Part 40, as amended.
- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to Eastern Sierra Transit Authority. If a legitimate explanation is found, the MRO will report the test result as negative.
- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.

- 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Eastern Sierra Transit Authority will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however, Eastern Sierra Transit Authority will seek reimbursement for the split sample test from the employee.
- 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.
- 7) Observed collections
 - a. Consistent with 49 CFR Part 40, as amended, collection under direct observation with no advance notice will occur if:
 - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Eastern Sierra Transit Authority that there was not an adequate medical explanation for the result;
 - ii. The MRO reports to Eastern Sierra Transit Authority that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
 - iii. The laboratory reported to the MRO that the urine specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the urine specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).

- iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
- v. The temperature on the original urine specimen was out of range (See §40.65(b)(5));
- vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with (See §40.65(c)(1)).
- vii. All follow-up-tests; or
- viii. All return-to-duty tests

Urine collections that are required to be directly observed will be conducted by a person of the same gender as the donor as required by 49 CFR Part 40.67.

J. ALCOHOL TESTING PROCEDURES

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC's Web page for "Approved Evidential Breath Measurement Devices". Alcohol screening tests may be performed using a non-evidential testing device (alcohol screening device (ASD)) which is also approved by NHTSA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids". If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to

maintain the integrity of the alcohol testing procedures and validity of the test result.

- 2) A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Eastern Sierra Transit Authority affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

- 1) All applicants for covered transit positions shall undergo drug testing prior to performance of a safety-sensitive function.
 - a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.
 - b. An employee shall not be placed, transferred or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.
 - c. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded and the applicant will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide

the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.

- d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with this policy.
- e. If a pre-employment test is canceled, Eastern Sierra Transit Authority will require the applicant to take and pass another pre-employment drug test.
- f. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide Eastern Sierra Transit Authority with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. Eastern Sierra Transit Authority is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide Eastern Sierra Transit Authority proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

- 1) All Eastern Sierra Transit Authority FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Eastern Sierra Transit authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) Eastern Sierra Transit Authority shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in this policy.
- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to Eastern Sierra Transit Authority.
- 4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with this policy. Eastern Sierra Transit Authority shall place the employee on administrative leave in accordance with the provisions set forth under this policy. Testing in this circumstance would be performed under the direct authority of Eastern Sierra Transit Authority. **Since the employee self-referred to management, testing under this circumstance would not**

be considered a violation of this policy or a positive test result under Federal authority. However, self-referral does not exempt the covered employee from testing under Federal authority as specified in this policy or the associated consequences.

M. POST-ACCIDENT TESTING

- 1) **FATAL ACCIDENTS** – A covered employee will be required to undergo drug and alcohol testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.
- 2) **NON-FATAL ACCIDENTS** – A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:
 - a. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
 - b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted

within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Eastern Sierra Transit Authority is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Eastern Sierra Transit Authority may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Individuals who may be covered under company authority will be selected from a pool of non-DOT-covered individuals.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA administrator. The current year testing rates can be viewed online at <https://www.transportation.gov/odapc/random-testing-rates>.

- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under Eastern Sierra Transit authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under Eastern Sierra Transit' authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. RETURN-TO-DUTY TESTING

All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

P. FOLLOW-UP TESTING

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums)

will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be immediately removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment. No employee will be allowed to return to duty requiring the performance of safety-sensitive job functions without the approval of the SAP and the employer.
- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a list of USDOT qualified SAPs. A test refusal is defined as any of the following circumstances:
 - a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
 - b. Fail to remain at the collection site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
 - c. Fail to attempt to provide a specimen. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.

- d. In the case of a directly-observed or monitored urine collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
 - e. Fail to provide a sufficient quantity of specimen without a valid medical explanation.
 - f. Fail or decline to take an additional test as directed by the collector or the employer for drug testing.
 - g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
 - h. Fail to cooperate with any part of the testing process.
 - i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection.
 - j. Possess or wear a prosthetic or other device used to tamper with the collection process.
 - k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
 - l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
 - m. Fail to remain readily available following an accident.
 - n. As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
- 4) For the first instance of a verified positive test from a sample submitted as the result of a random drug/alcohol test, disciplinary action against the employee shall include:
- a. Mandatory referral to Substance Abuse Professional for assessment, formulation of a treatment plan, and execution of a return to duty agreement;
 - b. Failure to execute, or remain compliant with the return-to-duty agreement shall result in termination from Eastern Sierra Transit Authority employment.
 - i. Compliance with the return-to-duty agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; in the judgment of the SAP the employee is cooperating with his/her SAP recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in this policy.
 - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination.

- d. A periodic unannounced follow-up drug/alcohol test which results in a verified positive shall result in termination from Eastern Sierra Transit Authority employment.
- 5) The first instance of a verified positive post-accident or reasonable suspicion drug and/or alcohol test shall result in termination.
- 6) The second instance of a verified positive drug or alcohol test result for any category of testing shall result in termination from Eastern Sierra Transit Authority employment.
- 7) An alcohol test result of ≥ 0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder of the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NON-DOT alcohol test with a result of less than 0.02 BAC.
- 8) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
 - a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return-to-work agreement;
 - b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from Eastern Sierra Transit Authority employment.
 - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in this policy; however, all follow-up testing performed as part of a return-to-work agreement required under this policy is under the sole authority of Eastern Sierra Transit Authority and will be performed using non-DOT testing forms.
 - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return-to-work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
 - d. **A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal**

regulations and will not be considered as a positive test result in relation to the progressive discipline defined in this policy.

- e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in this policy.
 - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Eastern Sierra Transit Authority
 - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 9) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

Eastern Sierra Transit Authority is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

- 1) Drug/alcohol testing records shall be maintained by Eastern Sierra Transit Authority Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration

records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.

- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need-to-know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Eastern Sierra Transit Authority or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the *Eastern Sierra Transit Authority Board of Directors* on *October 17, 2024*.

Attachment A

Job Title Job Duties Testing Authority

Safety Sensitive Positions

Administrative Specialist	Dispatcher	FTA
Transit Operations Supervisor	Driver/Dispatcher	FTA
Transit Operations Assistant	Driver/Dispatcher	FTA
Transit Trainer	Driver	FTA
Lead Transit Driver	Driver	FTA
Transit Driver	Driver	FTA
Dispatcher	Dispatcher	FTA
Account Clerk	Dispatcher	FTA
Utility Worker	Vehicle Cleaning	FTA

Non-Safety Sensitive Positions

Passenger Services Assistant	Ticket Sales	ESTA
Administration Manager	Manages Administration	ESTA
Executive Director	Manages Operations	ESTA

Attachment B Contacts

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

ESTA Drug and Alcohol Program Manager

Name: Dawn Vidal

Title: Transit Administration Manager

Address: P.O. Box 1357, Bishop CA 93514

Telephone Number: 760.872.1901 ext. 11

Medical Review Officer

Name: Donald Freedman, MD/AMRD

Title: Certified Medical Review Officer

Address: 4237 Salisbury Rd, Suite 304, Jacksonville, Florida 32216

Telephone Number: 904.332.0474

Substance Abuse Professional #1

Name: Tara Garcia

Title: Certified Addiction Specialist

Address: 1543 E. Palmdale Blvd., K-2, Palmdale, CA 93550

Telephone Number: 661.494.6155

Substance Abuse Professional #2

Name: Robert W. Harelson, Psy. D, SAP

Title: Certified Addiction Specialist

Email: riskcontrol@prismrisk.gov

Telephone Number: 916.850.7300

STAFF REPORT

Subject: Executive Director's Report
Presented by: Phil Moores, Executive Director

Staffing

Bus Operator, Cheryl Mureau is our Employee of the Quarter. Cheryl loves her job and the people she works with. She was nominated by coworkers and passengers for having a consistently great attitude. She recently celebrated her ten-year anniversary. How many preventable accidents do you think she has had in those ten years? Despite driving professionally for ten years, Cheryl has not had a single preventable accident.

Please join me in congratulating Cheryl. Well done, and thanks for the years of loyal service to our community.

We were successful in certifying Trainer, Mike Alhes, to conduct DMV testing for our new driver applicants. As a certified DMV Examiner, Mike will make it possible for us to avoid the DMV for testing. When he gets a few tests under his belt, he will begin helping the community with licensing.

Training

We recruited 9 new drivers for winter services. Training is expected to take 5 weeks. If more than half of them succeed in training we will be ready for the winter.

Vehicles

We currently have five vehicles in production for Mammoth Purple/Teal, dial-a-ride, and one 40-foot large bus. We are ordering 8-9 heavy duty transit buses for the Mammoth fleet also.

I visited Hayward, CA for a hydrogen fuel expo. See slides below from my trip.

Reds Meadow Shuttle

Three days a week, that is all we had this summer to operate the service. Friday wasn't even a full day, starting at 9am. Still, we exceeded our revenue estimates. The service generated \$537,984 this summer carrying 38,769 people into the valley.

Technology

Our website is with a new software company called Streamline. The new look and improved website management will allow us to keep the site updated and

looking great. We are still in the process of implementing new dial-a-ride software that will provide a microtransit style app for Bishop.

Marketing

Our annual Stuff-a-Bus at Bishop Grocery Outlet will take place on November 9th. Please go through your cupboards and bring some food for the Salvation Army pantry.

Our All Aboard! Kids program now has a specially wrapped bus. You might see it driving around town. We are visiting schools, summer camps, and day cares to read books, sing songs, and go for bus rides. The kiddos usually go home and tell their parents how much fun they had. Our plan is to stock car seats in the All Aboard! bus so we can take longer bus rides with the children.

New bus stop signs are ready to roll out starting October 28th. All 200 stops will receive fresh new signs and numbers.

Ridership

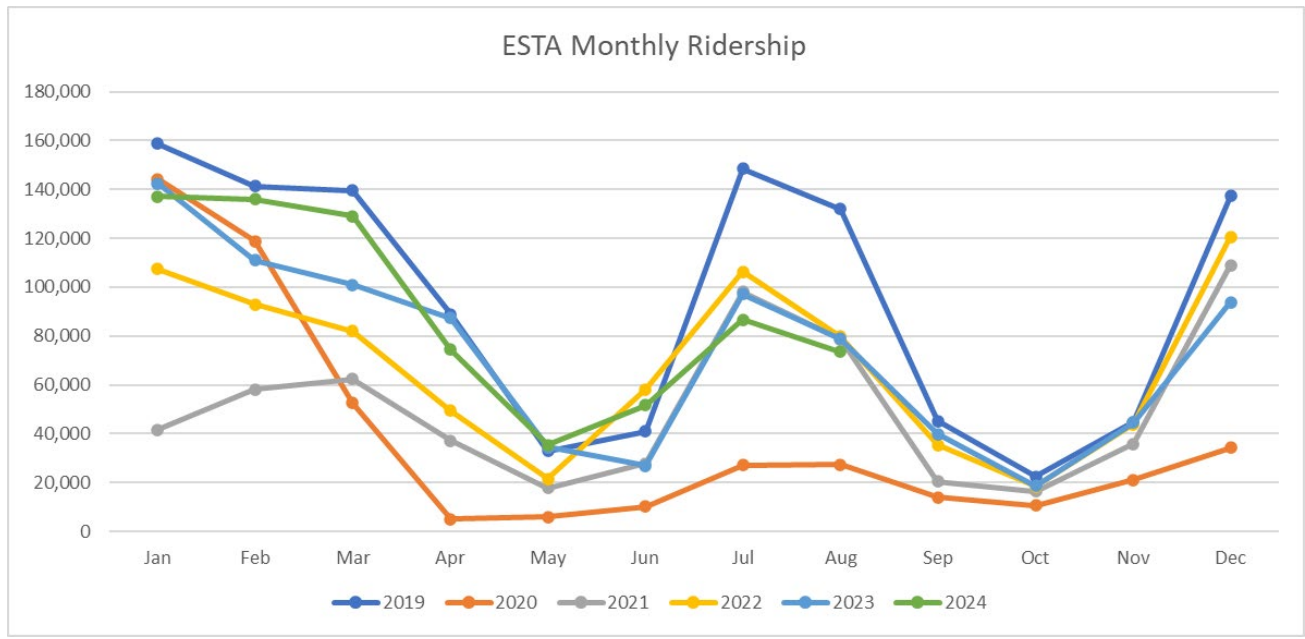
ESTA’s ridership growth is continuing to evolve as the new Saturday Reno route develops into a productive service. **Reno has experienced over an 80% increase in ridership since before Covid!**

There were no significant service cancellations affecting ridership.

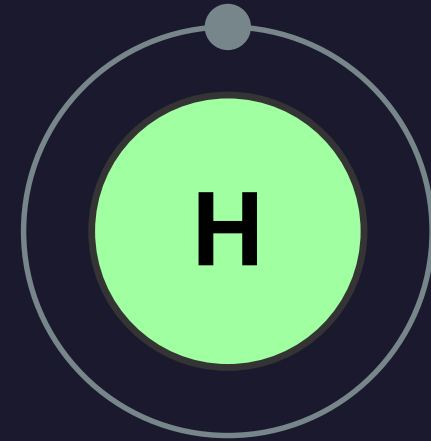
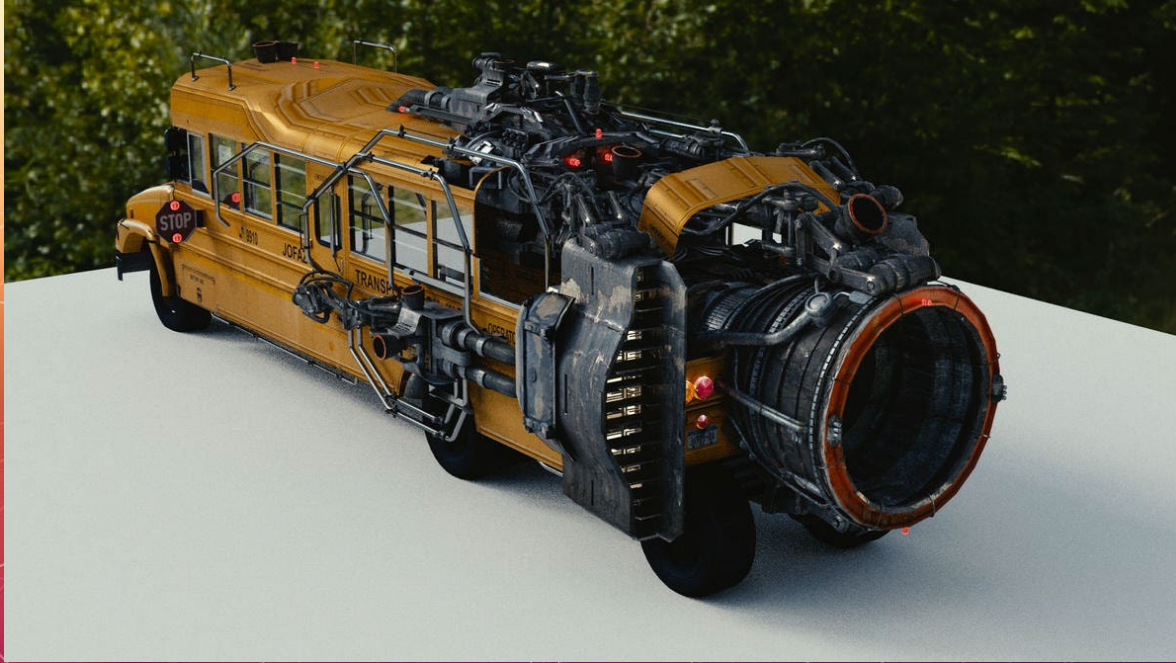
The charts below show the ridership by month and year since pre-Covid. The 2019 dark blue line has served as our ridership goal for the last few years. We are on track to break 900,000 riders this year.

Historical Ridership Data						
Year	2019	2020	2021	2022	2023	2024
Jan	158,754	144,341	41,512	107,382	142,382	137,144
Feb	141,240	118,822	58,171	92,870	111,066	135,978
Mar	139,505	52,582	62,457	82,051	100,995	128,995
Apr	88,883	5,086	37,046	49,395	87,321	74,479
May	32,963	5,970	17,744	21,511	34,378	35,293
Jun	40,859	10,175	27,664	58,080	26,893	51,591
Jul	148,430	27,061	98,102	106,363	97,231	86,605
Aug	131,970	27,404	78,722	79,686	78,931	73,509
Sep	45,200	13,952	20,362	35,385	39,788	
Oct	22,493	10,684	16,439	18,409	18,715	
Nov	44,798	21,122	35,868	43,835	44,608	
Dec	137,404	34,229	109,009	120,536	93,774	
Total	1,134,518	473,448	605,117	817,525	876,082	723,594

July Ridership Report								
Route	Pre-Covid 2019	2020	2021	2022	2023	2024	Change Current vs. Last year	% Change Current vs Pre-Covid
Benton	27.00	5.00	12.00	8.00	7.00	17.00	10	-37%
Bishop Dial-a-Ride	3,489.00	2,292.00	2,382.00	3,185.00	3,484.00	4,032.00	548	16%
Bridgeport-Carson	17.00	11.00	11.00	12.00	12.00	25.00	13	47%
Lancaster	754.00	324.00	572.00	592.00	620.00	1,104.00	484	46%
Lone Pine-Bishop	440.00	204.00	254.00	347.00	370.00	594.00	224	35%
Lone Pine Dial-a-Ride	371.00	320.00	370.00	414.00	405.00	517.00	112	39%
Mammoth Fixed Route	69,639.00	22,612.00	45,038.00	51,077.00	76,240.00	50,234.00	-26,006	-28%
Mammoth Dial-a-Ride	451.00	139.00	174.00	28.00	138.00	217.00	79	-52%
Mammoth Express	600.00	303.00	285.00	390.00	505.00	516.00	11	-14%
Night Rider	294.00	66.00	328.00	386.00	359.00	306.00	-53	4%
Reds Meadow	70,966.00	0.00	47,505.00	48,640.00	14,285.00	27,431.00	13,146	-61%
Reno	1,068.00	515.00	933.00	1,206.00	772.00	1,549.00	777	45%
Walker Dial-a-Ride	114.00	36.00	10.00	11.00	34.00	63.00	29	-45%
Total	148,230	26,827	97,874	106,296	97,231	86,605	-10,626	-42%



Hydrogen Buses



Agenda

Introduction

Building confidence

Building Support

Next Steps

Final tips & takeaways





The power of collaboration

AC Transit – CARB – CalTRANS – and ESTA

With the help of CARB and CalTRANS, AC Transit is forging ahead designing better dispensers and building a training facility for hydrogen technology.

WORKFORCE DEVELOPMENT

Confidence comes with experience

Mechanics at AC transit have had mixed reactions to the new technology. Those with short time till retirement are less enthusiastic about learning.

Hydrogen fueling pump



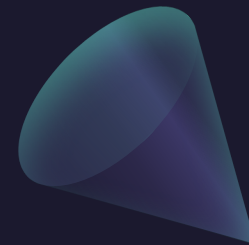
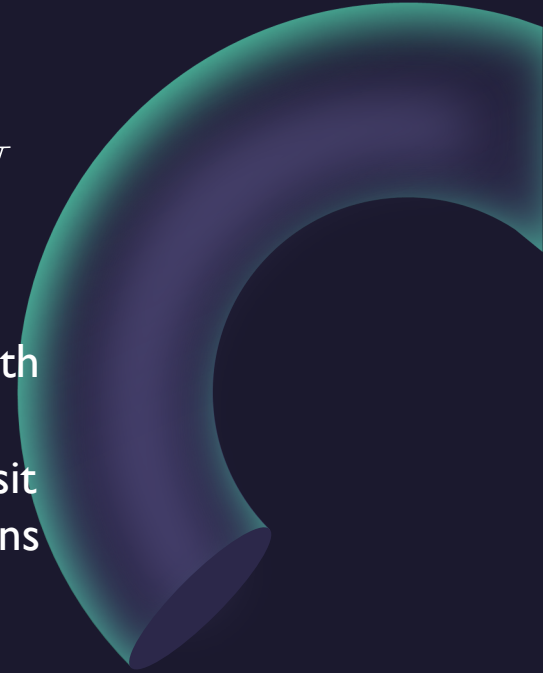
Fueling point for two nozzle types

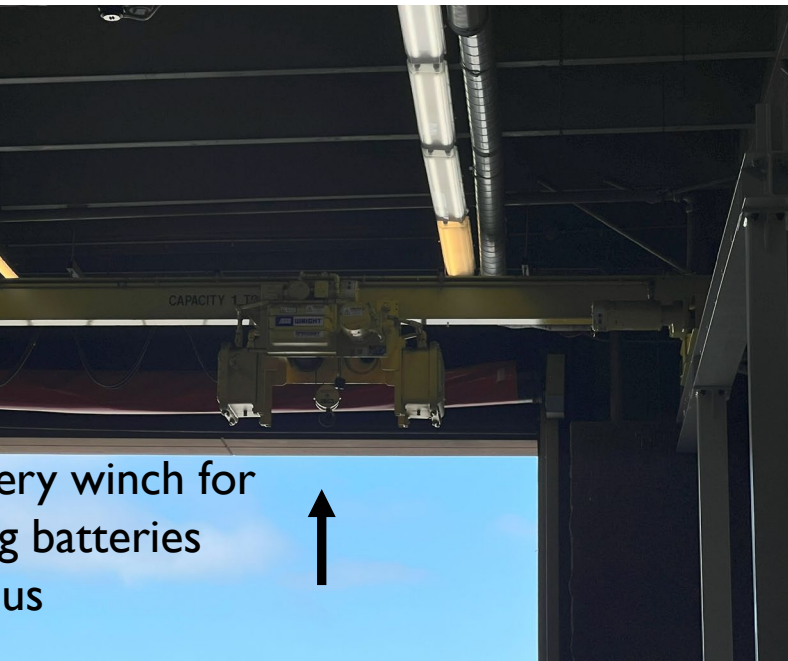


AC Transit ZEB University

AC Transit is building a \$25m training facility in cooperation with CARB. By 2026 this facility is expected to open for other transit agencies. Eventually, there are plans to provide training for the community at large.

3D printing is planned for training on parts. The printer will create the duplicate part with lightweight plastics and students will practice repairs.





Special Tools

Expected Costs!!



- Six-year rehabilitation of fuel cell and batteries. \$100,000's
- Annual software subscription for maintenance diagnostics.
- Dispenser maintenance. \$10,000/mo
- 10% boiloff of H₂. Fuel lost in the processing.
- Have separate contracts for fuel and dispensing. This allows flexibility in cost fluctuations. They can be with the same company but keep them separate.
- Vehicles require warmup before using in cold weather.
- \$6/kg is the rough equivalent of diesel fuel efficiency. AC currently pays \$10.41/kg

“We are learning as we go about safety, bus performance, fuel dispensing, and fuel storage.” –AC Transit



TA!!!

ZEB Performance Evaluation				
FLEET	DIESEL	DIESEL HYBRID	FUEL CELL ELECTRIC	BATTERY ELECTRIC
BUS QUANTITY	35	25	30	7
TO DATE MILEAGE (PER BUS AVG.)	258,835	301,373	70,579	63,113
2023 FLEET CUMULATIVE MILEAGE	1,869,881	926,991	772,869	76,497
COST/MILE (W/ CREDITS)	2.03	2.16	2.78	3.3
FLEET AVAILABILITY	88.26%	86.89%	63.26%	54.23%
RELIABILITY (MI BETWN ROAD CALLS)	14,840	8,351	6,233	4,781
MPG (DIESEL GAS EQUIVALENT)	4.78	5.15	7.93	15.11

COST PER MILE						
VEHICLE	DIESEL	HYBRID	FCEB		BEB	
			7000	7030	8000	8006
MAINTENANCE	\$1.38	\$1.56	\$1.59	\$1.34	\$3.02	\$1.98
ENERGY (FUEL)	\$0.64	\$0.60	\$1.26	\$1.35	\$0.63	\$0.64
TOTAL	\$2.03	\$2.16	\$2.85	\$2.69	\$3.65	\$2.62

Data provided by AC Transit

Takeaways

commitment from a maintenance shop or two, to the VR techniques, I can conceive of hydrogen buses being in 2028.

charging dispensers are one more thing to manage and could be delayed until internal needs are met.

dispensers are complicated and maintain pressures over 12,000 psi.

dispenser manufacturers are not the best at responding to problems. Better to have electricians trained to fix dispensers.

specialized tools and safety equipment specially designed to work with hydrogen. Flame detectors, alarms systems, etc.

Fuel cell buses come in two flavors: Fuel cell dominated, and battery dominated. Gillig bus manufacturers are designing a fuel cell dominated bus. Depending on the type of service, one is favored over the other.

Gillig enjoys an excellent industry reputation over New Flyer buses. Right now, these are the only two transit bus makers. Vanhool and MCI make over-the-road coaches but not zero emission, yet.



Next Steps



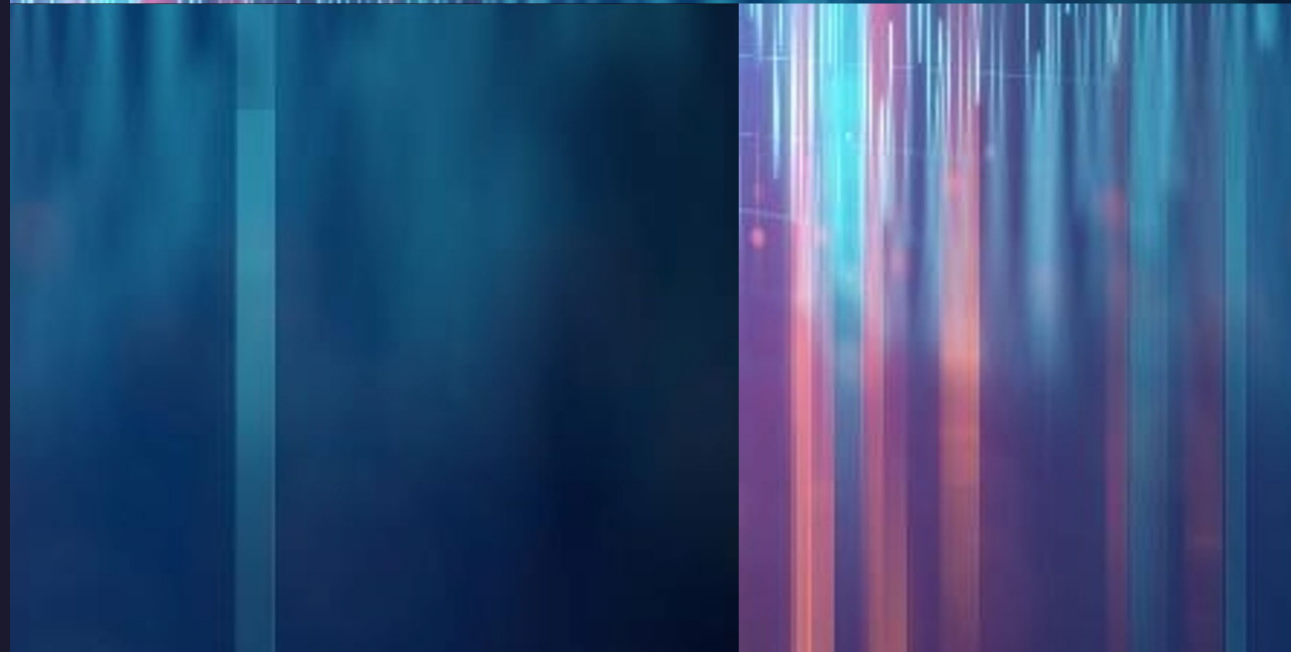
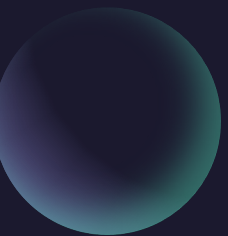
Local Hydrogen Implementation Plan

Who gets trained and where do they work?

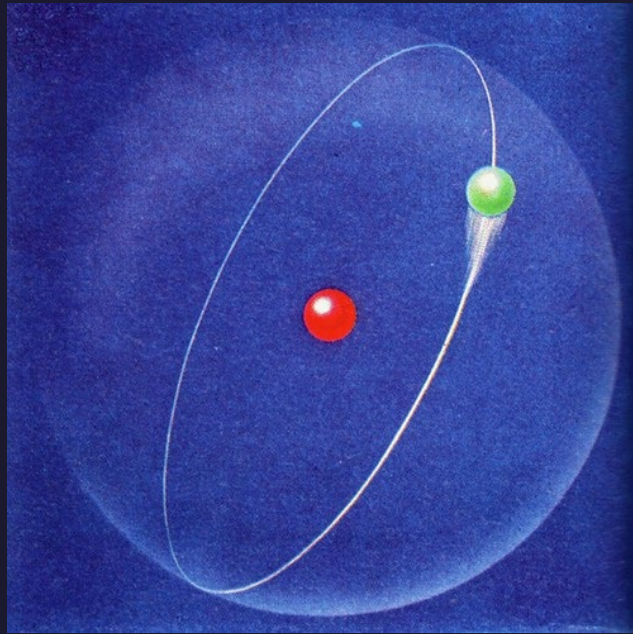
Where does the fuel dispenser go, and who manages it?

Where does the storage tank get installed?

How are vehicles stored and where?



Q & A



Phil Moores, Executive Director
Eastern Sierra Transit Authority
pmoores@estransit.com
805-235-5807

STAFF REPORT

Subject: Financial Report – FY 2023/24
Initiated by: Dawn Vidal, Administration Manager

The year-to-date roll-up and year end forecast for the 2023/24 fiscal year are included on the following pages. Reports are as of October 8, 2024. This report reflects all expenses for the year; however, we are still expecting \$658,823 in federal operating funds and \$897,870 in federal capital funds for vehicles. ESTA's financial audit for this fiscal year begins the end of November and we will update at that time.

Revenue will be 116% of budget, primarily due to additional LTF revenue. Service and Fees performed better this year, in part because of an early Red's Opening-June 2024.

Expenditures came in at 104% of budget. Vehicle maintenance was much higher than expected due to an aging fleet. Wages and benefits increased due to having an additional Mammoth Supervisor for several months and overtime for both Bishop and Mammoth Operation Supervisors.

Fuel was budgeted at \$5.38 per gallon and averaged \$4.35 for the fiscal year.

Financial information as of: **10/8/2024** % of Fiscal Year: **100%**

153299 - EASTERN SIERRA TRANSIT - ROLL UP

OPERATING Revenue		FY 23/24 Budget	YTD Actual	Balance	% of Budget	Year End Forecast	YE Forecast Variance	Comments
4061	LOCAL TRANSPORTATION TAX	1,716,105	2,734,457	(1,018,352)	159%	2,734,457	1,018,352	Additional funds from both LTCs
4065	STATE TRANSIT ASST	617,902	604,873	13,029	98%	604,873	(13,029)	Unable to bill for Inyo 4th quarter
4301	INTEREST FROM TREASURY	40,000	170,015	(130,015)	425%	170,015	130,015	
4498	STATE GRANTS	80,528	31,888	-	40%	31,888	(48,640)	
4499	STATE OTHER	83,005	85,741	(2,736)	103%	85,741	2,736	
4555	FEDERAL GRANTS	1,303,409	309,229	994,180	24%	309,229	(994,180)	\$658,822.92 payment pending
4599	OTHER AGENCIES	1,080,406	1,075,074	5,332	100%	1,075,074	(5,332)	
4747	INSURANCE PAYMENTS	-	-	-	-	-	-	
4819	SERVICES & FEES	2,052,269	2,355,856	(303,587)	115%	2,355,856	303,587	
4959	MISCELLANEOUS REVENUE	50,000	95,421	(45,421)	191%	95,421	45,421	Lefever Advertising
							-	
	Revenue Total:	7,023,624	7,462,554	(487,570)	106%	7,462,554	438,930	

Operating Expenditure:		FY 23/24 Budget	YTD Actual	Balance	% of Budget	Year End Forecast	YE Forecast Variance	Comments
5001	SALARIED EMPLOYEES	2,102,868	2,099,830	3,038	100%			
5003	OVERTIME	145,980	237,365	(91,385)	163%			
5005	HOLIDAY OVERTIME	160,701	186,688	(25,987)	116%			
5012	PART TIME EMPLOYEES	535,395	650,709	(115,314)	122%			
	Wages subtotal	2,944,944	3,174,591	(229,647)	108%	3,174,591	(229,647)	Add'l Operations Supervisor & Sup OT
5021	RETIREMENT & SOCIAL SECURITY	67,721	64,783	2,938	96%	64,783	2,938	
5022	PERS RETIREMENT	237,860	255,813	(17,953)	108%	255,813	(17,953)	
5025	RETIREE HEALTH BENEFITS	-	-	-	0%	-	-	
5031	MEDICAL INSURANCE	350,553	342,480	8,073	98%	342,480	8,073	
5043	OTHER BENEFITS	56,632	50,805	5,827	90%	50,805	5,827	
5045	COMPENSATED ABSENCE EXPENSE	242,662	244,576	(1,914)	101%	244,576	(1,914)	Retirements & PTO Cashout
5046	OPEB EXPENSE	40,000	40,000	-	100%	40,000	-	Prepaid
5047	EMPLOYEE INCENTIVES	7,796	8,794	(998)	113%	8,794	(998)	
5111	CLOTHING	4,000	7,116	(3,116)	178%	7,116	(3,116)	New Jackets
5152	WORKERS COMPENSATION	86,564	86,644	(80)	100%	86,644	(80)	Prepaid
5154	UNEMPLOYMENT INSURANCE	10,817	11,135	(318)	103%	11,135	(318)	
5158	INSURANCE PREMIUM	190,907	190,907	-	100%	190,907	-	Prepaid
5171	MAINTENANCE OF EQUIPMENT	696,120	938,055	(241,935)	135%	938,055	(241,935)	
5173	MAINTENANCE OF EQUIPMENT-M	-	-	-	0%	-	-	
5191	MAINTENANCE OF STRUCTURES	-	-	-	0%	-	-	

Operating Expenditure:		FY 23/24 Budget	YTD Actual	Balance	% of Budget	Year End Forecast	YE Forecast Variance	Comments
5211	MEMBERSHIPS	1,475	1,659	(184)	112%	1,659	(184)	
5232	OFFICE & OTHER EQUIP < \$5,000	19,750	14,329	5,421	73%	14,329		
5238	OFFICE SUPPLIES	8,450	4,130	4,320	49%	4,130	4,320	
5253	ACCOUNTING & AUDITING SERVIC	61,608	61,750	(142)	100%	61,750	(142)	
5260	HEALTH - EMPLOYEE PHYSICALS	7,500	6,624	876	88%	6,624	876	
5263	ADVERTISING	45,602	53,229	(7,627)	117%	53,229	(7,627)	Recruiting and route changes
5265	PROFESSIONAL & SPECIAL SERVICE	522,763	454,950	67,813	87%	454,950	67,813	
5291	OFFICE, SPACE & SITE RENTAL	227,823	201,383	26,440	88%	201,383		
5311	GENERAL OPERATING EXPENSE	107,476	129,778	(22,302)	121%	129,778	(22,302)	
5326	LATE FEES & FINANCE CHARGES	125	287	(162)	230%	287	(162)	
5331	TRAVEL EXPENSE	10,378	4,718	5,660	45%	4,718	5,660	
5332	MILEAGE REIMBURSEMENT	28,000	19,637	8,363	70%	19,637	8,363	
5351	UTILITIES	91,250	106,923	(15,673)	117%	106,923	(15,673)	
5352	FUEL & OIL	692,935	664,208	28,727	96%	664,208	28,727	
5539	OTHER AGENCY CONTRIBUTIONS	30,000	-	30,000	0%	-		
5901	CONTINGENCIES	71,371	-	71,371	0%	-	71,371	
	Expenditure Total:	6,863,082	7,139,305	(276,223)	104%	7,139,305	(276,223)	

TRANSFERS Expenditure		FY 23/24 Budget	YTD Actual	Balance	% of Budget	Year End Forecast	YE Forecast Variance	Comments
5798	CAPITAL REPLACEMENT	145,781	-	145,781	-	145,781	-	
5801	OPERATING TRANSFERS OUT	-	-	-	-	-	-	
	Expenditure Total:	145,781	-	145,781	-	145,781	-	

NET TRANSFERS

-

CAPITAL ACCOUNT		FY 23/24			% of	Year End	YE Forecast	
Revenue		Budget	YTD Actual	Balance	Budget	Forecast	Variance	Comments
4911	Sales of Fixed Assets	-	11,000	(11,000)	0%	-	-	
4067	STATE TRANSIT ASST-CAPITAL	170,191	-	(170,191)	0%	170,191	-	Vehicle matching funds
4495	STATE GRANTS - CAPITAL	46,548	95,224	(141,772)	205%	46,548	-	LCTOP Electric Vehicle
4557	FEDERAL GRANTS - CAPITAL	1,189,429	-	(1,189,429)	0%	1,189,429	-	Grant payment of \$897,870 pending
4911	SALE OF FIXED ASSETS						-	

Capital Expenditures

5640	STRUCTURES & IMPROVEMENTS	22,801	18,294	22,801	80%	22,801	-	
5650	EQUIPMENT	10,000	-	10,000	0%	10,000	-	
5655	VEHICLES	1,690,600	1,588,506	1,525,469	94%	1,690,600	-	New Vehicles (5310, 5339(a))
	Expenditure Total:	1,723,401	1,606,800	1,558,270	93%	1,723,401	-	

Projected Capital Revenue Less Projected Expenses :	(317,233)
Plus Trolley Funding in Operating Revenue:	-
Plus Reds Radio Funding in Operating Revenue:	
Plus Structures & Improvements in Operating Revenue:	22,801
Plus LCTOP fund balance for Electric Vehicle:	67,765
Capital Balance:	(226,667)

Breakdown of 4819 Service & Fees Revenue	
MMSA Fees	1,170,435
Red's Revenue	524,865
All Other Passenger Fares	660,556
Total 4819	2,355,856

Budget to Actuals with Encumbrances by Key/Obj

Ledger: GL

As of 6/30/2024

Object	Description	Budget	Actual	Encumbrance	Balance	%
Key: 153298 - ESTA - BUDGET						
OPERATING						
Revenue						
Expenditure						
NET OPERATING		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	
CAPITAL ACCOUNT						
Revenue						
NET CAPITAL ACCOUNT		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	
Key: 153299 - EASTERN SIERRA TRANSIT						
OPERATING						
Revenue						
4061	LOCAL TRANSPORTATION TAX	1,716,105.00	2,734,457.08	0.00	(1,018,352.08)	159.34
4065	STATE TRANSIT ASST	617,902.00	604,873.00	0.00	13,029.00	97.89
4301	INTEREST FROM TREASURY	40,000.00	170,014.78	0.00	(130,014.78)	425.03
4498	STATE GRANTS	80,528.00	31,888.00	0.00	48,640.00	39.59
4499	STATE OTHER	83,005.00	85,741.00	0.00	(2,736.00)	103.29
4555	FEDERAL GRANTS	1,303,409.00	309,228.78	0.00	994,180.22	23.72
4599	OTHER AGENCIES	1,080,406.00	1,075,074.41	0.00	5,331.59	99.50
4818	MOTOR POOL CHARGES	0.00	(6,720.00)	0.00	6,720.00	0.00
4819	SERVICES & FEES	2,052,269.00	2,355,855.90	0.00	(303,586.90)	114.79
4959	MISCELLANEOUS REVENUE	50,000.00	95,420.65	0.00	(45,420.65)	190.84
Revenue Total:		<u>7,023,624.00</u>	<u>7,455,833.60</u>	<u>0.00</u>	<u>(432,209.60)</u>	<u>106.15</u>
Expenditure						
5001	SALARIED EMPLOYEES	2,102,868.00	2,099,829.59	0.00	3,038.41	99.85
5003	OVERTIME	145,980.00	237,364.64	0.00	(91,384.64)	162.60
5005	HOLIDAY OVERTIME	160,701.00	186,688.21	0.00	(25,987.21)	116.17
5012	PART TIME EMPLOYEES	535,395.00	650,708.52	0.00	(115,313.52)	121.53
5021	RETIREMENT & SOCIAL SECURITY	67,721.00	64,783.48	0.00	2,937.52	95.66
5022	PERS RETIREMENT	237,860.00	255,813.27	0.00	(17,953.27)	107.54
5031	MEDICAL INSURANCE	350,553.00	342,480.02	0.00	8,072.98	97.69
5043	OTHER BENEFITS	56,632.00	50,804.65	0.00	5,827.35	89.71
5045	COMPENSATED ABSENCE EXPENSE	242,662.00	244,575.82	0.00	(1,913.82)	100.78
5046	OPEB EXPENSE	40,000.00	40,000.00	0.00	0.00	100.00
5047	EMPLOYEE INCENTIVES	7,796.00	8,794.45	0.00	(998.45)	112.80
5111	CLOTHING	4,000.00	7,115.79	0.00	(3,115.79)	177.89
5152	WORKERS COMPENSATION	86,564.00	86,644.00	0.00	(80.00)	100.09
5154	UNEMPLOYMENT INSURANCE	10,817.00	11,134.89	0.00	(317.89)	102.93
5158	INSURANCE PREMIUM	190,907.00	190,907.99	0.00	(0.99)	100.00
5171	MAINTENANCE OF EQUIPMENT	696,120.00	938,054.57	0.00	(241,934.57)	134.75
5173	MAINTENANCE OF EQUIPMENT-	0.00	(116.30)	0.00	116.30	0.00
5211	MEMBERSHIPS	1,475.00	1,659.00	0.00	(184.00)	112.47
5232	OFFICE & OTHER EQUIP < \$5,000	19,750.00	14,329.35	0.00	5,420.65	72.55
5238	OFFICE SUPPLIES	8,450.00	4,130.47	0.00	4,319.53	48.88
5253	ACCOUNTING & AUDITING SERVICE	61,608.00	61,750.00	0.00	(142.00)	100.23
5260	HEALTH - EMPLOYEE PHYSICALS	7,500.00	6,623.80	0.00	876.20	88.31
5263	ADVERTISING	45,602.00	53,228.97	0.00	(7,626.97)	116.72
5265	PROFESSIONAL & SPECIAL SERVICE	522,763.00	454,949.61	0.00	67,813.39	87.02
5291	OFFICE, SPACE & SITE RENTAL	227,823.00	201,383.22	0.00	26,439.78	88.39
5311	GENERAL OPERATING EXPENSE	107,476.00	129,778.05	0.00	(22,302.05)	120.75

COUNTY OF INYO
Budget to Actuals with Encumbrances by Key/Obj

October 17, 2024
 Agenda Item #B-2

Ledger: GL

As of 6/30/2024

Object	Description	Budget	Actual	Encumbrance	Balance	%
5326	LATE FEES & FINANCE CHARGES	125.00	287.38	0.00	(162.38)	229.90
5331	TRAVEL EXPENSE	10,378.00	4,718.26	0.00	5,659.74	45.46
5332	MILEAGE REIMBURSEMENT	28,000.00	19,637.40	0.00	8,362.60	70.13
5351	UTILITIES	91,250.00	106,923.00	0.00	(15,673.00)	117.17
5352	FUEL & OIL	692,935.00	664,207.53	0.00	28,727.47	95.85
5539	OTHER AGENCY CONTRIBUTIONS	30,000.00	0.00	0.00	30,000.00	0.00
5901	CONTINGENCIES	71,371.00	0.00	0.00	71,371.00	0.00
Expenditure Total:		<u>6,863,082.00</u>	<u>7,139,189.63</u>	<u>0.00</u>	<u>(276,107.63)</u>	<u>104.02</u>
NET OPERATING		<u>160,542.00</u>	<u>316,643.97</u>	<u>0.00</u>	<u>(156,101.97)</u>	
NON-OPERATING						
Revenue						
NET NON-OPERATING		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	
CAPITAL ACCOUNT						
Revenue						
4067	STATE TRANSIT ASST-CAPITAL	170,191.00	0.00	0.00	170,191.00	0.00
4495	STATE GRANTS - CAPITAL	46,584.00	95,224.00	0.00	(48,640.00)	204.41
4557	FEDERAL GRANTS - CAPITAL	1,189,429.00	0.00	0.00	1,189,429.00	0.00
4911	SALES OF FIXED ASSETS	0.00	11,000.00	0.00	(11,000.00)	0.00
Revenue Total:		<u>1,406,204.00</u>	<u>106,224.00</u>	<u>0.00</u>	<u>1,299,980.00</u>	<u>7.55</u>
Expenditure						
5640	STRUCTURES & IMPROVEMENTS	22,801.00	18,294.16	0.00	4,506.84	80.23
5655	VEHICLES	1,690,600.00	1,588,505.64	0.00	102,094.36	93.96
Expenditure Total:		<u>1,713,401.00</u>	<u>1,606,799.80</u>	<u>0.00</u>	<u>106,601.20</u>	<u>93.77</u>
NET CAPITAL ACCOUNT		<u>(307,197.00)</u>	<u>(1,500,575.80)</u>	<u>0.00</u>	<u>1,193,378.80</u>	
TRANSFERS						
Revenue						
4998	OPERATING TRANSFERS IN	0.00	172,927.59	0.00	(172,927.59)	0.00
Revenue Total:		<u>0.00</u>	<u>172,927.59</u>	<u>0.00</u>	<u>(172,927.59)</u>	<u>0.00</u>
Expenditure						
5798	CAPITAL REPLACEMENT	145,781.00	0.00	0.00	145,781.00	0.00
5801	OPERATING TRANSFER OUT	0.00	172,927.59	0.00	(172,927.59)	0.00
Expenditure Total:		<u>145,781.00</u>	<u>172,927.59</u>	<u>0.00</u>	<u>(27,146.59)</u>	<u>118.62</u>
NET TRANSFERS		<u>0.00</u>	<u>172,927.59</u>	<u>0.00</u>	<u>(172,927.59)</u>	
153299 Total:		<u>(292,436.00)</u>	<u>(1,183,931.83)</u>	<u>0.00</u>	<u>891,495.83</u>	

**COUNTY OF INYO
UNDESIGNATED FUND BALANCES**

October 17, 2024
Agenda Item #B-2

AS OF 06/30/2024

	Claim on Cash 1000	Accounts Receivable 1100,1105,1160	Loans Receivable 1140	Prepaid Expenses 1200	Accounts Payable 2000	Loans Payable 2140	Deferred Revenue 2200	Computed Fund Balance	Encumbrances	Fund Balance Undesignated
ESTA - EASTERN SIERRA TRANSIT AUTHORI										
1532 EASTERN SIERRA TRANSIT	4,626,011	845,130	4,432	335,213	724,496			5,086,290		5,086,290
1533 ESTA ACCUMULATED	1,718,132	10,687						1,728,819		1,728,819
1534 ESTA GENERAL RESERVE	550,560	3,425						553,985		553,985
1535 ESTA BUDGET STAB	220,222	1,370						221,592		221,592
1536 REDS MEADOW ROAD	188,592	1,173						189,765		189,765
6809 SRTP TRANSPORT PLAN	43,140	20,399						63,539		63,539
6820 NON-EMERGENCY TRAN REIM	387	5,588			1,732	4,432		(189)		(189)
6822 LCTOP-ELECTRIC VEHICLE	90,371	560						90,931		90,931
6824 ESTA-LCTOP	4,121	218		2,829	1,300			5,868		5,868
6825 BISHOP ADMIN BUILDING	80,706	626						81,332		81,332
ESTA Totals	7,522,242	889,176	4,432	338,042	727,528	4,432		8,021,932		8,021,932
Grand Totals	7,522,242	889,176	4,432	338,042	727,528	4,432		8,021,932		8,021,932

STAFF REPORT

Subject: Financial Report – FY 2024/25

Initiated by: Dawn Vidal, Administration Manager

The year-to-date roll-up and year end forecast for the 2024/25 fiscal year are included on the following pages. Reports are as of October 7, 2024.

Fuel is budgeted at \$5.40 per gallon and average price per gallon was \$4.04 in July, 29% below budget. Fuel and maintenance expenses do not include Town of Mammoth Lakes invoices for August and September 2024.

As we are only three months into the new fiscal year, there is little revenue to report as much revenue is collected through a reimbursement process, it is typical the year-to-date expenses are greater than revenue early in the fiscal year. We are expecting an additional \$75,400 in Reds funds in the next week.

Financial information as of: **10/7/2024** % of Fiscal Year: **27%**

153299 - EASTERN SIERRA TRANSIT - ROLL UP

OPERATING Revenue		FY 24/25 Budget	YTD Actual	Balance	% of Budget	Year End Forecast	YE Forecast Variance	Comments
4061	LOCAL TRANSPORTATION TAX	2,156,564	389,298	1,767,266	18%	2,156,564	-	
4065	STATE TRANSIT ASST	614,146	-	614,146	0%	614,146	-	
4301	INTEREST FROM TREASURY	50,700	-	50,700	0%	50,700	-	
4498	STATE GRANTS	-	-	-	0%	-	-	budgeted all capital
4499	STATE OTHER	85,325	-	85,325	0%	85,325	-	
4555	FEDERAL GRANTS	799,345	-	799,345	0%	799,345	-	
4599	OTHER AGENCIES	1,189,665	261,731	927,934	22%	1,189,665	-	
4747	INSURANCE PAYMENTS	-	-	-		-	-	
4819	SERVICES & FEES	1,981,569	518,102	1,463,467	26%	1,981,569	-	
4959	MISCELLANEOUS REVENUE	65,000	-	65,000	0%	65,000	-	
4999	PRIOR YEARS REIMBURSEMENTS	-	-	0		-	-	
Revenue Total:		6,942,314	1,169,130	5,773,184	17%	1,169,130	(5,773,184)	

Operating Expenditure:		FY 24/25 Budget	YTD Actual	Balance	% of Budget	Year End Forecast	YE Forecast Variance	Comments
5001	SALARIED EMPLOYEES	2,193,363	478,993	1,714,370	22%	2,193,363	-	
5003	OVERTIME	141,545	58,061	83,484	41%	141,545	-	
5005	HOLIDAY OVERTIME	185,126	33,694	151,432	18%	185,126	-	
5012	PART TIME EMPLOYEES	574,707	141,181	433,526	25%	574,707	-	
	Wages subtotal	3,094,741	711,929	2,382,812	23%	3,094,741	-	
5021	RETIREMENT & SOCIAL SECURITY	75,049	13,768	61,281	18%	75,049	-	
5022	PERS RETIREMENT	246,560	67,357	179,203	27%	246,560	-	
5025	RETIREE HEALTH BENEFITS	-	-	-	0%	-	-	
5031	MEDICAL INSURANCE	360,030	90,378	269,652	25%	360,030	-	
5043	OTHER BENEFITS	56,636	5,748	50,888	10%	56,636	-	
5045	COMPENSATED ABSENCE EXPENSE	215,000	53,498	161,502	25%	215,000	-	
5046	OPEB EXPENSE	40,000	-	40,000	0%	40,000	-	
5047	EMPLOYEE INCENTIVES	9,000	3,847	5,153	43%	9,000	-	
5111	CLOTHING	8,000	-	8,000	0%	8,000	-	
5152	WORKERS COMPENSATION	90,057	90,057	-	100%	90,057	-	Paid in Advance
5154	UNEMPLOYMENT INSURANCE	13,750	1,338	12,412	10%	13,750	-	
5158	INSURANCE PREMIUM	200,744	200,744	-	100%	200,744	-	Paid in Advance
5171	MAINTENANCE OF EQUIPMENT	721,990	205,598	516,392	28%	721,990	-	Does not include TOML Aug & Sep
5173	MAINTENANCE OF EQUIPMENT-M	-	-	-	0%	-	-	
5191	MAINTENANCE OF STRUCTURES	-	-	-	0%	-	-	

Operating Expenditure:		FY 24/25 Budget	YTD Actual	Balance	% of Budget	Year End Forecast	YE Forecast Variance	Comments
5211	MEMBERSHIPS	1,520	264	1,256	17%	1,520	-	
5232	OFFICE & OTHER EQUIP < \$5,000	15,450	1,120	14,330	7%	15,450	-	
5238	OFFICE SUPPLIES	7,001	1,401	5,600	20%	7,001	-	
5253	ACCOUNTING & AUDITING SERVICE	69,471	14,725	54,746	21%	69,471	-	
5260	HEALTH - EMPLOYEE PHYSICALS	7,500	453	7,047	6%	7,500	-	
5263	ADVERTISING	51,553	17,749	33,804	34%	51,553	-	
5265	PROFESSIONAL & SPECIAL SERVICE	346,777	73,811	272,966	21%	346,777	-	
5291	OFFICE, SPACE & SITE RENTAL	216,128	13,317	202,811	6%	216,128	-	
5311	GENERAL OPERATING EXPENSE	97,080	14,726	82,354	15%	97,080	-	
5326	LATE FEES & FINANCE CHARGES	125	-	125	0%	125	-	
5331	TRAVEL EXPENSE	5,603	1,440	4,163	26%	5,603	-	
5332	MILEAGE REIMBURSEMENT	-	4,156	(4,156)	0%	-	-	
5351	UTILITIES	120,393	16,093	104,300	13%	120,393	-	
5352	FUEL & OIL	705,489	128,402	577,087	18%	705,489	-	Does not include TOML Aug & Sep
5539	OTHER AGENCY CONTRIBUTIONS	20,000	-	20,000	0%	20,000	-	
5901	CONTINGENCIES	69,000	-	69,000	0%	69,000	-	
	Expenditure Total:	6,864,647	1,731,918	5,132,729	25%	6,864,647	-	

TRANSFERS Expenditure		FY 24/25 Budget	YTD Actual	Balance	% of Budget	Year End Forecast	YE Forecast Variance	Comments
5798	CAPITAL REPLACEMENT	77,675	-	145,781	-	77,675	-	
5801	OPERATING TRANSFERS OUT	-	-	-	-	-	-	
	Expenditure Total:	77,675	-	145,781	-	77,675	-	

NET TRANSFERS

Projected Revenue less Projected Expenses:	(5,695,517)
	-
Less Capital Replacement Transfers:	77,675
Less Capital Structures & Improvements:	35,000
Operating Balance:	(5,808,192)

CAPITAL ACCOUNT		FY 24/25			% of	Year End	YE Forecast	
Revenue		Budget	YTD Actual	Balance	Budget	Forecast	Variance	Comments
4911	Sales of Fixed Assets	-	-	-	0%	-	-	
4067	STATE TRANSIT ASST-CAPITAL	10,550	-	(10,550)	0%	10,550	-	
4495	STATE GRANTS - CAPITAL	136,035	-	(136,035)	0%	136,035	-	
4557	FEDERAL GRANTS - CAPITAL	561,000	-	(561,000)	0%	561,000	-	
4911	SALE OF FIXED ASSETS						-	

Capital Expenditures

5640	STRUCTURES & IMPROVEMENTS	35,000	-	22,801	0%	35,000	-	
5650	EQUIPMENT	10,000	-	10,000	0%	10,000	-	
5655	VEHICLES	660,000	904,362	1,525,469	137%	660,000	-	
	Expenditure Total:	705,000	904,362	1,558,270	128%	705,000	-	

Breakdown of 4819 Service & Fees Revenue	
MMSA Fees	-
Red's Revenue	347,319
All Other Passenger Fares	170,783
Total 4819	518,102

Budget to Actuals with Encumbrances by Key/Obj

Ledger: GL

As of 10/7/2024

Object	Description	Budget	Actual	Encumbrance	Balance	%
Key: 153298 - ESTA - BUDGET						
OPERATING						
Revenue						
Expenditure						
NET OPERATING		0.00	0.00	0.00	0.00	
CAPITAL ACCOUNT						
Revenue						
NET CAPITAL ACCOUNT		0.00	0.00	0.00	0.00	
Key: 153299 - EASTERN SIERRA TRANSIT						
OPERATING						
Revenue						
4061	LOCAL TRANSPORTATION TAX	2,156,564.00	389,298.00	0.00	1,767,266.00	18.05
4065	STATE TRANSIT ASST	614,146.00	0.00	0.00	614,146.00	0.00
4301	INTEREST FROM TREASURY	50,700.00	0.00	0.00	50,700.00	0.00
4499	STATE OTHER	85,325.00	0.00	0.00	85,325.00	0.00
4555	FEDERAL GRANTS	799,345.00	0.00	0.00	799,345.00	0.00
4599	OTHER AGENCIES	1,189,665.00	261,730.85	0.00	927,934.15	22.00
4819	SERVICES & FEES	1,981,569.00	518,101.51	0.00	1,463,467.49	26.14
4959	MISCELLANEOUS REVENUE	65,000.00	0.00	0.00	65,000.00	0.00
Revenue Total:		6,942,314.00	1,169,130.36	0.00	5,773,183.64	16.84
Expenditure						
5001	SALARIED EMPLOYEES	2,193,363.00	478,993.20	0.00	1,714,369.80	21.83
5003	OVERTIME	141,545.00	58,061.25	0.00	83,483.75	41.01
5005	HOLIDAY OVERTIME	185,126.00	33,693.77	0.00	151,432.23	18.20
5012	PART TIME EMPLOYEES	574,707.00	141,180.87	0.00	433,526.13	24.56
5021	RETIREMENT & SOCIAL SECURITY	75,049.00	13,768.12	0.00	61,280.88	18.34
5022	PERS RETIREMENT	246,560.00	67,356.61	0.00	179,203.39	27.31
5031	MEDICAL INSURANCE	360,030.00	90,377.67	0.00	269,652.33	25.10
5043	OTHER BENEFITS	56,636.00	5,748.30	0.00	50,887.70	10.14
5045	COMPENSATED ABSENCE EXPENSE	215,000.00	53,497.57	0.00	161,502.43	24.88
5046	OPEB EXPENSE	40,000.00	0.00	0.00	40,000.00	0.00
5047	EMPLOYEE INCENTIVES	9,000.00	3,847.36	0.00	5,152.64	42.74
5111	CLOTHING	8,000.00	0.00	0.00	8,000.00	0.00
5152	WORKERS COMPENSATION	90,057.00	0.00	0.00	90,057.00	0.00
5154	UNEMPLOYMENT INSURANCE	13,750.00	1,337.98	0.00	12,412.02	9.73
5158	INSURANCE PREMIUM	200,744.00	290,805.00	0.00	(90,061.00)	144.86
5171	MAINTENANCE OF EQUIPMENT	721,990.00	205,597.84	0.00	516,392.16	28.47
5211	MEMBERSHIPS	1,520.00	264.00	0.00	1,256.00	17.36
5232	OFFICE & OTHER EQUIP < \$5,000	15,450.00	1,120.11	0.00	14,329.89	7.24
5238	OFFICE SUPPLIES	7,001.00	1,401.00	0.00	5,600.00	20.01
5253	ACCOUNTING & AUDITING SERVICE	69,471.00	14,725.00	0.00	54,746.00	21.19
5260	HEALTH - EMPLOYEE PHYSICALS	7,500.00	452.80	0.00	7,047.20	6.03
5263	ADVERTISING	51,553.00	17,748.52	0.00	33,804.48	34.42
5265	PROFESSIONAL & SPECIAL SERVICE	346,777.00	73,811.04	0.00	272,965.96	21.28
5291	OFFICE, SPACE & SITE RENTAL	216,128.00	13,316.62	0.00	202,811.38	6.16
5311	GENERAL OPERATING EXPENSE	97,080.00	14,726.00	0.00	82,354.00	15.16
5326	LATE FEES & FINANCE CHARGES	125.00	0.00	0.00	125.00	0.00
5331	TRAVEL EXPENSE	5,603.00	1,440.20	0.00	4,162.80	25.70
5332	MILEAGE REIMBURSEMENT	0.00	4,155.98	0.00	(4,155.98)	0.00

COUNTY OF INYO
Budget to Actuals with Encumbrances by Key/Obj

October 17, 2024
 Agenda Item #B-3

Ledger: GL

As of 10/7/2024

Object	Description	Budget	Actual	Encumbrance	Balance	%
5351	UTILITIES	120,393.00	16,093.38	0.00	104,299.62	13.36
5352	FUEL & OIL	705,489.00	128,402.19	0.00	577,086.81	18.20
5539	OTHER AGENCY CONTRIBUTIONS	20,000.00	0.00	0.00	20,000.00	0.00
5700	CONSTRUCTION IN PROGRESS	0.00	17,592.31	0.00	(17,592.31)	0.00
5901	CONTINGENCIES	69,000.00	0.00	0.00	69,000.00	0.00
Expenditure Total:		<u>6,864,647.00</u>	<u>1,749,514.69</u>	<u>0.00</u>	<u>5,115,132.31</u>	<u>25.48</u>
NET OPERATING		<u>77,667.00</u>	<u>(580,384.33)</u>	<u>0.00</u>	<u>658,051.33</u>	
NON-OPERATING						
Revenue						
NET NON-OPERATING		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	
CAPITAL ACCOUNT						
Revenue						
4067	STATE TRANSIT ASST-CAPITAL	10,550.00	0.00	0.00	10,550.00	0.00
4495	STATE GRANTS - CAPITAL	136,035.00	0.00	0.00	136,035.00	0.00
4557	FEDERAL GRANTS - CAPITAL	561,000.00	0.00	0.00	561,000.00	0.00
Revenue Total:		<u>707,585.00</u>	<u>0.00</u>	<u>0.00</u>	<u>707,585.00</u>	<u>0.00</u>
Expenditure						
5630	LAND IMPROVEMENTS	15,000.00	0.00	0.00	15,000.00	0.00
5640	STRUCTURES & IMPROVEMENTS	35,000.00	0.00	0.00	35,000.00	0.00
5655	VEHICLES	660,000.00	904,361.50	0.00	(244,361.50)	137.02
Expenditure Total:		<u>710,000.00</u>	<u>904,361.50</u>	<u>0.00</u>	<u>(194,361.50)</u>	<u>127.37</u>
NET CAPITAL ACCOUNT		<u>(2,415.00)</u>	<u>(904,361.50)</u>	<u>0.00</u>	<u>901,946.50</u>	
TRANSFERS						
Revenue						
Expenditure						
5798	CAPITAL REPLACEMENT	77,675.00	0.00	0.00	77,675.00	0.00
Expenditure Total:		<u>77,675.00</u>	<u>0.00</u>	<u>0.00</u>	<u>77,675.00</u>	<u>0.00</u>
NET TRANSFERS		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	
153299 Total:		<u>(2,423.00)</u>	<u>(1,484,745.83)</u>	<u>0.00</u>	<u>1,482,322.83</u>	

**COUNTY OF INYO
UNDESIGNATED FUND BALANCES**

October 17, 2024
Agenda Item #B-3

AS OF 06/30/2025

	Claim on Cash 1000	Accounts Receivable 1100,1105,1160	Loans Receivable 1140	Prepaid Expenses 1200	Accounts Payable 2000	Loans Payable 2140	Deferred Revenue 2200	Computed Fund Balance	Encumbrances	Fund Balance Undesignated
ESTA - EASTERN SIERRA TRANSIT AUTHORI										
1532 EASTERN SIERRA TRANSIT	3,524,594	6,599	18,429		36,507			3,513,115		3,513,115
1533 ESTA ACCUMULATED	1,728,819							1,728,819		1,728,819
1534 ESTA GENERAL RESERVE	553,985							553,985		553,985
1535 ESTA BUDGET STAB	221,592							221,592		221,592
1536 REDS MEADOW ROAD	189,765							189,765		189,765
6809 SRTP TRANSPORT PLAN	63,539							63,539		63,539
6820 NON-EMERGENCY TRAN REIM	6,088					10,432		(4,344)		(4,344)
6822 LCTOP-ELECTRIC VEHICLE	90,932							90,932		90,932
6824 ESTA-LCTOP	10,999	3			104	7,997		2,901		2,901
6825 BISHOP ADMIN BUILDING	74,958							74,958		74,958
ESTA Totals	6,465,271	6,602	18,429		36,611	18,429		6,435,262		6,435,262
Grand Totals	6,465,271	6,602	18,429		36,611	18,429		6,435,262		6,435,262

STAFF REPORT

Subject: Paid Time-Off Cap
Presented by: Phil Moores, Executive Director

Background

ESTA does not currently have a maximum Paid Time-Off (PTO) allowable balance. Partner agencies in the region offer PTO allowable balances from 300 to 800 hours before stopping accruals. Our PTO liability was \$241,786. This caught the attention of Amy Shepherd, Inyo County Auditor, and she recommended a cap.

Discussion

Meet and Confer Memorandum of Understanding (MOU) requirements with employee associations have been completed. I am recommending a 480-hour cap which translates to 12 weeks of paid time off. Specifically, all employees will stop accruing PTO once they reach the 480-hour limit. A letter from Employee Association Representative, Steve Irwin, is attached. While my discussion with the Employee Association did not satisfy all their requests, it did result in:

1. An additional two weeks (from 400 to 480) on the cap
2. Special cashout opportunity
3. Approval to split large mandatory cashouts across two calendar tax years.

Financial

Employees with balances in excess of 480 hours will be cashed out at current wage levels. This action will reduce liability by around \$30,000 and further stabilize ESTA's finances. There are two employees currently above the 480-hour proposed limit, one significantly above at nearly 1,000 hours. Employees will be given the chance to either use the time or take advantage of a special cashout opportunity. The special cashout will allow all employees to cash out PTO down to a minimum of 240 hours.

Recommendation

The Board is requested to approve a new policy limiting PTO accrual at 480 hours for all staff.

I would like to register my opposition to Agenda Item ^{D-1} proposed Paid Time Off Cap, on this month's ESTA board meeting agenda. I am a nearly 12 year full time employee of ESTA and over that time I have accrued a considerable amount of PTO. I am one of the 4 employees referred to in the report on this issue as being above the 400 hour proposed limit.

If this limit is implemented it would impact me in several ways. I have been planning my retirement strategy for some time and my PTO account is part of the plan. If I am required to liquidate a substantial part of it, there will be a significant tax consequence immediately, whereas if I can control the liquidation, taxes will be less impactful.

About 5 or 6 years ago I had a serious illness that prevented me from working for about 3 months. During that time I was able to draw on the PTO that I had accrued up to that point to sustain me through the illness. I eventually used it all up and had no income for a while until I was able to return to work, which created a hardship. I took from that experience that I should be more prepared for events that might prevent me from working and I should have something more to fall back on. My current PTO accumulation is part of that plan.

I have been planning for my future according to the rules laid out in the ESTA MOU and now you want to change the rules. I urge the ESTA board to reject this Agenda Item D-4. I suggest that ESTA management have some discussions with ESTA Employee Association (EEA) members and come to some agreement about this issue and then it can be re-agendized.

Thank you for listening,

Stephen Irwin

STAFF REPORT

Subject: 2024-25 Winter Service Recommendations
 Presented by: Phil Moores, Executive Director

BACKGROUND:

ESTA’s Service Change Policy includes a plan for bi-annual service planning sessions to allow the Board an opportunity to review and approve the services proposed to be operated for the coming six months.

ANALYSIS/DISCUSSION:

The following pages detail the specific routes that are planned to be operated by Eastern Sierra Transit for what is considered the winter season 2024-25. Table 1 provides descriptions of the routes. All services approved for operation in FY23-24 are proposed to continue in FY24-25.

Table 1

Planned ESTA Services November 2024 through April 2025											
Route	Type	Days of Week							Hours	Service Period	Description
		S	M	T	W	T	F	S			
Walker DAR	DAR		X	X	X	X	X		8am-4:30pm	year-round	1 bus, expand to Bridgeport 1 days
Bridgeport - Carson	LL				X				11am-6:30pm	year-round	1 roundtrip on Wednesday
Walker to Mammoth	LL			X					8am-5pm	Tuesdays	Operated by Walker DAR driver. Res. Only
Mammoth DAR	Par		X	X	X	X	X		8am-5pm	year-round	Provides ADA paratransit backup
Purple Line	Cor	X	X	X	X	X	X	X	7am-6pm	year-round	1 bus with 30-minute headways
Teal Line	Cor	X	X	X	X	X	X	X	7am-6pm	year-round	2 bus with 30-minute headways
Mammoth Winter Trolley	Cor	X	X	X	X	X	X	X	5:40p-2am	Through April	2 buses with 30-minutes service till 2am
Mammoth Shoulder Season Trolley	Cor	X	X	X	X	X	X	X	7am-10pm	June Labor Day till Nov.	2 buses with 30-minutes service till 2am
Red Line	Cor	X	X	X	X	X	X	X	7am-5:30pm	Thru April	3 buses with 20-minute service As many as 6 buses on busy days
Blue Line	Cor	X	X	X	X	X	X	X	7am-5:20pm	Thru April	1 bus with 15-minute service
Green Line	Cor	X	X	X	X	X	X	X	7:30am-5:30pm	Thru April	1 bus with 15-minute service
Yellow Line	Cor	X	X	X	X	X	X	X	7:30am-5:30pm	Thru April	1 bus with 20-minute service
Mammoth Express	Com		X	X	X	X	X	X	see schedule	year-round	8 trips daily
395 Reno	Cor	X	X	X	X	X	X	X	see schedule	year-round	1 roundtrip daily
395 Lancaster	Cor		X	X	X	X	X	X	see schedule	year-round	1 roundtrip daily
Benton - Bishop	LL			X				X	8:30am leave 2:30pm return	year-round	1 roundtrip daily, 2 days per week
Bishop DAR	DAR	X	X	X	X	X	X	X	7am-6:30pm (M-F) 8:30am-6pm (Sat) 8am-1pm (Sun)	year-round	Door-to-door service in Bishop
Nite Rider	DAR							X	6pm-2am	year-round	Friday and Saturday nights (and New Years Eve & Tri-county Fair Sunday)
Lone Pine - Bishop	Com		X	X	X	X	X		see schedule	year-round	6 trips daily
Lone Pine DAR	DAR		X	X	X	X	X		7:30am-3:30pm	year-round	1 bus - door-to-door service

Legend: Cor=Core, Chr=Charter, DAR=Dial-a-Ride, Par=Paratransit Required, LL=Lifeline, Com=Commuter

FINANCIAL CONSIDERATIONS

The transit service detailed on the preceding pages are included in the ESTA FY 2024/25 budget and are consistent with the revenues included in the budget. The revenues and expenses for the routes that are approved to operate beyond June 30, 2025 will be included in the FY 2025/26 budget.

RECOMMENDATION

The Board is requested to approve the Eastern Sierra Transit services planned to be operated through April 2025.



STAFF REPORT

Presented by: Phil Moores
Subject: Mammoth Fleet Replacement Plan

The Mammoth fleet consists of trolleys, small buses, and thirteen 2012 large heavy-duty transit buses. We have been successful in replacing the trolleys and small buses, but the big buses have proven more difficult to replace. These large buses are used in the winter Mammoth service, and summer Reds Meadow Shuttle. The useful life of one of these vehicles is 12 years. ESTA was successful in a grant for one heavy-duty bus and will continue to apply for grants for the remaining twelve buses. However, grant programs are overprescribed and even with the highest score possible, we were passed over, two years in a row. We will apply again in 2025, but waiting is no longer a viable option.

Mechanical failure is limiting our ability to deliver service and costing us a small fortune to maintain. My funding efforts have revealed something around \$5.5 million in available reserves across three agencies (ESTA \$2.4m, Town \$2.4m, and Mono LTC \$647,960.00). At around \$650,000 per bus, this would provide 8 new buses of the thirteen needed. Along with a successful grant we were awarded funding for one, making the total bus purchase for nine 40-foot diesel buses. In 2025 we will attempt another grant application to secure as much funding as possible and may still come through with a large award.

There are just two heavy-duty transit bus manufacturers remaining in the U.S., New Flyer and Gillig. Delivery of a bus this size takes 14-16 months, so putting funding administrative procedures in place quickly is critical. We have serious concerns about the current fleet lasting another two years. All three funding partners have their own process for allocating and spending this money.

What's next?

1. Funding partners request approval for the allocation of funds (ASAP)
2. ESTA orders the buses
3. Buses are delivered (Spring 2026)
4. ESTA pays for buses (Spring 2026)



Recommendation

Authorize the ESTA Executive Director to set aside 2.4 million dollars in the ESTA Capital reserves and order nine diesel buses funded in cooperation with Mono Local Transportation Commission and the Town of Mammoth Lakes.

STAFF REPORT

Subject: New Position - Assistant Transportation Supervisor
Presented by: Phil Moores, Executive Director

Introduction

I am watching my third Mammoth Yard supervisor in six years work unsustainable hours to support the operation. Sixty-five-hour work weeks are not uncommon as the current sole supervisor works to make sure both the morning and evening crew have what they need. I have tried everything administratively to reduce the excessive overtime but am now convinced they just need help. The majority of ESTA's service is delivered in Mammoth Lakes.

Financial

With benefits, the total compensation for the new Assistant Supervisor is around \$90,000. About half of that compensation will be covered by the reduction of overtime for the current supervisor. The FY24-25 budget approved by the Board includes this new position.

Discussion

I have met and conferred with the Management Confidential Employees Association. Recruitment will begin before the winter season starts. The job description is attached.

Recommendation

It is recommended that the Board approve the new position and job description for an Assistant Transportation Supervisor.

POSITION: **ASSISTANT TRANSPORTATION SUPERVISOR**

LOCATION: **Bishop or Mammoth Lakes**

SALARY: **Starting hourly wage: \$29.30**

DEFINITION: Under the supervision of the Operations Supervisor, the Assistant Supervisor is responsible for providing managerial and operational support for all of ESTA's transit operations in the assigned service area (Bishop or Mammoth Lakes) ensuring the delivery of quality service to every passenger, every day.

ESSENTIAL FUNCTIONS include, but are not limited to the following:

- Supervises subordinate personnel to include: conducting and approving the selection, training, scheduling, evaluation, and discipline of personnel; resolving personnel issues; and, providing guidance and direction. Creates a supportive environment that encourages subordinates to take initiative and to assume responsibility for providing consistently high-quality service.
- Provides program and project management support to include: supervising a variety of special projects; and, developing and implementing operating methods and procedures.
- Planning and development activities including: preparation of routes, schedules, transit rules and guidelines for safe and efficient operation of vehicles and services.
- Assist with labor relations, disciplinary matters, and grievance responses by coordinating and facilitating discussions with the Operations Supervisor, Administration Manager and Employee Association representatives. Administer work practices and procedures in compliance with applicable employee association MOU's.
- Responds to and resolves citizen questions and complaints expeditiously and provides public and media relations activities as directed.
- Participates in a variety of committees and meetings which includes proposing and evaluating service modifications.
- Oversees safety and training activities by determining and implementing specific training needs.
- Perform thorough accident investigations and ensure appropriate reporting is submitted to assigned risk management staff. Determine and implement appropriate corrective training.
- Administer ESTA Substance Abuse Program requirements as directed by the Executive Director and the Designated Employer Representative.

- Produces weekly schedules, time sheets, and on-call driver schedules of employees as needed to maintain effective service within budget limits. Maintain accurate posted schedules. Responds to shift vacancies as necessary.
- Assists in the recruitment process of hiring drivers and dispatchers and assists in developing, presenting and overseeing their initial training, including behind the wheel and in-service training.
- Assure that drivers perform proper pre-trip inspection and report problems promptly. Follow up as required.
- Insure that logs, summaries and reports are produced promptly and accurately.
- Assists with the development and preparation of the public timetables, applying knowledge of system routes, times, stops and transfer points; assists with proofing and editing.
- Payroll related functions including collecting, reviewing and correcting driver timesheets; and entering timesheet data into payroll system.
- Ensure buses and other vehicles are properly maintained, safe to operate, clean, and in compliance with all applicable regulations. Coordinate all vehicle maintenance requirements with vendors to ensure timely, thorough and compliant maintenance of the fleet.
- Administer policies and procedures to include: determining if policies are up-to-date and appropriate; ensuring compliance with policies and procedures; and, recommending new or altered policies and procedures
- As a member of the Authority's management team, help to guide the successful delivery of services and fulfillment of the Authority's mission statement Assist in providing input on the development of plans and short and long-range goals and objectives which includes determining project needs and requirements, and establishing goals in accordance with regulatory requirements. Assist in the design, implementation and operation of Authority services and processes.
- Provide staff support for a variety of tasks including serving as a back-up dispatcher and/or driver as needed.
- Other duties as assigned by Operations Supervisor.

Knowledge of: Transit operational and vehicle practices, procedures, regulation and laws; vehicle maintenance principles, including preventative maintenance; managerial principles; budgetary principles; accident investigation; local, state and federal regulations applicable to transit and personnel management; safety rules, regulations and procedures; FTA drug & alcohol program requirements, operations and functions of public government; public and community relations; standard office procedures, methods and equipment; recordkeeping and filing principles; basic mathematical concepts; personal computers and commonly used software for word processing and Internet access.

Ability to: Effectively supervise and direct subordinates to include conducting employee evaluations and administering discipline as necessary; communicate effectively orally and in writing with coworkers, supervisors, and the general public; establish and maintain effective work relationships with peers and other public and private agencies; effectively address operational requirements (e.g. emergencies) during all hours of operation; prepare and present group presentations; plan and organize projects; maintain various

records and files, including confidential materials; conduct research and compile and analyze data; read, interpret and apply applicable laws, rules and regulations; operate a personal computer and utilize related software; effectively learn, interpret and apply ESTA policies, rules and regulations; maintain composure in stressful situations and resolve complaints in a satisfactory manner; continually multi-task and prioritize work; handle matters of a confidential nature; operate standard office equipment; maintain accurate records; stay informed of changing governmental regulations.

Experience/Education/Training:

Any equivalent combination of experience and education that would likely provide the required skills, knowledge and abilities that would normally be obtained by:

- One year of progressively responsible supervisory, management, transit or related experience;
- Or any equivalent combination of education and experience sufficient to successfully perform the essential duties of the job as listed above.

Licensure and Certifications: Must possess or be able to obtain the following:

- Valid State of California Commercial Driver's License with "B" or "A" designation, "P" endorsement, and Air Brake certification.
- GPPV certificate.
- Transportation Safety Institute Bus Driver Instructor certificate.

Special Requirements: Must successfully complete a background investigation and physical examination, including drug screen prior to employment. This position is subject to drug & alcohol testing requirements as identified in the Authority's Drug & Alcohol Testing Policy.

Physical Requirements: Must maintain the physical condition necessary to: 1) perform tasks in an office and mechanic shop setting and operate standard office machinery, 2) safely drive a variety of vehicles, 3) frequently stand, walk, stoop and bend; grasp, lift, hold and manipulate items up to 50 pounds.