

County Connection

2477 Arnold Industrial Way Concord, CA 94520-5326 (925) 676-7500 countyconnection.com

ADMINISTRATION & FINANCE COMMITTEE MEETING AGENDA

Wednesday, January 3, 2018
9:00 a.m.

**Candace Andersen's Office,
3338 Mt. Diablo Blvd.
Lafayette, CA 94549**

The committee may take action on each item on the agenda. The action may consist of the recommended action, a related action or no action. Staff recommendations are subject to action and/or change by the committee.

1. Approval of Agenda
2. Public Communication
3. Approval of Minutes of December 6, 2017*
4. CCCTA Investment Policy-Quarterly Reporting Requirement*
5. Income Statements for the Nine Months Ended September 30, 2017*
6. Update on Drug & Alcohol Policy*
7. SB1 State of Good Repair Funds*
8. Review of Vendor Bills, December 2017**
9. Approval of Legal Services Statement, October 2017-Labor**
10. Next Scheduled Meeting – February 7, 2018
11. Adjournment

*Enclosure

**Enclosure for Committee Members

***To be mailed under separate cover

****To be available at the meeting.

FY2017/2018 A&F Committee

Laura Hoffmeister – Concord, Don Tatzin – Lafayette, Al Dessayer-Moraga

Clayton • Concord • Contra Costa County • Danville • Lafayette • Martinez
Moraga • Orinda • Pleasant Hill • San Ramon • Walnut Creek

CENTRAL CONTRA COSTA TRANSIT AUTHORITY

General Information

Public Comment: Each person wishing to address the committee is requested to complete a Speakers Card for submittal to the Committee Chair before the meeting convenes or the applicable agenda item is discussed. Persons who address the Committee are also asked to furnish a copy of any written statement to the Committee Chair. Persons who wish to speak on matters set for Public Hearings will be heard when the Chair calls for comments from the public. After individuals have spoken, the Public Hearing is closed and the matter is subject to discussion and action by the Committee.

A period of thirty (30) minutes has been allocated for public comments concerning items of interest within the subject matter jurisdiction of the Committee. Each individual will be allotted three minutes, which may be extended at the discretion of the Committee Chair.

Consent Items: All matters listed under the Consent Calendar are considered by the committee to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a committee member or a member of the public prior to when the committee votes on the motion to adopt.

Availability of Public Records: All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available for public inspection at 2477 Arnold Industrial Way, Concord, California, at the same time that the public records are distributed or made available to the legislative body. The agenda and enclosures for this meeting are posted also on our website at www.countyconnection.com.

Accessible Public Meetings: Upon request, County Connection will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service so that it is received by County Connection at least 48 hours before the meeting convenes. Requests should be sent to the Assistant to the General Manager, Lathina Hill, at 2477 Arnold Industrial Way, Concord, CA 94520 or hill@countyconnection.com.

Shuttle Service: With 24-hour notice, a County Connection LINK shuttle can be available at the BART station nearest the meeting location for individuals who want to attend the meeting. To arrange for the shuttle service, please call Katrina Lewis – 925/680 2072, no later than 24 hours prior to the start of the meeting.

Currently Scheduled Board and Committee Meetings

Board of Directors:	January 18, 9:00 a.m., County Connection Board Room
Administration & Finance:	Wednesday, February 7, 9:00 a.m., Supervisor Andersen's Office, 3338 Mt. Diablo Blvd. Lafayette, CA 9454
Advisory Committee:	TBA. County Connection Board Room
Marketing, Planning & Legislative:	Thursday, January 11, 9:30 a.m., Supervisor Andersen's Office, 3338 Mt. Diablo Blvd. Lafayette, CA 9454
Operations & Scheduling:	Friday, January 5, 8:00 a.m. Supervisor Andersen's Office, 3338 Mt. Diablo Blvd. Lafayette, CA 9454

The above meeting schedules are subject to change. Please check the County Connection Website (www.countyconnection.com) or contact County Connection staff at 925/676-1976 to verify date, time and location prior to attending a meeting.

This agenda is posted on County Connection's Website (www.countyconnection.com) and at the County Connection Administrative Offices, 2477 Arnold Industrial Way, Concord, California

INTER OFFICE MEMO

Administration and Finance Committee
Summary Minutes
December 6, 2017

The meeting was called to order at 9:00 a.m. at the Walnut Creek offices of Hanson Bridgett. Those in attendance were:

Committee Members:	Director Al Dessayer Director Don Tatzin
Staff:	General Manager Rick Ramacier Chief Financial Officer Scott Mitchell Accounting Manager Karol McCarty
Guests:	Ralph Hoffman

1. Approval of Agenda- Approved.
2. Public Communication- Ralph Hoffman noted that the Bay Area Air Quality Management District has announced Spare the Air Days on December 8th thru December 10th. Director Tatzin requested the General Manager review options on the number of committee members per committee.
3. Approval of Minutes of November 1, 2017- Approved.
4. Presentation of the Fiscal Year 2017 Audit—Rosalva Flores, the Brown Armstrong partner in charge of the FY 2017 audit, reported by telephone on the audit. She reported that the audit report is unmodified, no findings, no material weaknesses nor deficiencies were identified and no material noncompliance issues were noted. She did note one area of improvement which involved deactivating identification badges more timely which staff concurred with. She thanked County Connection's financial staff for working with her staff in completing the audit. Mr. Cheung thanked Ms. Flores and her team, he also thanked finance staff and all of the various County Connection departments involved in the audit. The Committee recommended to the Board that the audit report be approved.
5. PERS Actuarial Valuation for June 30, 2016; Rate for FY 2018-19- Mr. Cheung reported that the employer rate for PERS retirement for FY 2018 will be 8.114% and unfunded liability payment of \$210,673. County Connection's funded status is currently 88.9%, which is down from 95.8% in the previous year due to investment return of 0.6% for FY 2016 and reduction in discount rate from 7.5% to 7.0% over the next several years beginning in FY 2019. The projections from CalPERS for future years reflects an increase in the unfunded liability payment due to the last couple of years returns of 2.4% for FY 2015 and 0.6% for FY 2016, compared to the actuarially assumed annual rate of return of 7.5%. The unfunded liability payments will be \$211K in FY 2019, \$412K in FY 2020, \$679K in FY 2021, \$973K in FY 2022, \$1.2 million in FY 2023, \$1.4 million in FY 2024 and \$1.5 million in FY 2025. Mr. Cheung noted that this was brought to the Committee's attention in February 2017 and most of these changed were incorporated in the FY 2018 Budget and Ten Year Forecast. Staff will incorporate the revised payments and contribution rates in the FY 2019 Budget and Ten Year Forecast. Information only.
6. Review of Vendor Bills, August and November 2017- Reviewed.
7. Legal Services Statement, September & October 2017, General & Labor- Approved.
8. Adjournment- The meeting was adjourned. The next meeting is set for scheduled Wednesday, January 3rd, February 7th and March 7th at 9:00 am at 3338 Mt. Diablo Blvd, Lafayette, CA 94549.

Erick Cheung, Director of Finance

County Connection



INTER OFFICE MEMO

TO: Administration & Finance Committee

DATE: December 26, 2017

FROM: Rick Ramacier
General Manager

SUBJECT: CCCTA Investment Policy – Quarterly Reporting Requirement

Attached please find CCCTA's Quarterly Investment Policy Reporting Statement for the quarter ending September 30, 2017.

This certifies that the portfolio complies with the CCCTA Investment Policy and that CCCTA has the ability to meet the pool's expenditure requirements (cash flow) for the next six (6) months.

CCCTA

BANK CASH AND INVESTMENT ACCOUNTS (ROUNDED OFF TO NEAREST \$)

FINANCIAL INST	ACCT #	TYPE	PURPOSE	PER BANK	PER BANK	PER BANK	PER GL*
				MAR 2017	JUN 2017	SEP 2017	SEP 2017
FIXED ROUTE							
UNION BANK	274-00-26650	CHECKING	AP GENERAL	\$ 2,797,930	\$ 3,671,301	\$ 909,348	\$ 881,274
UNION BANK	274-00-26693	CHECKING	PAYROLL	\$ 54,403	\$ 77,271	\$ 80,438	\$ 67,818
UNION BANK	274-00-26723	CHECKING	CAPITAL PURCHASES	\$ 250,000	\$ 440,595	\$ 243,501	\$ 238,801
UNION BANK	274-00-26715	CHECKING	WORKERS' COMP - CORVEL	\$ 54,860	\$ 78,666	\$ 87,633	\$ 55,804
UNION BANK	274-00-26685	CHECKING	PASS SALES	\$ 79,699	\$ 15,721	\$ 81,354	\$ 81,354
PAYPAL	27SAXUUFL9732	CHECKING	PAYPAL-PASS SALES	\$ 1,854	\$ 299	\$ 2,134	\$ 2,134
			TOTAL	\$ 3,238,746	\$ 4,283,853	\$ 1,404,408	\$ 1,327,185
PARATRANSIT							
UNION BANK	274-00-26669	CHECKING	AP GENERAL	\$ 250,071	\$ 347,515	\$ 423,310	\$ 427,449
			TOTAL	\$ 250,071	\$ 347,515	\$ 423,310	\$ 427,449
LAIF FUND							
LAIF ACCOUNT	4007001	INT-INVEST	OPERATING FUNDS	\$ 7,359,702	\$ 2,292,352	\$ 9,179,308	\$ 9,179,308
LAIF ACCOUNT		INT-INVEST	2014-15 Rolling Stock	\$ 2,476,287	\$ 1,075,526	\$ 369,334	\$ 369,334
LAIF ACCOUNT		INT-INVEST	Lifeline Bus Stop Access	\$ 124,955	\$ 85,664	\$ 84,885	\$ 84,885
LAIF ACCOUNT		INT-INVEST	Facility Rehab	\$ 3,200,598	\$ 3,154,914	\$ 3,040,785	\$ 3,040,785
LAIF ACCOUNT		INT-INVEST	LCTOP - Martinez Shuttle	\$ 102,384	\$ 25,374	\$ 237,099	\$ 237,099
LAIF ACCOUNT		INT-INVEST	LCTOP - Electric Trolley	\$ 177,188	\$ 176,196	\$ 175,533	\$ 175,533
LAIF ACCOUNT		INT-INVEST	Safe Harbor Lease Reserve	\$ 1,455,643	\$ 1,458,426	\$ 1,461,799	\$ 1,461,799
LAIF ACCOUNT		FMV ADJ.	Fair Market Value Adjustment for Year-End	\$ -	\$ -	\$ -	\$ -
			TOTAL	\$ 14,896,757	\$ 8,268,452	\$ 14,548,743	\$ 14,548,743
CCCTA EMPLOYEE							
UNION BANK	274-00-26677	CHECKING	EMPLOYEE FITNESS FUND	\$ 9,676	\$ 8,684	\$ 9,297	\$ 9,297
UNION BANK	274-00-26502	CHECKING	EMPLOYEE FUNCTION	\$ 78	\$ 810	\$ 508	\$ 508
			TOTAL	\$ 9,754	\$ 9,494	\$ 9,805	\$ 9,805
GRAND TOTAL				\$ 18,395,328	\$ 12,909,314	\$ 16,386,266	\$ 16,313,182

7/18/2017

KLM

* GL balances reduced by outstanding checks and increased by deposits in transit, if any.

This is to certify that the portfolio above complies with the CCCTA Investment Policy and that CCCTA has the ability to meet its expenditures (cash flow) for the next six months.

Rick Ramacier
Rick Ramacier

Rick Ramacier
General Manager

County Connection

INTER OFFICE MEMO

To: Administration & Finance Committee
From: Erick Cheung, Director of Finance

Date: January 6, 2018

SUBJECT: Income Statements for the Three Months Ended September 30, 2017

The attached unaudited County Connection Income Statements for the first three months of FY 2018 are presented for your review. The combined expenses of \$8,085,577 for Fixed Route and Paratransit, (Schedule 1), are **10.8% under the budget (\$982,693)**. The expense categories with the most significant variances are:

Wages	\$(197,595)	(6.0)%	Operators' wages are lower by \$43K and Other wages are lower by \$154K. The Manager of Marketing, a mechanic and assistant trainer are vacant.
Fringe Benefits	\$(51,977)	(2.1)%	Fringe Benefits are under due to vacancies.
Services	\$(251,877)	(48.0)%	Services are under mainly due to lower promotions expense (\$36K), service repairs (\$49K), legal (\$58K) and IT contracts (\$67K).
Materials & Supplies	\$(230,076)	(31.6)%	Materials and supplies are lower due to lower diesel fuel costs (\$116K), tires (\$38K) and fewer repair parts and building supplies expenses (\$40K).
Contingency	\$(125,000)	(100.0)%	Not needed based on expenses being under budget.

Fixed route and Paratransit revenues and expenses are presented on **Schedules 2 and 3**. Actual expenses are compared to the year-to-date approved budget. Fixed route expenses are -12.0% under budget and Paratransit expenses are -4.6% under budget.

The combined revenues are also over/(under) budget. The most significant variances:

Passenger fares/special fares	\$(95,435)	(7.7)%	Fixed route passenger fares/special fares are (\$73.5K) lower than budget and Paratransit fares are (\$21.9K) lower than budget. Compared to the same period in the prior year, Fixed route is (\$12K) lower and Paratransit is (\$16K) lower.
TDA revenue earned	\$(1,062,740)	(22.6)%	TDA revenue is lower due to lower than expected expenses.
Other revenue	\$ 147,494	582.8%	The gain on sale of busses for \$135K.

Fixed Route Operator Wages (Schedule 4)

Schedule 4 compares various components of operator wages with the budget.

- Platform (work time) is -2.7% under budget.
- Overtime is -8.7% under budget.
- Training is -3.3% under budget.
- Overall wages for operators are -2.3% under budget.

Statistics (Schedule 6)

Schedule 6 provides selected statistical information for the current year compared to the last two years:

Fixed route:

- Passenger fares/special fares are -1.1% less than FY 2017 and -0.1% less than FY 2016.
- The farebox recovery ratio is lower compared to FY 2017 and FY 2016. The ratio is 15.6% in FY 2018; 16.1% in FY 2017 and 15.9% in FY 2016.
- Operating expenses are 2.2% more than in FY 2017 and FY 2016.
- Fixed route revenue hours are -1.0% less than FY 2017 and -0.9% less than FY 2016.
- The cost per revenue hour has increased 3.3% compared to FY 2017 and 1.4% compared to FY 2016.
- Passengers have decreased -5.0% compared to FY 2017 and -6.9% compared to FY 2016.
- The cost per passenger has increased 7.5% compared to FY 2017 and 9.8% compared to FY 2016.
- Passengers per revenue hour has decreased -4.0% compared to FY 2017 and -7.6% compared to FY 2016.

Paratransit:

- Passenger fares have decreased -13.5% compared to FY 2017 and -24.3% compared to FY 2016.
- The farebox ratio is less than FY 2017 and FY 2016. The ratio is 7.6% in FY 2018; 9.2% in FY 2017; and 10.4% in FY 2016.
- Expenses have increased 4.7% compared to FY 2017 and 4.2% compared to FY 2016.
- Revenue hours are -2.8% less than FY 2017 and -9.5% in FY 2016.
- Passengers have decreased -2.2% compared to FY 2017 and -5.7% compared to FY 2016.
- The cost per passenger has increased 7.0% since FY 2017 and 10.5% compared to FY 2016.
- Paratransit passengers per revenue hour have increased 1.2% compared to FY 2017 and 4.2% compared to FY 2016.

CENTRAL CONTRA COSTA TRANSIT AUTHORITY
FY 2018 Year to Date Comparison of Actual vs Budget
Combined Fixed Route and Paratransit Income Statement
For the Three Months Ended September 30, 2017

	Actual	Budget	Variance	% Variance
Revenues				
Passenger fares	\$ 766,370	\$ 857,434	\$ (91,064)	-10.6%
Special fares	379,137	383,507	(4,370)	-1.1%
	<u>1,145,507</u>	<u>1,240,942</u>	<u>(95,435)</u>	<u>-7.7%</u>
Advertising	146,250	153,985	(7,735)	-5.0%
Safe Harbor lease	3,959	2,218	1,741	78.5%
Other revenue	172,801	25,307	147,494	582.8%
Federal operating	351,211	343,750	7,461	2.2%
TDA earned revenue	3,648,458	4,711,198	(1,062,740)	-22.6%
STA revenue	591,456	591,456	-	0.0%
Measure J	1,539,449	1,517,454	21,995	1.4%
Other operating assistance	486,486	481,961	4,525	0.9%
	<u>6,940,070</u>	<u>7,827,328</u>	<u>(887,258)</u>	<u>-11.3%</u>
Total Revenue	\$ 8,085,577	\$ 9,068,270	\$ (982,693)	-10.8%
Expenses				
Wages- Operators	\$ 1,826,604	\$ 1,870,541	\$ (43,937)	-2.3%
Wages-Other	1,291,171	1,444,829	(153,658)	-10.6%
	<u>3,117,775</u>	<u>3,315,370</u>	<u>(197,595)</u>	<u>-6.0%</u>
Fringe Benefits	2,415,145	2,467,122	(51,977)	-2.1%
Services	273,206	525,083	(251,877)	-48.0%
Materials & Supplies	499,160	729,236	(230,076)	-31.6%
Utilities	82,866	104,363	(21,497)	-20.6%
Insurance	197,769	212,716	(14,947)	-7.0%
Taxes	34,879	57,079	(22,200)	-38.9%
Leases and Rentals	10,319	12,875	(2,556)	-19.9%
Miscellaneous	45,479	52,888	(7,409)	-14.0%
Special Trip Services	1,408,979	1,466,538	(57,559)	-3.9%
Operations	8,085,577	8,943,270	(857,693)	-9.6%
Contingency Reserve	-	125,000	(125,000)	-100.0%
Total Expenses	\$ 8,085,577	\$ 9,068,270	\$ (982,693)	-10.8%
Net Income (Loss)	\$ -	\$ -	\$ -	
Revenue Hours	72,997	76,114	(3,117)	-4.1%
Cost per Rev Hr	\$ 110.62	\$ 118.97	\$ (8.35)	-7.0%
Passengers	887,707	936,841	(49,134)	-5.2%
Cost per Passenger	\$ 9.11	\$ 9.68	\$ (0.57)	-5.9%
Farebox ratio	14.2%	13.7%	0.5%	3.5%
<i>(fares, spec fares/Oper exp-w/o contingency-leases)</i>				

Schedule 1-Combined Fixed Route & Paratransit

CENTRAL CONTRA COSTA TRANSIT AUTHORITY
FY 2018 Year to Date Comparison of Actual vs Budget
Fixed Route Income Statement
For the Three Months Ended September 30, 2017

	Actual	Budget	Variance	% Variance
Revenues				
Passenger fares	\$ 661,480	\$ 730,559	\$ (69,079)	-9.5%
Special fares	379,137	383,507	(4,370)	-1.1%
	1,040,617	1,114,067	(73,450)	-6.6%
Advertising	146,250	153,985	(7,735)	-5.0%
Safe Harbor lease	3,959	2,218	1,741	78.5%
Other revenue	172,801	25,282	147,519	583.5%
TDA earned revenue	3,323,491	4,335,978	(1,012,487)	-23.4%
STA revenue	403,190	403,190	-	0.0%
Measure J	1,157,873	1,135,878	21,995	1.9%
Other operating assistance	452,801	446,961	5,840	1.3%
	5,660,365	6,503,491	(843,126)	-13.0%
Total Revenue	\$ 6,700,982	\$ 7,617,558	\$ (916,576)	-12.0%
Expenses				
Wages- Operators	\$ 1,826,604	\$ 1,870,541	\$ (43,937)	-2.3%
Wages-Other	1,277,561	1,419,757	(142,196)	-10.0%
	3,104,165	3,290,298	(186,133)	-5.7%
Fringe Benefits	2,403,589	2,452,858	(49,269)	-2.0%
Services	263,506	521,183	(257,677)	-49.4%
Materials & Supplies	499,040	728,386	(229,346)	-31.5%
Utilities	76,757	97,750	(20,993)	-21.5%
Insurance	197,769	212,716	(14,947)	-7.0%
Taxes	34,879	57,004	(22,125)	-38.8%
Leases and Rentals	10,319	12,875	(2,556)	-19.9%
Miscellaneous	45,479	52,713	(7,234)	-13.7%
Purchased Transportation	65,479	66,775	(1,296)	-1.9%
Operations	6,700,982	7,492,558	(791,576)	-10.6%
Contingency Reserve	-	125,000	(125,000)	
Total Expenses	\$ 6,700,982	\$ 7,617,558	\$ (916,576)	-12.0%
Net Income (Loss)	\$ -	\$ -	\$ -	
Revenue Hours	55,729	57,185	(1,456)	-2.5%
Cost per Rev Hr	\$ 120.06	\$ 132.98	(12.93)	-9.7%
Passengers	853,155	898,009	(44,854)	-5.0%
Cost per Passenger	\$ 7.85	\$ 8.48	(0.63)	-7.4%
Passengers per Rev Hr	15.31	15.70	(0.39)	-2.5%
Farebox recovery ratio	15.6%	14.9%	0.7%	4.4%

(fares,spec fares/Oper exp-w/o contingency-leases)

Schedule 2-Fixed Route

CENTRAL CONTRA COSTA TRANSIT AUTHORITY
Paratransit Income Statement
FY 2018 Year to Date Comparison of Actual vs Budget
For the Three Months Ended September 30, 2017

	Actual	Budget	Variance	% Variance
Revenues				
Passenger fares (a)	\$ 104,890	\$ 126,875	\$ (21,985)	-17.3%
	104,890	126,875	(21,985)	-17.3%
Other revenue		25	(25)	-100.0%
Federal operating	351,211	343,750	7,461	2.2%
TDA earned revenue	324,967	375,220	(50,253)	-13.4%
STA revenue	188,266	188,266	-	0.0%
Measure J	381,576	381,576	-	0.0%
Other operating assistance	33,685	35,000	(1,315)	-3.8%
	1,279,705	1,323,837	(44,132)	-3.3%
Total Revenue	\$ 1,384,595	\$ 1,450,712	\$ (66,117)	-4.6%
Expenses				
Wages-Other	13,610	\$ 25,072	\$ (11,462)	-45.7%
	13,610	25,072	(11,462)	-45.7%
Fringe Benefits	11,556	14,264	(2,708)	-19.0%
Services	9,700	3,900	5,800	148.7%
Materials & Supplies	120	850	(730)	-85.9%
Utilities	6,109	6,613	(504)	-7.6%
Taxes	-	75	(75)	-100.0%
Miscellaneous	-	175	(175)	-100.0%
Special Trip Services	1,343,500	1,399,763	(56,263)	-4.0%
Total Expenses	\$ 1,384,595	\$ 1,450,712	\$ (66,117)	-4.6%
Net Income (Loss)	\$ -	\$ -	\$ -	
Revenue Hours	17,268	18,929	(1,661)	-8.8%
Cost per Rev Hr	\$ 80.18	\$ 76.64	\$ 3.54	4.6%
Passengers	34,552	38,832	(4,280)	-11.0%
Cost per Passenger	\$ 40.07	\$ 37.36	\$ 2.71	7.3%
Passengers per Rev Hr	2.00	2.05	(0.05)	-2.5%
Farebox ratio	7.6%	8.7%	-1.2%	-13.4%
<i>(fares,spec fares/Oper exp-leases)</i>				

Schedule 3- Paratransit

CENTRAL CONTRA COSTA TRANSIT AUTHORITY
Operator Wages
For the Three Months Ended September 30, 2017

	Actual		Budget		Variance	% Variance
Platform/report/turn in	\$ 1,476,365	\$	1,516,578	\$	(40,214)	-2.7%
Guarantees	55,934		61,239		(5,305)	-8.7%
Overtime	75,282		74,610		672	0.9%
Spread	42,912		40,826		2,085	5.1%
Protection	77,161		76,505		656	0.9%
Travel	54,428		53,972		456	0.8%
Training	37,937		39,243		(1,306)	-3.3%
Other Misc	6,586		7,568		(982)	-13.0%
	\$ 1,826,604	\$	1,870,541	\$	(43,937)	-2.3%

Schedule 4- Operator Wages

CENTRAL CONTRA COSTA TRANSIT AUTHORITY
Other Revenue; Other Operating Assistance; Miscellaneous Expenses
For the Three Months Ended September 30, 2017

Other Revenue

Investment income (interest)	\$ 17,885
ADA Database Management revenue	18,750
Paypal Shipping revenue	256
RTC card revenue	561
Various	135,349
	\$ 172,801

Other Operating Assistance

RM2	\$ 36,335
BART feeder revenue	194,440
LCTOP	73,643
Homeland Security ITS	148,383
	\$ 452,801

Miscellaneous Expenses

Board Travel Expense	\$ 11,248
Staff Travel Expense	13,782
APTA Dues	8,757
Employee functions	5,929
Employee Awards/pins	549
Paypal fees	750
Training	642
Various other	3,822
	\$ 45,479

CENTRAL CONTRA COSTA TRANSIT AUTHORITY
FY 2018 Year to Date Comparison of FY 2017 Actual & FY 2016 Actual
Statistics
For the Three Months Ended September 30, 2017

Actual FY2018	Actual FY2017	Variance Actual 2018 to Actual 2017	Actual FY2016	Variance Actual 2018 to Actual 2016
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Fixed Route

Fares	\$ 661,480	\$ 707,168	-6.5%	\$ 694,596	-4.8%
Special Fares	379,137	345,396	9.8%	346,575	9.4%
Total Fares	\$ 1,040,617	\$ 1,052,564	-1.1%	\$ 1,041,171	-0.1%
<i>Fares box recovery ratio</i>	15.6%	16.1%	-3.2%	15.9%	-2.2%
Operating Exp (Less leases)	\$ 6,690,663	\$ 6,548,200	2.2%	\$ 6,544,082	2.2%
<i>Revenue Hours</i>	55,729	56,320	-1.0%	55,255	0.9%
<i>Cost per Rev Hour</i>	\$ 120.06	\$ 116.27	3.3%	\$ 118.43	1.4%
<i>Passengers</i>	853,155	898,009	-5.0%	915,922	-6.9%
<i>Cost per Passenger</i>	\$ 7.84	\$ 7.29	7.5%	\$ 7.14	9.8%
<i>Passengers per Rev Hr</i>	15.31	15.94	-4.0%	16.58	-7.6%

Paratransit (a)

Fares	\$ 104,890	\$ 121,235	-13.5%	\$ 138,512	-24.3%
<i>Fares box recovery ratio</i>	7.6%	9.2%	-17.3%	10.4%	-27.3%
Operating Exp (Less leases)	\$ 1,384,595	\$ 1,323,043	4.7%	\$ 1,328,362	4.2%
<i>Revenue Hours</i>	17,268	17,759	-2.8%	19,087	-9.5%
<i>Cost per Rev Hour</i>	\$ 80.18	\$ 74.50	7.6%	\$ 69.60	15.2%
<i>Passengers</i>	34,552	35,316	-2.2%	36,643	-5.7%
<i>Cost per Passenger</i>	\$ 40.07	\$ 37.46	7.0%	\$ 36.25	10.5%
<i>Passengers per Rev Hr</i>	2.00	1.99	1.2%	1.92	4.2%

(a) Information on fare revenues and revenue hours are based on estimates from First Transit.

To: A&F Committee

Date: December 26, 2017

From: Lisa Rettig
Director of Human Resources

Subject: Updated Drug and Alcohol Free
Workplace Policy

SUMMARY OF ISSUES:

CCCTA is required by the FTA to have a Drug and Alcohol Free Workplace Policy. This policy is contained in Section 209 of CCCTA's Employee handbook. Staff, with the assistance of a representative of the FTA, has updated the policy to ensure that it is compliant with the FTA rules and regulations. An updated Drug and Alcohol-Free Workplace Policy, Section 209 is attached.

Effective 1/1/18 the DOT has updated 49 CFR Part 40.

The changes included in the updated policy include the following:

Testing now includes semi-synthetic opioids (i.e. hydrocodone, oxycodone, hydromorphone and oxymorphone). Some common names for these semi-synthetic opioids include OxyContin, Percodan, Percocet, Viocodin, Lortab, Norco, Dilaudid, and Exlago. In addition, MDEA is no longer included in the testing panel.

FINANCIAL IMPLICATIONS:

There is no additional cost anticipated with these updates.

ACTION REQUESTED:

Forward to the Full Board with recommended approval of Resolution 2018-009

Section 209
CENTRAL CONTRA COSTA TRANSIT AUTHORITY
DRUG- AND ALCOHOL-FREE WORKPLACE POLICY

1.0 POLICY STATEMENT

The Central Contra Costa Transit Authority (or the Authority) is dedicated to providing safe, dependable and efficient transportation services to our passengers and the citizens of Central Contra Costa County. CCCTA employees are our most valuable resource, and it is our goal to provide a healthy, satisfying, working environment that promotes personal opportunities for growth. We also recognize that our employees' use of illegal drugs and misuse of alcohol poses a significant risk to public safety, reduces productivity in the workplace, and negatively affects the employee's health and well being. In view of this, the Authority has adopted this policy that is designed to:

1. Create a work environment free from the adverse effects of drug abuse and alcohol misuse;
2. Deter and detect employees' use of illegal drugs and misuse of alcohol;
3. Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances;
4. Encourage employees to seek professional assistance anytime personal problems, including drug or alcohol dependency, adversely affect their ability to safely perform their assigned duties; and
5. Discipline employees who violate the Policy, up to and including termination.

2.0 PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the safety and health risks posed by the misuse of alcohol and use of prohibited drugs. This policy is intended to comply with all applicable State and Federal regulations governing workplace anti-drug use and alcohol misuse programs in the transportation industry. They include DOT 49 CFR Part 40, as amended ("Procedures for Transportation Workplace Drug and Alcohol Testing Programs"); FTA 49 CFR Part 655 ("Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations"); DOT 49 CFR Part 29 ("Drug-Free Workplace Act of 1988"); and CA Govt. Code Section 8350 et seq. ("Drug-Free Workplace Act of 1990"). This policy incorporates the requirements of above regulations for safety-sensitive employees and others when so noted.

NOTE: Additional requirements and/or disciplinary actions established under the Authority's authority are entered in **bold-faced type**.

3.0 APPLICABILITY

Unless otherwise noted in specific provisions, this policy applies to **all** employees (including contract employees) regardless of their functions. **The application of this policy to nonsafety-sensitive employees comes under the Authority's own authority. Visitors, invitees, and vendors also are prohibited from entering the premises and/or from conducting any work on behalf of the Authority when illegal**

substances are present in their system, or the odor of alcohol is present on their breath. This policy applies to off-site lunch periods or other authorized breaks when an employee is scheduled to return to work or is on-call.

Contractors that provide safety-sensitive work for the Authority (e.g. paratransit service) are not covered by this policy; but they are required to have a drug and alcohol testing program that complies with the minimum requirements of Part 40 and Part 655.

4.0 PRE-EMPTION OF STATE AND LOCAL LAWS

If any conflict occurs between State and local laws and any requirement of the above-mentioned Federal regulations, the Federal regulations prevail. However, Federal regulations do not pre-empt provisions of State criminal laws that impose sanctions for reckless conduct attributed to prohibited drug use or alcohol misuse, whether the provisions apply specifically to transportation employees, employers, or the public in general.

5.0 DEFINITIONS

Adulterated Specimen: A urine specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

Alcohol Use: The drinking or swallowing of any beverage, liquid mixture or preparation (including any medication) containing alcohol. For purposes of this policy, alcohol is alcohol regardless of source.

Breath Alcohol Technician (BAT): An individual who instructs and assists employees or applicants in the alcohol testing process and operates an Evidential Breath Testing (EBT) device.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which Part 40 requires to be canceled. A canceled test is neither a positive nor a negative test.

Collection Site: A place designated by the Authority where individuals present themselves for the purpose of providing a specimen of their urine to be analyzed for the presence of drugs, and/or measure for alcohol by an evidential breath testing device.

Collector: A person who instructs and assists individuals at a collection site, who receives and makes an initial inspection of the specimen provided by the individual, and who initiates and completes the Custody and Control Form (CCF).

Covered Employee: A person, including a volunteer, applicant/transferee, or contract employee, who performs or is required to perform a safety-sensitive function for the Authority.

Designated Employer Representative: An employee or employees authorized by the company to take immediate action(s) to remove employees from safety-sensitive duties,

or cause employees to be removed from these covered duties, following a positive test, test refusal, or other policy violations.

DHHS: Department of Health and Human Services.

Disabling Damage: Damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs, including damage to motor vehicles that could have been driven, but would have been further damaged if so driven. "Disabling damage" does not include:

- Damage which can be remedied temporarily at the scene of the accident without special tools or parts.
- Tire disablement without other damage even if no spare tire is available.
- Headlamp or taillight damage.
- Damage to turn signals, horn, or windshield wipers which makes them inoperative.

DOT: Department of Transportation.

Drugs: The drugs for which tests are required under DOT and FTA regulations. They are marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

Drug Abuse: Use of any illegal drug or controlled substance without a valid prescription, misuse of legally prescribed drugs, or use of illegally obtained prescription drugs. This includes use of prescription drugs legally prescribed to another individual.

Evidential Breath Testing (EBT) Device: A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath under DOT Part 40 and placed on the NHTSA's Conforming Products List.

FTA: Federal Transit Administration.

Invalid Drug Test: The result of a urine drug test that contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

Public Transit Vehicles: Vehicles used for public transportation or ancillary services. They include buses, vans, automobiles, and non-revenue commercial motor vehicles.

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

Positive Alcohol Test: The presence of alcohol in the body at a blood alcohol concentration (BAC) of **0.04** or greater as measured by an EBT device.

Positive Drug Test: Any urine that is chemically tested (screened and confirmed), shows the presence of controlled substances, and is verified by the MRO.

Refusal to Test: Includes circumstances or behaviors such as:

- Failure to appear for any test (except a pre-employment test for new hires) at the collection site in the time allotted.
- Failure to remain at the testing site until the testing process is completed, except in pre-employment testing for new hires where leaving the site before the testing process begins is not deemed to be a test refusal.
- Failure to provide a urine, breath, or saliva specimen as required by DOT Part 40.
- Failure to permit the observation or monitoring of specimen collection when it is required.
- For an observed collection, fail to follow the observers instructions to raise your clothing above the waist, lower clothing and underpants to mid-thigh, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process
- Admitting to the collector or MRO that you adulterated or substituted the specimen
- Failure to provide a sufficient amount of urine or breath specimen without a valid medical explanation.
- Failure or refusal to take a second test when required.
- Failure to undergo a medical evaluation when required. In the case of a pre-employment test, the individual is deemed to have refused to test only if the pre-employment test is conducted following a contingent offer of employment.
- Failure to cooperate with the testing process. (Examples: refusal to empty pockets when requested, or behaving in a confrontational manner that disrupts the collection process)
- In alcohol testing, refusal to sign Step 2 of the Alcohol Test Form.
- Leaving the scene of the accident without just cause prior to submitting to a test.
- If the MRO reports a verified adulterated or substituted test result.

Note: A refusal to test is equivalent to a positive test result.

Split specimen: In drug testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second DHHS-certified laboratory for testing upon employee request following a verified positive or a verified adulterated or substituted test result from the primary specimen.

Substance Abuse Professional (SAP): A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare. In order to be a qualified SAP, the individual must be a licensed physician (medical doctor or doctor of osteopathy); or a licensed or certified psychologist, social worker, employee assistance professional, a state-licensed marriage and family counselor or addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse), and has knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders.

Substituted Specimen: A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

6.0 EDUCATION AND TRAINING

The education and ongoing awareness component of this policy will include display of posters, distribution to all covered employees and representatives of employee organizations of the drug and alcohol policy and other informational materials, and periodic information seminars. Each employee will be required to sign an acknowledgment form.

As required by FTA regulations, the Authority will provide to all safety-sensitive employees a minimum of 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.

Supervisors or company officials who may make reasonable suspicion referrals shall receive an additional 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use, and at least 60 minutes on the physical, behavioral, speech and performance indicators of probable alcohol misuse.

7.0 CONTACT PERSON

Any questions about this policy or any aspect of the Authority's drug- and alcohol-free program should be referred to the following Designated Employer Representative:

Title: Director of Human Resources
Address: 2477 Arnold Industrial Way, Concord, CA 94520
Telephone Number: (925) 676-1976

8.0 COVERED EMPLOYEES

As a condition of employment, **all** employees are required to submit to drug and alcohol tests administered in accordance with 49 CFR Parts 40 and 655. (**Nonsafety-sensitive employees are covered under the Authority's own authority.**) A refusal to submit to a test as directed will be considered to be a positive test result and the employee will be subject to all the attending consequences as stated in this policy. (Please refer to Section 5.0 - DEFINITIONS for specific circumstances or behaviors that are considered refusal to test.)

As defined by the FTA, safety-sensitive employees include those who perform, or may be called upon to perform, any of the following safety-sensitive functions.

1. Operating a revenue service vehicle, even when it is not in revenue service;
2. Operating a non-revenue service vehicle which is required to be operated by a Commercial Driver's License (CDL) holder;
3. Controlling dispatch or movement of a revenue service vehicle;
4. Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service.

Supervisors are considered safety-sensitive only if they perform, or may be called upon to perform any of the above safety-sensitive functions.

The Authority has analyzed actual job duties performed, or may be called upon to perform, by all of its employees and has determined that the job classifications listed below are considered safety-sensitive for the purposes of this policy.

- Manager of Safety and Training
- Training Coordinator
- Transportation Supervisor
- Director of Maintenance
- Transit Operator
- Mechanic I, II, III, IV, V, VI
- Service Worker
- Contracted maintenance personnel who maintain revenue service vehicles or equipment used in revenue service
- Contracted transit services personnel

9.0 DRUGS (OR THEIR METABOLITES) TESTED FOR AND CONFIRMATORY CUT-OFF LEVELS

Adhering to 49CFR Part 40 as amended

10.0 PROHIBITED CONDUCT/BEHAVIORS

Any employee engaging in the manufacture, distribution, sale, dispensing, possession, or use of prohibited substances on Authority premises, in transit vehicles, in uniform on/off duty, or while on transit Authority business is a violation of this Policy and will subject the employee to disciplinary process, up to and including termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

Employees also are required to notify the Authority within five (5) days of any criminal drug statute conviction which occurs as the result of an incident which happened in the workplace or while on duty. Failure to notify the Authority of such shall subject the employee to disciplinary action, up to and including termination.

10.1 Illegal Drugs

The prohibited drugs listed in 49CFR Part 40 as amended are illegal under federal law and employees are prohibited from consuming any of them at all times, on or off duty. Employees may be tested for illegal drugs anytime they are on duty or subject to duty. Note: While the use of marijuana has been legalized under state law, it remains an illegal drug under federal law and its use as it impacts the workplace is prohibited by the Authority's policy.

10.2 Prescription or Over-the-Counter Medications

Under the Authority policy, the appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, safety-sensitive employees must notify their manager and may not perform any safety-sensitive function if their medication carries a warning label that mental functioning, motor skills or judgment may be adversely affected, unless the medication is being used in accordance with the instructions of a physician who has provided a written determination that the substance will not adversely affect the employee's ability to safely perform safety-sensitive duties. It is the employee's responsibility to determine from his or her physician or practitioner whether or not the substance may impair job performance. Failure to immediately report the use of impairing drugs or failure to provide a valid evidence of medical authorization will result in disciplinary action, up to and including termination.

A prescription is considered valid only if it is in writing and indicates the employee's name, date, the name of the substance, quantity or amount to be taken, and the period of authorization. Controlled substances obtained illegally outside the United States are not considered valid medical prescriptions under this policy. It is a violation of this policy to use any controlled substance in a manner that is inconsistent with the prescription.

10.3 Alcohol

Safety-sensitive employees are prohibited from consuming alcohol in any form under the following circumstances:

- While performing safety-sensitive functions;
- Within four (4) hours prior to performing safety-sensitive functions;
- While they are on call; or
- Within eight (8) hours following an accident requiring a post-accident alcohol test, unless the test was completed within 8 hours.

If an employee on call discloses alcohol consumption when called for duty, the Authority may require the employee to report to the collection site for alcohol testing to determine ability to perform a safety-sensitive function. If the employee tests below 0.02, he or she may be required to report to work.

An alcohol test is considered positive if the employee's alcohol concentration rate, as measured by an evidential breath testing device, is at 0.04 or greater. A covered employee having an alcohol concentration of 0.04 or greater is prohibited from performing or continuing to perform safety-sensitive functions. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed after 15 minutes, but no more than 30 minutes later to confirm the results of the initial test. The confirmation test will be at CCCTA's expense. An employee who has a confirmed alcohol concentration of greater than or equal to 0.02 but less than 0.04 will be removed from duty for eight hours unless subsequent retests result in a concentration of less than 0.02.

TYPES OF TESTING

11.1 PRE-EMPLOYMENT TESTING

All candidates for employment, or any employee transferring from a non-safety-sensitive to a safety-sensitive position will be required to undergo pre-employment drug tests at a time and place designated by the Authority. A verified negative drug test result must be received by the Authority before an employee or candidate can be allowed to perform any safety-sensitive function for the first time. If a pre-employment test is canceled, the individual will be required to undergo another test and successfully pass the test with a verified negative result.

Subject to the candidate's written consent, the Authority will check on the substance abuse testing background of candidates and employees being considered for final selection into any safety-sensitive position within the agency. If the individual refuses to provide the written consent, he or she will not be hired into the safety-sensitive position.

If the information obtained from the previous employer(s) indicates a violation of a DOT or FTA substance abuse testing rule, the employee may not be allowed to perform any safety-sensitive function unless he or she has successfully complied with the return-to-duty requirements. If the individual has had a positive pre-employment substance abuse test, or has refused such a test, he or she will not be hired until and unless the individual has provided a documentation of successful completion of the return-to-duty process, which includes a SAP referral, evaluation and treatment plan.

In addition, an employee who has not performed any safety-sensitive function for at least 90 consecutive calendar days (regardless of the reason), and has been out of the random pool during that period, must pass a pre-employment drug test before he or she is allowed to return to safety-sensitive work.

11.2 REASONABLE SUSPICION TESTING

It is the responsibility of any employee who observes or has knowledge of another employee in a condition which may impair his or her ability to safely and effectively perform his or her duties, or may pose a safety hazard to self or others, to promptly report the incident to his or her supervisor, or any supervisor if the immediate supervisor is not available.

Whenever a supervisor (or other company official) has reason to believe that an employee has used a prohibited drug and/or engaged in alcohol misuse, reasonable testing will be conducted. The individual who makes the referral need not be the employee's own supervisor, as long as he or she has received training in detecting the signs and symptoms of drug use and alcohol misuse. The supervisor's or company official's observations will be documented and such documentation shall be kept in the employee's confidential drug and alcohol testing file. Such documentation shall describe and document the following:

- a) the date and time observations were made;
- b) specific, contemporaneous and articulable observations concerning the employee's appearance, behavior, speech, body odors and/or performance

FTA rule requires that a reasonable suspicion alcohol test be conducted only if the reasonable suspicion observation is made just before, during, or just after the employee's performance of safety-sensitive function. If the alcohol test is not conducted within two hours, the reason for the delay must be documented and kept in the employee's reasonable suspicion test file. All attempts to complete the alcohol test must cease after eight hours.

11.3 POST-ACCIDENT TESTING

Safety-sensitive employees operating a public transit vehicle at the time of an accident shall be required to submit to drug and alcohol tests as soon as practicable after the accident. For purposes of this policy, "accident" is defined as an accident involving a public transit vehicle where the result is:

- An individual dies;
- An individual suffers a bodily injury and immediately receives medical treatment away from the scene;
- The bus or any other vehicle(s) involved in the accident suffers a disabling damage as a result of the accident and is transported away from the scene by a tow truck or other vehicle.

11.3.1 Fatal Accidents

Whenever there is a loss of human life, any surviving employee operating the Authority vehicle at the time of the accident shall be tested for drugs and alcohol. Any safety-sensitive employee not in the vehicle but whose performance could have contributed to the accident also shall be tested.

11.3.2 Non-fatal Accidents

Following non-fatal accidents, the employee operating the vehicle at the time of the accident shall be tested unless his or her performance can be completely discounted as a contributing factor to the accident. Any other safety-sensitive employee whose performance could have contributed to the accident also shall be tested.

11.3.3 Other Post-Accident Testing Requirements

An employee who is involved in an accident must immediately report the accident to his or her supervisor. Failure to immediately report the accident is ground for discipline, up to and including termination. Employees involved in an accident that requires testing must remain readily available for testing, including notifying the Authority of their location if they leave the scene of the accident before testing to obtain emergency medical care, or to obtain assistance in responding to the accident. They will be considered to have refused to submit to testing if they fail to do so and will be terminated from employment.

Employees are prohibited from using alcohol for eight hours following an accident or until the post-accident testing is completed, whichever occurs first. Every effort will be made to conduct alcohol testing within two hours after the accident. In the event the alcohol test is delayed beyond two hours, the Authority will prepare and maintain a record stating the reason(s) for the delay. If an alcohol test is not administered within eight hours following the accident, the Authority will cease all efforts to administer the test and document the reason for the inability. In the event a drug test is not administered within 32 hours from the time of the accident, the Authority will cease all attempts to administer the drug test. This requirement should not be construed to delay the necessary medical attention for injured people following the accident.

If the Authority is unable to perform post-accident tests within the required period of compliance, the Authority will use the post-accident test results administered by State or local law enforcement personnel under their own authority, provided the test results are obtained by the Authority.

After the accident, the employee will be removed from service, but remain on paid status during the testing period and while awaiting test results, unless the employee is suspended for any additional purposes concurrent with the waiting of the test results. If all test results are negative, the employee will be immediately returned to work. If the alcohol test result is positive or the drug test result is non-negative (positive, adulterated, or substituted), the employee will be terminated.

11.4 RANDOM TESTING

Safety-sensitive employees are required to undergo random drug and alcohol tests to deter use of prohibited drugs and misuse of alcohol. The random selection will be conducted using a scientifically valid method, such as a random number table or a computer-based random number generator, which gives each covered employee an equal chance of being selected every time a selection is made. As is the nature of the random method, it is possible that some employees will be selected several times in one year, and other employees not for several years. Management does not have any discretion on who will be selected.

Every effort will be made by the Authority to spread random testing reasonably throughout the calendar year, the testing period, all days of the week, and all hours when safety-sensitive functions are performed. The testing dates and times are unannounced and employees are required to immediately and directly proceed to the designated collection site following notification.

The Authority will conduct random drug and alcohol tests at a minimum annual percentage of covered employees as required by the FTA. The rates are subject to change on an annual basis, depending on the industry-wide positive rate determined by the FTA from the annual MIS reports submitted by covered employers.

A covered employee shall only be tested for alcohol misuse while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions.

Commented [JL1]: This applies to all types of alcohol testing, not just random testing.

11.5 RETURN-TO-DUTY TESTING

An employee who has refused a required test, has a verified positive, adulterated or substituted drug test result, or tests positive for alcohol at **0.04** or greater, shall not be allowed to return to safety-sensitive duties until after he or she has completed the return-to-duty process. This includes evaluation by a SAP, successful completion of the rehabilitation, treatment or education program outlined by the SAP, and obtaining a verified negative return-to-duty drug test and/or alcohol test under 0.02.

11.6 FOLLOW-UP TESTING

In addition to the Return-to Duty test described in Section 11.5, an employee who previously tested positive, or refused to take a required test, shall be subject to follow-up testing for drugs and/or alcohol, as prescribed by the SAP, for a minimum period of 12 months to a maximum of five years. As mandated by the FTA, the employee shall undergo at least six follow-up tests during the first 12 months of his or her return to work. Although they are both unannounced, follow-up testing is apart and separate from random testing. The duration and frequency of testing will be designated by the SAP, but the actual follow-up testing dates will be decided by the employee's manager or supervisor.

12.0 DRUG & ALCOHOL TESTING PROCEDURES

All DOT drug and alcohol tests required under this policy will be administered in accordance with the "Procedures for Transportation Workplace Drug and Alcohol testing Programs (49 CFR Part 40), as amended.

Throughout the testing process, the privacy of the employee will be protected and the integrity and validity of the process will be maintained. The drug testing procedure will include a split specimen collection method and a federal Custody and Control Form with a unique identification number to ensure that the correct test result is attributed to the correct employee. An initial screening test using an immunoassay technique will be performed. If the specimen is positive for one or more of the drugs tested, then a confirmation test will be performed using the state-of-the-art gas chromatography/mass spectrometry (GC/MS) analysis. If the test is confirmed positive, the MRO will conduct a verification process, which includes giving the employee an opportunity to provide a valid medical explanation for the positive test result.

Additionally, the laboratory may conduct analyses to determine if a urine specimen has been adulterated, tampered with, or diluted. A "negative-dilute" result, as reported by the MRO shall be considered a negative test result.

If the laboratory reports to the MRO an "Invalid Result" or "Rejected for Testing" (because of a fatal or uncorrectable flaw), a recollection may be required by the MRO, and depending on the circumstances, the recollection may be directly observed.

Tests for alcohol concentration will be conducted using an alcohol screening device and an evidential breath testing (EBT) device if the screen test is at 0.02 BAC or greater. A DOT Alcohol Testing Form will be used and a unique sequential number will be assigned to each test.

Detailed drug and alcohol specimen collection procedures are available upon request from the Contact Person identified in Section 7.0 of this policy.

13.0 DIRECTLY- OBSERVED URINE SPECIMEN COLLECTION

Under the following circumstances, the employee will be directed to undergo an immediate urine specimen collection under direct observation with no advance notice:

- If the laboratory reported to the MRO that a specimen is invalid and there was no adequate medical explanation for the result;
- If the MRO reported that the original positive, adulterated, or substituted test result had to be canceled because the split specimen testing could not be performed;
- If the drug test is a return-to-duty or a follow-up test;
- If the collector observes employee conduct that clearly indicates an attempt to tamper with a specimen;
- If the temperature on the original specimen was out of range; or
- If the original specimen appeared to have been tampered with.

The observer shall be the same gender as the employee, but need not be the collector. The observer is responsible for ensuring that the specimen goes from the employee's body into the collection container. If the employee declines to allow a directly observed collection when required or permitted under this policy, it is considered a refusal to test.

14.0 MONITORED URINE SPECIMEN COLLECTION

Under those circumstances when a multi-stall restroom has to be used for urine specimen collection and the facility cannot be adequately secured, the collector will conduct a monitored collection. The monitor shall be the same gender as the employee, unless the monitor is a medical professional. The monitor will not watch the employee void into the collection container. However, if the monitor hears sounds or observes attempts to tamper with a specimen, an additional collection under direct observation will be ordered. If the employee declines to permit a collection authorized to be monitored, it is considered a refusal to test.

15.0 SPLIT SPECIMEN TESTING

After notification by the MRO of a positive drug test or refusal to test because of adulteration or substitution, the employee has 72 hours to request from the MRO (verbally or in writing) a test of the split specimen. After 72 hours have passed, the request can be considered only if the employee can present to the satisfaction of the MRO information that unavoidably prevented the employee from making a timely request.

Following the employee's timely request, the MRO shall send a written request to the primary laboratory to forward the split specimen to a second DHHS-certified laboratory for testing without regard to the cut-off concentration. If the second laboratory fails to reconfirm the substance detected in the primary specimen or the adulterant identified, or if the split specimen is unavailable for testing, the test shall be canceled. The MRO shall report the cancellation and the reasons for it to the DOT, the company, and the employee. In the case of the split specimen being unavailable, the employee shall be directed, with no advance notice, to submit another specimen under direct observation.

16.0 CONSEQUENCES / DISCIPLINE

Any safety-sensitive employee who has a verified positive drug test result, an alcohol concentration of **0.04** or above, or refuses to submit to a drug or alcohol test (including adulteration or substitution) shall be:

1. Immediately taken out of safety-sensitive duty;
2. Referred to a SAP for evaluation, education or treatment and provided educational materials.

Under the Authority's own authority, non-safety-sensitive employees also may be removed from duty, referred to a EAP, and be subject to discipline.

FTA regulations allow individual employers to determine the discipline to be imposed on employees who violate the DOT/FTA regulations or company policy. **The Authority's discipline policy is as follows:**

Positive test results on Random tests will result in a "Second Chance". The employee will be removed from service and referred to an SAP for evaluation. Upon completion of the SAP program the employee will be subject to Return to Duty and Follow-up testing per the SAP.

Positive test results on Post-Accident, Return to Duty, Follow-Up or Reasonable Suspicion testing will result in immediate termination.

17.0 REFERRAL, EVALUATION AND TREATMENT

If an employee (including an applicant) tests positive for drug(s) or alcohol or refuses to submit to a test when required, the Authority shall advise the individual of the resources available for evaluating and resolving problems associated with prohibited drug use and alcohol misuse and document such referral. He or she shall be given an EAP referral.

18.0 VOLUNTARY REHABILITATION

CCCTA employees are encouraged to voluntarily seek professional help before any substance use or dependence affects job performance. An employee who has a drug and/or alcohol abuse problem and has not been selected for testing or is not involved in a disciplinary proceeding may voluntarily refer himself or herself to the EAP for evaluation and treatment recommendations. Confidentiality, job security and promotional opportunities will be protected and no disciplinary

Commented [AMC2]: What if an employee fails a random test 2 times in a row? Do they still get a second chance?

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action will be taken. The employee may be eligible for sick leave, disability benefits, or vacation while undergoing rehabilitation or treatment. The Employee Assistance Program (EAP) is available to assist employees who seek help voluntarily for drug and/or alcohol problems. The EAP will serve as a screening and referral source for employees who have substance abuse problems. The cost of up to three EAP counseling sessions per calendar year will be borne by CCCTA. The cost of additional counseling sessions and/or any rehabilitation program will be borne by the employee. Many medical benefit plans do cover and/or offer some rehabilitation programs.

19.0 CONFIDENTIALITY AND ACCESS TO FACILITIES AND RECORDS

Employees have a right to examine their own drug and alcohol testing records, provide information to dispute the results, and have access to any pertinent data such as EBT calibration or drug testing laboratory certification. They also have a right to obtain a copy of their own drug and/or alcohol testing results by submitting a written request to the Designated Employer Representative identified in Section 7.0 of this policy.

The Authority will do everything possible to safeguard the confidentiality of drug and alcohol testing records and protect the privacy of the individuals tested. Individual test results or medical information will be released to third parties (e.g. previous employers, unions) only with the employee's specific written consent, or to those parties authorized by the DOT or FTA to receive such information without the employee's consent. Specific written consent applies only to a particular piece of information released to a particular person or organization at a particular time. Blanket releases are specifically prohibited by DOT.

The employee's written consent is not required in administrative or legal proceedings such as:

- A lawsuit, grievance, or administrative proceeding brought by, or on behalf of the employee, resulting from a positive drug or alcohol test or a refusal to test; or
- A criminal or civil action resulting from an employee's performance of safety-sensitive duties where the alcohol or drug test information is deemed relevant.

Access to Authority facilities and drug and alcohol program records also must be provided, without the employee's consent, to DOT or FTA agency representatives; the National Transportation Safety Board as part of an accident investigation; a Federal, state or local safety agency with regulatory authority over the company or the employee; or State or grantee required to certify to FTA compliance with 49 CFR Parts 40 and 655.

To: Administration & Finance

Date: 12/21/2017

From: Ruby Horta, Director of Planning & Marketing

Reviewed by:

SUBJECT: SB1 State of Good Repair Funds

Background:

The Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, otherwise known as Proposition 1B provided funding for the Transit Security Grant Program (TSGP). Funds from this source were made available to project sponsors in California for capital security and safety projects. County Connection's annual allocation totaled approximately \$116,000 for the past several years. In the final year of Prop 1B disbursement from Cal OES (FY 16-17), County Connection collected approximately \$93,000. Since 2013, TSGP funds have been used to support ongoing maintenance of our radio, onboard computer, CAD/AVL, and BusTime systems. This is an allowable TSGP expense because the funds are going to maintain a capital system that is directly related to security.

State of Good Repair (SGR):

Senate Bill 1 (SB1) will provide approximately \$105 million annually to transit operators for eligible transit maintenance, rehabilitation and capital projects. These funds are referred to as State of Good Repair (SGR). The SGR Program is funded from a portion of a new Transportation Improvement fee on vehicle registrations due on or after January 1, 2018. Based on the State Controller's Office (SCO) allocation estimate, County Connection is eligible to receive \$119,162.

Eligible projects for SGR funding include security equipment and systems, as well as preventative maintenance. Our goal is to replace TSGP funds, which are no longer available, with SGR funds to support the ongoing maintenance of our onboard technology.

Recommendation:

Staff is proposing to apply for a grant amount of \$119,162 in FY 2017-18 SGR funds to pay for the ongoing maintenance expenses related to the ITS systems. Staff recommends submittal of the attached resolution (Resolution No. 2018-008) to the Board, for approval.

Financial Implications:

Using FY 2017-18 SGR funds to pay for ongoing ITS maintenance expenses will directly offset operating expenses.

RESOLUTION 2018-008

BOARD OF DIRECTORS CENTRAL CONTRA COSTA TRANSIT AUTHORITY
STATE OF CALIFORNIA

* * *

AUTHORIZATION FOR THE EXECUTION OF THE
CERTIFICATIONS AND ASSURANCES
FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM

WHEREAS, the County of Contra Costa and the Cities of Clayton, Concord, the Town of Danville, Lafayette, Martinez, the Town of Moraga, Orinda, Pleasant Hill, San Ramon and Walnut Creek (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("Authority"), a joint exercise of powers agency created under California Government Code Section 6500 *et seq.*, for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions;

WHEREAS, the Authority is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair Account (SGR) now or sometime in the future for transit projects;

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

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

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

WHEREAS, the Authority wishes to delegate authorization to execute these documents and any amendments thereto to the General Manager or his designee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Central Contra Costa Transit Authority that the fund recipient 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 projects; and

BE IT FURTHER RESOLVED that the General Manager or his designee be authorized to execute all required documents of the SGR program and any Amendments thereto with the California Department of Transportation.

Regularly passed and adopted this 18th day of January 2018, by the following vote.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Robert Schroder, Chair, Board of Directors

ATTEST:

Lathina Hill, Clerk to the Board