

RESOLUTION NO. 2507

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
ENTERING INTO AN AGREEMENT BETWEEN
MONTEREY-SALINAS TRANSIT AND
THE CITY OF SOLEDAD FOR
'RIDES' PROGRAM**

WHEREAS, the City of Soledad has been required to help provide transportation to low-moderate income families for medical services, pursuant to unmet transportation needs; and

WHEREAS, the City of Soledad has had a contract with the Transportation Agency of Monterey County (TAMC) for providing the 'RIDES' Program services to the City; and

WHEREAS, the City is being provided the 'RIDES' services through TAMC by Pro Transportation Services, Inc., through June 30, 1999; and

WHEREAS, State and Federal Guidelines now call for TAMC not to be the direct provider of services, due to their auditing status of Local Transportation Fund (LTF) funds that fund the 'RIDES' Program; and

WHEREAS, the Monterey-Salinas Transit has prepared a proposed agreement between MST and the City of Soledad as shown on "Exhibit A", hereunto attached and made a part hereof.

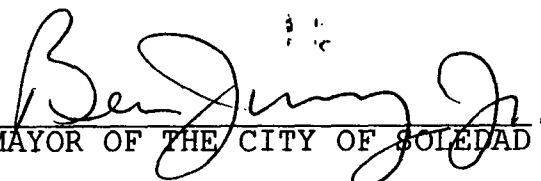
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Soledad approves entering into an agreement with the Monterey-Salinas Transit for the 'RIDES' Program as shown on "Exhibit A."

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 15th day of May, 1996, by the following vote:

AYES, and in favor thereof, Councilmembers: John Holguin, Fred Ledesma, Richard Ortiz, Mayor Pro Tem Fabian Barrera, Mayor Ben Jimenez, Jr.

NOES, Councilmembers: None

ABSENT, Councilmembers. None


MAYOR OF THE CITY OF SOLEDAD

ATTEST.


CITY CLERK OF THE CITY OF SOLEDAD

**AGREEMENT BETWEEN
MONTEREY-SALINAS TRANSIT AND
THE CITY OF SOLEDAD**

This Agreement is entered into this 13th day of May, 1996 in the State of California by and between the City of Soledad, hereinafter referred to as CITY, and Monterey-Salinas Transit, hereinafter referred to as MST



01 PURPOSE

MST shall be responsible for the operation and administration of the MST RIDES Program in South Monterey County, and specifically for intercity service provided for CITY. The CITY will retain policy control over the service offered by CITY with respect to fares, service levels, and program eligibility, subject to all local, state, and federal laws and regulations.

02 MST RIDES PROGRAM

The "MST RIDES" program is a "curb-to-curb" transportation program for persons with disabilities unable to use fixed route public transit. The service is provided in the urbanized area of Salinas and the Monterey Peninsula, North Monterey County, and along the Highway 101 corridor including the communities of Gonzales, Soledad, Greenfield, King City, San Lucas, San Ardo, Lockwood and Bradley. The service is funded by Local Transportation Funds, State Transit Assistance Funds, Federal Transit Administration funds, and passenger fares.

03 ADMINISTRATION OF PROGRAM

MST shall serve as the program administrator for the MST RIDES program beginning July 1, 1996. MST shall provide vehicle operators, dispatchers and customer service personnel for the MST RIDES program. MST shall be responsible for maintaining vehicles and providing administrative support for the program. As the prime contractor, MST reserves the right to subcontract some or all of the MST RIDES program.

04. CONTINUATION OF CURRENT CONTRACT OPERATOR THROUGH FY99

MST agrees to accept assignment of the current contract between the County of Monterey and Pro Transportation Services Inc. (PTS) for the operation of the MST RIDES program through the fiscal year ending June 30, 1999

05 CHANGES IN PROGRAM POLICIES

All policies affecting service in CITY proposed by MST, including but not limited to passenger fares, service hours, eligibility, trip purposes, level of service, and service area will be subject to approval of CITY. CITY may request changes in policies by providing written notice to MST at least sixty days prior to any change. CITY agrees to coordinate passenger fares, service hours, eligibility, trip purposes, level of service with other MST RIDES services to the greatest extent possible. All program policies shall comply with applicable local, state and federal laws and regulations. Changes in policies will be implemented by MST two times per year on the same dates as MST's systemwide service changes (usually the first Saturday in April and the first Saturday in September).

06 CURRENT CITY POLICIES

Eligible passengers for service to and from CITY include persons with disabilities and persons referred by public health nurses and social services agencies. Eligible trip purposes are medical and social service agency appointments. Service hours are Monday through Friday from 8 00 a.m. until 5 00 p.m. Passenger fares are \$1 50 per one-way trip

07 AUDIT

The annual fiscal audit by a Certified Public Accountant (CPA) of the MST RIDES program for the fiscal year ending June 30, 1996 will be paid by the Transportation Agency for Monterey County (TAMC). All future year audits of the MST RIDES program will be paid by MST, and the cost of the audit allocated to the MST RIDES program as an expenditure.

08 ALLOCATION OF LOCAL TRANSPORTATION FUNDS

MST RIDES program revenues include passenger fares, federal and state grants, and LTF. MST will continue the Transportation Agency for Monterey County (TAMC) method of allocating expenditures and revenues within the MST RIDES program by share of one-way passenger trips provided in the following areas

- (a) trips provided to residents of the incorporated Cities in the MST service area,
- (b) trips provided to residents of the County unincorporated area, and
- (c) trips provided to residents of the Cities outside the MST service area, namely Gonzales, Soledad, Greenfield, and King City

MST will allocate all expenditures of the MST RIDES program to one of the above listed groupings according to share of one-way passenger trips. Services that are only provided in the MST service area, such as the Reimbursed Taxi program and the Bus Rider Education program will be allocated only to the County unincorporated area and the Cities within the MST service area. Federal Transit Administration (FTA) Section 9 revenues will be allocated to the incorporated Cities in the MST service area. FTA Section 18 revenues will be allocated to the County unincorporated area and the Cities outside the MST service area according to share of one-way passenger trips. State Transit Assistance

and other miscellaneous revenues will be allocated to all service areas according to share of one-way passenger trips. After all revenues have been subtracted from all expenditures, the remainder will be charged to each jurisdiction's LTF according to its respective share of one-way passenger trips. CITY agrees to provide LTF funds to cover the cost of services provided, based on the cost methodology described above. MST will provide service only if funding from LTF or another source is available to cover the cost of such services including appropriate administrative and overhead costs.

In the event that one or more of the cities of Gonzales, Soledad, Greenfield, or King City elects not to have MST administer the MST RIDES program or withdraws from the program, then the program costs will be recalculated and redistributed among the remaining participants.

- 09 **ANNUAL RECONCILIATION OF LOCAL TRANSPORTATION FUNDS**
By January 15 of every year, MST will provide TAMC with the information on expenditures, revenues, and passenger trips described in paragraph 08 above. TAMC will use this information to calculate each jurisdiction's annual contribution of LTF to the MST RIDES program for the upcoming fiscal year beginning in the following July. When calculating each jurisdiction's annual LTF contribution to the MST RIDES program for the upcoming fiscal year, TAMC will include a reconciliation of the amount of LTF paid by each jurisdiction in the previous year with the LTF owed in the previous year as determined by an audit of the previous fiscal year by a CPA.
- 10 **CITY SHARE OF MST RIDES PROGRAM ASSETS**
As specified in the Agreement dated February 22, 1996 transferring the administration of the MST RIDES program from the County of Monterey to MST, the CITY share of assets is \$3,362 as of May 1, 1995. If at any time after February 22, 1996 CITY chooses not to have the MST RIDES program administered by MST, \$3,362 will be paid to CITY'S Local Transportation Fund (LTF) accounts.
- 11 **MST RIDES A SEPARATE FUND AT MST**
In accord with the Transportation Development Act (TDA), MST will maintain all MST RIDES program expenditures and revenues in a separate account with its own State Controller's Report and annual fiscal audit. Interest from the MST RIDES program revenue will accrue to the MST RIDES program account.
12. **TERM OF THIS AGREEMENT**
This agreement will remain in effect until canceled in writing by either party with a minimum of 120 days advance notice.

13 NOTICES

CITY and MST agree to notify each other in writing of any requested changes to this Agreement. Notices in connection with this Agreement will be presented personally or by regular mail addressed as follows.

CITY OF SOLEDAD
Belinda B Espinosa, City Manager
City of Soledad
P O Box 156
Soledad, CA 93960

MONTEREY-SALINAS TRANSIT
Frank Lichtanski, General Manager
Monterey-Salinas Transit
One Ryan Ranch Road
Monterey, CA 93940

14 ENTIRE AGREEMENT

This Agreement represents the entire agreement between the parties, and supersedes any prior written or oral negotiations and representations between the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

CITY OF SOLEDAD

MONTEREY-SALINAS TRANSIT

Belinda B. Espinosa
Belinda B Espinosa (date)
City Manager 5-20-96

Frank J. Lichtanski 6/12/96
Frank J Lichtanski (date)
General Manager

Approved as to form.

Michael Rodriguez
Michael Rodriguez (date)
City Attorney 6-5-96

William C Marsh 6-14-96
William C Marsh (date)
MST General Counsel