

Board of Directors Meeting Agenda March 23, 2023, 9:00am (Remote only)

https://us02web.zoom.us/j/89781769058

Meet	ing call to order, Introductions		9:00 am		
1.	Public Comment		INFORMATION		
	CONSENT ITEMS				
2.	Feb 2023 Board Meeting Minutes	p-2	ACTION		
3.	FACT Services Updates through Jan 2023	p-7	INFORMATION		
4.	Jan 2023 Financial Summary	p-10	0 INFORMATION		
5.	ADA Compliance and Title VI Plan Updates	p-12	INFORMATION		
6.	2023 Board Retreat Planning - New proposed date May 25, 2023	}	INFORMATION		
7.	SANDAG – Ongoing Discussions and Quarterly Updates, Mobility Working Group (MWG), Flex Fleets Taskforce, Proposed TransNet amendments; AFA Cycles 1 and 2; STGP Cycle 12 follow-up		INFORMATION		
8.	Conversation with Guest Speaker		DISCUSSION		
9.	New Grant Applications \$1.87m – Low or no emissions vehicles	p-13	ACTION		
10.	 Executive Director's Report NCTD Service Proposal Update ED Review Committee appointment SANDAG Board Retreat Update 	p-15	INFORMATION		
11.	CLOSED SESSION Update re. ongoing litigation		INFORMATION		
12.	Board member updates		INFORMATION		

ADJOURNMENT

FACT's Mission- Assist San Diego County residents with barriers to mobility to achieve independence through coordination of transportation services

FACT Board of Directors Meeting Minutes February 23, 2023, 9:00 AM Via Zoom

Board Members	Susan Hafner Han Phil Manrae Han Coarge Castil Han Jawel Edean
Attending	Susan Hafner, Hon. Phil Monroe, Hon. George Gastil, Hon. Jewel Edson, Hon. Dave Roberts, Hon. Corinna Contreras, LaVonna Connelly
Board Members Absent	Hon. Kellie Shay Hinze, Hon. Bob Campbell
Staff Attending	Arun Prem, Meagan Schmidt, Budd Anderson, Julius Burgos, Ali Poorman, Christian Hernandez, Cynthia Pedersen, Paola Zilli, Farah Rizvi, Jocelyn Barrueta
Public/Guests	Brian Lane, Benjamin Gembler, Aly Vazquez – SANDAG; Hon. John Duncan – Council Member, Coronado; Jack Christensen – District Director for Sen. Catherine Blakespear; Maico Moreno; Firas Jasim - SDMED, Inc.
Public Comments	Paola read a letter from Charlie Charry, whose parents are RideFACT riders, and whose comments regarding the need for funding FACT were to be presented at the February 17th Transportation Committee meeting.
CONSENT ITEMS: January Board Meeting Minutes/ FACT Services Updates Through December 2022/December 2022	Phil introduced guest Hon. John Duncan, Council Member from Coronado, SANDAG Board and TC Board Member. Susan welcomed Hon. Duncan and said FACT looks forward to getting to know him. Arun thanked him for his support during the recent TC Meeting and said he hopes Hon. Duncan will stay engaged with FACT business.
Financials and Summary	Motion to approve the January 2023 Consent Agenda Items was made by Hon. George Gastil. Hon. Jewel Edson seconded the motion. The motion passed unanimously.
2023 Board Retreat Planning	Arun proposed moving the retreat date of April 27 th , 2023 to May 25 th due to scheduling conflicts.
	Motion to approve the new date for the Board Retreat was made by Hon. Phil Monroe. Hon. George Gastil seconded the motion. The motion passed unanimously.
SANDAG- Ongoing Discussions and Quarterly Updates, Mobility Working Group,	SANDAG Board has reappointed Hon. Jewel Edson as liaison to the FACT Board. Arun said he appreciates the action by SANDAG and thanked Jewel

Flex Fleets Taskforce, and Proposed TransNet Amendments

for her support. Jewel thanked Arun and said she is grateful to be reappointed, and loves serving on FACT.

Grant Updates: AFA Cycle-1: Cycle 12 STGP, American Cancer Society

Arun gave an update regarding the AFA Cycle-1 Contract. The contract has yet to be finalized. FACT providers have asked for 10 working days notice before implementing the service. The Service Plan will consist of a mix of dedicated vehicles and on-demand rides between 5am-10pm, seven days a week all over San Diego County, with proposed \$10 one-way fares. FACT is currently negotiating with vendors and proposing free rides during the first month of AFA.

Some preliminary actions underway:

- Ecolane will provide the software for booking rides
- Marketing for AFA Services is open to RFPs
- A Data Analyst job opening will be posted in the near future

Arun said FACT's request for an up-front advance payment to begin the AFA contract is under consideration at SANDAG. Vendor interest is strong, including the United Taxi Workers of San Diego (UTWSD). A kick-off media event is proposed for late March with date and place to be determined.

As part of FACT's outreach with the disability community, FACT is scheduled to meet with MTS Taxicab Advisory Committee at their next meeting. FACT is scheduled to meet with City of San Diego Accessibility Advisory Board (AAB) on March 8, 2023.

Arun gave a summary of FACT's Cycle 12 Application:

- 1. Mobility Management
 - FACT applied for and was recommended for \$790,758 Senior Mini-Grant (SMG)
- 2. Operating (RideFACT)
 - Applied for \$400,000 and recommended for \$0 Senior Mini-Grant
 - Applied for \$400,000 and recommended for **\$0** Section 5310

Awarded agencies and totals were presented to the Transportation Committee on February 17th. Several TC members spoke on behalf of FACT, including Hon. Raul Campillo, Hon. Jack Shu, Hon. Corinna Contreras, Hon. John Duncan, Hon. Esther Sanchez, Hon. Jennifer Mendoza, Hon. Tony Krantz, and others. The TC Board approved the recommendations adding an amendment regarding future evaluation scoring.

Arun thanked everyone who spoke on behalf of FACT for their support.

Susan said FACT appreciates the support from SANDAG over the years. She added that this is an opportunity to fully understand the process of project selection and allocation in a more transparent way for the future.

Phil said he would like to see the selection criteria that was used by the evaluation committee. LaVonna asked how FACT, as the CTSA, will perform its role of coordinating transportation when the funding is in a position as a competitor. Brian Lane said the ultimate TC recommendation is to reevaluate the scoring and ranking during the next cycle's evaluation process.

Arun said the AFA Grant awarded to FACT this year will support RideFACT since the funds appear to be interchangeable. The second year of Cycle-12 has no funding for RideFACT unless FACT is successful in the AFA Cycle 2.

Conversation with Guest Speaker – Maico Moreno

Arun introduced Maico Moreno, brother of Council Member Vivian Moreno, a past FACT Board meeting guest. Maico shared his experiences in applying to ADA Paratransit eligibility for MTS Access service via their website. Maico said the application experience is not user friendly, specifically as a visually impaired person. He went over the process, and gave a detailed description of the application procedures using the website and by telephone. Maico said the barriers were challenges that many people would find too difficult and simply give up. He said this in turn, affects people's independence and their reliance on others.

George said as the new Chair of MTS's Accessibility Advisory Committee this would be a good place to take these concerns. Susan said Maico's input is very valuable and constructive to MTS because of compliance issues. Maico said his account of the eligibility application was just a part of the process, but booking a ride, and using the apps and calendar is another conversation.

Susan said FACT is interested in improving the quality of service that the ADA community and all mobility communities deserve. Arun asked Maico to assess the FACT website and provide us feedback. LaVonna thanked Maico for not only sharing his experience, but for the advocacy for others with disabilities. **Proposed Revisions to** Jack Christensen, formerly of SANDAG and now District Director with CTSA Legislation (Wicks, Senator Blakespear, discussed Assembly Bill 540, a proposal made by AB-540) Assembly member Buffy Wicks to change the CTSA legislation by: 1. Changing its name – from Consolidated Transportation Service Agency to Coordinated Transportation Service Agency 2. Introduce a new funding source by adding a \$10 fee to vehicle registration fees in California. The fund will be dedicated to services for seniors and people with disabilities 3. Award this fund to the County Board of Supervisors for management Jack said Senator Blakespear's District 38 consists of just over one million constituents extending from San Diego to south Orange County. Senator Blakespear sits on committees including transportation and mobility, public safety, gun violence prevention, climate change, and others. He explained the process of bill legislation and the timelines involved. Jack extended on behalf of the Senator's office, any assistance needed to get the word out on transportation service agencies like FACT in forming proposals and working with the authors of these bills before they are heard. Arun thanked Jack for attending the meeting and said he hopes Jack will come back to help move AB 540 forward and get the word out to other agencies and groups who can support it. Susan thanked Jack for attending and said she looks forward to working with Jack in the future. LaVonna and Phil said there are concerns regarding the funding aspect of the proposed bill. Jewel said this is a good time to help with the wording of the bill to get a more desired outcome for the region. Brian said more details of the proposed bill are needed to understand the funding. Executive Director's Hon. John Duncan said the TC award recommendation process was like his Report – NCTD Service experience with grants presented at City Council in Coronado, with the exception that grants can be modified if needed. He said the decision Proposal Update/ED **Review Committee** makers should retain some power besides accepting in full or rejecting in

Appointment/516 Civic

Center Lease Update

full grant awards.

	Brian thanked John and said he appreciated his comments. Arun thanked John again for his support.
Board Member Updates	Arun said FACT staff was meeting with NCTD on February 23 to continue work on the service proposal. Arun said he and TC Chair Hon. Jack Shu spoke recently regarding funding for FACT and what additional funding sources could be secured through legislative advocacy.
ADJOURNMENT	The meeting was adjourned at approximately at 10:30am.

TO: BOARD OF DIRECTORS

FROM: Meagan Schmidt, Director of Operations

RE: FACT Services updates – January 2023

ISSUE:

This item presents a monthly RideFACT and agency services update.

BACKGROUND:

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	January
SERVICE	ONE-WAY
	TRIPS
UCSD	4
County	0
COVID-19	
Scripps	140
Escondido	706
County HHSA	12
ТВ	
San Marcos	345
Oceanside	0
Parkinson's	2
Assoc.	
Tri-City	80
211 Cool	0
Zones	
MV	0
SDG&E	0
RideFACT	694
TOTAL	1,983

UCSD Shiley-Marcos Alzheimer's Disease Research Center

In summer 2022 staff from UCSD reached out via the FACT website regarding a need for patient transportation for participants of ongoing Alzheimer's clinical trials. The purchase order was completed in November and the trips began in January 2023; 4 trips were completed the first month.

211 Cool Zone Transportation

211 reached out to FACT in 2021 to provide transportation for persons to/from Cool Zones established by the County of San Diego for relief from heat during the summer-early fall months. FACT was asked to receive direct referrals for this program through 211's Community Information Exchange (CIE) platform. A formal contract was signed in June 2022; FACT completed 20 trips since June.

Scripps Health

FACT's service agreement with Scripps Health began January 15, 2020; 2,858 trips were provided through January 2023. FACT brokerage vendors are transporting discharged patients to pharmacies, their residences and/or to hospitals outside of San Diego County. FACT currently provides trips for 6 locations, Scripps Mercy Hospital Hillcrest and Chula Vista, Scripps La Jolla, Scripps Green, Scripps Acute Care Clinic and Scripps Vista Clinic. FACT signed an Evergreen contract amendment expanding locations in August 2021.

City of Escondido

FACT provides transportation to/from the City of Escondido's senior lunch nutrition program Monday-Friday. Service began November 1, 2019. Trips were paused in mid-March 2020-May 2021 due to COVID-19. Service resumed on June 15th. FACT provided 19,193 trips between November 2019 and January 2023. This contract term was renewed through June 2023 with up to 3 renewal periods.

County HHSA

This service provides trips for the County to non-contagious Tuberculosis patients from their residences to clinics for treatment. 891 trips have been performed under this contract between late November 2018 through January 2023. This contract term is through June 30, 2023.

FACT provided emergency same day transportation to riders and pets during the Border 32 Fire on September 2^{nd} . A same day amendment to the current County contract was enacted to respond to the special circumstance.

The Parkinson's Association of San Diego

The Parkinson's Association of San Diego (PASD) contracts with FACT to provide transportation for neurological medical appointments, support groups and Parkinson's Association related events for their clients. Between June 2018 – January 2023, 251 trips have been provided.

City of San Marcos

Catch a Ride! provides transportation for eligible seniors 60+ within San Marcos city limits as well as for medical purposes outside of the city within a 20 mile radius. FACT has provided 7,555 trips between February 2018 – January 2023. FACT and the City recently signed Amendment 5 to extend the contract through June 2023 and added weekday lunch transportation to the agreement.

Tri-City Contracts – Emergency Room & Outpatient Behavioral Health

FACT began transportation services for Tri-City Medical Center in December 2016. FACT has provided 7,169 trips for Tri-City patients between December 2016 – January 2023

RideFACT & Contracted Service statistics ytd for fiscal year July 2019 – January 2023

				New	Total						
CTSA,				_	Requests		RideFACT				
RideFACT &			Programs	in	for	RideFACT	Trips	Contracted		RideFACT	RideFACT
Contracted			in	Databas	RideFACT	Trips	Unable to	Trips		Avg	Avg Trip
Service Data	Web hits	Referrals	Database	е	Trips	Provided	Provide	Provided	Total Trips	Mileage	Cost
July	823	108	176	2	2,515	2,455	60	771	3,226	9.6	\$13.29
August	948	90	177	1	2,424	2,365	59	844	3,209	9.1	\$11.47
September	1,157	129	179	2	2,757	2,621	136	674	3,295	9.3	\$11.88
October	1,263	139	180	1	2,952	2,735	217	781	3,516	9.5	\$12.63
November	1,089	122	180	0	2,652	2,388	264	1,452	3,840	9.8	\$14.38
December	1,052	82	180	0	2,636	2,508	128	1,572	4,080	9.4	\$14.86
20-Jan	1,372	132	176	0	2,994	2,849	145	1,680	4,529	10.1	\$13.99
February	1,237	138	176	0	2,693	2,608	85	1,567	4,175	9	\$15.30
March	1,650	141	177	1	2,015	1,931	84	988	2,919	8.8	\$13.95
April	1,720	347	183	6	1,586	1,555	31	383	1,938	8.8	\$15.29
May	1,253	384	183	0	2,082	2,024	58	473	2,497	10.2	\$18.65
June	1,392	297	185	2	2,502	2,416	86	421	2,837	10.2	\$20.60
Subtotal	14,956	2109	185		29,808	28,455	1353	11,606	40,061		7-0:00
July	1,510	304	180	-5	3,202	3,096	106	447	3,543	10.3	\$21.12
August	1,571	300	181	1	3,623	3,371	252	459	3,830	9.5	\$20.64
September	1,625	312	181	0	3,924	3,617	307	457	4,074	10	\$21.13
October	1,839	426	185	4	4,419	4,035	384	436	4,471	10.3	\$22.32
November	1,591	488	189	5	4,102	3,716	386	453	4,169	10.5	\$21.39
December	1,488	515	189	0	4,638	4,191	447	433	4,624	11	\$22.45
January	1,480	466	189	0	4,270	3,891	379	361	4,252	11	\$22.40
February	1,569	310	189	0	3,809	3,447	362	403	3,850	10.5	\$19.78
March	2,042	189	189	0	2,978	2,637	341	488	3,125	9.5	\$19.79
Apr	1,884	162	189	0	2,429	1,916	513	513	2,429	9.6	\$19.39
May	1,867	102	189	0	2,259	1,630	629	323	1,953	10.2	\$21.25
June	2,221	155	189	0	2,306	1,746	560	795	2,541	9.9	\$21.31
Subtotal	20,687	3729	189	10	39,653	37,293	4666	5,568	42,861		
July	2,715	163	193	4	2,281	1,569	712	1,429	2,998	11	\$22.19
August	3,677	153	193	0	2,047	1,212	835	1,408	2,620	9.5	\$21.74
September	2,315	155	193	0	1,904	1,393	511	1,403	2,796	9.2	\$21.92
October	2,334	178	193	0	2,019	1,498	521	1,373	2,871	9	\$21.30
November	2,129	124	193	0	2,083	1,577	506	1,306	2,883	10	\$22.99
December	3,000	158	193	0	2,023	1,630	393	1,290	2,920	9.3	\$21.14
January	1,964	136	193	0	1,734	1,469	265	1,037	2,506	9.2	\$22.93
February	1,956	175	193	0	2,032	1,752	280	1,066	2,818	9.2	\$27.95
March	2,497	221	178	0	2,800	2,585	215	1,295	3,880	9	\$34.89
Apr	2,537	206	178	0	3,111	2,848	263	1,122	3,970	9.5	\$34.90
May	4,183	235	178	0	2,847	2,526	321	1,251	3,777	9.6	\$39.91
June	2,504	328	179	1	3,459	3,060	399	1,204	4,264	9.5	\$38.61
Subtotal	31,811	2232		0	28,340	23,119	5221	15,184	38,303		
July	3,473	227	178	0	3,079	2,745	334	1,297	4,042	9.4	\$37.21
August	3,924	192	178	0	1,716	1,409	307	1,512	2,921	9.3	\$36.37
September	2,710	63	178	0	1,181	1,027	154	1,462	2,489	8.8	\$37.66
October	3,444	108	179	1	1,000	850	150	1,426	2,276	9.8	\$37.32
November	2,199	106	179	0	798	717	81	1,369	2,086	10.3	\$39.26
December	3,043	77	177	0	797	750	47	1,245	1,995	10.6	\$40.66
January	2,494	96	177		748	694	54	1,289	1,983	11.1	\$37.54
Subtotal	21,287	869		0	9,319	8,192	1,127	9,600	17,792		
TOTAL	248,997	12,665	177	1		208,374	16,650	113,403	321,777		<u> </u>

RECOMMENDATION:

NONE.

TO: BOARD OF DIRECTORS

FROM: Julius Burgos, Accountant

RE: November 2022 Financial Summary

ISSUE: January 2023 Financial Report

Balance Sheet vs Prev Year Comparison

- Compared to last year \$425,149.82 is in the bank, 40% more than the previous year.

- FACT is invoiced through January 2023 and has less than 6% more outstanding than previous year.
- Accounts Payables were 43% less than previous year.
- Total Assets were 12% more than the previous year.

The balance sheet through January 2023 remains consistent and is stable between both years. Timely invoicing, receivables, and better cash flow management overall continues.

PPP Loan Status

The PPP Loan of \$111,300.00 was approved and deposited into our bank creating a Liability for the same amount. Of the total amount received FACT is responsible for \$39,617.16 as of January 2023 which has an interest rate of 1% until paid.

Accounts Receivable Status

- \$429,635.34 is outstanding by (9) customers. Of the o/s amount, \$301,135.97 is 60 days or less, \$112,767.33 is less than 90 days, and \$15,510.04is over 90 days by (3) customers. Each Customer is aware of their O/S balance.

Profit & Loss Budget vs. Actual Report – January 2022

Income thru January 2023 was 14.13% under budget due to a couple factors:

- 1. One-Call/One-Click Access Grant start date pending.
- 2. Lower demand in RideFACT rides than Contracted Services.

Overall Expenses were 27.31% under budget due to the following factors:

- Online Transportation Program still pending.
- Demand for RideFACT rides less in January.
- No Audit and Legal fees in January.
- Lower Telecommunications in January.

Net Income for January 2023 has a positive balance of \$19,653.37.

Condensed Grant Balances Remaining

Total funding available for all grants through January 2023 is \$2,018,397.80.

- CTSA Funds have been allocated through January 2023 totaling \$142,036.00.
- CTSA's temporarily restricted net assets through January 2023 is \$171,987.62.
- Unrestricted Net assets through January 2023 totals \$343,734.10.
- Total Equity as of January 31, 2023, is \$694,538.92.

TO: BOARD OF DIRECTORS

FROM: Arun Prem, Executive Director and Budd Anderson, Director of Grants and

Procurement

RE: ADA Compliance Plan & Title VI Plan

ISSUE:

FACT's grant agreements related to FTA, or any federal funding requires FACT to have Title VI Plan. As a subrecipient of FTA funds, FACT submit its Title VI Plan every three (3) years to SANDAG and Caltrans.

FACT's DRAFT is due to SANDAG on March 29, 2023, and the final plan is due to SANDAG on May 28, 2023.

BACKGROUND

Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives Federal funds or other Federal financial assistance. As a subrecipient of FTA funding FACT is required to have a Title VI Plan and non-discrimination program. The Board approved FACT's Title VI Plan update on May 28, 2020. The plan was approved by Caltrans and SANDAG.

Staff is working on the 2023 update, which includes new requirements regarding Americans with Disability Act (ADA) compliance. The Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities in several areas, including employment, transportation, public accommodations, communications, and access to state and local government' programs and services.

CAM's ADA subcommittee feedback and SANDAG's guidelines will help staff draft the plan. Once the draft plan is reviewed by SANDAG, FACT will forward the plan to the FACT Board for review. Staff plans to seek Board approval of the plan in April or May depending on the SANDAG review process.

RECOMMENDATION: Staff requests input on the ADA and Title VI Plan information.

TO: BOARD OF DIRECTORS

FROM: Arun Prem, Executive Director and Budd Anderson, Director of Grants and HR

RE: FTA 5339 (b) & (c) Application for Accessible Vehicles

ISSUE:

Staff is preparing a grant request in response to FTA's Call for Projects for 5339 (b) & (c) Grants for Buses and Bus Facilities and the Low or No Emissions Grant Program discretionary funding.

BACKGROUND

The Federal Transit Administration (FTA) announced the opportunity to apply for an estimated \$1.2 billion in FY 2023 funds for the 5339(c) Low or No Emission Grant Program AND \$469 million in FY 202 funds for the 5339(b) Grants for Buses and Bus Facilities Program. Applications for inclusion into the consolidated State proposal are to be submitted to Caltrans by April 5, 2023.

The 5339(c) Low-No Program will award funds competitively to designated recipients, states, local government authorities and Indian tribes for: (1) Purchasing or leasing low or no emission buses; (2) acquiring low or no emission buses with a leased power source; (3) constructing or leasing facilities and related equipment for low or no emission buses; (4) constructing new public transportation facilities to accommodate low or no emission buses; or (5) rehabilitating or improving existing public transportation facilities to accommodate low or no emission buses. The 5339(b) Grants for Buses & Bus Facilities Program will award funds competitively to designated recipients, states, local government authorities and Indian tribes for capital projects to replace, rehabilitate, purchase, or lease buses, vans, or related equipment; or to rehabilitate, purchase, construct, or lease bus-related facilities regardless of propulsion type or emissions.

FACT staff plans on applying for 10 gasoline powered low-floor accessible min-vans and 10 battery electric accessible vans between the two programs. A portion of the request is to replace FACT's aging vehicle fleet. Staff is also proposing to expand its vehicle fleet and begin transitioning to zero emission vehicles. Since low or no emission technology rapidly develops and the unknown regarding the public charging infrastructure supporting FACT's operating model, staff propose transitioning to low or no emissions vehicles cautiously.

Staff proposes applying for \$1,868,871.08 to purchase 10 Braun Ability Low-Floor Accessible Min-Vans and 10 Ford E-Transit 350 Vans (Battery Electric). 5% of the project (c) budget is designated for workforce development training that supports the zero-emission project. Transportation Development Credits (Toll Credits) are available to cover the local match requirement. Caltrans will provide a commitment letter to go with the application. FACT was advised by Caltrans that

FACT's odds of success are greater by applying through both programs. 15 vehicles will be requested through 5339 (b) and 5 through 5339 (c).

RECOMMENDATION:

Staff requests Board approval to apply for 5339 (b) and (c) funding.

TO: BOARD OF DIRECTORS

FROM: Arun Prem, Executive Director; Cynthia Pedersen, Manager of

Administration & HR

RE: Executive Director's Report

Meetings and Events – March 2023

3/9/2023	RETREAT - SANDAG Board of Directors – Meagan, Arun
3/9/2023	Meeting - CalACT Legislative Committee - Arun
3/13/2023	Meeting - Mobility Working Group TransNet Ordinance Amendments
3/14/2023	Meeting - Dalton v. ZH Investments – Danna Cotman, Arun
3/14/2023	Meeting – CAM Monthly Updates – Ali, Meagan, Budd, Christian, Cynthia, Arun
3/16/2023	Meeting - ASAC Quarterly Meeting – Christian, Arun
3/16/2023	Meeting - Ordinance Amendment Subcommittee Meeting
3/17/2023	Meeting – SANDAG Transportation Committee Meagan, Arun
3/21/2023	Meeting – AB 540 – John Cunningham, Meagan, Arun