



## BOARD OF DIRECTORS AGENDA

**REGULAR MEETING**  
of the  
**BOARD OF DIRECTORS**  
of the  
**SANTA BARBARA METROPOLITAN TRANSIT DISTRICT**  
A Public Agency  
**Tuesday, June 21, 2022**  
**8:30 AM**  
**John G. Britton Auditorium**  
550 Olive Street, Santa Barbara, CA 93101

1. **CALL TO ORDER**
2. **ROLL CALL OF THE BOARD MEMBERS**  
Dave Davis (Chair), David Tabor (Vice Chair), Jen Lemberger (Secretary), Chuck McQuary (Director), Paula Perotte (Director), Arjun Sarkar (Director).
3. **REPORT REGARDING THE POSTING OF THE AGENDA**
4. **STATUS REPORT ON THE COVID-19 STATE OF EMERGENCY (ACTION MAY BE TAKEN - ATTACHMENTS)**  
Staff will request that the Board reconsider the circumstances of the COVID-19 State of Emergency.

### CONSENT CALENDAR

5. **APPROVAL OF PRIOR MINUTES - (ACTION MAY BE TAKEN)**  
The Board of Directors will be asked to approve the draft minutes for the meeting of June 7, 2022.
6. **CASH REPORTS - (ACTION MAY BE TAKEN)**  
The Board of Directors will be asked to review and approve the Cash Reports from May 28, 2022 through June 10, 2022.

### THIS CONCLUDES THE CONSENT CALENDAR

7. **PUBLIC COMMENT**  
Members of the public may address the Board of Directors on items within the jurisdiction of the Board that are not scheduled for public hearing. The time allotted per speaker will be at the discretion of the Board Chair. If you wish to address the Board under this item number, please complete and deliver to the MTD Board Clerk a "Request to Speak" form that includes both a description of the subject you wish to address and, if applicable, the agenda item number for which you would like to comment. Additional public comment will be allowed during each agenda item, including closed session items. Forms are available at [www.sbmttd.gov](http://www.sbmttd.gov) and at MTD Administrative offices.

<b>BOARD OF DIRECTORS AGENDA</b>
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**8. RENEWAL OF FLOOD INSURANCE – (ACTION MAY BE TAKEN)**

Staff recommends that the Board of Directors authorize renewal of the Flood Insurance coverage with Wright National Flood Insurance Company through the National Flood Insurance Program (NFIP) effective July 10, 2022.

**9. RENEWAL OF EXCESS WORKERS COMPENSATION INSURANCE – (ACTION MAY BE TAKEN)**

Staff recommends that the Board of Directors authorize renewal of Excess Workers' Compensation insurance (EWC) with current coverage through Public Risk Innovation, Solutions, and Management (PRISM) effective July 1, 2022 - July 1, 2023.

**10. ADVANCE AUTHORITY TO EXECUTE RENEWABLE DIESEL FUEL CONTRACTS – (ACTION MAY BE TAKEN)**

Staff requests that the Board provide advance authority to the General Manager to enter into a renewable diesel fuel contract via the most advantageous priced option.

**11. CAPITAL PROJECTS UPDATE - (INFORMATIONAL)**

Staff will provide a presentation to update the Board on MTD capital projects. The presentation will provide details about the scope and status of active capital projects.

**12. CAPITAL FUNDING OPPORTUNITIES - (INFORMATIONAL)**

Staff will provide an update on upcoming formula and competitive capital funding opportunities and provide feedback.

**13. GENERAL MANAGER'S REPORT - (INFORMATIONAL)**

The General Manager will provide an update on district activities.

**14. OTHER BUSINESS AND REPORTS - (INFORMATIONAL)**

The Board will report on other related public transit issues and committee meetings.

**15. RECESS TO CLOSED SESSION: REAL PROPERTY NEGOTIATIONS (GOVERNMENT CODE §54956.8) (ACTION MAY BE TAKEN)**

Property: 4678 Calle Real / 149 North San Antonio Road.

Agency Negotiators: General Manager Jerry Estrada; District Outside Counsel, Graham Lyons.

Negotiating Parties: Con/Am Group.

Under Negotiation: Price and terms of payment.

**16. RECESS TO CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR(S) (GOVERNMENT CODE § 54957.6) (ACTION MAY BE TAKEN)**

Agency-designated representatives: MTD General Manager Estrada and Chief Operating Officer Mary Gregg.

Employee organization: International Brotherhood of Teamsters Union, Local 186.

**17. ADJOURNMENT**

**AMERICANS WITH DISABILITIES ACT:** If you need special assistance to participate in this meeting, please contact the MTD Administrative Office at 805.963.3364 at least **48 hours in advance** of the meeting to allow time for MTD to attempt a reasonable accommodation.



<b>BOARD OF DIRECTORS REPORT</b>
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<b>MEETING DATE:</b>	JUNE 21, 2022	<b>AGENDA ITEM: #4</b>
<b>DEPARTMENT:</b>	ADMINISTRATION	
<b>TYPE:</b>	ACTION ITEM	
<b>PREPARED BY:</b>	JERRY ESTRADA	
<b>REVIEWED BY:</b>	GENERAL MANAGER	
<b>SUBJECT:</b>	STATUS REPORT ON THE COVID-19 STATE OF EMERGENCY	

**RECOMENDATION:**

Staff requests that the Board reconsider the circumstances of the COVID-19 State of Emergency:

1. Consider whether state or local officials continue to impose or recommend measures to promote social distancing;
2. Find that the MTD Board has reconsidered the circumstances of the state of emergency, and that State or local officials continue to impose or recommend measures to promote social distancing; and
3. Direct staff to continue to notice and hold hearings as remote hearings consistent with Government Code § 54953(e)(3).

**DISCUSSION:**

On January 5, 2022, Governor Gavin Newsom issued Executive Order N-1-22, which among other things set a date of April 1, 2022 for public agencies to transition back to public meetings held in full compliance with the Brown Act, including how remote participation is conducted. In September 2021, the California State Legislature passed, and the Governor signed, Assembly Bill 361 (Rivas, 2021) (AB 361), which amends the Government Code to allow Brown Act bodies to continue to meet remotely if certain elements are met. AB 361 took effect immediately, but does not supersede Executive Order N-1-22. It applies to all Brown Act boards, committees, and commissions.

On January 31, 2020, the Secretary of Health and Human Services (HHS) declared a public health emergency under section 319 of the Public Health Service Act (42 USC § 247d) in response to COVID-19. On March 13, 2020, the US President declared a national emergency concerning the COVID-19 pandemic, which has been extended until February 24, 2022. On March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by COVID-19, which has been extended until March 31, 2022. On March 12, 2020, the Santa Barbara County Director of Emergency Services proclaimed a Local Emergency as a result of the COVID-19 and the Santa Barbara County Health Officer declared a Local Health Emergency, due to the imminent and proximate threat to public health from the introduction of COVID-19. Thereafter, on March 17,

<b>BOARD OF DIRECTORS REPORT</b>
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2020, the Santa Barbara County Board of Supervisors ratified the Proclamation of a Local Emergency and the Declaration of a Local Health Emergency, which remain in effect.

As of February 15, 2022, Santa Barbara County Public Health Officials continue to recommend utilizing teleconferencing options for public meetings as an effective social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease (attached). As of June 14, 2022, the COVID-19 community transmission level is categorized as “High” in Santa Barbara County by the Centers for Disease Control & Prevention (CDC). As of June 14, 2022, the Santa Barbara County Public Health Department reports a case rate of 36.22 per 100,000 and a 10.7% test positivity rate. The County Health Officer and the California Department of Public Health continue to recommend all individuals wear a face covering in public indoor settings.

**ATTACHMENTS:**

- Health Officials AB 361 Social Distance Recommendation
- State of California Executive Order N-1-22

# ATTACHMENT A



## Public Health Administration

300 North San Antonio Road ♦ Santa Barbara, CA 93110-1316  
805/681-5100 ♦ FAX 805/681-5191

Van Do-Reynoso, MPH, PhD *Director*  
Suzanne Jacobson, CPA *Chief Financial Officer*  
Paige Batson, MA, PHN, RN *Deputy Director*  
Darrin Eisenbarth *Deputy Director*  
Dana Gamble, LCSW *Interim Deputy Director*  
Polly Baldwin, MD, MPH *Medical Director*  
Henning Ansorg, MD *Health Officer*

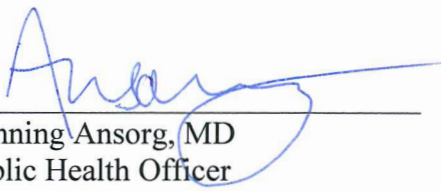
## HEALTH OFFICIALS AB 361 SOCIAL DISTANCE RECOMMENDATION

**Issued: September 28, 2021**

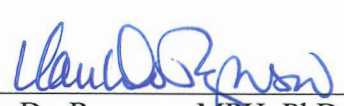
COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

Since March 2020, local legislative bodies-such as commissions, committees, boards, and councils- have successfully held public meetings with teleconferencing as authorized by Executive Orders issued by the Governor. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control transmission of the SARS-CoV-2 virus. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov't Code Section 54953(e)(1)(A)), which allows local legislative bodies in the County of Santa Barbara to use certain available teleconferencing options set forth in the Brown Act.



Henning Ansorg, MD  
Public Health Officer  
County of Santa Barbara



Van Do-Reynoso, MPH, PhD  
Public Health Director  
County of Santa Barbara



**EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA**

**EXECUTIVE ORDER N-1-22**

**WHEREAS** on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

**WHEREAS** on March 12, 2021, I issued Executive Order N-25-20, paragraph 11, and on March 17, 2020, I issued Executive Order N-29-20, paragraph 3, waiving certain requirements that public meetings of state bodies occur in-person; and

**WHEREAS** on June 11, 2021, I issued Executive Order N-08-21 to roll back certain provisions of my COVID-19-related Executive Orders and to clarify that other provisions remained necessary to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic; and

**WHEREAS** paragraph 42 of Executive Order N-08-21 specified that the waiver of requirements that public meetings of state bodies occur in-person would be valid through September 30, 2021; and

**WHEREAS** on September 16, 2021, I signed into law Assembly Bill 361 (AB 361), which amended the Government Code and Education Code to provide additional flexibility for state bodies to conduct public meetings via teleconference through January 31, 2022; and

**WHEREAS** since Thanksgiving, the statewide seven-day average case rate has increased by 805% and the number of COVID-19 hospitalized patients has increased by 154%; and

**WHEREAS** this surge is being driven by the recent emergence of the Omicron variant, which has recently been estimated to account for approximately 70% of cases sequenced nationally; and

**WHEREAS** early data suggest that the Omicron variant is more transmissible than the Delta variant; and

**WHEREAS** requiring large numbers of individuals to gather, and potentially travel long distances, for in-person public meetings could potentially, and unnecessarily, expose numerous people to COVID-19, further contribute to the ongoing surge in cases caused by the Omicron variant, compound disruptions to our economy, and undermine public health measures during the current State of Emergency; and

**WHEREAS** when the Legislature considered AB 361 this past fall, the Omicron variant had not emerged, and the virus had not demonstrated the ability to evade immunity; and

**WHEREAS** in light of the present surge in cases due to the Omicron variant, and to protect the public health and safety, it is necessary to temporarily extend the flexibilities for state bodies to conduct teleconferences under AB 361 beyond January 31, 2022, to provide state bodies the option of conducting public meetings remotely to reduce the risk of in-person exposure to members of the staff body, staff, and members of the public; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with the statutes specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, and in particular, Government Code sections 8567, 8571, and 8627 do hereby issue the following Order to become effective immediately:

**IT IS HEREBY ORDERED THAT:**

1. The sunset dates in Education Code section 89305.6, subdivision (g), and Government Code section 11133, subdivision (g), are suspended until March 31, 2022.
2. This Order shall expire at 11:59 p.m. on April 1, 2022.

**I FURTHER DIRECT** that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 5th day of January 2022.



GAVIN NEWSOM  
Governor of California

**ATTEST:**

SHIRLEY WEBER, PH.D.  
Secretary of State



<b>BOARD OF DIRECTORS MEETING DRAFT MINUTES</b>
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**REGULAR MEETING**  
of the  
**BOARD OF DIRECTORS**  
of the  
**SANTA BARBARA METROPOLITAN TRANSIT DISTRICT**  
A Public Agency  
**Tuesday, June 7, 2022**  
**8:30 AM**  
**John G. Britton Auditorium**  
550 Olive Street, Santa Barbara, CA 93101

**1. CALL TO ORDER**

Chair Dave Davis called the meeting to order at 8:30 AM.

**2. ROLL CALL OF THE BOARD MEMBERS**

Chair Davis reported that all members were present.

**3. REPORT REGARDING POSTING OF AGENDA**

Lilly Gomez, Interim Clerk of the Board and Marketing and Community Relations Coordinator reported that the agenda was posted on Friday, June 3, 2022, at MTD's Administrative office, mailed and emailed to those on the agenda list, and posted on MTD's website.

**4. STATUS REPORT ON THE COVID-19 STATE OF EMERGENCY (ACTION MAY BE TAKEN - ATTACHMENTS)**

The Board reconsidered the circumstances of the COVID-19 State of Emergency.

Director Paula Perotte moved to approve staff's recommendation to continue to allow noticing and holding remote hearings, consistent with Government Code § 54953(e)(3). Secretary Jen Lemberger seconded the motion. Chair Davis held a roll call vote and the motion was approved unanimously.

**CONSENT CALENDAR**

**5. APPROVAL OF PRIOR MINUTES (ACTION MAY BE TAKEN)**

The Board was asked to approve the draft minutes for the meeting of May 3, 2022.

**6. CASH REPORT (ACTION MAY BE TAKEN)**

The Board was asked to review and approve the Cash Reports from April 23, 2022, through May 6, 2022 and May 7, 2022 through May 27, 2022.



## BOARD OF DIRECTORS DRAFT MINUTES

Director McQuary moved to approve the consent calendar. Vice Chair Tabor seconded the motion. Chair Davis held a roll call vote and the consent calendar was approved unanimously.

### THIS CONCLUDES THE CONSENT CALENDAR

#### 7. PUBLIC COMMENT

Mr. Dayton Kieswetter shared his concerns about forty foot buses operating between Turnpike Road and Patterson Avenue with recommendations to change the Line 7 routing.

### GENERAL MANAGER ESTRADA RECOMMENDED RECESSING TO ADDRESS ITEM 8 AND RETURNING TO THE MEETING TO COMPLY WITH THE TIME CERTAIN OF 9:15.

#### 8. RECESS TO CLOSED SESSION: REAL PROPERTY NEGOTIATIONS (GOVERNMENT CODE §54956.8) (ACTION MAY BE TAKEN)

Property: 4678 Calle Real / 149 North San Antonio Road.

Agency Negotiators: General Manager Jerry Estrada; District Outside Counsel, Graham Lyons.

Negotiating Parties: Con/Am Group.

Under Negotiation: Price and terms of payment.

Chair Davis recessed to close session at 8:42 AM.

The Board reconvened at 9:14 AM. Chair Davis reported that no action had been taken on this item.

### TIME CERTAIN 9:15 AM

#### 11. OPERATING & CAPITAL BUDGET FOR FISCAL YEAR 2022-23 - (ATTACHMENT - ACTION MAY BE TAKEN)

Finance Manager and Interim Controller Thais Sayat presented and recommended the Board approve the draft Operating and Capital Budget for Fiscal Year 2022-23.

Director Perotte moved to approve the draft Operating and Capital Budget for Fiscal Year 2022-23. Vice Chair Tabor seconded the motion. Chair Davis held a roll call vote. The motion was approved unanimously.

#### 12. APPROVAL OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN - (ATTACHMENT - ACTION MAY BE TAKEN)

Chief Operating Officer and Assistant General Manager Mary Gregg recommended the Board approve MTD's Public Transportation Agency Safety Plan Version number 3.0.

Director Sarkar moved to approve the Public Transportation Agency Safety Plan Version number 3.0. Secretary Lemberger seconded the motion. Chair Davis held a roll call vote. The motion was approved unanimously.

#### 13. FISCAL YEAR 2021-22 THIRD QUARTER PERFORMANCE REPORTS - (INFORMATIONAL)

<b>BOARD OF DIRECTORS DRAFT MINUTES</b>
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Planning and Marketing Manager Hillary Blackerby presented the Third Quarter Fiscal Year 2021-22 Performance Reports for the nine-month period ending March 31, 2022.

**14. GENERAL MANAGER'S REPORT - (INFORMATIONAL)**

General Manager Jerry Estrada provided an update on district activities.

**15. OTHER BUSINESS AND REPORTS - (INFORMATIONAL)**

No other business was discussed.

**BOARD RECESSED TO CLOSED SESSION FOR ITEMS 9 AND 10 AFTER ITEMS 11 THROUGH 15 AT 9:52 AM.**

**9. RECESS TO CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR(S) (GOVERNMENT CODE § 54957.6) (ACTION MAY BE TAKEN)**

Agency-designated representatives: MTD General Manager Estrada and Chief Operating Officer Mary Gregg.

Employee organization: International Brotherhood of Teamsters Union, Local 186.

The Board reconvened at 10:52 AM. Chair Davis reported that no action had been taken on this item.

**10. RECESS TO CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR(S) (GOVERNMENT CODE SECTIONS 54957(B)(1); 54957.6) - (ACTION MAY BE TAKEN)**

Agency-designated representatives: MTD General Manager Jerry Estrada.

Unrepresented employees' performance review.

Chair Davis reported that no action had been taken on this item.

**16. ADJOURNMENT**

The meeting was adjourned at 10:54 AM.

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**Santa Barbara Metropolitan Transit District**  
**Cash Report**  
**Board Meeting of June 21, 2022**  
**For the Period May 28, 2022 through June 10, 2022**

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**MONEY MARKET**

**Beginning Balance May 28, 2022** **\$4,811,062.07**

Accounts Receivable	1,369,702.51
Passenger Fares	143,085.28
Miscellaneous Income	2,768.89
Interest Income	1,762.83
Measure A Transfer	<u>.22</u>
<b>Total Deposits</b>	<b>1,517,319.73</b>

Miscellaneous Transfers	(930.43)
Bank & Credit Card Fees	(4,123.29)
401(k)/Pension Transfer	(29,688.13)
Payroll Taxes	(151,895.90)
Accounts Payable	(305,360.82)
Payroll	<u>(341,034.16)</u>
<b>Total Disbursements</b>	<b>(833,032.73)</b>

**Ending Balance** **\$5,495,349.07**

**CASH INVESTMENTS**

LAIF Account	\$5,891,678.03
Money Market Account	<u>5,495,349.07</u>

**Total Cash Balance** **\$11,387,027.10**

**SELF INSURED LIABILITY ACCOUNTS**

WC / Liability Reserves	(\$4,363,280.87)
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**Working Capital** **\$7,023,746.23**

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**Santa Barbara Metropolitan Transit District**  
**Cash Receipts of Accounts Receivable**

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<b>Date</b>	<b>Company</b>	<b>Description</b>	<b>Amount</b>
5/31/2022	SB School District	Passes/Token Sales	40,425.00
6/3/2022	UCSB - Parking Services-7001	Passes/Passports Sales	2,940.00
6/6/2022	Local Transportation Fund	SB 325 - May'22	1,022,481.54
6/6/2022	Measure A, Section 3 LSTI	Measure A Funds May'22	302,102.17
6/8/2022	City of SB Creeks Division	Advertising on Buses	300.00
6/8/2022	LOSSAN Rail Corridor Agency	LOSSAN Contract Revenue	399.00
6/10/2022	True Media LLC/Cottage Health	Advertising on Buses	1,054.80
<b>Total Accounts Receivable Paid During Period</b>			<b>\$1,369,702.51</b>

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**Santa Barbara Metropolitan Transit District**  
**Accounts Payable**

Check #	Date	Company	Description	Amount	Voids
129650	5/26/2022	VENTURA STEEL, INC.	B&G REPAIRS & SUPPLIES	90.64	V
129652	6/3/2022	ABC BUS COMPANIES INC	BUS PARTS	1,603.01	
129653	6/3/2022	COX COMMUNICATIONS, CORP.	INTERNET & CABLE TV	155.44	
129654	6/3/2022	DIESEL FORWARD, INC.	BUS PARTS	14.27	
129655	6/3/2022	DOMINANCE SOFTWARE DEVELO	SOFTWARE SUPPORT SERVICES	300.00	
129656	6/3/2022	JEFFREY K. FISHER CONSULTING	PROFESSIONAL SERVICES	1,450.00	
129657	6/3/2022	STATE OF CALIFORNIA	PAYROLL RELATED	400.00	
129658	6/3/2022	GIBBS INTERNATIONAL INC	BUS PARTS	910.38	
129659	6/3/2022	GILLIG LLC	BUS PARTS	6,234.89	
129660	6/3/2022	GUARDIAN-APPLETON (DENTAL I	DENTAL INSURANCE	4,862.05	
129661	6/3/2022	GUARDIAN-APPLETON (LIFE INS)	LIFE INSURANCE	1,377.62	
129662	6/3/2022	IMPULSE ADVANCED COMMUNIC	INTERNET	400.00	
129663	6/3/2022	KEVIN ESCOBAR MARQUEZ	REIMBURSEMENT DMV/VTT	60.00	
129664	6/3/2022	MC CORMIX CORP. (OIL)	LUBRICANTS	2,981.89	
129665	6/3/2022	MEDICAL EYE SERVICES, INC.	VISION INSURANCE	530.70	
129666	6/3/2022	NEOPART TRANSIT LLC	BUS PARTS	105.10	
129667	6/3/2022	NEWEGG BUSINESS, INC	IT EQUIPMENT & SUPPLIES	885.84	
129668	6/3/2022	NFI PARTS DBA	BUS PARTS	748.44	
129669	6/3/2022	SB COUNTY FEDERAL CREDIT UNI	PAYROLL DEDUCTION	260.00	
129670	6/3/2022	SM TIRE, CORP.	BUS TIRE MOUNTING	477.95	
129671	6/3/2022	SOUTHWEST LIFT & EQUIPMENT,	LIFT REPAIRS & SUPPLIES	6,500.00	
129672	6/3/2022	STANTEC ARCHITECTURE INC.	FACILITIES A&E SERVICES	49.75	
129673	6/3/2022	STANTEC CONSULTING SERVICES	CONSULTING SERVICES	3,853.00	
129674	6/3/2022	SB CITY OF-REFUSE/WATER	UTILITIES	2,226.63	
129675	6/3/2022	TEAMSTERS MISC SECURITY TRU	UNION MEDICAL INSURANCE	178,929.00	
129676	6/3/2022	TEAMSTERS UNION LOCAL NO. 18	UNION DUES	688.49	
129677	6/3/2022	TAC ENERGY LLC	RENEWABLE DIESEL	34,359.16	
129678	6/3/2022	VALLEY POWER SYSTEMS, INC.	LUBRICANTS	56.58	
129679	6/9/2022	ABC BUS COMPANIES INC	BUS PARTS	301.51	
129680	6/9/2022	AMERICAN MOVING PARTS, LLC	BUS PARTS	1,313.14	
129681	6/9/2022	BNS ELECTRONICS, INC.	SANTA YNEZ SITE RENTAL	322.50	
129682	6/9/2022	BRIMAR INDUSTRIES	SIGNS FOR SHOP	67.11	
129683	6/9/2022	COMMUNITY RADIO, INC.	GIBRALTAR SITE RENTAL	289.44	
129684	6/9/2022	CINTAS CORPORATION	FIRST AID SUPPLIES	180.17	
129685	6/9/2022	CUMMINS SALES & SERVICE dba	BUS PARTS & REPAIRS	996.62	
129686	6/9/2022	COUNTY OF S.B.PUBLIC WORKS D	WASTE DISPOSAL	60.00	
129687	6/9/2022	DIVERSIFIED TRANSPORTATION S	FREIGHT CHARGES	801.03	
129688	6/9/2022	GIBBS INTERNATIONAL INC	BUS PARTS	506.71	



Check #	Date	Company	Description	Amount	Voids
129689	6/9/2022	GILLIG LLC	BUS PARTS	8,514.59	
129690	6/9/2022	GRAPHICINK	PRINTING SERVICES	404.80	
129691	6/9/2022	GRAINGER, INC.	SHOP/B&G SUPPLIES	903.99	
129692	6/9/2022	HIGH IMPACT INC.	FORKLIFT SAFETY TRAINING	1,750.00	
129693	6/9/2022	HOME IMPROVEMENT CTR.	SHOP/B&G SUPPLIES	268.52	
129694	6/9/2022	I-NETT	INTERCOM SYSTEM CONFIGURATION	1,225.00	
129695	6/9/2022	JANEK CORP	BUS PARTS	598.13	
129696	6/9/2022	LANSPEED DBA	IT SERVICES	2,850.00	
129697	6/9/2022	CHARLES MARLIN	REIMBURSEMENT DMV/VT	60.00	
129698	6/9/2022	MAYAN LANDSCAPING	LANDSCAPE MAINTENANCE SERVICE	3,465.00	
129699	6/9/2022	MC CORMIX CORP. (OIL)	LUBRICANTS	6,582.97	
129700	6/9/2022	MC CORMIX CORP. (GAS)	FUEL-SERVICE VEHICLES	1,767.64	
129701	6/9/2022	MISSION LINEN SUPPLY, INC	UNIFORM & LINEN SERVICE	1,399.32	
129702	6/9/2022	MOUNTAIN SPRING WATER	SHOP & OFFICE SUPPLIES	992.40	
129703	6/9/2022	NEWEGG BUSINESS, INC	IT EQUIPMENT & SUPPLIES	736.38	
129704	6/9/2022	NFI PARTS DBA	BUS PARTS	39.97	
129705	6/9/2022	PREVOST CAR (US) INC.	BUS PARTS	693.61	
129706	6/9/2022	PORT HUENEME MARINE SUPPLY	B&G SUPPLIES	90.64	
129707	6/9/2022	POWERSTRIDE BATTERY CO.	BATTERIES	600.89	
129708	6/9/2022	SILVAS OIL CO., INC.	LUBRICANTS	4,293.86	
129709	6/9/2022	SANTA BARBARA TROPHY	NAME PLATES	24.47	
129710	6/9/2022	SET SOLUTIONS, INC.	IT SERVICES	1,000.00	
129711	6/9/2022	SM TIRE, CORP.	BUS TIRE MOUNTING	439.65	
129712	6/9/2022	SMARDAN-HATCHER CO., INC	B&G REPAIRS & SUPPLIES	36.88	
129713	6/9/2022	SO. CAL. EDISON CO.	UTILITIES	4,955.63	
129714	6/9/2022	STAPLES CONTRACT & COMMERC	OFFICE SUPPLIES	632.49	
129715	6/9/2022	STEWART'S DE-ROOTING & PLUM	PLUMBING REPAIRS	190.00	
129716	6/9/2022	SB CITY OF-REFUSE/WATER	UTILITIES	2,014.01	
129717	6/9/2022	THE MEDCENTER	MEDICAL EXAMS	804.00	
129718	6/9/2022	UNITED PARCEL SERVICE, INC.	FREIGHT CHARGES	435.23	
129719	6/9/2022	J.C.M. AND ASSOCIATES INC.	UNIFORMS	1,375.87	
129720	6/9/2022	VALLEY POWER SYSTEMS, INC.	BUS PARTS	103.03	
129721	6/9/2022	WAXIE SANITARY SUPPLY DBA	JANITORIAL SUPPLIES	944.07	
				<b>305,451.46</b>	
Current Cash Report Voided Checks:				0.00	
Prior Cash Report Voided Checks:				90.64	
Grand Total:				<b>\$305,360.82</b>	



<b>BOARD OF DIRECTORS REPORT</b>
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**MEETING DATE:** JUNE 21, 2022

**AGENDA ITEM: #8**

**DEPARTMENT:** RISK

**TYPE:** ACTION ITEM

**PREPARED BY:** RAFAEL CORTEZ

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*Signature*

**REVIEWED BY:** GENERAL MANAGER

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*Signature*

**SUBJECT:** RENEWAL OF FLOOD INSURANCE – JULY 10, 2022 THROUGH  
JULY 10, 2023.

**RECOMMENDATION:**

Staff recommends that the Board of Directors authorize renewal of the Flood Insurance coverage with Wright National Flood Insurance Company through the National Flood Insurance Program (NFIP) effective July 10, 2022, at a total premium of \$32,606, with a deductible of \$25,000 per coverage.

**DISCUSSION:**

The policy covers all buildings and their contents at 550 Olive Street as follows: administrative, fuel service island, bus wash, carport, and maintenance. Coverage complies with the FTA requirement that grantees with federally-funded buildings located in a flood zone must purchase flood insurance for those properties. Flood coverage and underwriting rules are established by the National Flood Insurance Program (NFIP). Insurance companies are contracted to underwrite the flood policies and base pricing for flood zones is set by FEMA. The base pricing (premiums) are reflected in the automatically generated invoices through Wright National, which upon payment “bind” coverage.

Per the City of Santa Barbara’s Flood Insurance Rate Maps (FIRMS), MTD is in Zone AH, defined as “Areas subject to inundation by 1-percent-annual chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.”

**BUDGET/FINANCIAL:**

	Renewal 2022-2023	Expiring 2021-2022	Prior 2020-2021
Administration	\$ 7,650	\$ 7,528	\$ 7,461
Fuel Service Island	\$ 7,077	\$ 6,631	\$ 6,565
Bus Wash	\$ 4,385	\$ 4,015	\$ 3,979
Carport	\$ 5,305	\$ 4,609	\$ 4,574
Maintenance	\$ 8,189	\$ 7,528	\$ 7,461
Total	\$ 32,606	\$ 30,311	\$ 30,040



<b>BOARD OF DIRECTORS REPORT</b>
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**MEETING DATE:** JUNE 21, 2022

**AGENDA ITEM: #9**

**DEPARTMENT:** RISK

**TYPE:** ACTION ITEM

**PREPARED BY:** RAFAEL CORTEZ

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*Signature*

**REVIEWED BY:** GENERAL MANAGER

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*Signature*

**SUBJECT:** RENEWAL OF EXCESS WORKERS' COMPENSATION INSURANCE

**RECOMMENDATION:**

Staff recommends that the Board of Directors authorize renewal of Excess Workers' Compensation insurance (EWC) with current coverage through Public Risk Innovation, Solutions, and Management (PRISM) with a Self-Insured Retention (SIR) of \$250,000, at the projected annual premium of \$162,481, effective July 1, 2022 - July 1, 2023.

**DISCUSSION:**

The EWC premium projection is based on MTD's estimated 2022/23 payroll within the Low Safety category pool rating group City/other ("Group"), plus loss rate data through fiscal year end 2021. The overall premium increased by 9%. MTD's claim frequency has increased in the past year as supported by MTD's Experience Modification Factor (ex-mod) for 2022/23 calculated at 123%. An ex-mod of less than 100% indicates that a loss rate is better than the average and premium will be reduced, while an ex-mod greater than 100% indicates that a loss rate is worse than the average and premium will be increased.

**BUDGET/FINANCIAL:**

Fiscal Year	2022-2023	2021-2022	2020-2021
Renewal Premium	\$162,481	\$149,210	\$126,270

**HISTORICAL:**

Pool Rating Group: The rating methodology for the Public Entity (PE) rating group is split into two separate actuarially rated groups, "High Safety" and "Low Safety", based on the percent of overall payroll that is safety payroll. The Low Safety group rates continue to offer MTD better premium positioning than if in High Safety.



## BOARD OF DIRECTORS REPORT

**MEETING DATE:** JUNE 21, 2022  
**DEPARTMENT:** PROCUREMENT  
**TYPE:** ACTION ITEM  
**PREPARED BY:** VALERIE WHITE

**AGENDA ITEM: #10**

**REVIEWED BY:** GENERAL MANAGER

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*Signature*

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*Signature*

**SUBJECT:** ADVANCE AUTHORITY TO EXECUTE RENEWABLE DIESEL FUEL  
CONTRACTS

### RECOMMENDATION:

Staff requests that the Board provide advance authority to the General Manager to enter into a renewable diesel fuel contract via the most advantageous priced option:

- Enter into negotiation with the lowest bidder for a firm-fixed-price contract for up to six months (maximum contract pre-authority at \$5.89); and/or
- Utilize the cooperative purchasing program, OMNIA Contract 53317, for rack market differential pricing for up to six months (7 cents per gallon discount)

### DISCUSSION:

#### *Background*

To support the zero-emission bus fleet, MTD operates annually with approximately 610,000 gallons of renewable diesel (305,000 gallons over a six-month period). The current agreement for this fuel supply expires on June 30, 2022. In preparation, MTD issued a Request for Qualifications (RFQ) on February 17, 2022. The opportunity was distributed to 41 fuel vendors and publicly advertised in the *Ventura County Star*, *Santa Barbara News-Press*, and MTD's website. Four firms pre-qualified and received the *Invitation for Bids for Renewable Diesel Fuel* (IFB) on May 19, 2022. Since fuel prices change daily, Staff requested from the Board advanced authority for the General Manager to immediately accept and lock in the lowest responsible, responsive bid at or under \$3.82 per gallon as firm-fixed-price for a contract up to one year.

Staff selected \$3.82 per gallon as a fair and reasonable price cap based on the market conditions at the time of the Board meeting on May 3, 2022. However, market prices have steadily risen, so when sealed bids were received on June 9, 2022, all price proposals exceeded the General Manager's advanced authority. This now leaves MTD with a few options to procure fuel until another formal solicitation is released.

*Enter into Negotiations with Low Bidder*

## BOARD OF DIRECTORS REPORT

Due to the market volatility, once again, pre-authority is required for the General Manager to immediately accept a fair and reasonable offer. "Fair and reasonable" shall be determined by an independent cost analysis of the futures market used for fuel hedging prior to accepting an offer but **shall not exceed \$5.89 per gallon** for a firm-fixed-price contract for up to six months. Firm-fixed contracts provide MTD's budget protection from market surges, and both the supplier and MTD have set purchasing security through the length of a set hedged period.

According to FTA Circular 4220.1F, Chapter VI, paragraph 3. c. (2) – Sealed Bids Procurement Procedures, it is within MTD's ability to enter into negotiations with the bidder when the price or cost analysis has not confirmed that the bid price is fair and reasonable. Thus, MTD shall attempt to establish a different price that ultimately can be determined to be reasonable.

### *OMNIA Partners Cooperative Purchasing*

If negotiations cannot yield a fair and reasonable price, or if negotiations are not completed before MTD's current agreement's expiration, Staff recommends turning to the national cooperative contract with OMNIA Partners #53317 to ensure MTD's fuel supply. The contract was awarded through fair and open competition with a Request for Proposal (RFP) and successfully supplies other California transit agencies, school districts, and local governments with renewable diesel.

Contract pricing is based on market differentials using an Oil Price Information Service, OPIS benchmark index. It offers MTD **seven cents per gallon discount** from the previous day Los Angeles OPIS CARB Diesel Contract Unbranded Low w/CAR less. Then, MTD will incur a delivery fee. This contract is available through December 31, 2022.

According to FTA Circular 4220.1F Chapter V (7)(2) – Assignment of Contract Rights, Cooperative Purchasing is allowable as long as the price remains fair and reasonable and the contract includes an amendment to address the FTA Contract Provisions. Thus, MTD shall follow this guidance if a Board-authorized General Manager determines this "contingency plan" offers the most advantageous priced option.





<b>BOARD OF DIRECTORS REPORT</b>
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**MEETING DATE:** JUNE 21, 2022

**AGENDA ITEM: #11**

**DEPARTMENT:** CAPITAL PROJECTS

**TYPE:** INFORMATIONAL ITEM

**PREPARED BY:** RYAN GRIPP

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*Signature*

**REVIEWED BY:** GENERAL MANAGER

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*Signature*

**SUBJECT:** CAPITAL PROJECTS UPDATE

**DISCUSSION:**

Staff will provide a presentation to update the Board on MTD capital projects. The presentation will provide details about the scope and status of active capital projects. The projects to be discussed are as follows:

- Facilities
  - Terminal 2 Recommissioning (Phase 1)
  - Terminal 1 Charge Ready Bridge Project
  - Haley Street Electric Bus Charging Canopy Upgrade
- Equipment
  - New Flyer 40' Battery-Electric Buses (9 buses)
  - Ford Transit Battery-Electric Passenger Vans (3 vans)
  - Fleet Renewal Campaign
- Planning
  - Zero-Emission Bus Rollout Plan
  - Transit Asset Management Plan Update
  - California Energy Commission Blueprint Grant



## BOARD OF DIRECTORS REPORT

**MEETING DATE:** JUNE 21, 2022

**AGENDA ITEM: #12**

**DEPARTMENT:** GRANTS

**TYPE:** INFORMATIONAL ITEM

**PREPARED BY:** STEVE MAAS

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*Signature*

**REVIEWED BY:** GENERAL MANAGER

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*Signature*

**SUBJECT:** CAPITAL FUNDING OPPORTUNITIES

### RECOMMENDATION:

Receive update on upcoming formula and competitive capital funding opportunities and provide feedback.

### DISCUSSION:

Various opportunities for MTD to apply for capital grant funding are typically available each year. Staff annually pursues funding from each of these opportunities.

### ONGOING STATE OPPORTUNITIES

#### California Transit and Intercity Rail Capital Program - Competitive

The California Transit and Intercity Rail Capital Program (TIRCP) is one of several programs that are part of the "Transit, Affordable Housing, and Sustainable Communities Program" established in 2014 (Senate Bill 862). The source of TIRCP funds is California cap-and-trade auction proceeds, which are appropriated to TIRCP and several other programs. Caltrans and the California Air Resources Board administer TIRCP. All projects funded with cap-and-trade auction proceeds must demonstrate greenhouse gas reduction.

TIRCP is a statewide competitive program. MTD received \$1.5 million from a successful SBCAG 2018 application. MTD's 2020 application was not awarded. MTD submitted an application for the 2022 cycle, and is awaiting word on the results. The application includes eight 40-ft. electric buses, three electric microtransit vans, T1 and T2 facility improvements, and various other enhancements.

#### California Low Carbon Transit Operations Program - Formula

As with TIRCP above, The California Low Carbon Transit Operations Program (LCTOP) is another program funded through Senate Bill 862 with California cap-and-trade auction proceeds. Caltrans and the California Air Resources Board administer LCTOP. All projects funded with cap-and-trade auction proceeds must demonstrate greenhouse gas reduction. LCTOP provides formula funds to transit agencies such as MTD based on the agency's percentage of statewide

## BOARD OF DIRECTORS REPORT

fare revenue, and to RTPAs such as SBCAG based on the area's percentage of statewide population.

MTD has received LCTOP funding each year since the inception of the program in FY 2015, and the program has funded various capital and operating projects for MTD. Historically, the percent of population-based funding actually awarded to MTD by SBCAG annually has varied. However, beginning with FY 2021, the County transit operators agreed to a set formula.

### California State of Good Repair Program – Formula

The California State of Good Repair (SGR) program is authorized by “The Road Repair and Accountability Act of 2017” (Senate Bill 1). The source of funding for the SGR Program is a portion of the Transportation Improvement Fee on vehicle registrations. SGR is a transit capital program intended to maintain the public transit system in a state of good repair. Transit operations, transit agency administration, program management, and capital projects that solely expand capacity are not eligible projects under SGR. As with LCTOP above, the SGR Program provides formula funds directly to transit agencies such as MTD based on the agency's percentage of statewide fare revenue, and to regional transportation planning agencies (RTPAs) such as the Santa Barbara County Association of Governments (SBCAG) based on the area's percentage of statewide population.

Historically, SBCAG has chosen to conduct a four-year call for projects for the population-based portion of the funding. Most recently, MTD was awarded an estimated \$1.2 million for the four-year period from FY 2022 through FY 2025. However, for FY 2026 and ongoing, as with LCTOP above, the County transit agencies agreed to a set formula for the funding.

## ONGOING FEDERAL OPPORTUNITIES

### Federal Transit Administration 5307 Urbanized Area Program - Formula

MTD annually receives the Santa Barbara urbanized area (UZA) apportionment from the FTA Section 5307 program, and has traditionally used all of the Section 5307 funds for operations. As a “small urbanized area” (a population less than 200,000), with a “transit service intensity” that exceeds that of an average UZA with a population as high as 1,000,000, MTD has received the maximum “Small Transit Intensive Cities” (STIC) bonus apportionment each year the STIC program has existed.

The recently-enacted Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), includes a large increase in the nationwide Section 5307 program, and also includes an increase in the percentage of the set aside for the STIC program from two percent to three percent. These changes resulted in an increase in the Section 5307 apportionment from \$5.81 million in FY 2021 to \$8.58 million in FY 2022. However, when the UZA population totals from the 2020 Census are released, likely in 2023, it is likely that the Santa Barbara UZA population will exceed 200,000 persons. If so, MTD will no longer be eligible for the STIC apportionment. Additionally, the base apportionment formula is different for UZAs over 200,000 population, and this is likely to be disadvantageous for MTD. Staff has estimated that, if the UZA population exceeds 200,000, MTD's annual apportionment will decrease to \$5.28 million. For this reason, staff is utilizing the FY 2022 increase as “one-time” funds, and will set those funds aside for the capital program.

### Federal Transit Administration 5339(a) Bus and Bus Facilities Capital Program - Formula

The 5339(a) Bus and Bus Facilities Program is a nationwide formula funding program apportioned annually by the FTA. The goals of the 5339(b) Program are to improve the condition of the nation's

## BOARD OF DIRECTORS REPORT

public transportation bus fleets, expand transportation access to employment, educational, and healthcare facilities, and improve mobility options throughout the country.

MTD has historically received in the range of \$500,000 annually from this program, and has been apportioned \$465,476 for FY 2022. These funds are limited to capital projects.

### Federal Transit Administration 5339(b) Bus and Bus Facilities Capital Program - Competitive

The 5339(b) Bus and Bus Facilities Program is a nationwide competitive funding opportunity conducted annually by the FTA. As with the 5339(a) program above, the goals of the 5339(b) program are to improve the condition of the nation's public transportation bus fleets, expand transportation access to employment, educational, and healthcare facilities, and improve mobility options throughout the country.

MTD has applied for funds from this program each year since its implementation of the program in FY 2016. MTD was successful in its FY 2016 application, and received nearly \$5.7 million towards the purchase of 14 replacement buses. In the following years, MTD has not received an award. For the FY 2022 program, MTD applied for three 40-ft. electric buses and chargers, and for funds for Phase 2 of the Terminal 2 rehabilitation project. We are awaiting the results of that application. Regardless of the FY 2022 result, MTD will apply again in FY 2023.

### Federal Transit Administration 5339(c) Low or No Emission Capital Program - Competitive

As with the 5339(b) Program above, the 5339(c) Low or No Emission Program is a nationwide competitive funding opportunity conducted annually by the FTA. The 5339(c) Program provides funding to state and local governmental authorities for the purchase or lease of zero-emission and low-emission transit buses, as well as acquisition, construction, and leasing of required zero-emission and low-emission support facilities.

MTD applied for funding from this program in FY 2019, FY 2020, and FY 2021 but was not awarded funding. In FY 2022, for the first time, FTA allowed agencies to submit a combined request for funds from either 5339(b) or 5339(c) program, and MTD did submit a combined project. If FTA funds the project, FTA will determine from which program to award the funds.

### US Department of Transportation Community Project Funding - Competitive

Members of the US House of Representatives are authorized to submit 15 requests annually for Community Project Funding for possible inclusion in the annual appropriations bills, which provide the federal government with the funding it needs to operate.

MTD applied for funding from this program in FY 2022 but was not selected for inclusion. For FY 2023, MTD has applied for funding for two 40-ft. electric buses and chargers, and for funds for Phase 2 of the Terminal 2 rehabilitation project.

## **OTHER POTENTIAL FEDERAL OPPORTUNITIES**

The federal IIJA, discussed above, includes other programs that may provide opportunities for MTD. Staff will monitor these programs for potential opportunities to apply for funding.

### Rebuilding American Infrastructure Sustainably and Equitably (RAISE) Grants

This existing competitive grant program at the Department of Transportation provides a guaranteed \$7.5 billion, with an additional \$7.5 billion subject to Congressional approval, in funding for road, rail, transit, and other surface transportation of local and/or regional significance.

## BOARD OF DIRECTORS REPORT

Selection criteria safety, sustainability, equity, economic competitiveness, mobility, and community connectivity.

### Charging and Fueling Infrastructure Grants

In addition to the \$5 billion formula program distributed to states, this \$2.5 billion discretionary grant program at the Department of Transportation will fund the strategic deployment of publicly-accessible electric vehicle charging infrastructure, as well as hydrogen, propane, and natural gas fueling infrastructure, along designated alternative fuel corridors and in communities.

### Energy Efficiency and Conservation Block Grants

This Department of Energy block grant program will provide \$550 million to states, local governments, and tribes for projects that reduce energy use, increase energy efficiency, and cut pollution.

### State and Local Cybersecurity Grant Program

This new \$1 billion program at the Department of Homeland Security makes federal funds available to state, local, and tribal governments to address cybersecurity risks and cybersecurity threats to information systems that they own or operate.

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<sup>i</sup> This report includes capital funding programs that are relatively new, or that have seen recent changes. For this reason, other funding programs such as California State Transit Assistance and County Measure A that have been around for some time and have not changed are not included.



To: MTD Board of Directors  
From: Jerry Estrada, General Manager  
Date: June 21, 2022  
Subject: General Manager's Report

MTD's newest Bus Operator in Training, James Arnold, continues his training schedule and progressing nicely. Operations has just received the next schedule change from our Planning Department, set to commence on August 15. Operations is reviewing the details of the schedule change over the next few days in preparation to start the bidding process with our Operators. Bidding is expected to commence within the next couple of weeks, allowing us plenty of time to complete it before August 15. This schedule change will go through November 27.

As for the Terminal 1 – SCE Charge Ready project, the design documents for the flood barriers have been approved by the City of Santa Barbara. As a result, MTD's general contractor, Edwards Construction Group (ECG), may commence with the work. ECG is tentatively planning to remobilize the week of June 20. The first task ECG plans to perform when back onsite is pouring the concrete pads for the chargers.

CALSTART and MTD's California Energy Commission (CEC) Blueprint Grant project team are in the process of finalizing the first deliverable to the California Energy Commission, the Blueprint Research Report. The Research Report identifies zero-emission transportation goals and policies for MTD and public fleets domiciled or operating regularly within the city limits of Santa Barbara. It also explores the timelines for achieving the targets set by the various public agencies evaluated. The next deliverable, a Summary of Medium- and Heavy-Duty Infrastructure Development and Deployment, is due to the CEC by the end of July.

MTD's Transit Asset Management (TAM) Plan is required to be updated at least every four years. The four-year plan horizon for MTD's first TAM Plan is up at the end of the summer. As a result, staff is working on an updated TAM Plan with a new four-year horizon timeline. The updated TAM Plan will include an asset inventory, condition assessments of assets, and a prioritized list of investments to improve capital assets to a 'state of good repair.'

Finance staff is underway with preparations for the FY2021-22 Single Audit. The annual bus part inventory is scheduled for July 1 & 2. Compucount Inventory Service will assist MTD with the task. Financial auditors are scheduled to be onsite July 14 & 15 to begin preliminary audit tasks.