

# Tehama County Transit Agency Board

Chairman: Doug Hatley Vice-Chair: Vacant

Directors: Dennis Garton, Bob Williams, Steve Chamblin, Robert Christison, Daniele Eyestone

Alternates: City of Corning, Vacant; City of Red Bluff, Kris Deiters

Timothy J. McSorley, Executive Director

Jessica Riske-Gomez, Interim Transportation Manager



## December 17, 2018 8:45 AM Agenda

Tehama County Board of Supervisors Chambers

727 Oak Street, Red Bluff, CA 96080

<http://www.co.tehama.ca.us>

This meeting conforms to the Brown Act Open Meeting Requirements, in that actions and deliberations of the TCTAB created to conduct the people's business are taken openly; and that the people remain fully informed about the conduct of its business. Any written materials related to an open session item on this agenda that are submitted to the Clerk/Recording Secretary less than 72 hours prior to this meeting, and that are not exempt from disclosure under the Public Records Act, will promptly be made available for public inspection at Tehama County Public Works, 9380 San Benito Ave., Gerber, CA. 96035

### 1. Call to Order and Introductions

### 2. Public Comment

This time is set aside for citizens to address this Board on any item of interest to the public that is within the subject matter jurisdiction of the TCTAB provided the matter is not on the agenda or pending before this Board. The Chair reserves the right to limit each speaker to three (3) minutes. Disclosure of the speaker's identity is purely voluntary during the public comment period.

### 3. Announcements

- a. Staff attended the 2018 Fall CalACT conference. The conference had an emphasis on increasing intermodal mobility through the use of technology.
- b. Update on LIFT event; please see overview in Background Information.
- c. Update regarding Request for Proposals for transit operations; please see overview in Background Information.

**4. Approval of Minutes**

Approve minutes from the July 23, 2018 and October 22, 2018 Tehama County Transit Agency Board meetings.

**5. Approval of Claims**

Request approval of Tehama County Transit Agency Board claims in the amount of \$152,134.53.

**6. 2019 Tehama County Transit Agency Board Special Meeting Dates**

Adopt the following Tehama County Transit Agency Board Special meeting dates:

- Monday, January 28, 2019, 8:45 AM
- Monday, March 25, 2019, 8:45 AM
- Monday, May 20, 2019, 8:45 AM
- Monday, July 22, 2019, 8:45 AM
- Monday, September 23, 2019, 8:45 AM
- Monday, November 25, 2019, 8:45 AM

**7. Conflict of Interest Code Amendment for the Tehama County Transit Agency Board**

- a. Request adoption of Resolution No. 8-2018 adopting the amended Conflict of Interest Code for the Tehama County Transit Agency Board.
- b. Authorization for staff to submit the amended Conflict of Interest Code for the Tehama County Transit Agency Board to the Board of Supervisors.

**8. PepsiCo/Frito-Lay, Inc. Tenancy**

Informational Presentation: Status of tenancy for PepsiCo/Frito-Lay Inc., located at 1515 Schwab Street, Red Bluff.

**9. Adjourn**



Tehama County Transit Agency Board  
Meeting Date: December 17, 2018  
Department: Tehama County Transit Agency Board  
Prepared By: Maeve Kellogg  
Preparer Phone: 530-385-1462  
Preparer Email: mlandon@tcpw.ca.gov

### **Transit Agency Board Announcements**

#### **Requested Action(s)**

- a. Staff attended the 2018 Fall CalACT conference. The conference had an emphasis on increasing intermodal mobility through the use of technology.
- b. Update on LIFT event; please see overview in Background Information.
- c. Update regarding Request for Proposals for transit operations; please see overview in Background Information.

#### **Background Information:**

- b. Update from the LIFT event held on November 9, 2018 - Paratransit provided 154 rides to and from the LIFT event on TRAX. The LIFT event will pay the fares for those riders. This year there were 99 passengers from Red Bluff area and 55 passengers from the Corning, Los Molinos, and Gerber areas.

During the LIFT event Paratransit distributed 48 complimentary \$5 bus passes. The visitor count at the booth seemed lower than previous years, but overall attendance was good. There was an interest in the TRAX service by most people.

- c. The draft RFP for transit operations is complete and will be sent to the Division of Rail and Mass Transportation Federal Procurement Management Branch for review. Once the draft has been reviewed and staff receives approval, it will go to County Counsel for review. Staff anticipates bringing the RFP to the TCTAB in January for authorization to advertise.



Tehama County Transit Agency Board  
Meeting Date: December 17, 2018  
Department: Tehama County Transit Agency Board  
Prepared By: Maeve Kellogg  
Preparer Phone: 530-385-1462  
Preparer Email: mlandon@tcpw.ca.gov

### **Approval of Minutes**

#### **Requested Action(s)**

Approve minutes from the July 23, 2018 and October 22, 2018 Tehama County Transit Agency Board meetings.

#### **Background Information:**

See attached minutes.

#### **Attachment List:**

July 23 2018 TCTAB Minutes (PDF)  
October 22 2018 TCTAB Minutes (PDF)

# Tehama County Transit Agency Board



## Minutes of July 23, 2018 Special Meeting

Tehama County Board of Supervisors Chambers  
727 Oak Street, Red Bluff, CA 96080  
<http://www.co.tehama.ca.us>

### 1. Call to Order / Pledge of Allegiance / Introductions

Attendee Name	Title	Status
Dave Linnet	Alternate	Excused
Daniele Eyestone	Alternate	Excused
Doug Hatley	Director	Present
Robert Schmid	Director	Present
Steve Chamblin	Director	Present
Bob Williams	Director	Present
Dennis Garton	Director	Present
Robert Christison	Director	Present

Chairman Doug Hatley called the meeting to order at 8:45 a.m. and led the pledge of allegiance.

### 2. Public Comment

There was no public comment.

### 3. Announcements

Chairman Doug Hatley made the following announcements:

- a. In accordance with AB23, it is hereby announced that the Transit Directors in attendance at today's meeting shall receive a stipend of \$100, per the adopted By-Laws.
- b. The next scheduled Tehama County Transportation Commission and Tehama County Transit Agency Board Special meetings will be held August 27, 2018 at 8:30 a.m. and 8:45 a.m.
- c. Staff is in the process of updating the TCTC and TCTAB Bylaws and is requesting input from Commissioners/Directors. Staff is requesting suggestions to be emailed.

#### 4. Approval of Minutes

Motion by Director Williams, second by Director Chamblin to approve the minutes from the June 25, 2018 Tehama County Transit Agency Board meeting.

**RESULT: Approved [Unanimous]**

**MOVER:** Bob Williams

**SECONDER:** Steve Chamblin

**AYES:** Hatley, Chamblin, Williams, Garton, Christison

**ABSTAIN:** Robert Schmid

**EXCUSED:** Daniele Eyestone

#### 5. ParaTRAX Complementary Paratransit Service Area Expansion

Interim Transportation Manager Jessica Riske-Gomez stated staff is requesting to amend the Policy and Procedures for Service Criteria of Complementary Paratransit Services to expand services area, eliminating the use of TRAX fixed route vehicles to meet the 3/4-mile deviation. Additional amendments will include language allowing Paratransit Services to prioritize ParaTRAX rides based on purpose. Currently rides are not prioritized, but it may become necessary upon expansion of the service area. Staff will work with Paratransit staff to clarify the language in the Policies and Procedures.

Staff is requesting guidance from the Directors to regarding the preferred radius of expansion from the fixed routes. Ms. Riske-Gomez noted the estimates provided are rough costs and will require additional analysis. Ms. Riske-Gomez noted while the 5-mile expansion is more fiscally conservative, the 10-mile expansion will allow for more coverage to the north along I-5 and includes more rural communities.

Paratransit General Manager Sharon Young stated it is hard to estimate costs without knowing the where riders will be requesting pickups. Ms. Young noted the 5-mile radius will service requests that have been received. Ms. Young added there have been a few requests for service that would be covered by the 10-mile expansion.

Director Garton asked if the 10-mile expansion would include the Bend district. In response, Ms. Young stated the Bend district would be covered, as well as neighborhoods along McCoy Road and Hooker Creek Road.

Director Garton clarified that service would only be provided when requested. Ms. Young added that ParaTRAX is for ADA certified individuals and reservations must be made 24 hours in advance.

Director Chamblin requested information regarding the number of cancellations and no shows be presented at a future meeting.

Director Williams asked if this will eliminate the 3/4-mile route deviation.

- a. Motion by Director Garton, second to Director Williams to expand the ParaTRAX service area to 10 miles.

**RESULT:**        **Approved [Unanimous]**  
**MOVER:**         Dennis Garton  
**SECONDER:**    Bob Williams  
**AYES:**           Hatley, Schmid, Chamblin, Williams, Garton, Christison  
**EXCUSED:**     Daniele Eyestone

- b. Motion by Director Garton, second to Director Williams authorizing staff to amend the Policy and Procedures for Service Criteria of Complementary Paratransit Services

**RESULT:**        **Approved [Unanimous]**  
**MOVER:**         Dennis Garton  
**SECONDER:**    Bob Williams  
**AYES:**           Hatley, Schmid, Chamblin, Williams, Garton, Christison  
**EXCUSED:**     Daniele Eyestone

**6. Adjourn**

With no further business, the meeting adjourned at 8:57 a.m.

Attachment: July 23 2018 TCTAB Minutes (13457 : Approval of Minutes)

# Tehama County Transit Agency Board



## Minutes of October 22, 2018 Meeting

Tehama County Board of Supervisors Chambers  
727 Oak Street, Red Bluff, CA 96080  
<http://www.co.tehama.ca.us>

### 1. Call to Order and Introductions

Attendee Name	Title	Status
Vacant	Alternate	Excused
Daniele Eyestone	Alternate	Excused
Doug Hatley	Director	Present
Robert Schmid	Director	Present
Steve Chamblin	Director	Present
Bob Williams	Director	Present
Dennis Garton	Director	Absent
Robert Christison	Director	Present

Chairman Doug Hatley called the meeting to order at 8:45 a.m.

### 2. Public Comment

There was no public comment.

Chairman Hatley announced the addition to packet for Tehama County Transit Agency Board Item 6, which adds Christmas Eve and New Year's Eve as TRAX and ParaTRAX non-service days.

### 3. Announcements

Chairman Hatley made the following announcements:

- a. The Tehama County Regional Transportation Planning Agency is pleased to announce changes in the TRAX and ParaTRAX service ticketing. Fall 2018 will bring:
  - VETERANS PASS - Elimination of pass; Veterans will be required to show only Veterans Identification Card.

Associate Transportation Planner Maeve Kellogg noted staff worked with the Veterans Services Officer to ensure the process would be easier for veterans.



- STUDENT PASS - New academic year passes are free but will not be valid for the Glenn County side of the connection to Butte College or CSU campuses  
Interim Transportation Manager Jessica Riske-Gomez clarified that students will be required to obtain a pass from Shasta College. Ms. Riske-Gomez stated the new passes are valid for the full academic year, opposed to the monthly passes previously issued.
  - REGIONAL TRANSFERS - Elimination of fee to transfer from in town to regional routes
- b. The Agency is further pleased to announce the procurement process for the 2019 transit vehicle purchase is moving forward and will go to the Board of Supervisors in November. Purchase orders for two 2018 Gas Glaval Busses were already submitted, and the next purchase order requests will include:
- Two (2) 30' Gas Hometown Trolley busses
  - Three (3) 21' Gas Ford Transit Cut-Away busses
  - One (1) 30' Diesel Freightliner Glaval Legacy bus

#### 4. Approval of Minutes

Motion by Director Williams, second by Director Chamblin to approve the minutes from the August 27, 2018 and September 24, 2018 Tehama County Transit Agency Board meetings.

<b>RESULT:</b>	<b>Approved [Unanimous]</b>
<b>MOVER:</b>	Bob Williams
<b>SECONDER:</b>	Steve Chamblin
<b>AYES:</b>	Hatley, Schmid, Chamblin, Williams, Christison
<b>ABSENT:</b>	Dennis Garton
<b>EXCUSED:</b>	Daniele Eyestone

#### 5. Approval of Claims

Director Schmid requested clarification on the shelter replacement claim. Associate Transportation Planner Maeve Kellogg replied there were two shelters hit and damaged by vehicles.

Motion by Director Williams, second by Director Chamblin to approve the Tehama County Transit Agency Board claims in the amount of \$290,405.43.

<b>RESULT:</b>	<b>Approved [Unanimous]</b>
<b>MOVER:</b>	Bob Williams
<b>SECONDER:</b>	Steve Chamblin
<b>AYES:</b>	Hatley, Schmid, Chamblin, Williams, Christison
<b>ABSENT:</b>	Dennis Garton
<b>EXCUSED:</b>	Daniele Eyestone

## 6. TRAX/ParaTRAX Non-Service Days

Chairman Hatley announced the following TRAX and ParaTRAX holiday closures:

- No TRAX or ParaTRAX service on Thursday, November 22, 2018. (Thanksgiving Day)
- No TRAX or ParaTRAX service on Tuesday, December 24, 2018. (Christmas Eve)
- No TRAX or ParaTRAX service on Tuesday, December 25, 2018. (Christmas Day)
- No TRAX or ParaTRAX service on Tuesday, December 31, 2018. (New Year's Eve)
- No TRAX or ParaTRAX service on Tuesday, January 1, 2019. (New Year's Day)

## 7. Tehama County Transit Agency Board Bylaws

Interim Transportation Manager Jessica Riske-Gomez provided an overview of the history of the Tehama County Transit Agency Board and Bylaws. In 2003, during the Regional Transportation Planning Agency handbook update, an agreement was adopted to keep the County and cities in conformance with requirements under the Public Utilities Code, forming the Tehama County Transit Agency Board. At this time, the Transit Policy Advisory Committee (TPAC) was established to provide recommendations to the Board of Directors. The TPAC members are the City Managers and Public Works Directors for the county and cities, City of Tehama representative, transit contract general manager, SSTAC member, and the Transit Manager.

As part of the Regional Transportation Planning Agency handbook update, the Tehama County Transportation Commission bylaws were updated. Bylaws were not created for the Transit Agency Board, nor were they included in the Commission Bylaws. Ms. Riske-Gomez noted that the Tehama County Transit Agency Board was included in the Tehama County Transportation Commission Bylaws, adopted by both the Transportation Commission and Transit Agency Board in 2015.

In 2016, updated Transportation Commission Bylaws were brought to the Commission, at that time the Transit Agency Board was removed, showing Tehama County Transportation Commission as the sole governing body.

Staff is requesting the Bylaws be adopted to ensure compliance. Ms. Riske-Gomez added that TPAC Bylaws are not being presented as staff feels it creates a redundancy and will begin the process to dissolve it.

Motion by Director Williams, second by Director Chamblin to approve the Tehama County Transit Agency Board Bylaws.

**RESULT:**      **Approved [Unanimous]**  
**MOVER:**        Bob Williams  
**SECONDER:**    Steve Chamblin  
**AYES:**          Hatley, Schmid, Chamblin, Williams, Christison  
**ABSENT:**        Dennis Garton  
**EXCUSED:**      Daniele Eyestone

**8. Adjourn**

With no further business, the meeting adjourned at 9:04 p.m.



Tehama County Transit Agency Board  
Meeting Date: December 17, 2018  
Department: Tehama County Transit Agency Board  
Prepared By: Nichole Bethurem  
Preparer Phone: 530-385-1462 ext 3045  
Preparer Email: nbethurem@tcpw.ca.gov

### **Approval of Tehama County Transit Agency Board Claims**

#### **Requested Action(s)**

Request approval of Tehama County Transit Agency Board claims in the amount of \$152,134.53.

#### **Background Information:**

See attached claims summary.

#### **Attachment List:**

December 2018 TCTAB Claims (PDF)

<b>Tehama County Transit Agency Board Claims</b>		
<b>Monday, December 17, 2018</b>		
<b>Claimant</b>	<b>Description</b>	<b>Amount</b>
City of Corning	Janitorial Services, September 2018	\$ 500.00
City of Corning	Janitorial Services, October 2018	500.00
City of Red Bluff	Water & Sewer, 9/12-10/05/18	161.58
City of Red Bluff	Water & Sewer, 10/06-11/06/18	186.68
Corning Lumber	Materials for new shelter	33.87
P. G. & E.	Utilities 1515 Schwab St   Sept 2018	25.62
P. G. & E.	Utilities 1515 Schwab St   Oct 2018	27.50
Paratransit Services	Sat Svc TRAX 09/18 (Funded by LCTOP)	2,340.23
Paratransit Services	METS 09/18	4,337.45
Paratransit Services	GTC CONNECT 09/18 (Funded by LCTOP)	10,276.67
Paratransit Services	ParaTRAX 09/18 (Funded by LTF)	32,132.50
Paratransit Services	TRAX Aug 18 (Includes Deduction of \$6,918.61 per Res# 04-2014)	80,768.50
Tehama County Public Works	Prof & Special, TRAX July 2018	4,840.23
Tehama County Public Works	Prof & Special, METS Aug 2018	67.66
Tehama County Public Works	Prof & Special, Paratrax Aug 2018	67.66
Tehama County Public Works	Prof & Special, TRAX Aug 2018	4,397.12
Tehama Lock & Security	Rekey 1515 Schwab	89.00
Tolar Manufacturing	Replacement components for Bus Shltr	4,402.16
Walker Printing	\$5 TRAX punch cards	98.67
Wallis Design Studio	Prof & Special, Transit Facility, 7/27 - 8/27/18	1,230.00
Wallis Design Studio	Prof & Special, Transit Facility, 8/27 - 9/27/18	5,651.43
<b>Total</b>		<b>\$ 152,134.53</b>



Tehama County Transit Agency Board  
Meeting Date: December 17, 2018  
Department: Tehama County Transit Agency Board  
Prepared By: Maeve Kellogg  
Preparer Phone: 530-385-1462  
Preparer Email: mlandon@tcpw.ca.gov

## 2019 Tehama County Transit Agency Board Special Meeting Schedule

### Requested Action(s)

Adopt the following Tehama County Transit Agency Board Special meeting dates:

- Monday, January 28, 2019, 8:45 AM
- Monday, March 25, 2019, 8:45 AM
- Monday, May 20, 2019, 8:45 AM
- Monday, July 22, 2019, 8:45 AM
- Monday, September 23, 2019, 8:45 AM
- Monday, November 25, 2019, 8:45 AM

### Background Information:

The Transit Agency Board Bylaws state the Board of Directors will meet bi-monthly, in even numbered months, on the last Monday.

Staff is requesting the Directors approve the Special Meeting schedule, in addition to the meeting schedule adopted in August 2018, in order to ensure no deadlines are missed in upcoming year.

Meetings will be held in the Tehama County Board of Supervisors Chambers, 727 Oak Street, Red Bluff.



Tehama County Transit Agency Board  
 Meeting Date: December 17, 2018  
 Department: Tehama County Transit Agency Board  
 Prepared By: Maeve Kellogg  
 Preparer Phone: 530-385-1462  
 Preparer Email: mlandon@tcpw.ca.gov

## **Conflict of Interest Code Amendment for the Tehama County Transit Agency Board**

### **Requested Action(s)**

- a. Request adoption of Resolution No. 8-2018 adopting the amended Conflict of Interest Code for the Tehama County Transit Agency Board.
- b. Authorization for staff to submit the amended Conflict of Interest Code for the Tehama County Transit Agency Board to the Board of Supervisors.

### **Background Information:**

The Political Reform Act of 1974 (Gov. Code, §§ 81000 et seq.) requires state and local government agencies to adopt and promulgate Conflict of Interest Codes.

According to the Fair Political Practices 2018 Conflict of Interest Code Biennial Notice Instructions for Local Agencies, "If you answer yes, to any of the questions below, your agency's code probably needs to be amended.

- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?"

Since the last code amendment in 2015, the Tehama County Transportation Commission (TCTC) and the Tehama County Transit Agency Board (TCTAB) have reviewed their current Conflict of Interest Code and have determined that an amendment is necessary.

The 2018 amendment includes updates to the Designated Positions to match the current structure of the TCTC and TCTAB and minor clerical revisions to match the components of a code as outlined on the Fair Political Practice Commission website. The 2015 Code is attached for reference.

Staff recommends the Board of Directors adopt this combined Code so the agencies will not be out of compliance with the Political Reform Act.

### **Attachment List:**

(ID # 13678)





## Tehama County Transit Agency Board

### Resolution No. 8-2018: Adopting an Amended Conflict of Interest Code

**WHEREAS** the Political Reform Act of 1974 (Gov. Code, §§ 81000 et seq.) requires every local government agency to adopt a Conflict of Interest Code; and

**WHEREAS** on November 9, 2004, the Tehama County Board of Supervisors adopted Resolution No. 107-2004 determining that the Tehama County Transportation Commission and the Tehama County Transit Agency Board are agencies separate from the County of Tehama for purposes of the Political Reform Act of 1974; and

**WHEREAS** Tehama County Transit Agency (TCTAB) Board staff submitted the 2018 Local Agency Biennial Notice to the Tehama County Clerk of the Board of Supervisors and a review of the conflict-of-interest code has determined that an amendment is required to:

- Revise titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.

**WHEREAS** Tehama County Transit Agency Board is in compliance with Government Code section 87311, has held a duly noticed public comment period to give the officers, employees, members, and consultants of and the residents of Tehama County adequate notice and a fair opportunity to present their views regarding the proposed adoption of a Conflict of Interest Code for TCTAB.

**NOW, THEREFORE, BE IT RESOLVED** that this Resolution and its attachments are hereby adopted as the Conflict of Interest Code for the Tehama County Transit Agency Board.

The foregoing Resolution was offered on a motion by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and carried by the following vote:

**AYES:**

**NOES:**

**ABSENT OR NOT VOTING:**

STATE OF CALIFORNIA )

) ss

COUNTY OF TEHAMA )

DATED: \_\_\_\_\_

I, **Timothy McSorley, Executive Director**, of the Tehama County Transit Agency Board of the County of Tehama, State of California, hereby certify the above and foregoing to be full, true and correct copy of an order adopted by said Tehama County Transit Agency Board on this 17th day of December 2018.

**BY:** \_\_\_\_\_  
**Nichole Bethurem, Recording Secretary**

Attachment: Reso 8-2018 TCTAB COIC (13678 : Conflict Of Interest Code Revision Transit Agency Board)

# 2018 Conflict of Interest Code for the Tehama County Transportation Commission and the Tehama County Transit Agency Board

## 1. TERMS OF CODE

The Political Reform Act of 1974 (Gov. Code, §§ 81000 et seq.) requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (Cal. Code Regs., tit. 2, § 18730) which contains the terms of a standard Conflict of Interest Code. This regulation, including any future amendments made by the Fair Political Practices Commission, may be incorporated by reference into a local agency’s Conflict of Interest Code. Therefore, the terms of California Code of Regulations, title 2, section 18730 and any future amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference into this Code and along with the attachments hereto constitutes the Conflict of Interest Code of the Tehama County Transportation Commission and Tehama County Transit Agency Board.

Individuals holding designated positions shall file their statements of economic interests with the Tehama County Board of Supervisors, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). All statements will be retained by the Tehama County Board of Supervisors.

## 2. DESIGNATED POSITIONS

Under provisions of the Code, Designated Employees shall file statements of economic interests. Listed below are the designated positions for Tehama County Transportation Commission/Tehama County Transit Agency Board “agency” and the appropriate disclosure category for filing the statement of economic interests:

<b>POSITION</b>	<b>DISCLOSURE CATEGORY:</b>
TCTC Commissioners/TCTAB Directors	I
Executive Director	I
Transportation Manager	II
Transportation Planner	II
Consultants	I

Attachment: Reso 8-2018 TCTAB COIC (13678 : Conflict Of Interest Code Revision Transit Agency Board)

### 3. DETAILED DISCLOSURE CATEGORIES

#### CATEGORY I

Designated employees in this category shall disclose: All interests in real property within Tehama County, and all sources of income, investments, and business positions in business entities located in, doing business in, planning to do business in, or which have done business during the previous two years in, or which have an interest in real property in Tehama County, and all gifts. A person in a Disclosure Category I designated position shall complete all schedules of the FPPC Form 700, if applicable. Disclosure Category I is intended to require the broadest possible disclosure, consistent with the provisions of the Political Reform Act of 1974 and its implementing regulations.

Consultants, as defined in California Code of Regulations, title 2, section 18701, subdivision (a)(2), shall disclose pursuant to this disclosure category subject to the following limitations: The Executive Director may determine in writing that a particular consultant, although a “designated position”, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements of this Disclosure Category I. Such written determination shall include a description of the consultant’s duties and based upon that description, a statement of the extent of disclosure requirements. The Executive Director’s determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code.

#### CATEGORY II

Designated employees in this category shall disclose: All interests in real property within Tehama County, and all sources of income (including gifts), investments, and business positions in business entities which provide services, work, goods, property, supplies, materials, machinery or equipment of any type utilized by the Tehama County Transportation Commission/Transit Agency or its constituent county and cities.

#### CATEGORY III

Designated employees in this category shall disclose: All income (including gifts), investments, and business positions in business entities which provide services, goods, property, supplies, materials, machinery or equipment of any type to the County of Tehama during the disclosure period, or otherwise transact business with or have any contractual relationship with the County of Tehama during the disclosure period.

#### CATEGORY IV

Designated employees in this category shall disclose: All interests in real property within Tehama County, all sources of income (including gifts) located in, doing business in, planning to do business in, or which have an interest in real property in Tehama County, all investments located in, doing business in, planning to do business in, or which have an interest in real property in Tehama County, and all business positions in business entities located in, doing business in, planning to do business in, or which have an interest in real property in Tehama County.



Tehama County Transit Agency Board  
 Meeting Date: December 17, 2018  
 Department: Tehama County Transit Agency Board  
 Prepared By: Maeve Kellogg  
 Preparer Phone: 530-385-1462  
 Preparer Email: mlandon@tcpw.ca.gov

### **PepsiCo/Frito-Lay, Inc. Tenancy**

#### **Requested Action(s)**

Informational Presentation: Status of tenancy for PepsiCo/Frito-Lay Inc., located at 1515 Schwab Street, Red Bluff.

#### **Background Information:**

The tenants, Frito-Lay, Inc., located at the 1515 Schwab Street transit building, are currently residing in a government facility that was purchased with Proposition 1B funding - Public Transportation Modernization, Improvement, and Service Enhancement Account Program (PTMISEA).

Their tenancy predates the purchase of the facility and Frito-Lay remained onsite and outside of an existing lease in a month-to-month capacity. The revenues or income generated from the lease are currently collected and held in a TRAX account and not used towards the operation and/or maintenance of the public transit facility.

During a state inspection of the facility, it was noted that buildings within the confines of the bond funded transit facility may not be leased to a private entity, additionally a tenant that is out of contract and on a month-to-month payment agreement with Tehama County is even less desirable.

Following the inspection, TCTC received notification that in consultation with the State Bond Counsel, it was affirmed that the use of state bond proceeds to purchase an asset, then leveraged to generate additional income rather than for the stated use of the bond results in tax compliance issues (non-compliance).

It was noted that in the project's Allocation Request, which was signed by Tehama County on May 23, 2011, under Table 7 - Tax Compliance Information, the agency agreed it will not make a profit from the PTMISEA project.

As a corrective measure to Tehama County's situation, to assure continued tax-exempt status of the state bond sale certificate issued (which includes Tehama's project), the State's Bond Counsel has recommended that Tehama County terminate its agreement with the private entity within 200 days.

Staff, with the assistance of County Counsel, has notified PepsiCo/Frito-Lay, Inc. of their right to relocation assistance and given them a 120 Day Notice to Vacate. Frito Lay is required to quit and surrender possession thereof to the County of Tehama on or before April 11, 2019.