



AGENDA

Mason Transit Authority Board
Regular Meeting
March 20, 2018, 4:00 p.m.
Mason Transit Authority
Transit-Community Center
601 West Franklin Street
Shelton

OPENING PROTOCOL

CALL TO ORDER
ROLL CALL AND DETERMINATION OF QUORUM
ACCEPTANCE OF AGENDA – *ACTION*

PUBLIC COMMENT

CONSENT AGENDA – ACTION

1. Pg. 03: Approval of Minutes: Approval of the minutes of the February 20, 2018 MTA regular Board meeting
2. Pg. 07: Financial Reports: February 2018
3. Pg. 17: Check Approval: February 16 – March 14, 2018

REGULAR AGENDA

UNFINISHED BUSINESS:

1. Annual Review Process of Performance of General Manager – *DISCUSSION*
2. Pg. 27: Park & Ride Discussion - *DISCUSSION*

NEW BUSINESS:

1. Pg. 31: 2018 Certifications & Assurances – *ACTIONABLE*
2. Pg. 37: T-CC Rate Updates – Resolution No. 2018-02 – *ACTIONABLE*
3. Pg. 59: Intergovernmental Agreement with Timberland Library Services – Resolution No. 2018-03 – *ACTIONABLE*
4. Pg. 69: Drug & Alcohol Policy Update – Resolution No. 2018-04 – *ACTIONABLE*

INFORMATIONAL UPDATES

1. Pg. 119: Park and Ride Update
2. Pg. 121: Service Review Update
3. Pg. 123: Management Reports

COMMENTS BY BOARD

PUBLIC COMMENT

ADJOURNMENT

UPCOMING MEETINGS:

**Mason Transit Authority
Regular Meeting**

April 17, 2018 at 4:00 p.m.

Port of Allyn

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Allyn

All participants are welcome. The meeting locations are ADA accessible. If you anticipate needing any type of accommodation or have questions about the physical access provided, please call 360-426-9434 in advance. We will make every effort to meet accommodation requests.



OPENING PROTOCOL

CALL TO ORDER: 4:00 p.m.

Authority Voting Board Members Present: Kevin Shutty, Chair; Wes Martin, Vice Chair; John Campbell, Kevin Dorcy, Terri Drexler and Don Pogreba. **Quorum met.**

Authority Voting Board Members Not Present: Deb Petersen, Randy Neatherlin and Sandy Tarzwell.

Authority Non-voting Board Member Not Present: Bobby Joe Murray, Business Representative, IAM and AW, District Lodge 160.

Others Present: Tracy Becht, Clerk of the Board; Danette Brannin, General Manager; Marshall Krier, Maintenance and Facilities Manager; LeeAnn McNulty, Administrative Services Manager and Mike Ringgenberg, Operations Manager. Also present was John Piety (MCTAB).

ACCEPTANCE OF AGENDA: Moved that the agenda for the February 20, 2018 Mason Transit Authority (MTA) regular board meeting be accepted and approved. **Campbell/Drexler. Motion carried.**

(Board member Neatherlin arrived at 4:02 p.m.)

PUBLIC COMMENT: John Piety stated that he rode buses in connection with the recent surveys. He recommends that everyone ride a couple of routes and experience the great service that is being provided.

RECOGNITION:

- The 25th Anniversary of Mason Transit Authority was highlighted with the presentation to the Board members of coffee mugs with the 25th Anniversary logo.
- Recognition of Terri Drexler's service by serving as Board Chair for the past two years. Members of the Board and the General Manager shared gratitude for Ms. Drexler's leadership, diplomacy and pursuit of truth during some very difficult challenges when she first assumed the role as Chair two years ago.
- Chair Shutty introduced new member of the MTA Board – City of Shelton Commissioner Kevin Dorcy.
- Board Chair also recognized that Sandy Tarzwell was reappointed to the MTA Board.

CONSENT AGENDA

Moved to approve Consent Agenda items 1 – 3, as follows:

1. **Moved** to approve the draft minutes of the MTA Board regular meeting of January 16, 2018.

2. **Moved** that the Mason Transit Authority Board approve the financial reports for the period of January, 2018 as presented.
3. **Moved** that the Mason Transit Authority Board approve the payments of January 12, 2018 through February 15, 2018, financial obligations on checks #30869 through #31021, as presented for a total of \$978,907.47.

Drexler/Campbell. Motion carried.

REGULAR AGENDA

UNFINISHED BUSINESS

None.

NEW BUSINESS

1. **DoubleMap Contract** – General Manager, Danette Brannin, communicated to the Board the process of soliciting the proposals and how the interview panel arrived at selecting DoubleMap Inc. as the vendor of choice. She went on say that DoubleMap Inc. had approved the changes proposed by MTA's legal counsel. **Moved** that the Mason Transit Authority Board approve Resolution No. 2018-01 awarding the bid submitted by DoubleMap, Inc. as the winning bid in an amount not to exceed \$425,000 for a five-year period and authorizing the General Manager to sign the Technology License and Services Agreement between DoubleMap, Inc. and Mason Transit Authority. **Neatherlin/Campbell. Motion carried.**
2. **Development of Annual Review Process of Performance of General Manager** – Ms. Brannin shared with the Board her desire to ensure that she is moving MTA in a direction that would be in agreement with the Board's goals, as well as identifying any development or goals the Board would like to see her reach. After discussion surrounding the benefits to having an annual evaluation and how that process would be applied, the following motion was made: **Moved** that a subcommittee would be created to be led by Board member Drexler with two additional Board members to be determined. **Neatherlin/Campbell. Motion carried.**

INFORMATIONAL UPDATES –

Ms. Brannin spoke briefly on each of the informational updates and answered questions asked by Board members, with more focus and discussion on the 2017 Operational and Statistical Cost report. The report will be submitted to the Board on a quarterly basis and benchmarks are anticipated to be established.

GENERAL MANAGER'S REPORT – Ms. Brannin had no additional updates to the report.

COMMENTS BY BOARD MEMBERS – Board member Neatherlin requested information be provided to him relating to the Community Van being used by the veterans to go to American Lake. He wondered if the drivers had to use their own insurance to drive the Community Van.

PUBLIC COMMENT – None.

Moved that the meeting be adjourned.

ADJOURNED 4:55 p.m.

UPCOMING MEETINGS

**Mason Transit Authority
Regular Meeting**

*March 20, 2018 at 4:00 p.m.
Transit-Community Center
Conference Room
601 West Franklin Street
Shelton*

DRAFT

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Mason Transit Authority Regular Board Meeting

Agenda Item: Consent Agenda – Item 2 – *Actionable*
Subject: Financial Reports – February 2018
Prepared by: LeeAnn McNulty, Administrative Services Manager
Approved by: Danette Brannin, General Manager
Date: March 20, 2018

Summary for Discussion Purposes:

Included are the February 2018 Financial Reports with a breakout of T-CC revenue and expenses that shows cost allocation between Transit and Community Center.

December's sales tax revenue was received; no further adjustments should need to be made to the 2017 Financial Statements. The 2017 YTD totals should be considered in draft form until audited by the State Auditor's Office.

Highlights:

Sales Tax Revenue

Sales tax revenue for December 2017 (received February 28, 2018) was \$416,254 – which was approximately 17.10% higher than budgeted, and 9.07% higher than December 2016 actual. 2017 sales tax revenue reflected strong growth year-over-year up 4.19% when compared to 2016.

Year-to-Date Revenue & Expenses

It is expected that YTD revenue and expenses would be at 16.67% (2/12) of the budget through the end of February. Total YTD Revenue ended under budget at 14.77%. Total YTD Operating Expenses ended under budget at 13.41%.

Fiscal Impact:

February's fiscal impact reflects total revenues of \$583,814 and operating expenses of \$562,927.

Staff Recommendation:

Approve.

Motion for Consideration:

Move that the Mason Transit Authority Board approve the financial reports for the period of February 2018 as presented.

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Mason Transit Authority

February 2018 Financial Report

	2018 February Actual	2018 YTD Actual	2018 Budget	Notes	Percentage of Budget Used 16.67%
REVENUE					
Passenger Fares	7,528	15,526	101,600		15.28%
PSNS Worker/Driver & Vanpool Fares	20,724	44,531	265,000		16.80%
Total Operating Revenue (Fares)	28,251	60,057	366,600		16.38%
Sales Tax	256,943	497,751	3,897,207	(1)	12.77%
Operating Grants	253,843	507,686	3,046,116	(2)	16.67%
Rental Income	13,531	27,932	183,418		15.23%
Investment Income	7,058	13,173	20,000		65.87%
Other Non-operating Revenue	24,188	47,490	300,400	(3)	15.81%
Total Revenue	583,814	1,154,089	7,813,741		14.77%
EXPENSES					
Wages and Benefits	409,497	740,149	5,677,315		13.04%
Contracted services	38,993	70,075	423,608		16.54%
Fuel	26,211	56,634	336,000	(4)	16.86%
Vehicle/Facility Repair & Maintenance	19,037	38,819	308,200		12.60%
Insurance	19,876	39,751	238,506		16.67%
Intergovernmental - Audit Fees	-	-	29,000		0.00%
Rent - Facilities and Park & Ride	2,351	4,701	30,800		15.26%
Utilities	10,805	22,142	131,140		16.88%
Supplies - Equipment	15,156	21,517	118,235		18.20%
Training & Meetings	4,702	6,304	55,185		11.42%
Other operating expenses	16,301	39,998	170,012	(5)	23.53%
Pooled Reserves	-	-	240,000		0.00%
Total Operating Expenses	562,927	1,040,089	7,758,001		13.41%
Net Income (Loss) from Operations	20,886	114,000	55,740		

NOTES

- (1) Monthly sales tax amounts are based upon seasonally-adjusted budget accruals and may not reflect the Percentage
- (2) Operating grant revenue equals January and February 2018 accruals.
- (3) Includes January and February 2018's accrual of RMG Grant - \$37,666, LMTAA Volunteer program revenue - \$6,052, Volunteer Donations - \$232, Sale of Bus ads \$990, Community Van - \$797, and Insurance Recoveries - \$1,679.
- (4) Average diesel price per gallon year to date is \$2.13. Average gasoline price per gallon year to date is \$2.85.
- (5) Includes budget line items from CDL Testing, Bank Charges, Copier lease, Advertising/Promotion/Volunteer Driver Reimbursement/Dues, Memberships, Subscriptions/Unemployment Insurance). Expenses through February include: Volunteer Driver Program reimbursements \$6,091, Advertising \$8,035, Merchant/credit card fees - TIP pass credit card fees \$1,139, Office Equipment Lease \$1,075, Dues, Memberships, Subscriptions \$22,068 plus other misc. expenses.

Mason Transit Authority

February 2018 Financial Report - TCC

	2018 February Actual	2018 YTD Actual	2018 Budget	Notes	Percentage of Budget Used		YTD - Community Center Allocation	YTD - Transit Allocation
						16.67%		
REVENUE								
T-CC Rental	12,264	24,800	165,821		15.0%		24,800	-
Other Revenue	31	74	-				74	-
Total Revenue	12,296	24,874	165,821		15.0%		24,874	-
EXPENSES								
Wages and Benefits	9,869	16,695	133,483		12.5%		16,695	-
Contracted services	193	1,185	6,000	(1)	19.7%		1,063	122
Repair & Maintenance	623	1,688	4,900	(2)	34.4%		1,432	256
Insurance	1,284	2,568	15,409		16.7%		2,568	-
Utilities	4,264	9,110	46,440		19.6%		6,468	2,642
Supplies & Small Equipment	601	1,630	2,825	(3)	57.7%		1,092	538
Training & Meetings	-	-	860		0.0%		-	-
Other operating expenses	433	1,343	6,103	(4)	22.0%		1,245	98
Total Operating Expenses	17,268	34,218	216,020		15.8%		30,563	3,655
Net Income (Loss) from Operations	(4,972)	(9,344)	(50,199)				(5,689)	(3,655)

(1) YTD Contracted Services is comprised of quarterly elevator inspections \$610; Alarm services \$343; IT services \$154.

(2) Temp Employee Maintenance Services \$793 prior to hiring-on on T-CC Assistant/Custodian, Replacement Flag \$401

(3) Large cleaning resupply orders have been made in January and February.

(4) Other operating expenses include Dues & subscriptions \$614; Advertising \$295, Office Equipment Lease \$337.

Mason Transit Authority

December 2017 Financial Report

	2017 December Actual	2017 YTD Actual	2017 Budget	Notes	Percentage of Budget Used 100.00%
REVENUE					
Passenger Fares	8,087	98,224	98,300		99.92%
PSNS Worker/Driver & Vanpool Fares	19,880	265,129	295,000		89.87%
Total Operating Revenue (Fares)	27,968	363,353	393,300		92.39%
Sales Tax	415,897	4,258,175	3,858,621	(1)	110.35%
Operating Grants	281,714	2,913,315	2,669,650	(2)	109.13%
Rental Income	15,610	181,205	158,860		114.07%
Investment Income	4,764	44,156	13,800		319.97%
Other Non-operating Revenue	20,147	305,620	215,080	(3)	142.10%
Total Revenue	766,100	8,065,826	7,309,311		110.35%
EXPENSES					
Wages and Benefits	677,626	5,374,679	5,561,759		96.64%
Contracted services	36,963	254,849	293,129		86.94%
Fuel	29,109	331,502	350,000	(4)	94.71%
Vehicle/Facility Repair & Maintenance	12,347	268,631	322,165		83.38%
Insurance	19,836	238,034	237,338		100.29%
Intergovernmental - Audit Fees	-	26,604	27,000		98.54%
Rent - Facilities and Park & Ride	2,351	27,662	27,480		100.66%
Utilities	9,801	117,810	141,846		83.05%
Supplies - Equipment	8,809	93,580	129,130		72.47%
Training & Meetings	693	26,433	41,900		63.09%
Other operating expenses	13,574	131,958	147,621	(5)	89.39%
Total Operating Expenses	811,108	6,891,742	7,279,368		94.68%
Net Income (Loss) from Operations	(45,007)	1,174,084	29,943		

NOTES

(1)	Monthly sales tax amounts are based upon seasonally-adjusted budget accruals and may not reflect the Percentage of Budget Used.
(2)	Operating grant revenue equals the 1st, 2nd, 3rd quarter, and 4th quarter actual receipts.
(3)	Includes 1st, 2nd, & 3rd quarter's actual receipts + October, November, & December's accruals of RMG Grant - \$194,389, LMTAA Volunteer program revenue - \$29,100, Volunteer Donations - \$2,798, Sales of Maintenance Services - \$5,325, Sale of Bus ads \$21,535, WSTIP Safety Grant \$2,500, Insurance Recovery - \$10,990, Community Van - \$6,689, Sale of Surplus Vans - \$28,202
(4)	Average diesel price per gallon year to date is \$1.97. Average gasoline price per gallon year to date is \$2.64.
(5)	Includes budget line items from CDL Testing, Bank Charges, Copier lease, Advertising/Promotion/Volunteer Driver Reimbursement/Dues,Memberships,Subscriptions/Unemployment Insurance). Expenses through November include: Volunteer Driver Program reimbursements \$35,653, Advertising \$18,139, Merchant/credit card fees - TIP pass credit card fees \$6,729, Dues, Memberships,Subscriptions \$32,908 plus other misc. expenses.

Mason Transit Authority
December 2017 Financial Report
T-CC

	2017 December Actual	2017 YTD Actual	2017 Budget	Percentage of Budget Used 100%	YTD - Community Center Allocation	YTD - Transit Allocation
REVENUE						
T-CC Rental	14,974	170,809	148,463	115.1%	170,809	-
Other Revenue	45	275	-		275	-
Total Revenue	15,018	171,083	148,463	115.2%	171,083	-
EXPENSES						
Wages and Benefits	11,500	134,185	156,011	86.0%	119,853	14,331
Contracted services	90	5,831	6,260	93.1%	4,984	847
Repair & Maintenance	87	5,750	3,800	151.3%	4,223	1,527
Insurance	1,984	23,803	23,734	100.3%	23,803	-
Utilities	4,004	41,812	48,644	86.0%	29,809	12,003
Supplies & Small Equipment	347	5,251	5,720	91.8%	3,413	1,837
Training & Meetings	-	-	1,200	0.0%	-	-
Other operating expenses	168	5,210	4,921	105.9%	4,300	910
Total Operating Expenses	18,179	221,842	250,290	88.6%	190,386	31,456
Net Income (Loss) from Operations	(3,161)	(50,758)	(101,827)		(19,302)	(31,456)

(1) YTD Contracted Services is comprised of 3 quarterly elevator inspections \$1,773; Alarm services \$1,604; Backflow testing \$150; IT services \$720.

(2) Other operating expenses include Dues & subscriptions \$601; Advertising \$1,862; Lease filing & recording fees, \$540 and Equipment Lease \$1,853.

(3) Unexpected HVAC repair to various areas of the TCC facility \$4,060.

Mason Transit Authority

2018 CAPITAL PROJECT BUDGET

Project	Budget	Grants	MTA Funding	Actual 2018 Costs Expended	Project Costs to Date	Purpose
IT Items	15,000	-	15,000	-	-	Server upgrades @ \$15,000
T-CC Parking Lot	302,500	250,000	52,500	3,284	3,284	Parking lot behind T-CC
Park & Ride Development - 2015-2019 RMG Funds	6,371,134	5,617,000	950,000	49,946	1,325,386	Purchase property (\$687,059) in North Mason for P&R; upgrade other P&R
Smart Bus Technology	400,000	400,000	-	117,400	117,400	CAD/AVL, Tablet, Scheduling Software, Automatic Stop
HVAC Units	50,000	-	50,000	-	-	Replace units Buildings 1 & 2
Rear Destination Signs Low Floor Buses	8,000	-	8,000	-	-	Ridership amenity - See route from rear of bus
4 New Wheel End Hoist	45,000	-	45,000	-	-	Maintenance shop
Passenger Amenities & Signage at Stops	80,000	69,200	10,800	4,327	46,746	Balance of 2015 TAP Grant. Initial spend T-CC start up.
Alder St./N. Olympic Hwy Project	100,000	-	100,000	-	-	Bus stop enhancements in coordination of City project. Contingent on City grant success.
Accounting Software	35,000	-	35,000	-	-	Pending updated pricing. RFP to follow.
T-CC Roof Repair	-	-	5,000	-	-	To repair T-CC's roof due to leaks
TOTAL CAPITAL PROJECTS	\$ 7,406,634	\$ 6,336,200	\$ 1,271,300	\$ 174,957	\$ 1,492,816	

VEHICLE REPLACEMENT

Vehicle	Budget	Grants	MTA Funding	Purpose
2 Worker Driver Coaches	550,000	-	550,000	Replacement inventory. New \$485K, used \$250-300K.
5 Cutaways	504,930	378,679	126,251	Replacement inventory.
Staff Vehicles	30,000	-	30,000	to replace staff car and maintenance pickup
TOTAL VEHICLE REPLACEMENT	\$ 1,084,930	\$ 378,679	\$ 706,251	\$ -

PROPOSED 2018 CAPITAL PROJECTS	\$ 8,491,564	\$ 6,714,879	\$ 1,977,551	\$ 1,201,572
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Cash encumbered for MTA Funding portion - \$1,239,551.
 Capital Project Reserves - \$215,560 (Sales tax revenue above budgeted amount set aside in Capital Project Reserves monthly.)

Mason Transit Authority

Cash and Investments

February 28, 2018

FUND	1/31/2018	2/28/2018	Change
Cash - MC Treasurer	788,078.95	1,549,269.24	761,190.29
Investments - MC Treasurer	5,469,104.63	5,469,104.63	-
Payroll - ACH Columbia Bank	147,836.63	147,836.63	-
Petty Cash/Cash Drawer #1	500.00	500.00	-
TOTAL	\$ 6,405,520.21	\$ 7,166,710.50	\$ 761,190.29

Note: \$400,000 cash was transferred from the cash account to the investment account on 3/6/2018.

Cash Encumbrances		
Project Related:		
City of Shelton; Alder St. project.		100,000
Grant Related:		
TAP Grant - T-CC & Shelter Rplc	10,800	
Five (5) Cutaway Bus Replacements	126,251	
Park & Ride Development Project RMG 2015-2019 Match	950,000	
2015-2017 - \$450,000	2017-2019 -	
Parking Lot (DOE Grant)	52,500	
Total Grant Match		1,139,551
Reserves:		
General Leave Liability		153,326
Operating Reserves		2,000,000
Facility Repair Reserve		150,000
Emergency/Insurance Reserves		50,000
Capital Project Reserves		276,260
Fuel Reserves		120,000
Transportation Service Consultant		150,000
		\$ 4,139,137

Total of Cash \$ 7,166,710.50
 Less Encumbrances \$ 4,139,137.00

Undesignated Cash Balance Total (Including Reserves) \$ 3,027,573.50

Investments - MC Treasurer (Reserves) \$ 5,469,104.63
 Less Encumbrances \$ 4,139,137.00

Undesignated Cash Reserves \$ 1,329,967.63

Capital Project Reserves: We are reserving the amount of Sales Tax Revenue received in excess of the 2017 budgeted amount. The first \$150,000 of additional sales tax revenue received YTD has been allocated to the board approved Transportation Service Review. Additional revenues will be reserved against future capital projects.

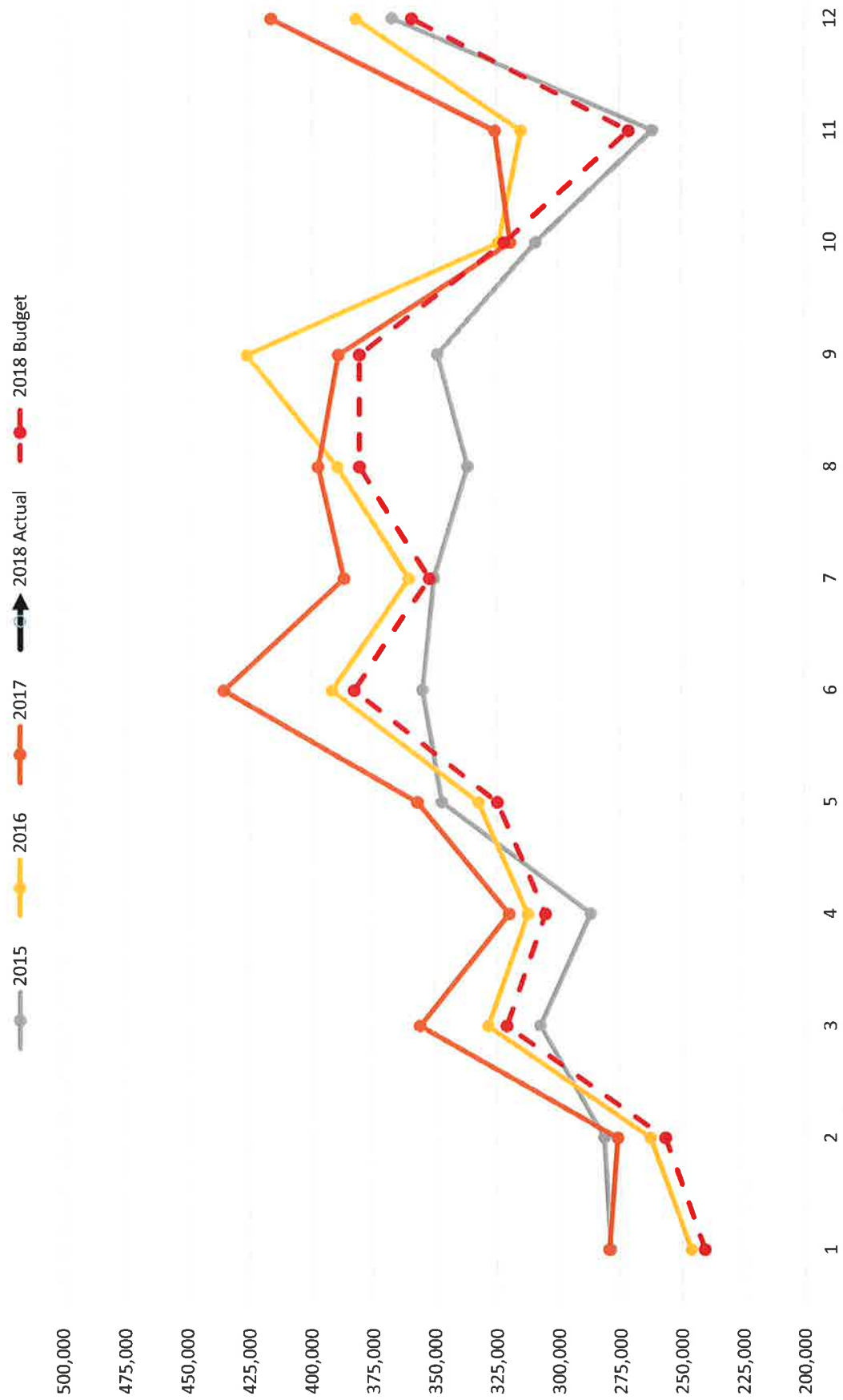
Mason Transit Authority

Sales Tax Collected

as of **2/28/2018** for **12/31/2017**

	2013	2014	2015	2016	2017	2018 Actual	2018 Budget	2018 Budget Variance	% Change 2017 - 2018 Actual
January	219,231	237,528	279,122	246,415	279,777		240,808		
February	217,929	227,815	281,559	262,925	276,310		256,943		
March	260,652	278,053	307,482	328,665	356,214		321,188		
April	236,931	260,396	286,903	312,635	320,241		305,522		
May	265,167	274,641	347,236	332,428	357,049		324,865		
June	282,753	323,498	354,920	391,485	435,445		382,579		
July	291,925	329,201	350,290	360,375	386,531		352,176		
August	292,782	323,336	336,522	389,222	397,061		380,367		
September	306,051	349,872	348,805	426,039	388,845		380,343		
October	285,612	296,170	309,042	324,125	319,477		321,964		
November	243,571	249,648	261,713	314,996	325,586		271,390		
December	312,900	330,297	367,053	381,623	416,254		359,063		
	3,215,506	3,480,456	3,830,645	4,070,933	4,258,790	-	3,897,207		

Monthly Sales Tax Trend



Mason Transit Authority Board Meeting

Agenda Item: Consent Agenda – Item 3 – ***ACTION***
Subject: Check Approval
Prepared by: Brian Phillips, Staff Accountant
Approved by: LeeAnn McNulty, Administrative Services Manager
Date: March 20, 2018

Summary for Discussion Purposes:

- General Mechanical Inc. – Roof Replacement BLDGS 1 & 2 Retainage - #31074 - \$9,564.99
- DoubeMap, Inc. – Smart Bus Technology - #31101 - \$117,399.72
- Nelson Nygaard – Comprehensive Service Review - #31118 - \$21,702.79
- SCJ Alliance – P&R Construction - #31127 - \$20,766.45

February Purchases Fuel Prices: Diesel \$2.01 Unleaded \$2.90

Fiscal Impact:

\$681,969.54

Staff Recommendation:

Approve.

Motion for Consideration:

Move that the Mason Transit Authority Board approve the payment of February 16, 2018 through March 14, 2018 financial obligations on checks #31022 through #31138, as presented for a total of \$681,969.54.

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Mason Transit Authority
March 20, 2018 Disbursement Approval

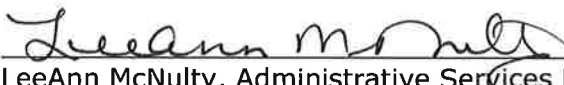
The following checks for the period of February 16, 2018 through March 14, 2018 have been audited and processed for payment by the Finance Department in accordance with RCW 42.24.080 and are hereby recommended for Mason Transit Authority Board approval. Supporting invoices are in the Finance Department for review.

DESCRIPTION	CHECK NUMBERS	TOTAL AMOUNT
Accounts Payable Checks	31022 - 31138	\$681,969.54

Included within the checks were:		
	Check #	Amount
Payroll – 2/23/2018	31022	128,652.44
Payroll – 3/9/2018	31072	127,689.69
General Mechanical Inc.	31074	9,564.99
DoubleMap, Inc.	31101	117,399.72
Nelson Nygaard	31118	21,702.79
SCJ Alliance	31127	20,766.45

Submitted by: 
 Brian Phillips, Staff Accountant

Date: 3/14/18

Approved by: 
 LeeAnn McNulty, Administrative Services Manager

Date: 3-14-18

Mason Transit Authority

Board Check Register

From 2/16/2018 Through 3/14/2018

Document Date	Check #	Vendor Name	Amount
2/21/2018	31022	Mason Transit Authority - ACH Account	128,652.44
2/28/2018	31023	Advance Glass	97.92
2/28/2018	31024	Aflac	715.98
2/28/2018	31025	AIG Retirement	260.00
2/28/2018	31026	Alarm Center	103.36
2/28/2018	31027	Associated Petroleum Products, Inc.	20,963.95
2/28/2018	31028	Aramark	299.69
2/28/2018	31029	Aramark	26.33
2/28/2018	31030	ARCH Mechanical, Inc.	270.17
2/28/2018	31031	Belfair Assembly of God Church	90.00
2/28/2018	31032	Belltowne Square Car Wash	10.00
2/28/2018	31033	Black Star	1,860.78
2/28/2018	31034	Color Graphics	57.51
2/28/2018	31035	Commercial Brake & Clutch, Inc.	73.52
2/28/2018	31036	Cooper Studios	314.44
2/28/2018	31037	Cummins Northwest, LLC	86.90
2/28/2018	31038	Dept. of Retirement Systems - PERS Contributions	24,605.79
2/28/2018	31039	Dept. of Retirement Systems - Deferred Comp (DCP)	966.47
2/28/2018	31040	EMC - Mason Transit	133.30
2/28/2018	31041	Gillig, LLC	132.77
2/28/2018	31042	LegalShield	164.40
2/28/2018	31043	Les Schwab	3,179.17
2/28/2018	31044	John Magerstaedt	85.00
2/28/2018	31045	Mason County PUD #3	110.71
2/28/2018	31046	Mason County Utilities/Waste Management	96.00
2/28/2018	31047	Mountain Mist Water	224.25
2/28/2018	31048	Materials Testing & Consulting, Inc.	400.00
2/28/2018	31049	Mood Media	103.20
2/28/2018	31050	Napa Auto Parts	508.68
2/28/2018	31051	Northridge Properties, LLC	1,500.00
2/28/2018	31052	Northwest Administrators	93,130.15
2/28/2018	31053	Office Depot, inc.	423.86
2/28/2018	31054	Olympic Lock & Key	100.53
2/28/2018	31055	Pacific Office Automation	537.67
2/28/2018	31056	Rexel USA, Inc. dba Platt Electric Supply, Inc.	41.39
2/28/2018	31057	Pro-Build Company LLC	101.11

Mason Transit Authority

Board Check Register

From 2/16/2018 Through 3/14/2018

Document Date	Check #	Vendor Name	Amount
2/28/2018	31058	Robert E's Quality Carpet Cleaning	1,325.00
2/28/2018	31059	Schetky Northwest Sales, Inc.	134.75
2/28/2018	31060	Seattle Automotive Distributing	2,200.65
2/28/2018	31061	The Shoppers Weekly	8,444.59
2/28/2018	31062	South Sound Investment Properties, LLC	300.00
2/28/2018	31063	Staples Business Advantage	162.93
2/28/2018	31064	Super Bee Alignment	163.36
2/28/2018	31065	Titus-Will	353.62
2/28/2018	31066	Total Battery & Automotive Supply	44.49
2/28/2018	31067	Tozier Brothers, Inc.	223.28
2/28/2018	31068	United Way of Mason County	46.00
2/28/2018	31069	Westcare Clinic, Inc.	85.00
2/28/2018	31070	Zee Medical Service Co.	265.02
2/28/2018	31071	ZEP Manufacturing Company	146.46
3/7/2018	31072	Mason Transit Authority - ACH Account	127,689.69
3/12/2018	31073	Advance Glass	164.56
3/12/2018	31074	General Mechanical Inc.	9,564.99
3/12/2018	31075	Hood Canal Communications	11,315.84
3/12/2018	31076	Napa Auto Parts	1,636.50
3/12/2018	31077	Pacific Office Automation	379.77
3/12/2018	31078	Staples Business Advantage	2,030.31
3/12/2018	31079	ULINE	1,801.06
3/12/2018	31080	U.S. Bank	5,008.68
3/12/2018	31081	Verizon Wireless	679.70
3/12/2018	31082	Westcare Clinic, Inc.	425.00
3/12/2018	31083	Washington State Transit Association	8,000.00
3/14/2018	31084	Advance Glass	204.00
3/14/2018	31085	AIG Retirement	260.00
3/14/2018	31086	Allstream	272.78
3/14/2018	31087	Associated Petroleum Products, Inc.	489.34
3/14/2018	31088	Aramark	296.17
3/14/2018	31089	Aramark	26.33
3/14/2018	31090	Judy Arms	235.99
3/14/2018	31091	Mick Baker	255.06
3/14/2018	31092	Belfair Water District #1	180.91
3/14/2018	31093	Charlotte G Brame	227.27
3/14/2018	31094	City of Shelton	579.01

Mason Transit Authority

Board Check Register

From 2/16/2018 Through 3/14/2018

Document Date	Check #	Vendor Name	Amount
3/14/2018	31095	Cascade Natural Gas	1,906.95
3/14/2018	31096	Comcast	146.24
3/14/2018	31097	Walter Cothran	349.35
3/14/2018	31098	Cummins Northwest, LLC	748.42
3/14/2018	31099	Gene Currier	768.74
3/14/2018	31100	Lisa Davis	68.00
3/14/2018	31101	DoubleMap, Inc.	117,399.72
3/14/2018	31102	Dept. of Retirement Systems - PERS Contributions	24,723.20
3/14/2018	31103	Dept. of Retirement Systems - Deferred Comp (DCP)	966.47
3/14/2018	31104	Economic Development Council	60.00
3/14/2018	31105	EMC - Mason Transit	134.30
3/14/2018	31106	Carolyn Gravatt-Bowles	276.32
3/14/2018	31107	District 160	3,256.78
3/14/2018	31108	Robert W. Johnson, PLLC	1,600.00
3/14/2018	31109	Kitsap Transit	1,867.88
3/14/2018	31110	iFIBERONE	200.00
3/14/2018	31111	Les Schwab	987.42
3/14/2018	31112	Mason County Garbage, Inc.	639.58
3/14/2018	31113	Mason County PUD #3	4,755.10
3/14/2018	31114	Mason Transit Authority - Petty Cash	48.04
3/14/2018	31115	Mason County Treasurer	53.70
3/14/2018	31116	Mathis Exterminating	146.48
3/14/2018	31117	Mountain Mist Water	61.68
3/14/2018	31118	Nelson Nygaard	21,702.79
3/14/2018	31119	Judy Nicholson	309.02
3/14/2018	31120	Office Depot, inc.	318.84
3/14/2018	31121	Olympic Lock & Key	2.18
3/14/2018	31122	Pitney Bowes	187.65
3/14/2018	31123	Pitney Bowes Purchase Power	171.00
3/14/2018	31124	Pro-Build Company LLC	40.19
3/14/2018	31125	Rexus Corporation	63.00
3/14/2018	31126	Schetky Northwest Sales, Inc.	52.55
3/14/2018	31127	SCJ Alliance	20,766.45
3/14/2018	31128	Seattle Automotive Distributing	1,159.47
3/14/2018	31129	Mason County Journal	108.00
3/14/2018	31130	Staples Business Advantage	85.47
3/14/2018	31131	Total Battery & Automotive Supply	30.16

Mason Transit Authority

Board Check Register

From 2/16/2018 Through 3/14/2018

<u>Document Date</u>	<u>Check #</u>	<u>Vendor Name</u>	<u>Amount</u>
3/14/2018	31132	Tozier Brothers, Inc.	62.83
3/14/2018	31133	ULINE	159.06
3/14/2018	31134	United Way of Mason County	91.40
3/14/2018	31135	Voyager Fleet Systems, Inc.	5,903.24
3/14/2018	31136	Whisler Communications	2,770.22
3/14/2018	31137	Robert Williams	70.85
3/14/2018	31138	ZEP Manufacturing Company	705.25
Report Total			\$681,969.54

Mason Transit Authority

Vendor Activity - Credit Card Charges From 2/1/2018 Through 2/28/2018

Vendor Name	GL Title	Transaction Description	Expenses
U.S. Bank	Employee Recognition	Wal-Mart - All Staff Photo	29.33
	Advertising Fees	Indeed - Tech. Supprt Job Posting	285.11
	Contract Services	Microsoft - Email Service	30.46
	Contract Services	Microsoft - Email Service	398.71
	Contract Services	Smarsh - Email Archiving	432.00
	Contract Services	Smarsh - Monthly DVD	50.00
	Contract Services	Smarsh - Sales Tax	4.25
	Contract Services	Smarsh - Social Media Archiving	50.00
	Contract Services	Smarsh - Verizon Archiving	50.00
	CDL Testing/DMV Checks	DOL - Volunteer Driver Abstract	13.00
	Facility Repair/Maintenance	Collins Flags - Jp Flag	69.50
	Facility Repair/Maintenance	Collins Flags - Replacing Damaged Flags	401.00
	Facility Repair/Maintenance	Smartsign - JP Sign	19.70
	Office Supplies	Amazon - Cell Phone Cases	121.45
	Office Supplies	Amazon - Computer Parts, Maintenance	43.35
	Office Supplies	Amazon - Air Purifer Filter	51.69
	Office Supplies	Amazon - Uniform Closet Items	120.06
	Office Supplies	Office Depot - Comm Center Toner	172.50
	Office Supplies	Office Depot - Maintenance Toner	281.37
	Office Supplies	Wal-Mart - Sapce Heater & Storage Container	293.88
	Shop Supplies	Office Depot - Schedule Holders	29.34
	Shop Supplies	Office Depot - Schedule Holders	48.90
	Cleaning/Sanitation Supplies	Wal-Mart - Cleaning Supplies	14.96
	Cleaning/Sanitation Supplies	Wal-Mart - Cleaning Supplies	36.61
	Shelter Supplies	Tractor Supply - Shelter Supplies	12.46
	Shelter Supplies	Tractor Supply - Shelter Supplies	20.05
	Shelter Supplies	Tractor Supply - Shelter Supplies	74.25
	Vehicle Maintenance Parts	Telma - Part Bus 651	61.11
	IT Equipment	Wal-Mart - USB Drives	21.72
	Small Tools & Equipment	ProBuild - Hardware for display cases	21.64
	Small Tools & Equipment	ProBuild - Hardware for display cases	26.84
	Small Tools & Equipment	Toziers - Hardware for display cases	10.98
	Small Tools & Equipment	Tractor Supply - Small Tool	6.49
	Small Tools & Equipment	Wal-Mart - Extension Cord and Tape	13.94
	Garbage	Mason Co Landfill - Garbage	16.16
	Garbage	Mason Co Landfill - Service fee	2.00
	Dues, Memberships, Subscriptions	Adobe - Arobat Pro Subscription	16.26
	Travel & Meeting Expense MTA	Best Western - WSTA Training	546.75
	Travel & Meeting Expense MTA	Edmonds to Kingston Ferry - Training	15.00
	Travel & Meeting Expense MTA	Happy Teriyaki - Labor Management Meeting	65.28
	Travel & Meeting Expense MTA	Kingston to Edmsonds Ferry - Training	15.00
	Travel & Meeting Expense MTA	SHRM Housing - Conference Lodging Deposit	351.03
	Travel & Meeting Expense MTA	SOW Capital Parking - Training	4.00
	Travel & Meeting Expense MTA	Travelocity - Flight to Baltimore, WSTIP Training	377.00

Mason Transit Authority

Vendor Activity - Credit Card Charges

From 2/1/2018 Through 2/28/2018

<u>Vendor Name</u>	<u>GL Title</u>	<u>Transaction Description</u>	<u>Expenses</u>
	Travel & Meeting Expense MTA	Viking Mart - Fuel Car 002	14.08
	Conference Registration	SHRM - Registration Fee	1,445.00
	Training / Seminars	SHRM - Conference Materials	199.00
	Training / Seminars	Transportation Safety Inst. - Bus Collision Invest.	85.00
	Training / Seminars	WSTA - Operations Training Day	75.00
	Passenger Parking Facilities	All Star Storage - Parking	<u>460.50</u>
		Transaction Total	\$7,003.71

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Mason Transit Authority Regular Board Meeting

Agenda Item: Unfinished Business – Item 2 –*Discussion*

Subject: Park & Ride Discussion

Prepared by: Danette Brannin, General Manager

Approved by: Danette Brannin, General Manager

Date: March 20, 2018

Summary for Discussion Purposes:

MTA and SCJ Alliance held a meeting in Belfair on March 7 to solicit input regarding the intersection at SR3 and Log Yard Road. SCJ is preparing an Intersection Control Analysis to submit to WSDOT seeking approval for one of three options that have been determined as viable solutions for entering and leaving SR3 safely.

Public comments (11 received at printing) regarding the intersection.

Comments have been cumulated:

- No roundabout: signal would be better because it can be regulated and adjusted. Easier for trucks to travel through. Like signals better than roundabouts.
- Yes roundabout: keeps traffic moving, low maintenance and a gateway to Belfair. Make sure it is designed properly for truck traffic.
- No signal: signal will back traffic up more.
- No support of two-way stop sign.
- Acceleration and deceleration lanes not a good choice. (Lynch Road example)
- One solution given was no to both roundabout and traffic light. Instead have an overpass with merge lanes. The commenter thought other options would slow traffic and back it up worse than it is which would cause road rage.
- One commenter thought left and right turn lanes though did not mention if that would include a signal or stop signs.
- Egress lane prior to the intersection for those travelling south.
- Lane reconfiguration would be costly.
- Safety is the top priority.

In addition to comments regarding the intersection, several other comments were made about the project overall.

- Timing with the by-pass project. Several felt nothing should happen on SR3 until the alignment of the by-pass has been determined. Coordinate the two projects.
- Project is being rushed.
- Coordinate with Belfair Mobility study to make sure MTA's project is listed.
- Lack of transparency on the project.
- Support of the Park & Ride. One commenter said the most important thing was to get the P/R lot completed and while waiting for the by-pass project use a signal to control the intersection.
- Use rail tracks for a light rail system between Bremerton and Belfair or Shelton with stops along the way.

- Do not have space to rent, either office or multi-purpose room as it is unfair to property owners and non-profits that have space to rent. Creates unfair competition.

Building Square Footage:

Currently, the building is set to be about 2100SF. The space will include a meeting room of approximately 900SF to be used by the public or MTA (Board Meetings, employee events). There will be a kitchen with table area, two bathrooms, a driver break area and a small office with a computer, printer and phone for the drivers.

At this point, there is no office space available to rent. There may be some interest from the County now or in the future, or possibly another governmental agency or private business might be interested if space were available.

Questions/thoughts for discussion:

Does the Board desire to direct staff to look further into the cost of adding square footage that could be leased? If so, how much square footage? Architect's estimate cost per square foot is \$335.

Should any part of the project be delayed for better coordination with WSDOT on the by-pass project?

Budget Update

Attached is an updated budget of the overall Park & Ride project.

To date, \$1,325,386 has been spent on the project overall, which includes the purchase of the land in Belfair. The biggest concern before staff is timing of funding. Once all construction documents are ready, staff will be working with SCJ on a schedule for each site to line up with the funding. Staff will also be working with the SMTA lobbyist in hopes of moving up the funding from the 2021-2023 biennium to the 2019-2021. With all projects "shelve" ready, there is a change that could be accomplished.

Fiscal Impact:

TBD.

Staff Recommendation:

None.

Motion for Consideration:

None.

BUDGET ITEM	BELFAIR	COLE ROAD	PEAR ORCHARD	PICKERING ROAD	SHELTON HILLS	SHELTON MATLOCK	TOTAL
(total before % increases)	\$3,793,750	\$279,375	\$570,375	\$1,179,750	\$13,000	\$1,277,750	7114000
adding 1,3,5% from below							
PE/DESIGN	385,000	192,000	192,000	385,000	0	385,000	1,539,000
P&R SURFACE LOT PREP:							
Permitting (1%)	37,938	2,794	5,704	11,798	130	12,778	71,140
Environmental (3%)	113,813	8,381	17,111	35,393	390	38,333	213,420
Earthwork	300,000	0	100,000	150,000	0	184,000	734,000
Paving	300,000	49,500	150,000	350,000	0	300,000	1,149,500
Sewer	100,000	0	0	0	0	0	100,000
Stormwater	200,000	0	100,000	100,000	0	200,000	600,000
Striping	20,000	10,000	5,000	15,000	0	20,000	70,000
Electric Car	100,000	0	0	100,000	0	100,000	300,000
Transit Office Building	700,000	0	0	0	0	0	700,000
Traffic Control	1,500,000	0	0	0	0	0	1,500,000
SECURITY SYSTEMS:							
Fencing	20,000	0	0	15,000	0	20,000	55,000
Lighting	24,000	5,000	2,500	24,000	2,500	24,000	82,000
Video	10,000	7,500	2,500	15,000	2,500	10,000	47,500
Bicycle	10,000	2,000	5,000	5,000	2,000	10,000	34,000
Marketing	2,000	2,000	2,000	2,000	2,000	2,000	12,000
Signage	8,000	4,000	4,000	4,000	4,000	8,000	32,000
LAND ACQUISITION COST	700,000	0	0	0	0	0	700,000
Miscellaneous (5%)	189,688	13,969	28,519	58,988	650	63,888	355,700
TOTAL	\$4,720,438	\$297,144	\$614,334	\$1,271,178	\$14,170	\$1,377,998	\$8,295,260

	RMG	Tiered/Leg	MTA Match	Total
2015-2017	306,426		76,933	383,359
2017-2019	4,444,000	867,000	888,800	6,199,800
2019-2021		633,000		633,000
2021-2023		3,085,000		3,085,000
totals	4,750,426	4,585,000	965,733	10,301,159

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Mason Transit Authority Regular Board Meeting

Agenda Item: New Business – Item 1 – *Actionable*

Subject: 2018 Certifications and Assurances

Prepared by: Danette Brannin, General Manager

Approved by: Danette Brannin, General Manager

Date: March 20, 2018

Summary for Discussion Purposes:

In order to receive Federal grant assistance for either capital or operating, it is required by the Federal Transit Administration (FTA) that Mason Transit Authority (MTA) complete the fiscal Certifications and Assurances acknowledging and certifying that MTA will comply with all Federal statutes, regulations, Executive Orders and administrative requirements applicable to applications made to and grants received from the Washington State Department of Transportation (WSDOT).

Attached are the required forms to be signed and submitted to WSDOT.

Fiscal Impact:

None.

Staff Recommendation:

Approve.

Motion for Consideration:

Move that the Mason Transit Authority Board approve and authorize the Board Chair to sign the FTA Fiscal Year 2018 Certifications and Assurances to acknowledge compliance as required.

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March 20, 2018

Beth Le Duc
Business Analyst
Washington State Department of Transportation
Public Transportation Office
P. O. Box 47387
Olympia, WA 98504-7387

Dear Ms. Le Duc:

Mason County Public Transportation Benefit Area (DBA Mason Transit Authority) hereby certifies that it will comply with all Federal statutes, regulations, Executive Orders, and administrative requirements applicable to its application made to and grants received from the Washington State Department of Transportation under 49 U.S.C. Sections 5309, 5311, 5316, and 5339.

In addition, Mason Transit Authority hereby accepts all the provisions of the Department of Labor's Special Section 5333(b) Warranty for Applications to the Small Urban and Rural Program. Mason Transit Authority's transportation employees are represented by District Lodge 160 of the International Association of Machinists and Aerospace Workers, 2121 70th Ave West, Suite A, University Place, WA 98466.

The provisions of 49 U.S.C. Section 5333(b), 290 CFR Part 215, and Section 1001 of Title 18, U.S.C., apply to all certifications and submissions in connection with applications made to and grants received from 49 U.S.C. Sections 5309, 5311 and 5316.

Mason Transit Authority certifies or affirms the truthfulness and accuracy of the contents of the statements and understands that the provisions of 31 U.S.C. Section 3801 et seq. are applicable thereto.

Sincerely,

Commissioner Kevin Shetty
Board Chair
Mason Transit Authority

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FTA FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

**FEDERAL FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

(Signature pages alternative to providing Certifications and Assurances in TrAMS)

Name of Applicant: Mason County PTBA (DBA Mason Transit Authority) Kevin Shutty, Board Chair

The Applicant agrees to comply with applicable provisions of Categories 01 – 21. X

OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

<u>Category</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	_____
02.	Lobbying.	_____
03.	Private Sector Protections.	_____
04.	Rolling Stock Reviews and Bus Testing.	_____
05.	Demand Responsive Service.	_____
06.	Intelligent Transportation Systems.	_____
07.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
08.	Transit Asset Management Plan, Public Transportation Safety Program, and State Safety Oversight Requirements.	_____
09.	Alcohol and Controlled Substances Testing.	_____
10.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity Improvement).	_____
11.	State of Good Repair Program.	_____
12.	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs.	_____
13.	Urbanized Area Formula Grants Programs and Passenger Ferry Grant Program.	_____
14.	Enhanced Mobility of Seniors and Individuals with Disabilities Programs.	_____
15.	Rural Areas and Appalachian Development Programs.	_____
16.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
17.	State Safety Oversight Grant Program.	_____
18.	Public Transportation Emergency Relief Program.	_____
19.	Expedited Project Delivery Pilot Program.	_____
20.	Infrastructure Finance Programs.	_____
21.	Construction Hiring Preferences.	_____

FTA FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2018 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2018)

AFFIRMATION OF APPLICANT

Name of the Applicant: Mason County Public Transportation Benefit Area (DBA Mason Transit Authority)

Name and Relationship of the Authorized Representative: Kevin Shutty, Mason Transit Authority, Board Chair

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2018, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2018.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: March 20, 2018

Name Kevin Shutty, Mason Transit Authority, Board Chair
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Kevin Shutty, Mason Transit Authority, Board Chair

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: March 20, 2018

Name Robert Johnson, Mason Transit Authority, Legal Counsel
Attorney or Board Chair for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

Mason Transit Authority Regular Board Meeting

Agenda Item: New Business – Item 2 – *Actionable*

Subject: T-CC Event Rates

Prepared by: LeeAnn McNulty, Administrative Services Manager

Approved by: Danette Brannin, General Manager

Date: March 20, 2018

Summary for Discussion Purposes:

The T-CC has become well established in the community as a premier location for event space rental. As such, this increased usage has resulted in higher costs to maintain upkeep and cleanliness. In addition, rising supply and labor costs have been recognized. Proposed rate changes include a change from billing for blocks of hours, to billing by the individual hour reserved. The proposed rates are quite competitive, or in some cases below market rates after having been vetted against other facilities who provide similar rental space.

Fiscal Impact:

Minimal

Staff Recommendation:

Approve

Motion for Consideration:

Move that the Mason Transit Authority Board approve Resolution No. 2018-02 and the attached event procedures and fee schedule for the purpose of MTA and T-CC business.

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**MASON TRANSIT AUTHORITY
TRANSIT-COMMUNITY CENTER**

601 W. FRANKLIN ST, SHELTON, WA 98584
OFFICE: 360-432-5758 | FAX: 360-426-0899
T-CC BUILDING SUPERINTENDENT, STEVE WEISENBACH: 360-545-5160

Call for availability

Inquiries: Swaisenbach@masontransit.org

REQUEST FOR FACILITY USE APPLICATION

PLEASE READ CAREFULLY AND COMPLETELY

This is a **request** for facility reservation. **Please complete all information and print clearly. Incomplete information will result in a delay in the review of your application.** The following information is requested to assist in the review and consideration of your request to rent facility space. Completion of this application is not a legal or binding commitment between the parties until a facility reservation contract has been executed and payment is received. Once approved, a Facility Reservation Contract will be emailed to you confirming your request. Failure to return the signed Facility Reservation Contract and payment before the contract expiration date will result in the reservation being canceled.

DO NOT SEND PAYMENT AT THIS TIME. All requests are on a first-come, first-served basis.

NO DATE(S) WILL BE HELD UNTIL THE DEPARTMENT APPROVES THIS RENTAL REQUEST.

RENTER INFORMATION

Contact Name:	<i>(responsible party signing contract)</i>	
Organization Name:	<i>(event host)</i>	
Mailing Address:		
Daytime Phone:	Evening Phone:	
Email:		

EVENT INFORMATION

Event Name:		
Event Description:		
Requested Date:	Number of Attendees:	
Event Timeframe: _____ IN _____ OUT	* Include set-up & clean-up time; events must end and be cleaned up by 1AM!	
Will food be served:	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Will alcohol be served/consumed:

YES

NO

If yes, additional insurance and State permit required.

ROOM(S) REQUESTED

(Please mark desired room(s) & time usage by circling price points)

Room Description				Fee Schedule				
AREA	SQ FT	SEATING CAPACITY	STANDING CAPACITY	0-2 HRS	2-4 HRS	4-6 HRS	6-8 HRS	ALL DAY
CONFERENCE/MEETING ROOM	800	25-35	-	\$40	\$65	\$120	\$165	\$165
KITCHEN	1311	-	-	\$60	\$95	\$125	\$155	\$190
ATRIUM	2454	-	-	\$80	\$120	\$155	\$235	\$275
GYMNASIUM	5238	240+seated	381	\$80	\$155	\$235	\$310	\$390

OPTIONAL HOURLY RATE @1/2 OF THE 0-2 HRS RATE
ASK ABOUT OUR COMMUNITY NON-PROFIT GYM RATES

ADDITIONAL RENTAL ITEMS *(Check box if you're interested in reserving any of the following rental items)*

Mason Transit Authority offers the following rental items at **no charge**. Availability will be confirmed in your Facility Reservation Contract.

<input type="checkbox"/>	Round tables that seat six per table; approximately 40 tables available.
<input type="checkbox"/>	Black event chairs; approximately 240 chairs available.
<input type="checkbox"/>	Gymnasium has a sound system, projector screen, and podium available.

COFFEE SERVICE *(Check box to indicate the amount of coffee you would like to have available)*

Mason Transit Authority also has coffee available for a fee at events on request. The coffee fee is based on a per cup usage. Please indicate the cups of coffee amount you would like to have available.

<input type="checkbox"/>	NONE
<input type="checkbox"/>	1-25 cups = \$10 (\$10.88 w/tax)
<input type="checkbox"/>	25-50 cups = \$20 (\$21.76 w/tax)
<input type="checkbox"/>	50-100 cups = \$50 (\$54.40 w/tax)
<input type="checkbox"/>	100-300 cups = \$75 (\$81.60 w/tax)



**MASON TRANSIT AUTHORITY
TRANSIT-COMMUNITY CENTER**

601 W. FRANKLIN ST, SHELTON, WA 98584
OFFICE: 360-432-5758 | FAX: 360-426-0899

T-CC BUILDING SUPERINTENDENT, STEVE WEISENBACH: 360-545-5160

Call for availability

Inquiries: Sweisenbach@masontransit.org

HOLD HARMLESS AGREEMENT

RENTER INFORMATION	
Contact Name:	<i>(responsible party signing contract)</i>
Organization Name:	<i>(event host)</i>
Mailing Address:	
Daytime Phone:	Evening Phone:
Email:	

The organization/group/individual above stated agrees to defend, indemnify, and hold harmless Mason Transit Authority, its officers, employees and agents from any and all claims for injury to person (including death) or property arising out of, or in any way connected to its/our use of the rented Transit-Community Center space.

I have read and agree to the policies, rules and regulations of the Transit-Community Center Event Space Special Use.

Signature: _____ Date: _____

OFFICE USE ONLY

Application Approved: YES NO

If no, reason for denial:

Signature: _____

Date: _____

APPLICATION CHECKLIST

	Advanced <i>Non-Refundable</i> Rental Fee \$100.00 <i>(Date will not be held without completed reservation contract and required deposit)</i>
	Rental Packet: Request for Facility Use Application, Facility Reservation Contract, and Rental Clean-Up Agreement, Etc.
	Damage Deposit of \$ _____ <i>(Refundable after event upon compliance with terms if applicable)</i>
	Rental Fee of \$ _____ <i>(no later than 30 days prior to event)</i>
	Proof of Insurance <i>(no later than 30 days prior to event)</i>
	Proof of Alcohol Insurance Policy, <i>if applicable</i>
	Proof of Banquet Permit or Special Occasion Permit, <i>if applicable</i>



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Inquiries: Sweisenbach@masontransit.org

FACILITY USE CLEAN-UP AGREEMENT

RENTER INFORMATION

Renter Name:	<i>(responsible party signing contract)</i>
Clean-up Person:	<i>(designated person responsible for clean-up)</i>

It is the RESPONSIBILITY OF THE RENTERS, AND/OR THEIR DESIGNATED RESPONSIBLE PARTY, TO SEE THAT THE FACILITY IS LEFT IN THE SAME CONDITION AS IT WAS RECEIVED PRIOR TO THEIR RESERVED TIME. The following items must be checked off upon completion of a renter's event. **The renter and T-CC staff on duty shall sign the T-CC Rental facility use clean-up agreement checklist verification prior to the renter leaving the facility.** Any area not cleaned appropriately may result in all or part of the damage deposit being withheld.

Renter Responsibilities: **CHILDREN MUST HAVE ADULT SUPERVISION AT ALL TIMES!**

General Cleanliness:

1. Chairs shall be cleaned and returned to original location,
2. Tables shall be cleaned, folded and returned to original location,
3. All food, dishes, cups, beverages, tablecloths, etc. shall be removed,
4. All decorations and items brought into the facility shall be removed,
5. All counter tops, sinks, microwave, and areas used shall be clean,
6. **Floors surfaces shall be cleaned to the satisfaction of MTA staff on duty,** and
7. All trash containers must be emptied and relined.

The undersigned agrees to the above conditions of clean-up.

Renter Signature: _____ Date: _____

Clean-up Person's Signature: _____ Date: _____

Damage Deposit Action : OFFICIAL USE ONLY

Date Paid _____ *Check No.* _____ *Amount: \$300.00*

Date Refunded _____ *Check No.* _____ *Partial refund amount TBD:* _____ *Receipt #* _____

Renter Signature: _____

T-CC Signature: _____

RATES APPROVED IN 2015



**MASON TRANSIT AUTHORITY
TRANSIT-COMMUNITY CENTER**

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T-CC Building Superintendent, STEVE WEISENBACH: 360-432-5758

Call for availability

Inquiries: sweisenbach@masontransit.org

REQUEST FOR FACILITY USE APPLICATION

PLEASE READ CAREFULLY AND COMPLETELY

This is a *request* for facility reservation. ***Please complete all information and print clearly. Incomplete information will result in a delay in the review of your application.*** The following information is requested to assist in the review and consideration of your request to rent facility space. Completion of this application is not a legal or binding commitment between the parties until a facility reservation contract has been executed and payment is received. Once approved, a Facility Reservation Contract will be emailed to you confirming your request. Failure to return the signed Facility Reservation Contract and payment before the contract expiration date will result in the reservation being canceled.

DO NOT SEND PAYMENT AT THIS TIME. All requests are on a first-come, first-served basis.

NO DATE(S) WILL BE HELD UNTIL THE DEPARTMENT APPROVES THIS RENTAL REQUEST.

RENTER INFORMATION

Contact Name:	<i>(responsible party signing contract)</i>
Organization Name:	<i>(event host)</i>
Mailing Address:	
Daytime Phone:	Evening Phone:
Email:	

EVENT INFORMATION

Event Name:	
Event Description:	
Requested Date:	Number of Attendees:
Event Timeframe: _____ IN _____ OUT	<i>* Include set-up & clean-up time; events must end and be cleaned up by 11:30PM!</i>
Will food be served:	YES <input type="checkbox"/> NO <input type="checkbox"/>
Will alcohol be served/consumed:	YES <input type="checkbox"/> NO <input type="checkbox"/> <i>If yes, additional insurance and State permit required.</i>

FEE SCHEDULE

AREA	SQ FT	MAXIMUM CAPACITY	HOURLY RATE
CONFERENCE/MEETING ROOM	800	61	\$ 30.00
DINING ROOM	711	37	\$ 20.00
KITCHEN	600	12	\$ 35.00
KITCHEN & DINING ROOM	1311	49	\$ 45.00
ATRIUM	2454	182	\$ 20.00
GYMNASIUM	5238	381	\$ 50.00

For some events a **damage/cleaning deposit of \$300.00** is required at least 24 hours prior to the event. This deposit will be returned to the renter at the completion of event, if the facility is returned in good order. A T-CC representative will inspect the facility upon completion of the event and will determine if all cleaning requirements have been met as stated in the application packet. Failure to meet agreed upon conditions may result in forfeiture of some/all of damage deposit.

All events must end and be cleaned up by 11:30PM !

ADDITIONAL AMMMENITIES

Mason Transit Authority offers the following event items at ***no charge***. Availability will be confirmed in your Facility Reservation Contract. Please check box if interested in item.

	Round tables that seat six per table; approximately 40 tables available.
	Black event chairs; approximately 240 chairs available.
	Gymnasium has a sound system, projector screen, and podium available.



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TRANSIT-COMMUNITY CENTER**

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OFFICE: 360-426-9434 | FAX: 360-426-0899

T-CC Building Superintendent, STEVE WEISENBACH: 360-432-5758
[swaisenbach@masontransit.org](mailto:sweisenbach@masontransit.org)

HOLD HARMLESS AGREEMENT

RENTER INFORMATION	
Contact Name:	<i>(responsible party signing contract)</i>
Organization Name:	<i>(event host)</i>
Mailing Address:	
Daytime Phone:	Evening Phone:
Email:	

The organization/group/individual above stated agrees to defend, indemnify, and hold harmless Mason Transit Authority, its officers, employees and agents from any and all claims for injury to person (including death) or property arising out of, or in any way connected to its/our use of the rented Transit-Community Center space.

I have read and agree to the policies, rules and regulations of the Transit-Community Center Event Space Special Use.

Signature: _____ Date: _____

OFFICE USE ONLY

Application Approved: YES NO

If no, reason for denial:

Signature: _____ Date: _____

APPLICATION CHECKLIST

	Advanced <i>Non-Refundable</i> Rental Fee \$100.00 <i>(Date will not be held without completed reservation contract and required deposit)</i>
	Rental Packet: Request for Facility Use Application, Facility Reservation Contract, and Rental Clean-Up Agreement, Etc.
	Damage Deposit of \$ 300.00 <i>(Refundable after event upon compliance with terms if applicable)</i>
	Rental Fee of \$ _____ <i>(no later than 30 days prior to event)</i>
	Proof of Insurance <i>(no later than 30 days prior to event)</i>
	Proof of Alcohol Insurance Policy, <i>if applicable</i>
	Proof of Banquet Permit or Special Occasion Permit, <i>if applicable</i>



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 T-CC Building Superintendent :STEVE WEISENBACH 360-432-5758
 Call for availability
 Inquiries: [swaisenbach@masontransit.org](mailto:sweisenbach@masontransit.org)

FACILITY USE CLEAN-UP AGREEMENT

RENTER INFORMATION	
Renter Name:	<i>(responsible party signing contract)</i>
Clean-up Person:	<i>(designated person responsible for clean-up)</i>

It is the RESPONSIBILITY OF THE RENTERS, AND/OR THEIR DESIGNATED RESPONSIBLE PARTY, TO SEE THAT THE FACILITY IS LEFT IN THE SAME CONDITION AS IT WAS RECEIVED PRIOR TO THEIR RESERVED TIME. The following items must be checked off upon completion of a renter’s event. **The renter and T-CC staff on duty shall sign the T-CC Rental facility use clean-up agreement checklist verification prior to the renter leaving the facility.** Any area not cleaned appropriately may result in all or part of the damage deposit being withheld.

Renter Responsibilities: **CHILDREN MUST HAVE ADULT SUPERVISION AT ALL TIMES!**

General Cleanliness:

1. **Chairs shall be cleaned and returned to original location,**
2. **Tables shall be cleaned, folded and returned to original location,**
3. **All food, dishes, cups, beverages, tablecloths, etc. shall be removed,**
4. **All decorations and items brought into the facility shall be removed,**
5. **All counter tops, sinks, microwave, and areas used shall be clean,**
6. **Floors surfaces shall be cleaned to the satisfaction of MTA staff on duty, and**
7. **All trash containers must be emptied and relined.**

ALL CLEANUP MUST BE COMPLETED BEFORE END OF RENTAL TIME!

The undersigned agrees to the above conditions of clean-up.

Renter Signature: _____ Date: _____

Clean-up Person’s Signature: _____ Date: _____

Damage Deposit Action : OFFICIAL USE ONLY

Date Paid _____ Check No. _____ Amount: \$300.00

Date Refunded _____ Check No. _____ Partial refund amount TBD: _____ Receipt # _____

Renter Signature: _____

T-CC Signature: _____

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**MASON TRANSIT AUTHORITY
TRANSIT-COMMUNITY CENTER**

601 W. FRANKLIN ST, SHELTON, WA 98584

OFFICE: 360-426-9434 | FAX: 360-426-0899

T-CC Building Superintendent, STEVE WEISENBACH: 360-432-5758

[swaisenbach@masontransit.org](mailto:sweisenbach@masontransit.org)

EVENT RENTAL PROCEDURES & GUIDELINES

1. RESERVATION PROCESS

- A. It is recommended that reservations are made a minimum of thirty (30) days before the event. Reservations with less than thirty (30) days' notice may not be fulfilled, dependent on staff and facility availability.
- B. Reservations are generally unavailable on the following holidays: Christmas Eve, Christmas Day, Thanksgiving Day, Easter Day, New Year's Day, Fourth of July, Labor Day, and Memorial Day. Special arrangements may be considered for these days at an additional cost.
- C. Reservations can only be made by submitting a completed '*Request for Facility Use Application*', which are subject to approval.
- D. Upon approval of the '*Request for Facility Use Application*' reservations are fulfilled on a first-come, first-served basis.
- E. Confirmation of all rentals will take place with receipt of the **\$100.00 non-refundable advance reservation fee** or rental fee paid in full. The deposit will be credited to your total rental fee.
- F. One individual will be designated as the responsible party for the requesting group, and will sign all agreements. The person signing these forms is the representative party and is assuming responsibility for the clean-up and any damage, loss, or disturbances during the rental period. This individual must be at least 21 years of age.
- G. Reservation hours are consecutive and must *include* time for delivery of supplies, set-up, and clean-up.

_____ **Initial**

2. RENTAL & DEPOSIT PAYMENTS

- A. The rental fee must be paid in full thirty (30) days prior to the event. If payment is not received within the time limit, your reservation will be subject to cancellation. Please make checks payable to: Mason Transit Authority.
- B. A refundable damage deposit of \$300.00 will be charged for all events. This is due thirty (30) days prior to the event. The damage/cleaning deposit will apply to all building facilities, furnishings, and equipment. To assure the return of your deposit, have a Transit-Community Center (T-CC) staff person on duty check the facility before you leave. Staff will note any problem areas at that time. If there is no further damage/cleaning required, the deposit will be returned to you at the completion of the scheduled event.

- C. Cancellations can be made thirty (30) days prior to the event, and must be submitted in writing. Cancellations after that time will result in twenty-five (25%) percent of the rental fee being retained. The damage deposit will be refunded in full.

_____ Initial

3. LIABILITY INSURANCE REQUIREMENTS

- A. After approval of the 'Request for Facility Use Application', the applicant will furnish Mason Transit Authority (MTA) with evidence that she/he has, in full force and effect, a liability policy with MTA as an additional insured in an amount to be determined by MTA covering any bodily injury or property damage arising out of or in any way connected with the use of the facility by the applicant; except claims for damages or personal injuries that arise from the sole negligence of MTA.
- B. The required insurance is Commercial General Liability with limits of \$1 million combined single limits per occurrence and must have MTA named as an additional insured. Insurance is required for all users.
- C. **If alcohol is being served and/or consumed an additional \$1 million dollar alcohol policy is required.**

_____ Initial

4. GENERAL RULES

- A. Use of rice, birdseed, confetti, or like materials inside or outside of the facility is not permitted.
- B. Decorations may only be attached to walls, windows, or ceilings with painters (blue) masking tape or similar non-marring material.
- C. Any use of flammable materials is regulated by the Shelton Fire Department:
 - i. Renters are limited to three (3) candles per table. Candles must be placed on a non-combustible surface. Candles used in a center piece surrounded by combustible materials must be contained in a votive or similar container.
 - ii. Food warming appliances must be used in accordance with manufacturer's recommendations. Sterno canisters are acceptable for use.
 - iii. Sparklers and other flammable decorations are prohibited.
- D. Use of federally illegal drugs (this includes marijuana) and gambling are prohibited.
- E. Profanity and unruly conduct or any other unlawful activities on Transit property is prohibited.
- F. Illegal weapons are not permitted on the property.
- G. **The T-CC is a non-smoking facility, smoking is not allowed on any part of T-CC property.**
- H. The party responsible for the event will be held accountable for the safe, orderly and reasonable conduct of all participants and spectators. The party responsible will assure the proper conduct of individuals who are on T-CC property as a result of their event.

- I. **RENTOR MUST TURN DOWN MUSIC/NOISE IMMIDIATLY IF REQUESTED BY T-CC STAFF!**
- J. Children must have adult supervision at all times!
- K. Only those rooms/areas specified on the agreement will be available for use by the renting party, including designated restrooms.
- L. The use of the kitchen and its appliances are only available if the kitchen reservation fee is paid.
- M. A T-CC staff person will be present in the facility during the rented time. The staff person will:
 - i. Unlock interior and exterior doors,
 - ii. Turn on lights,
 - iii. Demonstrate the use of appliances, Audio/Video equipment, and other amenities,
 - iv. Answer questions regarding facility and equipment,
 - v. Before the group's representative leaves, MTA staff walk through the rented rooms to make sure everything has been returned to its original state, and
 - vi. Lock-up after the group departs.

_____ **Initial**

5. SERVING AND/OR CONSUMING ALCOHOL

Alcoholic beverages are allowed inside the leased area as long as the following requirements are met:

- A. A Washington State Special Occasions License or Banquet Permit must be obtained and displayed in the room during the event. A copy of the permit or license must accompany the rental payment.
 - i. A Banquet Permit is needed for all private functions where liquor is served. Banquet Permits are needed for business or social organization functions where alcohol is served at no charge and/or brought in by its members. The function cannot be open to the general public.
- B. Non-profit groups planning to sell alcohol for profit must obtain a Special Occasion Liquor License.
- C. **All alcohol beverage service must end at 10:00 PM. No alcohol will be allowed to be dispensed after 10:00 PM. Failure to do so will result in closure of Transit–Community Center and forfeiture of damage deposit.**
- D. All minors on the premises must have adequate adult supervision at all times.

_____ **Initial**

6. SET-UP & CLEAN-UP

- A. All items brought into the building by renters must be removed! All decorations, props, rented furniture, beverage dispensers, and personal belongings must be removed at the end of the event; unless otherwise authorized by the T-CC manager.
- B. MTA is not responsible for any left/lost items!
- C. T-CC does not provide storage. It is not available before an event.
- D. The renter is responsible for set-up, cleaning floors, cleaning tables/chairs, returning tables/chairs back to storage, and cleaning the kitchen (if applicable). Please see '*Rental Clean-up Agreement*'.
- E. Cleaning includes, but is not limited to: sweeping, vacuuming, mopping, and wiping down surfaces. All trash and recycling must be taken to the containers located at rear of the building. The renter will be responsible for set-up and take down of tables and chairs. Layout will be determined in advance of the rental.
 - i. T-CC staff will provide a broom, mop and cleaning supplies to assist the renter leaving the facility in the same condition it was found in.
- F. Renters must have all clean-up done before leaving. **If additional time is needed for clean-up, all or a portion of the deposit will not be refunded.**
- G. In signing the '*Facility Event Contract*', the renter agrees to pay the cost of any cleaning or damage repair to the Transit-Community Center during their event.

_____ **Initial**

7. MISCELLANEOUS POLICIES

- A. Live animals, except for service animals, may not be brought onto the premises.
- B. T-CC staff may enter any of the rented premises at any time on any occasion.
- C. MTA reserves the right to take photographs of rental events for its own records and use in future public outreach efforts.
- D. MTA reserves the right to modify these procedures.
- E. Incidental uses of property that continues to be needed and used for the operation of MTA's projects or community programs must not interfere or hamper the operation and use of such property for transit purposes.

- F. The use must not compromise the safe conduct of the intended transit purpose and activity of the initial public transit project activity.
- G. The event rental use must not in any way interfere with MTA’s continuing control over the use of the property or adjacent property or MTA’s continued ability to carry out their project(s) or program(s).
- H. MTA will not be responsible for accident, injury, or loss of property.

_____ **Initial**

By signing, I agree that I have read and understand the event rental and guideline procedures for the MTA Transit-Community Center located at 601 W. Franklin St, Shelton, WA 98584. I agree to abide by the rental and guideline procedures.

Renter Signature: _____ Date: _____

T-CC Signature: _____ Date: _____

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RESOLUTION NO. 2018-02

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD
RESCINDING RESOLUTION NO. 2015-07; AND ADOPTING NEW
TRANSIT-COMMUNITY CENTER EVENT FEES.**

WHEREAS, Mason Transit Authority seeks to allow for public use of event space in the Transit-Community Center and desires to ensure that the use of real property (i) complies with the Washington statutory mandates and requirements, (ii) does not jeopardize or negatively impact the safe and efficient operation or maintenance of MTA facilities, and (iii) does not impair the preservation of MTA real property for existing or future transportation-related uses planned or identified by the MTA or other transportation or governmental entities;

WHEREAS, by Resolution No. 2015-07, the Mason Transit Authority Board approved certain event procedures and a fee schedule;

WHEREAS, the T-CC has become well established in the community as a premier location for event space rental and the increased usage has resulted in higher costs to maintain upkeep and cleanliness; and

WHEREAS, MTA staff has compared proposed rates and finds them to be competitive and in some cases below market rates against other facilities offering similar rental space;

NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT AUTHORITY BOARD that Resolution No. 2015-07 is hereby rescinded in its entirety; and

BE IT FURTHER RESOLVED that that event procedures and fee schedule attached hereto and incorporated herein be established and adopted.

Adopted this 20th day of March, 2018.

Kevin Shutty, Chair

Wes Martin, Vice-Chair

John Campbell, Authority Member

Kevin Dorcy, Authority Member

Terri Drexler, Authority Member

Randy Neatherlin, Authority Member

Deborah Petersen, Authority Member

Don Pogreba, Authority Member

Sandy Tarzwell, Authority Member

APPROVED AS TO CONTENT: _____
Danette Brannin, General Manager

APPROVED AS TO FORM: _____
Robert W. Johnson, Legal Counsel

ATTEST: _____ DATE: _____
Tracy Becht, Clerk of the Board

Mason Transit Authority Regular Board Meeting

Agenda Item: New Business – Item 3 – *Actionable*
Subject: Intergovernmental Agreement with Timberland Regional Library
Prepared by: Danette Brannin, General Manager
Approved by: Danette Brannin, General Manager
Date: March 20, 2018

Summary for Discussion Purposes:

Mason Transit Authority and the Timberland Regional Library (TRL) are interested in a partnership to create greater convenience for citizens to purchase bus passes. With expanded hours that libraries offer and many locations, getting a bus pass will be much easier. The library will not be charging for the service of selling passes as the library sees it as a way to better serve the community. Additionally, TRL will promote the partnership with posters, a press release, on social media and to cardholders. All promotions will have both MTA and TRL logos. The library will also conduct a survey in six months and at one year to test the level of awareness of the program. MTA will in turn promote different library programs from time to time on MTA buses.

Intercity Transit and Grays Harbor Transit have been partnering with TRL on the same program successfully.

Legal Counsel has reviewed the Intergovernmental Agreement.

Fiscal Impact:

None.

Staff Recommendation:

Approve.

Motion for Consideration:

Move that the Mason Transit Authority Board approve the Intergovernmental Agreement between Mason Transit Authority and Timberland Regional Library for the purpose of selling Mason Transit Authority bus passes and approve Resolution No. 2018-03 authorizing the General Manager to sign the Intergovernmental Agreement.

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**INTERGOVERNMENTAL AGREEMENT BETWEEN
TIMBERLAND REGIONAL LIBRARY (TRL)
and
MASON TRANSIT AUTHORITY (MTA)**

1. **Scope of Services.** The TRL agrees to abide by all terms and conditions pertaining to selling MTA bus passes as set forth in the Guidelines for Consignment of Bus Passes (hereafter “Exhibit A”), which is attached hereto and incorporated herein by this reference. MTA may amend the Exhibit A from time to time and the TRL agrees to comply with any new or modified terms and conditions if MTA sends or delivers a copy of the revised Exhibit A to the TRL. After the TRL accepts MTA bus passes, it is the sole responsibility of the TRL to sell or return unsold passes to MTA. MTA is not responsible for lost or stolen passes after acceptance by the TRL. It will be the responsibility of the TRL to pay for any lost or stolen passes to MTA.
2. **Term.** This Agreement shall be for an initial term of eighteen (18) months, commencing on the Effective Date, unless previously terminated by action of the Parties or operation of law as described herein. This Agreement may be extended if agreed upon in writing by the Parties.
3. **Termination.** This Agreement may be terminated by either Party upon the delivery of sixty (60) days written notice to the other Party.
4. **Indemnification.** Each Party to this Agreement agrees to defend, indemnify and hold harmless the other Party, and their officers, officials, employees, agents representatives and directors from and against any and all claims, demands, losses, liabilities, causes of action and costs (including expert witness fees and other reasonable costs of defense and any appeals) (collectively “Claims”), which may be imposed upon, incurred by or asserted against a Party, attributable (directly or indirectly) to, or arising in any manner by reason of, the act, omission, negligence, misconduct or other fault of the other Party, or of any agent, officer, servant or employee of the other Party, or anyone for whom the other Party may be legally liable in the performance of this Agreement.
5. **Conflict of Interest.** This Agreement is subject to termination for a conflict of interest, pursuant to the provision of Chapter 43.160.040 RCW.
6. **General Provisions.**
 - a) **Incorporation of Recitals.** The Recitals are acknowledged by the Parties to be substantially true and correct and hereby incorporated as agreements of the Parties.
 - b) **Entire Agreement.** This Agreement constitutes the entire understanding of the Parties and supersedes all previous representations, written or oral, with respect to the services specified herein. This Agreement may not be modified or amended, except by a written document, signed by authorized representatives of each Party.
 - c) **Law Governing and Forum Clauses.** The Parties agree this Agreement shall be construed in accordance with the laws of the State of Washington and any

controversy, dispute or litigation shall be brought or commenced only in the Superior Court of Thurston County, Washington.

- d) **Assignability.** This Agreement is non-assignable, in whole or in part, by any Party hereto without the written consent of both Parties.
- e) **Modifications.** Except as otherwise specifically provided in this Agreement, any amendment, modification or variation from the terms of this Agreement requires the written approval of all Parties.
- f) **Attorney Fees.** In the event suit is brought or an attorney is retained by any party to this Agreement to seek interpretation of construction of any term or provision of this Agreement, to enforce the terms of this Agreement, to collect any money due, or to obtain any money damages or equitable relief for breach, or to seek recourse in a bankruptcy proceeding, the prevailing party shall be entitled to recover, in addition to any other available remedy, reimbursement for reasonable attorney fees including attorney fees for representation in the bankruptcy court, court costs, costs of investigation, and other related expenses.
- g) **Notices.** All notices or demands required to be given, pursuant to the terms of this Agreement, shall be given to the other Party in writing and delivered in person; sent by facsimile transmission; deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested; or deposited with any commercial air courier or express service at the addresses set forth below, or to such other address as the Parties may substitute by written notice given in the manner prescribed in this paragraph.

To MTA: Danette Brannin
 General Manager
 Mason Transit Authority
 790 E Johns Prairie Rd
 Shelton, WA 985847
 Tel: (360) 432-5750
 dbrannin@masontransit.org

To TRL: Cheryl Heywood, Library Director
 Timberland Regional Library
 415 Tumwater Blvd SW
 Tumwater, WA 98501
 Tel: (360) 943-5001
 Fax: (360) 586-6838
 cheywood@trl.org

- h) **Force Majeure.** Neither Party shall be responsible for delays nor failures in performance resulting from acts beyond their control. Such acts shall include, but are not limited to, acts of God, riots, acts of war, epidemics, governmental regulations imposed after the fact, fire, communication line failures or power failures.

- i) **Counterparts.** This Agreement may be executed in one or more counterparts, and each originally duplicate counterpart of this Agreement shall be deemed to possess the full force and effect of the original.
 - j) **Severability.** If any term or provision of this Agreement shall be found to be illegal or unenforceable, then notwithstanding such illegality or unenforceability, this Agreement shall remain in full force and effect, and such term or provision shall be deemed to be deleted.
 - k) **Binding on Heirs.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assignees.
7. **Authority.** Each party hereby warrants and represents that it has full power and authority to enter into and perform this Agreement, and that the person signing on behalf of each has been properly authorized and empowered to enter into this Agreement. Each Party further acknowledges and agrees that it has read this Agreement, understands it, and agrees to be bound by it.
8. **Third-Party Beneficiaries.** This shall not create any rights to enforcement of the provisions therein to any person or entity that is not a party to this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement this _____ day of _____, 2018.

X

Danette Brannin
General Manager, Mason Transit Authority

X

Cheryl Heywood
Library Director, Tumwater Regional Library

EXHIBIT A

GUIDELINES FOR CONSIGNMENT OF BUS PASSES

1. **Ordering Merchandise**

A MTA representative will deliver the requested amount of passes based on the TRL's order. If the TRL needs an additional quantity of passes, email the Finance Department at finance@masontransit.org or call at (360) 426-9434. MTA will provide Monthly Pass Consignment Report forms. A sample is included as part of this exhibit.

2. **Delivery of Passes**

All orders will be delivered by a MTA representative. It is important that before accepting any order, the TRL confirm that the passes received match the log that accompanies the order. Please verify the following carefully:

- The correct denomination received
- The correct quantity received

Once the TRL verifies this information, the log for receipt of the passes will be signed. Once accepted, the TRL is responsible for the merchandise ordered until it is either sold or returned to MTA. Should the TRL find any discrepancy, please contact the Finance Department at (360) 426-9434.

Sales proceeds shall be remitted to the MTA within 31 days following the end of the month by mailing a check to the MTA office. An invoice will be mailed to TRL upon receipt by MTA of unsold passes and the corresponding consignment sheet. A copy of the invoice will be included with the payment submittal.

MTA fare merchandise is given to the TRL on consignment, which means that any unsold or unused passes must be returned to MTA.

After passes have been accepted, it is the sole responsibility of the TRL to sell or return unsold merchandise to MTA. If passes are lost or stolen, MTA will not replace them. It will be the responsibility of the TRL to pay for the lost or stolen passes.

3. **Prices**

Adult Monthly Pass Prices	\$28.00
Senior/Disable w/ Regional Reduced Fare Card	\$ 9.00
Youth Monthly Passes	\$18.00

Disabled - Must have a Regional Reduced Fare Card to use the pass. It may be purchased by anyone on behalf of the individual using the pass.

Senior - 65 years or older

Student - Age 18 or younger, or currently attending high school or college (may be asked for student ID for verification)

Children - Age 5 years or younger ride free with an adult

4. **Sales**

After passes have been accepted, it is the sole responsibility of the TRL to structure the sales hours, locations, and other policies and procedures related to the sales of the passes.

5. **Helpful Materials**

Riders' Guides, route schedules and other related brochures will be provided to the TRL free of charge. Occasionally, some additional marketing materials may also be provided to MTA for cross-promotions.

MTA will provide a point of purchase sign advertising the retail sale price of passes, and a sales outlet window decal to each location where they will be sold on consignment.

MTA Customer Service Representatives will be available by phone or email to assist with route and schedule information. You may reach a MTA Customer Service Representatives at 360-427-5033.

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RESOLUTION NO. 2018-03

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD
APPROVING AND AUTHORIZING THE GENERAL MANAGER TO SIGN THE
INTERLOCAL AGREEMENT WITH TIMBERLAND REGIONAL LIBRARY
REGARDING SELLING MASON TRANSIT AUTHORITY BUS PASSES.**

WHEREAS, the Mason Transit Authority (MTA) Board and Timberland Regional Library (TRL) desire to enter into a partnership to provide greater convenience for citizens to purchases MTA bus passes; and

WHEREAS, two other transit agencies have partnered with TRL in this program with success as the library has expanded hours and multiple locations which make it convenient and easier for citizens to purchase their bus pass; and

WHEREAS, MTA and TRL desire to formalize the partnership by entering into an Interlocal Agreement that set forth the obligations and responsibilities of MTA and TRL; and

NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT AUTHORITY BOARD that the General Manager is authorized to sign the Agreement between MTA and TRL relating to selling MTA bus passes and under terms set forth therein.

Adopted this 20th day of March, 2018.

Kevin Shutty, Chair

Wes Martin, Vice-Chair

John Campbell, Authority Member

Kevin Dorcy, Authority Member

Terri Drexler, Authority Member

Randy Neatherlin, Authority Member

Deborah Petersen, Authority Member

Don Pogreba, Authority Member

Sandy Tarzwell, Authority Member

APPROVED AS TO CONTENT: _____
Danette Brannin, General Manager

APPROVED AS TO FORM: _____
Robert W. Johnson, Legal Counsel

ATTEST: _____ DATE: _____
Tracy Becht, Clerk of the Board

Mason Transit Authority Regular Board Meeting

Agenda Item: New Business – Item 4 – *Actionable*
Subject: Drug and Alcohol Policy Update
Prepared by: LeeAnn McNulty, Administrative Services Manager
Approved by: Danette Brannin, General Manager
Date: March 20, 2018

Summary for Discussion Purposes:

Mason Transit Authority performs a vital public service for our community. To ensure this service is delivered safely, we are dedicated to providing and maintaining a drug and alcohol free working environment in compliance with the Drug-Free Workplace Act of 1988. Employees who perform safety-sensitive functions will be subject to the specific requirements of federal regulations 49 CFR Part 40, published December 11, 2000, and as amended thereafter, and 49 CFR Part 655, published August 9, 2001, and as amended thereafter, issued pursuant to the Omnibus Transportation Employees Testing Act of 1991. Participation in the federally mandated testing program is a condition of performing safety-sensitive functions.

The attached policy reflects recent suggested changes made as a result of recent USDOT drug and alcohol training and are shown in red.

Legal Counsel has reviewed and approved this form of the updated policy.

Fiscal Impact:

None

Staff Recommendation:

Approve.

Motion for Consideration:

Move that the Mason Transit Authority Board approve Resolution No. 2018-04 and the attached Policy for Drug and Alcohol for the purposes of MTA business.

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Title: Drug and Alcohol Policy
Number: 301
Effective: ~~January 1~~ March 20, 2018
Cancels: ~~August 1, 2014, September 14, 2010~~ December 19, 2017,
Prepared by: LeeAnn McNulty
Administrative Services Manager
Approved by: Authority Board
Resolution No. 20178-4004

POL-301 DRUG AND ALCOHOL POLICY

This policy applies in general to all Mason Transit Authority (MTA) employees: full-time, part-time, seasonal, worker/driver, contract employees and contractors when they are on MTA property or when performing MTA-related business off property. Employees who perform safety-sensitive functions, or contractors performing safety-sensitive functions for MTA will be subject to the specific requirements of federal regulations 49 CFR Part 40, published December 11, 2000, and as amended thereafter, and 49 CFR Part 655, published August 9, 2001 and as amended thereafter, issued pursuant to the Omnibus Transportation Employee Testing Act of 1991. Participation in the federally mandated testing program is a condition of performing safety-sensitive functions. This policy also applies to individuals who apply for employment with MTA.

(Underlined text represents locally adopted language that is above the minimums established by the FTA.)

1.0 POLICY STATEMENT

MTA performs a vital public service for our community. To ensure this service is delivered safely, we are dedicated to providing and maintaining a drug and alcohol free working environment in compliance with the Drug-Free Workplace Act of 1988 and the Omnibus Transportation Employees Testing Act of 1991. It is MTA's policy to:

- Assure that employees have the ability to perform assigned duties in a safe, healthy and productive manner;
- Create a workplace free from the adverse effects of drug abuse and alcohol misuse;
- Prohibit the unlawful distribution, possession or use of controlled substances.

MTA cares about the health and well-being of its employees. We urge anyone who believes they are having an alcohol or chemical dependency problem to seek treatment before their job performance and employment is endangered.

1.1 Purpose

The purpose of this policy is to assure employee fitness for duty and to protect our employees, passengers and the public from risks posed by worker's misuse of alcohol and abuse of drugs. This policy is intended to comply with all applicable federal regulations governing workplace alcohol and drug abuse in the



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transit industry. Regulations issued by the U.S. Department of Transportation and the Federal Transit Administration mandate urine drug testing and evidential breath alcohol testing for safety-sensitive positions. This policy sets forth the MTA substance abuse program and the testing and reporting guidelines for safety-sensitive employees as required by those regulations. This policy also sets forth additional guidelines based on MTA's independent authority for all employees. See Appendix D for a list of abbreviations referenced in this policy.

Copies of this policy will be given to safety-sensitive and non-safety sensitive employees during new employee orientation. Employees will be kept apprised of changes and clarifications through periodic memos. Revised policies will be distributed and receipt certified by safety-sensitive employees. Copies of this Drug and Alcohol Policy will be available in the Administrative Services Department.

1.2 Effects of Drug Use and Alcohol Misuse

The cost of substance misuse/abuse is devastating to society, the workplace, the family, and individuals. Two-thirds of all homicides are committed by people who used drugs or alcohol prior to the crime. Two-thirds of all Americans will be involved in an alcohol-related accident during their lifetime.

The medical costs of illness related to substance misuse/abuse are staggering. Each year 30,000 people die due to alcohol-caused liver disease. Another 10,000 die due to alcohol induced brain disease or suicide.

Symptoms of substance abuse problems include: tardiness, alcohol odor on breath, overreaction to real or imagined criticism, complaints from clients or co-workers, avoidance of associates, lowered job efficiency, confusion, difficulty in concentration, accidents on the job, absenteeism, leaving work early, excessive sick leave, frequent unscheduled short-term absences, and higher absentee rate compared to other workers.

Besides the human costs described above, substance-abusing employees create business costs and legal liabilities for their employers. These costs include:

- Direct and measurable costs, such as the additional health care benefits claimed by substance abusers.
- Less tangible and difficult to measure costs, such as the negative impact



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on employee morale or the diminished creativity of substance abusing individuals.

- Potential costs or “liabilities” such as a lawsuit filed by an injured party after an accident caused by the impaired employee.

These costs arise because of the effects of substance abuse in many areas including:

• Employee Health	• Community Relations
• Intoxication	• Neurologic and Liver Damage
• Productivity	• Fetal Alcohol Syndrome
• Sensory Alteration	• Employee Morale
• Decision-Making	• Dependence
• Anxiety Reduction	• Safety
• Security	• Toxic Psychosis

This Drug and Alcohol Policy includes several components for prevention and intervention. To promote a drug free workplace and comply with FTA regulations, MTA provides supervisory and employee education and contracts with EAP (Employee Assistance Program) and SAP (Substance Abuse Professional) services that provide employees access to professionals in addressing substance abuse.

1.3 Applicability

Employees who perform safety-sensitive functions, or contractors performing safety-sensitive functions for MTA, will be subject to the specific requirements of federal regulations and subsequent amendments to 49 CFR Part 40, published December 11, 2000 and as amended thereafter, and 49 CFR Part 655 published August 9, 2001 and as amended thereafter, issued pursuant to the Omnibus Transportation Employee Testing Act of 1991. Participation in the federally mandated testing program is a condition of performing safety-sensitive functions.

Employees shall promptly report to his/her supervisor or to the Drug and Alcohol Program Manager (DAPM) whenever he/she observes or has knowledge of an



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employee who poses a hazard to the safety and welfare of others. Failure to report may result in discipline.

Supervisory level staff is required to use and apply all aspects of this policy. Any supervisory level employee who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including discharge.

A safety-sensitive function is any duty related to the safe operation of public transit service as defined in 49 CFR Part 655, including:

- Operating a revenue service vehicle, including when not in revenue service;
- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver’s License;
- Controlling the dispatch or movement of a revenue service vehicle;
- Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle, or equipment used in revenue service including times when not in revenue service;
- Carrying a firearm for security purposes.

A list of safety-sensitive positions can be found in Appendix B.

1.4 Prohibited Substances

“Prohibited drugs” include cocaine, marijuana, amphetamines (amphetamine, methamphetamine, MDMA, MDA), opioids (codeine, heroin, morphine, oxycodone, oxymorphone, hydrocodone, hydromorphone, phencyclidine (PCP), and any other substance recognized as a controlled substance in 49 CFR Part 40 or 49 CFR Part 655 as amended. “Prohibited drugs” includes use of or impairment by any illegal drug, misuse of legally prescribed or over-the-counter drugs, and illegally obtained prescription drugs.

“Alcohol” includes the intoxicating agent in alcohol beverage, ethyl alcohol, and other low molecular weight alcohol including methyl and isopropyl alcohol. The



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use of any beverage or mixture, including any medication, containing alcohol during or prior to performing a safety-sensitive function is prohibited.

The appropriate use of legally prescribed drugs and non-prescription medication is not prohibited. However, the use of any substance which carries a warning label indicating that mental functioning, motor skills, or judgment will be adversely affected MUST be reported to their department head prior to performing safety-sensitive duties. It is the responsibility of employees to remove themselves from service if they are experiencing any adverse effects from medication that could impair their performance of essential job functions. Legally prescribed drugs must include documentation of the patient's name, the substance name, the quantity to be taken and the period of authorization.

1.5 Prohibited Conduct

In compliance with the Drug Free Workplace Act of 1988, employees are absolutely prohibited from using, manufacturing, dispensing, or distributing prohibited drugs in the workplace or while on duty. Employees are also absolutely prohibited from possessing or being impaired by alcohol or prohibited drugs when reporting for duty, while on duty or when on MTA's premises. Such behavior constitutes a threat to the health, safety and security of themselves, their fellow employees, passengers and other members of the public. Therefore, employees must not report for work or continue working under these circumstances.

Employees who are reasonably suspected of not being fit for duty due to drug or alcohol use shall be suspended from job duties with pay pending an investigation. Employees who fail to pass a drug or alcohol test shall be removed from duty immediately and subject to disciplinary action, up to and including discharge.

Drug Use: Reporting to work with any of the drugs identified in Section 1.4 in their system is prohibited at all times for safety-sensitive employees.

Alcohol Use: No safety-sensitive employee shall report for duty within four hours of using alcohol, just before, during or just after performing safety-sensitive duties, or use alcohol while subject to being on call. In addition, unless the employee's contribution to the accident can be completely discounted, non-



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safety-sensitive and safety-sensitive employees involved in an accident in a revenue or non-revenue vehicle as defined by the FTA regulations shall abstain from alcohol consumption until he or she has been tested or until eight hours has elapsed, whichever occurs first. A positive alcohol test under Mason Transit Authority is defined under this policy as a blood alcohol concentration of 0.02 and above on an evidentiary breath-testing device. A positive test under FTA authority is defined under this policy as a blood alcohol concentration greater than 0.04 on an evidentiary breath testing device.

1.6 Compliance with Testing

Safety-sensitive employees who refuse to comply with a request for drug and/or alcohol testing under the circumstances defined in Section 2.3 Types of Testing, shall be removed from duty immediately under FTA authority. Non-safety-sensitive employees under the same circumstances will be removed from duty immediately under MTA authority. Refusal to comply with a request for testing includes:

- Failure to appear for any test (except for pre-employment) within a reasonable time, as determined by the Employer;
- Failure to remain at the testing site until the testing process is complete;
- Failure to provide a breath sample or urine specimen for any required breath or drug test;
- Failure to permit the observation or monitoring of the specimen collection when required to do so;
- Failure to provide a sufficient amount of urine when directed and there is no adequate medical explanation for the failure;
- Failure to take a second test when directed to do so by the Employer or collector;
- Failure to undergo within five days a medical examination by a licensed physician acceptable to the Medical Review Officer (MRO), who has expertise in the medical issues raised by the employee's failure to provide a sufficient specimen when directed to do so by the MRO or employer;



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- Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, failure to wash hands after being directed to do so by the collector, or refusal to sign the test);
- Failure to follow the observer’s instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process;
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process;
- Admit to the collector or MRO that you adulterated or substituted the specimen;
- The MRO reports that you have a verified adulterated or substituted test result;
- Failure to sign step 2 of the alcohol test form;
- Failure to remain at the scene of an accident without just cause prior to submitting to a test.

Such refusals will be treated as a positive test, with the employee subject to discharge. The employee will be referred to a Substance Abuse Professional for evaluation. Referrals do not preclude the employee from being subject to discharge.

2.0 TESTING FOR PROHIBITED SUBSTANCES

Under FTA authority, all safety-sensitive employees and applicants for safety-sensitive positions with MTA will be subject to testing under the following circumstances; (1) prior to employment, (2) reasonable suspicion, (3) on a random, unannounced basis, and (4) following an accident as defined in Section 2.3(c).

2.1 Confidentiality

MTA will carry out this policy in a manner that respects the dignity and



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confidentiality of those involved. Confidentiality is maintained throughout the drug/alcohol testing process from notification of the request to test, to collection of the required specimens, to notification of results.

A. Maintenance of Records

The Administrative Services Department will maintain records of results in the strictest of confidence in a locked file cabinet separate from the official personnel file. In cases where disciplinary action results from a positive test, such information is shared only with those in a supervisory capacity directly involved in the disciplinary decisions related to the test result.

B. Release of Records

Testing records and results will be released only to those authorized by the FTA rules to receive such information or as required by law. This includes:

- a) The employee, if requested in writing.
- b) The National Traffic Safety Board (NTSB), if they are investigating an accident.
- c) Certain legal proceedings on behalf of the employee and arising from the result of a drug or alcohol test administered under FTA rules, including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.
- d) A court of competent jurisdiction or the decision-maker in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, if the court determines that the drug or alcohol test information is relevant to the case and issues an order directing the employer to produce the information. In such a proceeding, the information will be released only with a binding stipulation that the decision-maker to whom it is released will make it available only to parties to the proceeding.
- e) DOT agency or State Oversight Agency authorized by the DOT.



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- f) Other DOT employers when a current or former employee is an applicant for a safety-sensitive position within two years of their MTA employment.
- g) Subsequent employers, if requested in writing by the employee.
- h) Other identified persons as requested in writing by the employee.

C. Reporting to Washington State Department of Licensing (RCW 46.25)

In accordance with the provisions of RCW 46.25, MTA shall report positive drug test results and refusals to test of current CDL holders for tests conducted under the authority of the FTA regulations 49 CFR Part 655 to the Washington State Department of Licensing under the following circumstances:

- a) An employee is terminated or resigns.
- b) An employee has not been cleared to return to performing safety sensitive functions.

Also in accordance with this regulatory requirement, MTA's MRO shall report all positive pre-employment drug test results or refusals to test for current CDL holders to DOL after consultation with MTA's Drug and Alcohol Program Manager to confirm applicability of the regulation.

Individuals whose positive test results or refusals to test are reported to DOL will be subject to the consequences outlined in the RCW 46.25.

2.2 Methodology

Testing will be conducted in accordance with 49 CFR, Part 40, as amended, and in a manner to assure a high degree of accuracy and reliability by using the techniques, chain of custody procedures, equipment and laboratory facilities which have been approved by the U.S. Department of Health and Human Services as called for in the federal regulations. Both alcohol and drug testing will be conducted in an environment that affords maximum privacy as described in 49 CFR Parts 40 or 49 CFR Part 655 as amended.

Specimen collection for urine drug testing will occur at a collection site designated by MTA. Collection will be conducted according to procedures outlined in 49 CFR Part 40 and 49 CFR Part 655 as amended.



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- A. Analytical urine testing will be conducted at a DHHS certified laboratory for marijuana, cocaine, ~~opiates/opioids~~, amphetamines, phencyclidine and any other substance recognized as a controlled substance in 49 CFR Part 40 or 49 CFR Part 655 as amended. An initial drug screen will be conducted on each specimen after a split sample is provided to the laboratory. In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. Mason Transit Authority guarantees that the split specimen test will be conducted in a timely fashion. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry will be performed. A positive test result, at or above the minimum thresholds set forth by federal regulations in 49 CFR Part 40 or 49 CFR Part 655 as amended and verified by the MRO, will be considered a violation of this policy and will constitute a failure to pass a drug test. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

Tests for alcohol concentration will be conducted using National Highway Traffic Safety Administration (NHTSA) approved evidential breath-testing devices operated by breath alcohol technicians trained to proficiency on the particular EBT they are using. Equipment will be maintained according to the quality assurance plan developed for the particular piece of equipment. The collection process will be conducted according to procedures set forth in 49 CFR Part 40 Subpart J-N. A US Department of Transportation Breath Alcohol Testing Form will be completed with each collection. In accordance with the regulations an employee who tests at 0.02 or above will be retested within 15 to 30 minutes of the first test. This second test is considered a confirmatory test. A confirmed alcohol concentration of 0.02 or greater will be considered a positive alcohol test, a violation of this policy, and will constitute a failure to pass an alcohol



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test. In the event an employee is unable to provide an adequate breath sample, within five days, the employee must seek an evaluation from a licensed physician acceptable to the MRO, who has expertise in the medical issues raised by the employee's failure to provide a sufficient breath sample to determine if there is a reasonable explanation for the employee's inability to provide an adequate amount of breath. If the physician determines there is no reasonable explanation, the employee's inability will be recorded as a refusal to take the test and a violation of this policy.

- B. An employee who tests positive for drugs or alcohol will be removed immediately from safety-sensitive job duties and informed about educational and rehabilitation programs available, and referred to a Substance Abuse Professional (SAP). The SAP will evaluate the employee to determine what assistance, if any, the employee needs in resolving problems associated with substance abuse. The SAP must make a recommendation for education or treatment for every referred individual who has violated a DOT drug and alcohol regulation. Assessment by a SAP does not protect an employee from disciplinary action or guarantee employment. A positive drug or alcohol test will result in disciplinary action up to and including discharge as outlined in Discipline 5.0 of this policy.

2.3 TYPES OF TESTING

A. Pre-employment/Pre-Transfer Testing (49 CFR Part 655.41)

Applicants for all safety-sensitive positions shall undergo urine drug testing prior to employment. Receipt by the agency of verified negative test results is required prior to performance of safety-sensitive functions and failure to pass will disqualify an applicant.

Employees transferring from a non-safety-sensitive to a safety-sensitive position shall undergo urine drug testing prior to appointment to the new position. Test results must be negative in order for the appointment to take place.



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If a pre-employment drug test is cancelled or the results are negative dilute, the applicant will be required to complete another DOT test with a verified negative result in order for the appointment to a safety-sensitive position to occur. Applicants, who have failed a DOT drug and/or alcohol test for a previous DOT covered employer, must provide proof of a referral to an SAP, a substance abuse evaluation, and successful completion of the prescribed rehabilitation program prior to appointment to the safety-sensitive position.

Covered employees who have not performed safety-sensitive functions for 90 consecutive calendar days, regardless of the reason, and have not been in the random pool, shall undergo pre-employment drug testing prior to returning to performing safety-sensitive work. The results must be verified negative.




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B. Reasonable Suspicion Testing (49 CFR Part 655-43)

Under FTA authority, safety-sensitive employees are subject to a fitness-for-duty evaluation including a drug and/or alcohol test when there is a reason to suspect they are under the influence of any of the prohibited drugs while on duty, or have used alcohol immediately prior to, or during, or immediately after performing safety-sensitive duties or while on the property, in agency vehicles or in agency uniform. Non-safety sensitive employees are also subject to a fitness-for-duty evaluation including drug and/or alcohol testing in these same circumstances under MTA authority.

A referral for testing will be made on the basis of documented objective facts and circumstances. Supervisory personnel who are trained to detect signs and symptoms of drug and alcohol use will make such referrals. Employees in safety-sensitive positions will be tested for on or off-duty drug or alcohol use when there is reasonable suspicion of on-duty impairment supported by (1) evidence of specific personal observations concerning job performance, appearance, behavior, speech or bodily odors of the employee or direct observation of drug or alcohol use; (2) a pattern of abnormal conduct or erratic behavior; (3) arrest or conviction for a drug-related offense or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking; (4) information provided either by reliable and credible sources or independently corroborated; or (5) newly discovered evidence that the employee has tampered with a previous drug test. Safety-sensitive employees will be removed immediately from performing safety-sensitive functions and subject to discipline as outlined in Section 5.0 Discipline of this policy.

Non-safety-sensitive employees who are reasonably suspected of not being fit for duty due to drug or alcohol use shall be suspended from job duties with pay pending the outcome of an investigation. Such employees who fail to pass a drug or alcohol test shall also be subject to disciplinary action, up to and including discharge.

	<p>Title: Drug and Alcohol Policy</p> <p>Number: 301</p> <p>Effective: January 1 March 20, 2018</p> <p> Cancels: August 1, 2014, September 14, 2010 December 19, 2017;</p> <p>Prepared by: LeeAnn McNulty Administrative Services Manager</p> <p>Approved by: Authority Board Resolution No. 20178-4004</p>
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C. Post-Accident Testing (49 CFR 655.44)

a) Accident:

The occurrence associated with the operation of a vehicle, if as a result:

1. An individual dies, or;
2. An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or
3. With respect to an occurrence in which the public transit vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and such vehicle or vehicles are transported away from the scene by a tow truck or other vehicle; or

b) Fatal Accident:

As soon as practicable following an accident involving the loss of human life, and regardless of fault, each surviving employee performing safety-sensitive functions in the transit vehicle at the time of the accident, and any other covered employee whose performance could have contributed to the accident (as determined by MTA using the best information available at the time of the decision), shall be tested for alcohol and prohibited drugs.

c) Non-Fatal Accidents:

As soon as practicable following an accident not involving the loss of human life in which a transit vehicle is involved, each employee performing safety-sensitive functions in the transit vehicle at the time of the accident shall be tested for alcohol and prohibited substances unless MTA determines using the best information available at the time of the decision, that the employee’s performance can be completely discounted as a contributing factor to the accident. Any other employee whose performance



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could have contributed to the accident (as determined by MTA using the best information available at the time of the decision) shall also be tested for alcohol and prohibited substances. If an alcohol test required by this section is not administered within two (2) hours following the accident, MTA shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within eight (8) hours following the accident, the employer shall cease attempts to administer an alcohol test and shall maintain records on why the test was not performed. Likewise, if a drug test has not been performed within 32 hours, the employer must cease attempts to conduct the drug test and document why the test was not administered.

D. Random Testing (49 CFR Part 655.45)

Employees in safety-sensitive positions will be subject to random, unannounced testing. Selection of employees for random testing shall be made by a scientifically valid, computer based, random number generator that is matched to the employee's social security number. All covered employees will have an equal chance of being tested each time a selection is made. Testing will be continuous throughout the year and conducted on all days and hours during which MTA is in operation. Each year MTA will conduct the number of tests required to meet the established federal minimum rates for drug and alcohol. These percentage rates are subject to change by direction of the Federal Transit Administration.

Random drug and alcohol testing will be unannounced and unpredictable. Employees selected for testing will receive a Letter of Notification and will report immediately to the appropriate testing site. Alcohol testing will only occur while the employee is performing safety-sensitive functions, just prior to performing such functions or just after an employee has completed performing such functions. Drug testing will occur anytime while that employee is on duty.



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E. Return to Duty Testing (49 CFR Part 655.46)

Under FTA authority safety-sensitive employees who previously tested positive on a drug or alcohol test or who refused to submit to a test and who, under the discipline policy are allowed to return to work, will be subject to testing for either drugs or alcohol or both prior to being released for duty by a Substance Abuse Professional. Test results must be negative. This same provision holds true for non-safety-sensitive employees under MTA authority.

F. Follow-up Testing (49 CFR Part 655.47)

Employees who are allowed to return to work following a violation of this policy will be required to undergo frequent random drug and/or alcohol testing during the period of their re-entry with a minimum of six (6) randomly scheduled tests during the first twelve (12) months following their return. The Substance Abuse Professional will recommend the frequency and duration of the testing. (See Section 5.0 Discipline.)

2.4 Retests and Observed Tests

Employees who have a verified positive drug test result or a test refusal due to adulteration or substitution may request a test of their split specimen within 72 hours of notification, as all specimens are split and the non-tested portion is stored for a period of time. The procedure for requesting this test may be obtained from the Administrative Services Manager. Employees do not have access to a test of their split specimen following an invalid result.

There are certain situations that may require the employee to provide, at the collection site, another urine or breath sample, i.e., when insufficient volume or breath provides an inadequate sample, or the technician has reason to suspect tampering with the specimen. Under the latter circumstances, a second collection may be under observed conditions.

Under DOT authority (49 CFR Part 40. ~~67 & 40.197~~) when MTA receives a report from its Medical Review Officer that the lab has reported a negative dilute test result with a creatinine level of 2 mg/dL or above but less than or equal to 5 mg/dL, that employee will be directed to undergo a recollection under direct observation. If the employee is on duty at the time of the report, they will be



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removed immediately from performing safety-sensitive functions and directed to report to the collection site for the observed recollection. If the employee is not on duty when the report is received, they will be directed to report immediately to MTA's collection site for the recollection when they next report for duty. The result of this recollection test will be the result of record for reporting and disciplinary purposes. When MTA receives an MRO determination reporting a negative test result with a dilute specimen outside those parameters requiring retesting, the test will be treated as a negative test and no retesting will be required.

Observed collections are required pursuant to 49 CFR Part 40.67 in the following circumstances:

- A. Return-to-Duty tests;
- B. Follow-up tests;
- C. Anytime the employee is directed to provide another specimen because the temperature on the original specimen was out of the accepted temperature range of 90°F - 100°F;
- D. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with;
- E. Anytime a collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
- F. Anytime the employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the MRO determined that there was not an adequate medical explanation for the result;
- G. Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated or substituted, but had to be cancelled because the test of the split specimen could not be performed.

The employee who is being observed will be required to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and



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underpants to show the collector, by turning around that they do not have a prosthetic device. The observation must be made by an individual of the same gender as the donor. The observer must view urine stream from the donor to collection container.

2.5 Medical Review Officer (MRO)

MTA will establish a contractual relationship with a qualified Medical Review Officer who is a licensed physician with knowledge of substance abuse disorders and who has met the qualification training requirements outlined in 49 CFR Part 40 Subpart G. The MRO or authorized staff will personally review at least 5% of all custody/control forms quarterly. In addition, the MRO will review and interpret confirmed positive test results, examining alternative medical explanations for these results. Prior to verifying a positive test, the MRO will contact the affected employee to discuss the test results and provide an opportunity to offer a legitimate medical reason for the test results. If the MRO determines the test is a verified positive, the MRO will contact both the MTA Program Manager and the employee with that determination. MTA’s MRO will fully comply with the role and responsibilities prescribed in Subpart G of 49 CFR Part 40.

2.6 Substance Abuse Professional (SAP)

MTA will contract with a qualified Substance Abuse Professional (SAP) to evaluate employees who have violated this policy to determine whether they need help in resolving problems associated with drug abuse and/or alcohol misuse. The SAP shall be a licensed physician (Medical Doctor or Doctor of Osteopathy) or a licensed or certified psychologist, social worker, or employee assistance professional; or an addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse. The SAP shall have knowledge of, and clinical experience in, the diagnosis and treatment of alcohol and controlled substance-related disorders. MTA’s SAP will recommend education or treatment for all employees referred for violation of DOT drug and alcohol regulations.

3.0 DRUG-FREE WORKPLACE ACT OF 1988



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In compliance with the Drug-Free Workplace Act of 1988 the distribution, dispensing, possession or use of a controlled substance is prohibited at MTA. Employees violating this prohibition will be disciplined up to and including discharge. Also, all employees are required to notify MTA of any conviction under a criminal drug statute for violations occurring on or off MTA property within five days of conviction and any moving violation involving drugs or alcohol causing the suspension or revocation of the employee's driver's license. Failure to report such a conviction will result in discipline, up to and including discharge. MTA will notify FTA within ten days after receiving notice of such conviction. MTA will conduct a drug-free awareness program informing employees about the dangers of drug abuse in the workplace and available substance abuse counseling, rehabilitation and employee assistance programs.

4.0 EMPLOYEE ASSISTANCE PROGRAM (EAP)

MTA supports employees who volunteer for treatment of alcohol misuse or drug abuse. Alcoholism and drug dependency are treatable illnesses and can be successfully dealt with if identified in their early stages and referred to an appropriate source for treatment. Indications of alcohol misuse and drug abuse can include extreme changes in personality, problems with other employees, interrupted or changing sleep patterns, attendance problems, concealment of social habits involving drugs and alcohol, and family problems. Continued alcohol and drug dependency can lead to deteriorating health.

MTA encourages employees to seek treatment voluntarily and makes available the Employee Assistance Program. Any employee, who comes forth and notifies the agency of alcohol or chemical abuse problems prior to violating any of the prohibited conduct rules, will be given the assistance extended to employees with any other illness. Sick leave, vacation leave or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses, and insurance coverage for treatment will be provided to the extent of similarly benefited individual coverage.

While MTA is anxious to assist employees with alcohol or chemical dependency problems, employees are expected to remember that safety is our first priority. Therefore, employees must not report for work or continue working if they are under the influence of, or impaired by, alcohol or any controlled substance. Violations of this policy will result in disciplinary action (see Discipline section) regardless of whether or not an employee is participating in a treatment program. Such employees are expected



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to observe all other job performance standards and work rules, including attendance, required of all employees.

5.0 DISCIPLINE – CONSEQUENCES OF POLICY VIOLATIONS

Under FTA regulations, discipline for program violations is determined at the local level. The MTA discipline policy for prohibited conduct is as follows. Individual circumstances involving a positive test may merit action, up to and including discharge:

- 5.1 Any employee who tests positive for alcohol at a 0.02 alcohol level or higher will be removed from duty, given a list of treatment resources available for evaluating and resolving drug and alcohol problems, referred to the SAP, and discharged.
- 5.2 An employee who has volunteered for treatment and has a positive result under any testing circumstances will be discharged.
- 5.3 Any safety-sensitive employee who tests positive from reasonable suspicion or post-accident testing for the presence of drugs will be subject to discharge.
- 5.4 Any employee who tests for alcohol at a level above 0.00 but below 0.02 will be provided information about the EAP.
- 5.5 Any safety-sensitive employee who refuses to comply with a request for testing will be subject to discipline for insubordination and discharged.

6.0 EDUCATION AND TRAINING

The effects of controlled substance abuse and alcohol misuse negatively impact an individual’s personal and work experience. If you believe you have a substance abuse or alcohol misuse problem, please contact the following agencies in Mason County:

- Crisis Clinic of Mason/Thurston Counties (360) 586-2800
- Mason County Drug Abuse Prevention (360) 427-1686

It is the policy of MTA to make training and education programs available to all agency employees. All safety-sensitive employees will receive 60 minutes of training on the effects of drugs and alcohol on the body, the major elements of the DOT drug testing regulations, and MTA’s Drug and Alcohol Policy, and resources for dealing with a substance abuse problem. The training will also provide detailed information on alcohol misuse, specifically as it impacts an individual’s biological, emotional, and psychosocial



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well-being. The effects of misuse can be seen in an individual's work performance, attitude and social interaction.

Supervisors, managers, and union officials will receive a minimum of two (2) hours of instruction on how to identify the signs of drug and/or alcohol use or impairment and MTA's reasonable suspicion investigation process.



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ACKNOWLEDGEMENT OF MASON TRANSIT AUTHORITY DRUG AND ALCOHOL TESTING POLICY

I, _____, hereby acknowledge that I have received a copy of the revised MTA Drug & Alcohol Policy mandated by the U.S. Department of Transportation, Federal Transit Administration, for all covered personnel who perform a safety-sensitive function.

I understand this policy is required by and conforms to 49 CFR PART 655, as amended, and has been duly adopted by the governing body of MTA. Any provisions contained herein which are not required by either 49 CFR Part 655 or 49 CFR Part 40, as amended, and have been imposed solely on the authority of MTA designated as such in the policy.

I also affirm my understanding that compliance with all provisions contained in this policy is a condition of my initial and continued employment. By accepting employment or continuing to be employed by MTA in a safety-sensitive position, I am giving my consent to submit to testing for alcohol and drugs as specified in this policy and the regulations upon which it is based.

I hereby agree to comply with all requirements of MTA policy and USDOT regulations 49 CFR 655 and 49 CFR 40 with regard to implementation and execution of their substance abuse programs.

I further understand that the information contained in the approved policy is subject to change, and that any change or addendum to this policy shall be provided to me in a manner consistent with the provisions of 49 CFR Part 655, as amended.

Please sign and date this certification and return it to the Administrative Services Manager.

Employee Name (Print)

Witness Name (Print)

Employee Signature

Witness Signature

Date

Date

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RESOLUTION NO. 2018-04

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD
ADOPTING A REVISED DRUG AND ALCOHOL POLICY.**

WHEREAS, the Mason Transit Authority Board approved and adopted Mason Transit Authority's Drug and Alcohol Policy on February 6, 1996; and

WHEREAS, from time to time, revisions are necessary to be consistent and in compliance with drug and alcohol testing as mandated by the Federal Transit Administration (FTA) and the U.S. Department of Transportation (DOT) in 49 CFR Part 40, and Part 655, as amended;

NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT AUTHORITY BOARD that the revised Policy for Drug and Alcohol, which is attached hereto and incorporated herein, be established and adopted and all previous adopted versions or revisions of POL-301 shall be rescinded in their entirety.

Adopted this 20th day of March, 2018.

Kevin Shutty, Chair

Wes Martin, Vice-Chair

John Campbell, Authority Member

Kevin Dorcy, Authority Member

Terri Drexler, Authority Member

Randy Neatherlin, Authority Member

Deborah Petersen, Authority Member


Don Pogreba, Authority Member

Sandy Tarzwell, Authority Member

APPROVED AS TO CONTENT: _____
Danette Brannin, General Manager

APPROVED AS TO FORM: _____
Robert W. Johnson, Legal Counsel

ATTEST: _____ DATE: _____
Tracy Becht, Clerk of the Board

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POL-301 DRUG AND ALCOHOL POLICY

This policy applies in general to all Mason Transit Authority (MTA) employees: full-time, part-time, seasonal, worker/driver, contract employees and contractors when they are on MTA property or when performing MTA-related business off property. Employees who perform safety-sensitive functions, or contractors performing safety-sensitive functions for MTA will be subject to the specific requirements of federal regulations 49 CFR Part 40, published December 11, 2000, and as amended thereafter, and 49 CFR Part 655, published August 9, 2001 and as amended thereafter, issued pursuant to the Omnibus Transportation Employee Testing Act of 1991. Participation in the federally mandated testing program is a condition of performing safety-sensitive functions. This policy also applies to individuals who apply for employment with MTA.

(Underlined text represents locally adopted language that is above the minimums established by the FTA.)

1.0 POLICY STATEMENT

MTA performs a vital public service for our community. To ensure this service is delivered safely, we are dedicated to providing and maintaining a drug and alcohol free working environment in compliance with the Drug-Free Workplace Act of 1988 and the Omnibus Transportation Employees Testing Act of 1991. It is MTA’s policy to:

- Assure that employees have the ability to perform assigned duties in a safe, healthy and productive manner;
- Create a workplace free from the adverse effects of drug abuse and alcohol misuse;
- Prohibit the unlawful distribution, possession or use of controlled substances.

MTA cares about the health and well-being of its employees. We urge anyone who believes they are having an alcohol or chemical dependency problem to seek treatment before their job performance and employment is endangered.

1.1 Purpose

The purpose of this policy is to assure employee fitness for duty and to protect our employees, passengers and the public from risks posed by worker’s misuse of alcohol and abuse of drugs. This policy is intended to comply with all applicable federal regulations governing workplace alcohol and drug abuse in the transit industry. Regulations issued by the U.S. Department of Transportation



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and the Federal Transit Administration mandate urine drug testing and evidential breath alcohol testing for safety-sensitive positions. This policy sets forth the MTA substance abuse program and the testing and reporting guidelines for safety-sensitive employees as required by those regulations. This policy also sets forth additional guidelines based on MTA's independent authority for all employees. See Appendix D for a list of abbreviations referenced in this policy.

Copies of this policy will be given to safety-sensitive and non-safety sensitive employees during new employee orientation. Employees will be kept apprised of changes and clarifications through periodic memos. Revised policies will be distributed and receipt certified by safety-sensitive employees. Copies of this Drug and Alcohol Policy will be available in the Administrative Services Department.

1.2 Effects of Drug Use and Alcohol Misuse


The cost of substance misuse/abuse is devastating to society, the workplace, the family, and individuals. Two-thirds of all homicides are committed by people who used drugs or alcohol prior to the crime. Two-thirds of all Americans will be involved in an alcohol-related accident during their lifetime.

The medical costs of illness related to substance misuse/abuse are staggering. Each year 30,000 people die due to alcohol-caused liver disease. Another 10,000 die due to alcohol induced brain disease or suicide.

Symptoms of substance abuse problems include: tardiness, alcohol odor on breath, overreaction to real or imagined criticism, complaints from clients or co-workers, avoidance of associates, lowered job efficiency, confusion, difficulty in concentration, accidents on the job, absenteeism, leaving work early, excessive sick leave, frequent unscheduled short-term absences, and higher absentee rate compared to other workers.

Besides the human costs described above, substance-abusing employees create business costs and legal liabilities for their employers. These costs include:

- Direct and measurable costs, such as the additional health care benefits claimed by substance abusers.
- Less tangible and difficult to measure costs, such as the negative impact on employee morale or the diminished creativity of substance abusing individuals.

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- Potential costs or “liabilities” such as a lawsuit filed by an injured party after an accident caused by the impaired employee.

These costs arise because of the effects of substance abuse in many areas including:

• Employee Health	• Community Relations
• Intoxication	• Neurologic and Liver Damage
• Productivity	• Fetal Alcohol Syndrome
• Sensory Alteration	• Employee Morale
• Decision-Making	• Dependence
• Anxiety Reduction	• Safety
• Security	• Toxic Psychosis

This Drug and Alcohol Policy includes several components for prevention and intervention. To promote a drug free workplace and comply with FTA regulations, MTA provides supervisory and employee education and contracts with EAP (Employee Assistance Program) and SAP (Substance Abuse Professional) services that provide employees access to professionals in addressing substance abuse.

1.3 Applicability

Employees who perform safety-sensitive functions, or contractors performing safety-sensitive functions for MTA, will be subject to the specific requirements of federal regulations and subsequent amendments to 49 CFR Part 40, published December 11, 2000 and as amended thereafter, and 49 CFR Part 655 published August 9, 2001 and as amended thereafter, issued pursuant to the Omnibus Transportation Employee Testing Act of 1991. Participation in the federally mandated testing program is a condition of performing safety-sensitive functions.

Employees shall promptly report to his/her supervisor or to the Drug and Alcohol Program Manager (DAPM) whenever he/she observes or has knowledge of an employee who poses a hazard to the safety and welfare of others. Failure to report may result in discipline.



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Supervisory level staff is required to use and apply all aspects of this policy. Any supervisory level employee who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including discharge.

A safety-sensitive function is any duty related to the safe operation of public transit service as defined in 49 CFR Part 655, including:

- Operating a revenue service vehicle, including when not in revenue service;
- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver’s License;
- Controlling the dispatch or movement of a revenue service vehicle;
- Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle, or equipment used in revenue service including times when not in revenue service;
- Carrying a firearm for security purposes.

A list of safety-sensitive positions can be found in Appendix B.

1.4 Prohibited Substances

“Prohibited drugs” include cocaine, marijuana, amphetamines (amphetamine, methamphetamine, MDMA, MDA), opioids (codeine, heroin, morphine, oxycodone, oxymorphone, hydrocodone, hydromorphone, phencyclidine (PCP), and any other substance recognized as a controlled substance in 49 CFR Part 40 or 49 CFR Part 655 as amended. “Prohibited drugs” includes use of or impairment by any illegal drug, misuse of legally prescribed or over-the-counter drugs, and illegally obtained prescription drugs.

“Alcohol” includes the intoxicating agent in alcohol beverage, ethyl alcohol, and other low molecular weight alcohol including methyl and isopropyl alcohol. The use of any beverage or mixture, including any medication, containing alcohol during or prior to performing a safety-sensitive function is prohibited.

The appropriate use of legally prescribed drugs and non-prescription medication is not prohibited. However, the use of any substance which carries a warning



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label indicating that mental functioning, motor skills, or judgment will be adversely affected MUST be reported to their department head prior to performing safety-sensitive duties. It is the responsibility of employees to remove themselves from service if they are experiencing any adverse effects from medication that could impair their performance of essential job functions. Legally prescribed drugs must include documentation of the patient’s name, the substance name, the quantity to be taken and the period of authorization.

1.5 Prohibited Conduct

In compliance with the Drug Free Workplace Act of 1988, employees are absolutely prohibited from using, manufacturing, dispensing, or distributing prohibited drugs in the workplace or while on duty. Employees are also absolutely prohibited from possessing or being impaired by alcohol or prohibited drugs when reporting for duty, while on duty or when on MTA’s premises. Such behavior constitutes a threat to the health, safety and security of themselves, their fellow employees, passengers and other members of the public. Therefore, employees must not report for work or continue working under these circumstances.

Employees who are reasonably suspected of not being fit for duty due to drug or alcohol use shall be suspended from job duties with pay pending an investigation. Employees who fail to pass a drug or alcohol test shall be removed from duty immediately and subject to disciplinary action, up to and including discharge.

Drug Use: Reporting to work with any of the drugs identified in Section 1.4 in their system is prohibited at all times for safety-sensitive employees.

Alcohol Use: No safety-sensitive employee shall report for duty within four hours of using alcohol, just before, during or just after performing safety-sensitive duties, or use alcohol while subject to being on call. In addition, unless the employee’s contribution to the accident can be completely discounted, non-safety-sensitive and safety-sensitive employees involved in an accident in a revenue or non-revenue vehicle as defined by the FTA regulations shall abstain from alcohol consumption until he or she has been tested or until eight hours has elapsed, whichever occurs first. A positive alcohol test under Mason Transit Authority is defined under this policy as a blood alcohol concentration of 0.02



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and above on an evidentiary breath-testing device. A positive test under FTA authority is defined under this policy as a blood alcohol concentration greater than 0.04 on an evidentiary breath testing device.

1.6 Compliance with Testing

Safety-sensitive employees who refuse to comply with a request for drug and/or alcohol testing under the circumstances defined in Section 2.3 Types of Testing, shall be removed from duty immediately under FTA authority. Non-safety-sensitive employees under the same circumstances will be removed from duty immediately under MTA authority. Refusal to comply with a request for testing includes:

- Failure to appear for any test (except for pre-employment) within a reasonable time, as determined by the Employer;
- Failure to remain at the testing site until the testing process is complete;
- Failure to provide a breath sample or urine specimen for any required breath or drug test;
- Failure to permit the observation or monitoring of the specimen collection when required to do so;
- Failure to provide a sufficient amount of urine when directed and there is no adequate medical explanation for the failure;
- Failure to take a second test when directed to do so by the Employer or collector;
- Failure to undergo within five days a medical examination by a licensed physician acceptable to the Medical Review Officer (MRO), who has expertise in the medical issues raised by the employee's failure to provide a sufficient specimen when directed to do so by the MRO or employer;
- Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, failure to wash hands after being directed to do so by the collector, or refusal to sign the test);



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- Failure to follow the observer’s instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process;
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process;
- Admit to the collector or MRO that you adulterated or substituted the specimen;
- The MRO reports that you have a verified adulterated or substituted test result;
- Failure to sign step 2 of the alcohol test form;
- Failure to remain at the scene of an accident without just cause prior to submitting to a test.

Such refusals will be treated as a positive test, with the employee subject to discharge. The employee will be referred to a Substance Abuse Professional for evaluation. Referrals do not preclude the employee from being subject to discharge.

2.0 TESTING FOR PROHIBITED SUBSTANCES

Under FTA authority, all safety-sensitive employees and applicants for safety-sensitive positions with MTA will be subject to testing under the following circumstances; (1) prior to employment, (2) reasonable suspicion, (3) on a random, unannounced basis, and (4) following an accident as defined in Section 2.3(c).

2.1 Confidentiality

MTA will carry out this policy in a manner that respects the dignity and confidentiality of those involved. Confidentiality is maintained throughout the drug/alcohol testing process from notification of the request to test, to collection of the required specimens, to notification of results.

A. Maintenance of Records

The Administrative Services Department will maintain records of results in the strictest of confidence in a locked file cabinet separate from the



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official personnel file. In cases where disciplinary action results from a positive test, such information is shared only with those in a supervisory capacity directly involved in the disciplinary decisions related to the test result.

B. Release of Records

Testing records and results will be released only to those authorized by the FTA rules to receive such information or as required by law. This includes:

- a) The employee, if requested in writing.
- b) The National Traffic Safety Board (NTSB), if they are investigating an accident.
- c) Certain legal proceedings on behalf of the employee and arising from the result of a drug or alcohol test administered under FTA rules, including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.
- d) A court of competent jurisdiction or the decision-maker in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, if the court determines that the drug or alcohol test information is relevant to the case and issues an order directing the employer to produce the information. In such a proceeding, the information will be released only with a binding stipulation that the decision-maker to whom it is released will make it available only to parties to the proceeding.
- e) DOT agency or State Oversight Agency authorized by the DOT.
- f) Other DOT employers when a current or former employee is an applicant for a safety-sensitive position within two years of their MTA employment.
- g) Subsequent employers, if requested in writing by the employee.
- h) Other identified persons as requested in writing by the employee.



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C. Reporting to Washington State Department of Licensing (RCW 46.25)

In accordance with the provisions of RCW 46.25, MTA shall report positive drug test results and refusals to test of current CDL holders for tests conducted under the authority of the FTA regulations 49 CFR Part 655 to the Washington State Department of Licensing under the following circumstances:

- a) An employee is terminated or resigns.
- b) An employee has not been cleared to return to performing safety sensitive functions.

Also in accordance with this regulatory requirement, MTA's MRO shall report all positive pre-employment drug test results or refusals to test for current CDL holders to DOL after consultation with MTA's Drug and Alcohol Program Manager to confirm applicability of the regulation.

Individuals whose positive test results or refusals to test are reported to DOL will be subject to the consequences outlined in the RCW 46.25.

2.2 Methodology

Testing will be conducted in accordance with 49 CFR, Part 40, as amended, and in a manner to assure a high degree of accuracy and reliability by using the techniques, chain of custody procedures, equipment and laboratory facilities which have been approved by the U.S. Department of Health and Human Services as called for in the federal regulations. Both alcohol and drug testing will be conducted in an environment that affords maximum privacy as described in 49 CFR Parts 40 or 49 CFR Part 655 as amended.

Specimen collection for urine drug testing will occur at a collection site designated by MTA. Collection will be conducted according to procedures outlined in 49 CFR Part 40 and 49 CFR Part 655 as amended.

- A. Analytical urine testing will be conducted at a DHHS certified laboratory for marijuana, cocaine, opioids, amphetamines, phencyclidine and any other substance recognized as a controlled substance in 49 CFR Part 40 or 49 CFR Part 655 as amended. An initial drug screen will be conducted on each specimen after a split sample is provided to the laboratory. In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. Mason Transit Authority guarantees that the split specimen test will



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be conducted in a timely fashion. A positive test result, at or above the minimum thresholds set forth by federal regulations in 49 CFR Part 40 or 49 CFR Part 655 as amended and verified by the MRO, will be considered a violation of this policy and will constitute a failure to pass a drug test. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

Tests for alcohol concentration will be conducted using National Highway Traffic Safety Administration (NHTSA) approved evidential breath-testing devices operated by breath alcohol technicians trained to proficiency on the particular EBT they are using. Equipment will be maintained according to the quality assurance plan developed for the particular piece of equipment. The collection process will be conducted according to procedures set forth in 49 CFR Part 40 Subpart J-N. A US Department of Transportation Breath Alcohol Testing Form will be completed with each collection. In accordance with the regulations an employee who tests at 0.02 or above will be retested within 15 to 30 minutes of the first test. This second test is considered a confirmatory test. A confirmed alcohol concentration of 0.02 or greater will be considered a positive alcohol test, a violation of this policy, and will constitute a failure to pass an alcohol test. In the event an employee is unable to provide an adequate breath sample, within five days, the employee must seek an evaluation from a licensed physician acceptable to the MRO, who has expertise in the medical issues raised by the employee's failure to provide a sufficient breath sample to determine if there is a reasonable explanation for the employee's inability to provide an adequate amount of breath. If the physician determines there is no reasonable explanation, the employee's inability will be recorded as a refusal to take the test and a violation of this policy.

- B. An employee who tests positive for drugs or alcohol will be removed immediately from safety-sensitive job duties and informed about educational and rehabilitation programs available, and referred to a



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Substance Abuse Professional (SAP). The SAP will evaluate the employee to determine what assistance, if any, the employee needs in resolving problems associated with substance abuse. The SAP must make a recommendation for education or treatment for every referred individual who has violated a DOT drug and alcohol regulation. Assessment by a SAP does not protect an employee from disciplinary action or guarantee employment. A positive drug or alcohol test will result in disciplinary action up to and including discharge as outlined in Discipline 5.0 of this policy.

2.3 TYPES OF TESTING

A. Pre-employment/Pre-Transfer Testing (49 CFR Part 655)

Applicants for all safety-sensitive positions shall undergo urine drug testing prior to employment. Receipt by the agency of verified negative test results is required prior to performance of safety-sensitive functions and failure to pass will disqualify an applicant.

Employees transferring from a non-safety-sensitive to a safety-sensitive position shall undergo urine drug testing prior to appointment to the new position. Test results must be negative in order for the appointment to take place.

If a pre-employment drug test is cancelled or the results are negative dilute, the applicant will be required to complete another DOT test with a verified negative result in order for the appointment to a safety-sensitive position to occur. Applicants, who have failed a DOT drug and/or alcohol test for a previous DOT covered employer, must provide proof of a referral to an SAP, a substance abuse evaluation, and successful completion of the prescribed rehabilitation program prior to appointment to the safety-sensitive position.

Covered employees who have not performed safety-sensitive functions for 90 consecutive calendar days, regardless of the reason, and have not been in the random pool, shall undergo pre-employment drug testing prior to returning to performing safety-sensitive work. The results must be verified negative.



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B. Reasonable Suspicion Testing (49 CFR Part 655)

Under FTA authority, safety-sensitive employees are subject to a fitness-for-duty evaluation including a drug and/or alcohol test when there is a reason to suspect they are under the influence of any of the prohibited drugs while on duty, or have used alcohol immediately prior to, or during, or immediately after performing safety-sensitive duties or while on the property, in agency vehicles or in agency uniform. Non-safety sensitive employees are also subject to a fitness-for-duty evaluation including drug and/or alcohol testing in these same circumstances under MTA authority.

A referral for testing will be made on the basis of documented objective facts and circumstances. Supervisory personnel who are trained to detect signs and symptoms of drug and alcohol use will make such referrals. Employees in safety-sensitive positions will be tested for on or off-duty drug or alcohol use when there is reasonable suspicion of on-duty impairment supported by (1) evidence of specific personal observations concerning job performance, appearance, behavior, speech or bodily odors of the employee or direct observation of drug or alcohol use; (2) a pattern of abnormal conduct or erratic behavior; (3) arrest or conviction for a drug-related offense or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking; (4) information provided either by reliable and creditable sources or independently corroborated; or (5) newly discovered evidence that the employee has tampered with a previous drug test. Safety-sensitive employees will be removed immediately from performing safety-sensitive functions and subject to discipline as outlined in Section 5.0 Discipline of this policy.

Non-safety-sensitive employees who are reasonably suspected of not being fit for duty due to drug or alcohol use shall be suspended from job duties with pay pending the outcome of an investigation. Such employees who fail to pass a drug or alcohol test shall also be subject to disciplinary action, up to and including discharge.



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C. Post-Accident Testing (49 CFR 655)

a) Accident:

The occurrence associated with the operation of a vehicle, if as a result:

1. An individual dies, or;
2. An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or
3. With respect to an occurrence in which the public transit vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and such vehicle or vehicles are transported away from the scene by a tow truck or other vehicle; or

b) Fatal Accident:

As soon as practicable following an accident involving the loss of human life, and regardless of fault, each surviving employee performing safety-sensitive functions in the transit vehicle at the time of the accident, and any other covered employee whose performance could have contributed to the accident (as determined by MTA using the best information available at the time of the decision), shall be tested for alcohol and prohibited drugs.

c) Non-Fatal Accidents:

As soon as practicable following an accident not involving the loss of human life in which a transit vehicle is involved, each employee performing safety-sensitive functions in the transit vehicle at the time of the accident shall be tested for alcohol and prohibited substances unless MTA determines using the best information available at the time of the decision, that the employee's performance can be completely discounted as a contributing factor to the accident. Any other employee whose performance could have contributed to the accident (as determined by MTA



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using the best information available at the time of the decision) shall also be tested for alcohol and prohibited substances. If an alcohol test required by this section is not administered within two (2) hours following the accident, MTA shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within eight (8) hours following the accident, the employer shall cease attempts to administer an alcohol test and shall maintain records on why the test was not performed. Likewise, if a drug test has not been performed within 32 hours, the employer must cease attempts to conduct the drug test and document why the test was not administered.

D. Random Testing (49 CFR Part 655)

Employees in safety-sensitive positions will be subject to random, unannounced testing. Selection of employees for random testing shall be made by a scientifically valid, computer based, random number generator that is matched to the employee's social security number. All covered employees will have an equal chance of being tested each time a selection is made. Testing will be continuous throughout the year and conducted on all days and hours during which MTA is in operation. Each year MTA will conduct the number of tests required to meet the established federal minimum rates for drug and alcohol. These percentage rates are subject to change by direction of the Federal Transit Administration.

Random drug and alcohol testing will be unannounced and unpredictable. Employees selected for testing will receive a Letter of Notification and will report immediately to the appropriate testing site. Alcohol testing will only occur while the employee is performing safety-sensitive functions, just prior to performing such functions or just after an employee has completed performing such functions. Drug testing will occur anytime while that employee is on duty.

E. Return to Duty Testing (49 CFR Part 655)

Under FTA authority safety-sensitive employees who previously tested positive on a drug or alcohol test or who refused to submit to a test and



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who, under the discipline policy are allowed to return to work, will be subject to testing for either drugs or alcohol or both prior to being released for duty by a Substance Abuse Professional. Test results must be negative. This same provision holds true for non-safety-sensitive employees under MTA authority.

F. Follow-up Testing (49 CFR Part 655)

Employees who are allowed to return to work following a violation of this policy will be required to undergo frequent random drug and/or alcohol testing during the period of their re-entry with a minimum of six (6) randomly scheduled tests during the first twelve (12) months following their return. The Substance Abuse Professional will recommend the frequency and duration of the testing. (See Section 5.0 Discipline.)

2.4 Retests and Observed Tests

Employees who have a verified positive drug test result or a test refusal due to adulteration or substitution may request a test of their split specimen within 72 hours of notification, as all specimens are split and the non-tested portion is stored for a period of time. The procedure for requesting this test may be obtained from the Administrative Services Manager. Employees do not have access to a test of their split specimen following an invalid result.

There are certain situations that may require the employee to provide, at the collection site, another urine or breath sample, i.e., when insufficient volume or breath provides an inadequate sample, or the technician has reason to suspect tampering with the specimen. Under the latter circumstances, a second collection may be under observed conditions.

Under DOT authority (49 CFR Part 40.) when MTA receives a report from its Medical Review Officer that the lab has reported a negative dilute test result with a creatinine level of 2 mg/dL or above but less than or equal to 5 mg/dL, that employee will be directed to undergo a recollection under direct observation. If the employee is on duty at the time of the report, they will be removed immediately from performing safety-sensitive functions and directed to report to the collection site for the observed recollection. If the employee is not on duty when the report is received, they will be directed to report immediately to MTA's collection site for the recollection when they next report for duty. The result of this recollection test will be the result of record for reporting and



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disciplinary purposes. When MTA receives an MRO determination reporting a negative test result with a dilute specimen outside those parameters requiring retesting, the test will be treated as a negative test and no retesting will be required.

Observed collections are required pursuant to 49 CFR Part 40 in the following circumstances:

- A. Return-to-Duty tests;
- B. Follow-up tests;
- C. Anytime the employee is directed to provide another specimen because the temperature on the original specimen was out of the accepted temperature range of 90°F - 100°F;
- D. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with;
- E. Anytime a collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
- F. Anytime the employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the MRO determined that there was not an adequate medical explanation for the result;
- G. Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated or substituted, but had to be cancelled because the test of the split specimen could not be performed.

The employee who is being observed will be required to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show the collector, by turning around that they do not have a prosthetic device. The observation must be made by an individual of the same gender as the donor. The observer must view urine stream from the donor to collection container.



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2.5 Medical Review Officer (MRO)

MTA will establish a contractual relationship with a qualified Medical Review Officer who is a licensed physician with knowledge of substance abuse disorders and who has met the qualification training requirements outlined in 49 CFR Part 40 Subpart G. The MRO or authorized staff will personally review at least 5% of all custody/control forms quarterly. In addition, the MRO will review and interpret confirmed positive test results, examining alternative medical explanations for these results. Prior to verifying a positive test, the MRO will contact the affected employee to discuss the test results and provide an opportunity to offer a legitimate medical reason for the test results. If the MRO determines the test is a verified positive, the MRO will contact both the MTA Program Manager and the employee with that determination. MTA's MRO will fully comply with the role and responsibilities prescribed in Subpart G of 49 CFR Part 40.

2.6 Substance Abuse Professional (SAP)

MTA will contract with a qualified Substance Abuse Professional (SAP) to evaluate employees who have violated this policy to determine whether they need help in resolving problems associated with drug abuse and/or alcohol misuse. The SAP shall be a licensed physician (Medical Doctor or Doctor of Osteopathy) or a licensed or certified psychologist, social worker, or employee assistance professional; or an addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse). The SAP shall have knowledge of, and clinical experience in, the diagnosis and treatment of alcohol and controlled substance-related disorders. MTA's SAP will recommend education or treatment for all employees referred for violation of DOT drug and alcohol regulations.

3.0 DRUG-FREE WORKPLACE ACT OF 1988

In compliance with the Drug-Free Workplace Act of 1988 the distribution, dispensing, possession or use of a controlled substance is prohibited at MTA. Employees violating this prohibition will be disciplined up to and including discharge. Also, all employees are required to notify MTA of any conviction under a criminal drug statute for violations occurring on or off MTA property within five days of conviction and any moving violation involving drugs or alcohol causing the suspension or revocation of the employee's



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driver's license. Failure to report such a conviction will result in discipline, up to and including discharge. MTA will notify FTA within ten days after receiving notice of such conviction. MTA will conduct a drug-free awareness program informing employees about the dangers of drug abuse in the workplace and available substance abuse counseling, rehabilitation and employee assistance programs.

4.0 EMPLOYEE ASSISTANCE PROGRAM (EAP)

MTA supports employees who volunteer for treatment of alcohol misuse or drug abuse. Alcoholism and drug dependency are treatable illnesses and can be successfully dealt with if identified in their early stages and referred to an appropriate source for treatment. Indications of alcohol misuse and drug abuse can include extreme changes in personality, problems with other employees, interrupted or changing sleep patterns, attendance problems, concealment of social habits involving drugs and alcohol, and family problems. Continued alcohol and drug dependency can lead to deteriorating health.

MTA encourages employees to seek treatment voluntarily and makes available the Employee Assistance Program. Any employee, who comes forth and notifies the agency of alcohol or chemical abuse problems prior to violating any of the prohibited conduct rules, will be given the assistance extended to employees with any other illness. Sick leave, vacation leave or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses, and insurance coverage for treatment will be provided to the extent of similarly benefited individual coverage.

While MTA is anxious to assist employees with alcohol or chemical dependency problems, employees are expected to remember that safety is our first priority. Therefore, employees must not report for work or continue working if they are under the influence of, or impaired by, alcohol or any controlled substance. Violations of this policy will result in disciplinary action (see Discipline section) regardless of whether or not an employee is participating in a treatment program. Such employees are expected to observe all other job performance standards and work rules, including attendance, required of all employees.

5.0 DISCIPLINE – CONSEQUENCES OF POLICY VIOLATIONS

Under FTA regulations, discipline for program violations is determined at the local level. The MTA discipline policy for prohibited conduct is as follows. Individual circumstances involving a positive test may merit action, up to and including discharge:



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- 5.1 Any employee who tests positive for alcohol at a 0.02 alcohol level or higher will be removed from duty, given a list of treatment resources available for evaluating and resolving drug and alcohol problems, referred to the SAP, and discharged.
- 5.2 An employee who has volunteered for treatment and has a positive result under any testing circumstances will be discharged.
- 5.3 Any safety-sensitive employee who tests positive from reasonable suspicion or post-accident testing for the presence of drugs will be subject to discharge.
- 5.4 Any employee who tests for alcohol at a level above 0.00 but below 0.02 will be provided information about the EAP.
- 5.5 Any safety-sensitive employee who refuses to comply with a request for testing will be subject to discipline for insubordination and discharged.

6.0 EDUCATION AND TRAINING

The effects of controlled substance abuse and alcohol misuse negatively impact an individual's personal and work experience. If you believe you have a substance abuse or alcohol misuse problem, please contact the following agencies in Mason County:

- Crisis Clinic of Mason/Thurston Counties (360) 586-2800
- Mason County Drug Abuse Prevention (360) 427-1686

It is the policy of MTA to make training and education programs available to all agency employees. All safety-sensitive employees will receive 60 minutes of training on the effects of drugs and alcohol on the body, the major elements of the DOT drug testing regulations, and MTA's Drug and Alcohol Policy, and resources for dealing with a substance abuse problem. The training will also provide detailed information on alcohol misuse, specifically as it impacts an individual's biological, emotional, and psychosocial well-being. The effects of misuse can be seen in an individual's work performance, attitude and social interaction.

Supervisors, managers, and union officials will receive a minimum of two (2) hours of instruction on how to identify the signs of drug and/or alcohol use or impairment and MTA's reasonable suspicion investigation process.



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ACKNOWLEDGEMENT OF MASON TRANSIT AUTHORITY DRUG AND ALCOHOL TESTING POLICY

I, _____, hereby acknowledge that I have received a copy of the revised MTA Drug & Alcohol Policy mandated by the U.S. Department of Transportation, Federal Transit Administration, for all covered personnel who perform a safety-sensitive function.

I understand this policy is required by and conforms to 49 CFR PART 655, as amended, and has been duly adopted by the governing body of MTA. Any provisions contained herein which are not required by either 49 CFR Part 655 or 49 CFR Part 40, as amended, and have been imposed solely on the authority of MTA designated as such in the policy.

I also affirm my understanding that compliance with all provisions contained in this policy is a condition of my initial and continued employment. By accepting employment or continuing to be employed by MTA in a safety-sensitive position, I am giving my consent to submit to testing for alcohol and drugs as specified in this policy and the regulations upon which it is based.

I hereby agree to comply with all requirements of MTA policy and USDOT regulations 49 CFR 655 and 49 CFR 40 with regard to implementation and execution of their substance abuse programs.

I further understand that the information contained in the approved policy is subject to change, and that any change or addendum to this policy shall be provided to me in a manner consistent with the provisions of 49 CFR Part 655, as amended.

Please sign and date this certification and return it to the Administrative Services Manager.

Employee Name (Print)

Witness Name (Print)

Employee Signature

Witness Signature

Date

Date

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Mason Transit Authority Regular Board Meeting

Agenda Item: Informational – Item 1 - *Informational*
Subject: Mason Transit Authority Regional Mobility Park and Ride Progress Update
Prepared by: Patrick Holm, SCJ Alliance
Approved by: Danette Brannin, General Manager
Date: March 15, 2018

Summary for Discussion Purposes:

Project Management: SCJ is continually managing the design team and subconsultant team. SCJ is tracking on-going project progress. An updated project schedule has been prepared.

Permitting: Pickering Road and Cole Road permit plans have been submitted to Mason County. Final plans have been submitted to the County for approval. The City of Shelton issued the Shoreline Permit for the Pear Orchard site. SCJ is completing plans and will submit for grading and drainage permit the week of 3/19. A pre-application conference is scheduled for 3/26 for the Belfair site.

Design Development: SCJ is progressing the design of the Belfair park and ride. After the pre-application conference, SCJ will prepare permit plans for submittal.

Belfair Park and Ride:

- A-RT provided a revised building layout and conceptual exterior sketch for the Belfair park and ride.
 - MTA is considering adding additional square footage to rent to another public agency or private business.
 - The building was planned to have a public meeting space to support North Mason MTA meetings as well as the potential for other public meetings. A negative comment came in at the open house regarding a meeting room.
- SCJ is working with the developer to determine park and ride integration with the surrounding parcels and the water line construction.
- SCJ and MTA conducted a public meeting on March 7th to get public comment. The public had concerns regarding the provided alternatives. SCJ will incorporate the concerns into the Intersection Control Analysis. SCJ will plan a second public meeting to address concerns and present a draft ICA. SCJ will coordinate with WSDOT to have representatives present.

Other progress: Parsons has reached out to MTA regarding the Shelton Matlock park and ride. MTA is waiting on Parsons/Scarsella to provide additional information regarding the future park and ride site.

Project Timeline: The critical path for design of the park and ride projects is the Belfair park and ride. A second meeting will delay the ICA approval, but this should help allay public concerns and should still fit in with the project schedule to have shovel ready park and ride projects by November.

Mason Transit Authority Regular Board Meeting

Agenda Item: Informational – Item 2 - *Informational*
Subject: Mason Transit Authority Service Review Update
Prepared by: Mike Ringgenberg, Operations Manager
Approved by: Danette Brannin, General Manager
Date: March 20, 2018

Summary for Informational Purposes:

Nelson/Nygaard has just completed the Dial-a-Ride and Link surveys. There were 108 surveys completed (83 on paper; 25 on-line). A total of 350 surveys have been received so far with fixed-route surveys included. The information from the surveys is being entered into a database and will be used to prepare a survey analysis report. Staff is confident in the information collected through this survey process much more than those collected in the past.

Work is being done on the Existing Conditions report. Elements of the report include review of existing plans and policies, demographic analysis, system overview, transfer analysis, route profiles and current trends of usage. The report should be done by the end of March for MTA staff review. Nelson/Nygaard will be at the April Board Meeting to present and discuss the report.

In May, public outreach to non-riders will begin to gather comments. There will also be interviews conducted with Stakeholders including drivers.

Route profiles are being prepared. The profiles will include information such as stop by stop on and off boardings, ridership by trip and on-time performance that was gathered during the survey process and information provided by staff to Nelson/Nygaard. The Project Manager and Deputy Project Manager will be checking the data in various ways as it will also be part of a travel pattern map.

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Mason Transit Authority Regular Board Meeting

Agenda Item: Informational Item 3– *Informational*

Subject: Management Reports

Prepared by: Tracy Becht, Executive Assistant

Approved by: Danette Brannin, General Manager

Date: March 20, 2018

Summary for Informational Purposes:

The monthly MTA Management Reports are attached for your information.

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MTA MANAGEMENT REPORTS

Submitted to MTA Authority Board March 20, 2018

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MTA MANAGEMENT REPORTS

Submitted to MTA Authority Board March 20, 2018

GENERAL MANAGER'S REPORT

Below is a list of major activities for the month:

- Economic Development Council Activities:
 - A reminder that I sit on the EDC Board of Directors. I have been appointed to Chair the Hiring Committee for the search of a permanent Executive Director
 - Attended annual luncheon
 - Participated in Meet and Greet with Interim Executive Director
 - Attended monthly Board Meeting
 - Guest on Day Break to discuss Belfair Park & Ride and current process for the intersection.
- Washington State Transit Association (WSTA) and Small-Medium Transit Alliance (SMTA) Activities:
 - Participated in several conference calls on legislative updates through the end of session.
 - Monthly Officer's Call for WSTA.
- Washington State Transit Insurance Pool Activities:
 - As part of the Executive Committee serving on sub-committees is expected. I serve on the Coverage Review Committee and on March 15 I attended a kick-off meeting to begin looking at the pool's Public Officers' Liability coverage. The Executive Committee wants to review current policy and coverage limits to ensure members have the desired coverage, thus have assigned a sub-committee. A risk was identified at the annual Board Retreat that in light of the many public official accusations.
- Park & Ride Activities (also see Park & Ride Informational Update and Unfinished Business Item #2):
 - Monthly meeting with SCJ Alliance to discuss project progress and prep for public meeting.
 - Conducted a public meeting on March 7 to gather public comments regarding intersection at SR3 and Log Yard Rd).
- Chamber Events:
 - Attended North Mason Gala
 - Attended Shelton-Mason Luncheon – topic was Transportation Construction and Maintenance.
- Work with Kathy and the Regional Timberland Library on the agreement for the Library to sell MTA passes.
- Attended another Consolidated Grant process committee meeting with the final result being a change in the ability to now apply for a four-year operating grant instead of the current two-year term. This is a great win in reducing time spent by transit staff preparing the grant application and time on WSDOT's side as well in preparing contracts.
- Quarterly meeting with Kitsap Transit's CEO, Jefferson Transit's GM and Clallam Transit's GM to discuss topics related to our connecting services and other things of interest.

- Met with Steve W and LeeAnn regarding T-CC event rates.
- Reviewed National Transit Database report.
- Met with Near Miss Committee, which consists of four drivers, Mike R and me?
- Reviewed facility projects with Maintenance.
- Discussed preparation of the Transit Asset Management plan with Maintenance Manager, Plan is due in October.
- Vacation – I took a vacation the week of February 26 ☺

TEAM UPDATES

ADMINISTRATIVE SERVICES MANAGER – LeeAnn McNulty

- **HR Dashboard** - 69 FTE's, plus 7 Worker Drivers, not including compensated board members. Hired 2018 - 2, Termed 2018 – 0. No staffing changes in February.
- **HR Support**
 - Dissected 10 years of Drug and Alcohol records. Purged records beyond FTA & Washington State retention schedules and put balance of records in a format that will make future audits of our program easier to navigate.
 - Working with our Service Agents (Mason General, AWorkSafe Service, AWC Consortium, SAP-Compsych, & Medical Review Officer (MRO) to ensure that all are compliant with USDOT & FTA requirements. The agency is ultimately responsible for any shortcomings any of these partners may have in serving our Drug and Alcohol program.
 - Attended an Ops Supervisors meeting to present a 1-hour update for current and updated Drug and Alcohol procedures and guidelines.
 - I was notified on March 8th that the FTA will be on-site to do a formal audit of our Drug and Alcohol program on April 24th.
 - Finalized draft copy of the Health & Safety Manual to be presented to the Safety Committee for review at their meeting later this month.
- **Recruiting**
 - There are no open positions currently.
- **Building Knowledge**
 - I attended a three day USDOT – Transportation Safety Institute course to obtain Substance Abuse Management and Program Compliance certification in Orange, CA. This training provided guidance to ensure compliance with the procedures for transportation workplace drug and alcohol testing programs (CFR Part 40) and prevention of alcohol misuse and prohibited drug use in transit operations (CFR Part 655).
- **Finance**
 - With final numbers for 2017 now in hand, substantial work has been completed in preparing the Annual report.
 - The FTA - National Transit Database (NTD) annual report has been filed ahead of the due date.

MAINTENANCE/FACILITIES – Marshall Krier

- **Bus Shelter Installations:** Steve Kellam and Ruben Castro have completed bus shelter installations along Highway 3 in Belfair. The shelters are a nice amenity for our passengers.
- **Committee:** I attended the Centralia College Spring Diesel Advisory Committee meeting on Wednesday, March 8th. Topics of discussion included:
 - New trends in diesel technology that we are experiencing in the industry and how best the instructors can adjust the curriculum to meet these new challenges.
 - Internships and employment opportunities,
 - Forklift training and CDL certification requirements.As a side note, Centralia College offers a Bachelor of Applied Science Diesel Technology degree program, one of a few colleges across the country to do so.
- **Training:** Recently I attended a two-day training seminar on quality assurance and quality control in transit. Topics included:
 - Components of a quality management system, the 15 elements required by FTA funded projects.
 - Quality processes in construction, operations vehicle acquisition and maintenance.

- **Fleet Statistics:** Fleet availability for the first quarter of 2018 is 93.78%. Our goal is 95%. For the month of March, we have been averaging 97.8%. We have had no past due preventative maintenance.

OPERATIONS – Mike Ringgenberg

Community Vans: Kathy G. is working with multiple agencies to coordinate a weekly Wednesday van for Veterans to vanpool to appointments from Mason County to JBLM or the VA hospital. Kathy has 30 individuals who have signed up to ride in the vanpool and she currently has 2 to 4 volunteer Veterans willing to driver the vans for the program. She is currently working out insurance challenges.

Employee Performance Appraisals: Operations supervisors have starting the 2017 Employee Performance Appraisals.

Fire Drill: Shelton Fire Department conducted a fire drill for the JP facilities on Feb 5th, all buildings were evacuated to the Rally Point in 3 minutes!! Great Job everyone!!

New Bus Shelter: Maintenance has installed a new bus shelter in Belfair on Hwy 3 at the Romance Hill intersection.

New Bus Shelter Signage: We have installed route signage in most of our bus shelters, they have been a huge hit with riders!!

RFP 2017-01 Service Review: Dispatch and DAR drivers are conducting surveys for our current DAR passengers 1-7 March 2018. There is also a DAR online survey site:
www.surveymonkey.com/r/MasonTransit

RFP 2017-02 Technology: We are currently working with Doublemap on data collection and a system configuration plan. Then we will proceed to field testing and the training phase.

Ride Recoveries: Lead drivers conducted 10 ride recoveries during Feb 2018. (a ride recovery is when a client misses the last bus or has challenges making a connection between DAR and routes, a lead driver or supervisor goes out to transport the client to their destination.)

Roy Boad Parking Lot: I visited Roy Boad Parking lot on March 2 and counted 28 cars in the lot—ridership from this location is growing!!

Training: Lisa D. graduated from FTA Instructor Certification Course.

Uniform closet: Kelli N. & Steve K. created a new drivers uniform closet and it looks great! Thanks for the hard work!

Vanpool: Usage rate for Jan 2018 was 56%, 9 of 16 vans were in use, Kathy G. is conducting outreach with local business to increase ridership in this program.

TRANSIT-COMMUNITY CENTER – Steve Weisenbach

Facility use traffic report:

Gym: February came in at just over 1600 people using the gym. Our normal recreational programs (including CHOICE, pickle ball, and disc golf) flourished during the inclement weather. We also entertained two large events in the gym; and each had over 200 attendees (Wheeler Celebration of Life and Miss Rodeo Washington Gala).

Conference Room: Conference room use for February was around 125 people from our weekly programs, seminars and the monthly MTA board meeting.

Kitchen: Our two major events in February brought nearly 500 people through our kitchen facility. The kitchen continues to receive great comments from our event participants.

Repairs:

Roof: We coordinated with Matteson Roofing to fix our 2-year leak in the gym roof. Since the repair, we have had no further leaks, and we have had several bad rain and two major snow events.

Gym Entry Door: We are also working with Washington Architectural to remedy the gym entry door which has had a locking issue for over a year.

Exterior Pipes: We experienced a minor frozen pipe situation in an exterior pipe of the sprinkler system which was repaired without any issues. We utilized this opportunity to do a full drum drip draining procedure on all exterior pipes and valves

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2018 WORK ITEMS UPDATE

SEE ATTACHED SPREADSHEETS



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2018 Work Items		Completed as of 3/16/18	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Strategic Plan finalized and incorporated into the Transit Development Plan (TDP)			Δ	Δ		
Review and update Employee Handbook based on union contracts			Δ			
Create Financial Management Manual and update Procurement Policy			Δ			
Install Bus Technology and new scheduling software			Δ	Δ	Δ	
Develop a work plan for parking lot upgrades			Δ			
Accounting Software			Δ			
Incorporate Remix into service planning		X	Δ			
Finalize implementation of Performance Measures			Δ	Δ	Δ	Δ
Develop a route deviation policy				Δ		
Consolidated Grant Application preparation for 2019-2021				Δ	Δ	
Install rear destination signs on low floor buses					Δ	
Purchase refurbished buses for Worker/Driver program					Δ	
Re-train all drivers on a regular basis in order to provide consistent service and safety			Δ	Δ	Δ	Δ
Park & Ride project (through 2023)			Δ	Δ	Δ	Δ
T-CC parking lot construction			Δ	Δ	Δ	Δ