

Board of Directors
NATALIE ARROYO
County of Humboldt
LESLIE CASTELLANO
City of Eureka
STEVE LADWIG
City of Trinidad
ALEX STILLMAN
City of Arcata
TAMI TRENT
City of Fortuna
MIKE WILSON
County of Humboldt
JULIE WOODALL
City of Rio Dell

HTA Board Staff
GREG PRATT
General Manager
CONSUELO ESPINOSA
Secretary to the Board



Humboldt Transit Authority
Governing Board of Directors
HTA Conference Room - 133 V Street Eureka

AGENDA

IN-PERSON & TELECONFERENCE

Microsoft Teams meeting
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Meeting ID: 257 063 927 537

Passcode: ZFFRdC

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Wednesday, February 1, 2023

9:00 AM

Regular Board Meeting

A. Call Meeting to Order

B. Roll Call & Introductions

C. Elections

At the beginning of the year, new officers are elected to the Following positions:

Chair, Vice-Chair, and Finance & Operations Committee.

The HTA Chair also serves on the Policy Advisory Committee for HCAOG.

Current Positions:

Chair: Councilmember Arroyo, Vice Chair: Councilmember Ladwig

Finance & Operations Committee: Bohn, Wilson, & Trent

D. Community Members Communication

Members of the community are invited to comment on items or issues not on the agenda.

E. Special Presentations

F. Consent Calendar

By motion, recommend the approval of the following items considered to be routine and enacted in one motion. Items may be removed from the consent calendar upon request and will be heard separately.

1. Minutes from November 2, 2012, December 7, 2022, Regular Board Meetings, and the December 19, 2022, Special Meeting.

Action Recommended: Approve Minutes

2. Remote Teleconference Meetings

Resolution to Implement Teleconferencing Requirements During a Proclaimed State of Emergency Pursuant to Assembly Bill 361

Action Recommended: Approve Resolution 23-01 Implementing Teleconferencing Requirements During a Proclaimed State of Emergency

G. Items Removed from Consent Calendar

H. Reports

1. Draft November statistics and financial statements for all systems operated by HTA

Enclosed

Action Recommend: Review and Discuss

I. New Business

1. Resolution to Approve Required Engineering and the Purchase of up to 11 Hydrogen Fuel Cell Buses.

Page 13

HTA Legal Counsel has prepared a Resolution to approve the purchase of up to eleven New Flyer Hydrogen Fuel Cell buses and engineering needed to extend the range of each bus to 400 miles.

Staff Recommendation: Adopt Resolution 23-02 Approving the Piggyback Purchase from New Flyer of America, Inc. of Hydrogen Fuel Cell Electric Buses, and a Sole Source Agreement to Engineer Extended Range Capacity Bus Modifications.

J. Board Communications

K. Staff Communications

L. Closed Session: None

M. Adjournment

Humboldt Transit Authority (HTA) is committed to a policy of non-discrimination pursuant to the requirements of Title VI of the Civil Rights Act of 1964. Persons who require special accommodations, accessible seating, or documentation in alternative formats under the American with Disabilities Act or persons who require translation services (free of charge) should contact HTA at least two days prior to the meeting.

Humboldt Transit Authority (HTA) se compromete a una norma de no discriminación de acuerdo a los requisitos del Artículo VI del Acto Derechos Civiles de 1964. Las personas que requieren alojamiento especial de acuerdo con el American with Disabilities Act, o personas que requieren servicios de traducción (libre de cargo) deben comunicarse con HTA al menos dos días antes de la reunión.

MINUTES FOR THE HUMBOLDT TRANSIT AUTHORITY

REGULAR BOARD MEETING

November 2, 2022

PRESENT

Board Members

Rex Bohn, County of Humboldt

Natalie, Arroyo, City of Eureka

Alex Stillman, City of Arcata

Steve Ladwig, City of Trinidad

Mike Wilson, County of Humboldt

Tami Trent, City of Fortuna

ABSENT

Julie Woodall, City of Rio Dell

Staff

Greg Pratt, General Manager

Consuelo Espinosa, Transit Planner

Brian Connors, Operations Manager

Katie Collender, Finance Manager

Carolann Aggeler, Administration and Finance Assistant

Andi Evans, Bookkeeper

Jim Wilson, Director of Maintenance

Jerome Qiriaz, Transit Planner (Part Time)

Sherry Dunlap, Safety & ADA Coordinator

Also, in attendance was Nancy Diamond; HTA Legal Counsel; Oona Smith, HCAOG; Tabitha Miller, County of Humboldt; Althea Christensen, Community Member; Heidi Benzoneli Community Member.

CALL TO ORDER

Chairperson Arroyo called the meeting to order at 9:01 a.m.

ROLL CALL & Introductions

Introductions were made.

COMMUNITY MEMBERS COMMUNICATION

None

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

By motion, recommended the approval of the following items considered to be routine and enacted in one *motion*. *Items may be removed from the Consent Calendar upon request and will be heard separately.*
Motion by Councilmember Stillman, second by Councilmember Ladwig to approve the Consent Calendar.
Motion carried unanimously

1. Minutes from the October 5, 2022, Regular Board Meeting
Action Recommended: Approve minutes

2. Remote Teleconference Meetings
Resolution to implement teleconferencing requirements during a proclaimed State of Emergency Pursuant to Assembly Bill 361.
Action Recommended: adopt Resolution 22-22 Implementing Teleconferencing Requirements during a Proclaimed State of Emergency.

3. Humboldt Transit Authority Secretary to the Board
Pursuant to Article 4.1 of the Joint Powers Agreement with the Humboldt Transit Authority, the governing board is to appoint a secretary who may, but need not be, a member of the Governing Board.
Action Recommendation: Appoint Consuelo Espinosa to Take Over Duties as Secretary to the Board as Stated in the JPA.

- F Items removed from the Consent Calendar
None

REPORTS

1. Draft August statistics and financial statements for all systems operated by HTA
Finance Manager Katie Collender presented HTA's Comparative Performance Activity Reports and reported that the farebox ratio for all systems is looking good.

NEW BUSINESS

1. JPA Employee Pass Pilot Program
General Manager Greg Pratt reported that since January, the City of Eureka and County employees have been participating in an employee bus pilot program and gave board update on ridership for the past six months. Greg Pratt also made mention that since the stats have been consistent, HTA has enough information for agencies to decide if they would like to enter contract with HTA and continue the program. Staff recommended that the Board reduce the cost per fare by 20% to encourage agencies to continue the program and hopefully form partnerships with other agencies.

Motion by Supervisor Wilson, second by Councilmember Arroyo to approve that HTA work with the County and contact participating agencies to promote the JPA Employee Pass Pilot Program and reduce the cost of each fare by 20%. Motion carried unanimously

2. Transit Intercity Rail Capital Program (TIRCP) and Projects Update
Staff gave board an update that HTA submitted a Cost Allocation Plan to Caltrans for the California Transportation (CTS) for approval, and that this item would be on their agenda for December 8, 2022. Staff also gave board an update regarding the Facility Plan Phase I and Phase II, and that HTA is still waiting for a cost estimate.

Staff reported that Infotainment Screens are being installed and Staff suggested that HTA start posting internal announcements using the Infotainment Screens, as well as sell adds to any interested customers. Additionally, Staff reported that the Credit Card Validators were being shipped and recommended running a nine (9) month Tap on/Tap off Pilot Program for the use of the Credit Card Validators, aiming to

solve the traditional bus payment problem and provide passengers with a convenient tap and go option by using their credit card as they enter and exit the bus at a promotional cost of \$1.00 per ride.

Motion by Supervisor Wilson, second by Councilmember Arroyo to approve that HTA run a nine (9) month Tap on/Tap off Promotional Pilot Program for the use of the Credit Card Validators. Motion carried unanimously

3. Humboldt Transit Authority Bus Advertising

Staff gave board update on the status of its bus advertising program since taking it over on August 8th, 2022. In the meeting handout, Staff provided the Board with draft contracts, a media kit, ad pricing, and policies for review and input, that would allow staff to continue to work with current and new clients through the end of the fiscal year. Staff also made mention that all options would be brought back to the March 2022 Regular Board Meeting for further direction for the 23/24 Fiscal Year.

Staff also reported that they have met with a local sign vendor that will be able to provide design and printing services, including installation and removal.

Public Comment: Community Member Heidi Benzoneli, expressed concern about government agencies competing with small businesses and made mention that she would like HTA Staff to reconsider using a third party for bus advertising.

Councilmember Arroyo and HTA Staff invited Heidi Benzoneli to stay after the adjournment of the meeting to meet with Finance Manager Katie Collender and General Manager Greg Pratt.

Motion by Supervisor Wilson, second by Councilmember Ladwig to approve the Contract, Media Kit, Pricing, and Policies upon review of legal counsel, and Direct Staff to Continue Advertising through the End of the Fiscal Year. Motion carried unanimously.

BOARD COMMUNICATIONS

Councilmember Stillman announced that Governor Newsom signed new provisions in addition to those allowed by AB 361 for teleconferencing rules and procedures that will take effect in February 2023.

Supervisor Wilson also announced that Lift Services are being offered at the Eureka Arcata Airport.

STAFF COMMUNICATIONS

General Manager Greg Pratt announced that in the next two weeks the Dial-a-Ride System will have the new Tap on/Tap off pay feature, so customers can utilize the new Credit Card Payment System.

CLOSED SESSION

None

ADJOURNMENT

Meeting adjourned at 10:15 a.m.

MINUTES FOR THE HUMBOLDT TRANSIT AUTHORITY

REGULAR BOARD MEETING

December 7, 2022

PRESENT

Board Members

Julie Woodall, City of Rio Dell
Natalie, Arroyo, City of Eureka
Steve Ladwig, City of Trinidad
Mike Wilson, County of Humboldt
Tami Trent, City of Fortuna

ABSENT

Rex Bohn, County of Humboldt
Alex Stillman, City of Arcata

Staff

Greg Pratt, General Manager
Consuelo Espinosa, Transit Planner
Katie Collender, Finance Manager
Carolann Aggeler, Administration and Finance Assistant
Andi Evans, Bookkeeper
Jim Wilson, Director of Maintenance
Jerome Qiriazzi, Transit Planner (Part Time)
Sherry Dunlap, Safety & ADA Coordinator

Brian Connors, Operations Manager

Also, in attendance was Nancy Diamond; HTA Legal Counsel; Mark Carpenter; Principal Life Insurance Company; Catherine Sundquist; CAE Transport; Charlotte Mekelle; County of Humboldt

CALL TO ORDER

Chairperson Arroyo called the meeting to order at 9:05 a.m.

ROLL CALL & Introductions

Introductions were made.

COMMUNITY MEMBERS COMMUNICATION

None

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

By motion, recommended the approval of the following items considered to be routine and enacted in one *motion*. *Items may be removed from the Consent Calendar upon request and will be heard separately.*
Motion by Councilmember Wilson, second by Councilmember Woodall to approve the Consent Calendar.
Motion carried unanimously.

1. Minutes from the November 2, 2022, Regular Board Meeting
Action Recommended: Approve minutes

2. Claim against HTA
Attorney Erik V. Kirk submitted a Tort/Breach of contract claim against the Humboldt Transit Authority on behalf of Ted Sheets and Charles Edwards.
Action Recommended: Reject the claim Tort/Breach of Contract submitted by Attorney Erik V. Kirk on behalf of Ted Sheets and Charles Edwards.

3. Remote Teleconference Meetings
Resolution to implement teleconferencing requirements during a proclaimed State of Emergency Pursuant to Assembly Bill 361.
Adopt Resolution 22-23 Implementing Teleconferencing Requirements during a Proclaimed State of Emergency.

- F Items removed from the Consent Calendar
None

REPORTS

1. Draft September statistics and financial statements for all systems operated by HTA
Finance Manager Katie Collender gave board update on HTA's Comparative Performance Activity Reports and reported that the farebox ratio for all systems is upward by 26% across all systems. Finance Manager also made mention that the Dial-a-Ride system is looking to expand their software program.

NEW BUSINESS

1. Dental Insurance
Finance Manager Katie Collender reported that staff is aware of regional shortcomings with available providers and reimbursement rates through Humboldt Transit Authority's current dental insurance carrier. Finance Manager also announced that after reaching out to Carpenter Benefits, HTA's existing dental insurance broker, an in-depth analysis was performed. In the end, it was determined that Principal Insurance stood out the best with the highest claim payment rates and the most in-network employee dentists. And that the comparison of Principal and Delta Dental was presented to the AFSCME Union leadership, and they reported back to HTA with their support.

Motion by Supervisor Ladwig, second by Councilmember Wilson to approve Principal as HTA's Dental Coverage and Direct Staff to Manage. Motion carried unanimously .

2. Humboldt Transit authority Regular Board Meeting Dates
Staff included Resolution 22-24 with proposed meeting dates and time for the 2023 Calendar year, with Special Meetings to be scheduled as needed and coordinated with board members.

Motion by Supervisor Ladwig, second by Councilmember Woodall to approve the Schedule for Regular Board Meetings for the 2023 Calendar Year by Adopting Resolution 22-24. Motion carried unanimously

3. Transit Intercity Rail Capital Program (TIRCP) and Projects Update & Application Opportunity
General Manager Greg Pratt gave board update for the 2022 TRICP projects. Additionally, Greg Pratt shared that HTA would be applying for more funding under the 2023 Transit and Intercity Rail Capital Program and High Priority Grade Crossing Improvement and Separation Projects, with a deadline of February 10th, 2023.

Motion by Supervisor Wilson, second by Councilmember Woodall to authorize Staff to apply for the 2023 Transit Intercity Capital Program. Motion carried unanimously.

BOARD COMMUNICATIONS

Councilmember Ladwig announced that Cal Poly Humboldt perceives growth by Fall in 2023 with new student enrollments. Supervisor Wilson suggested a Scavenger Hunt promoting transit.

Councilmember Arroyo informed staff about new ways to navigate transit and the idea about exploring new websites on how to get around.

STAFF COMMUNICATIONS

General Manager Greg Pratt announced that HTA will be applying for the Regional Early Action Planning (REAP) 2.0 Grant, and that it be necessary to schedule a Special Board Meeting for December 19, 2022. Staff will need authorization to submit the Grant Application by the end of the month.

Director of Maintenance Jim Wilson also announced that HTA received two (2) electric buses and that they will be ready for revenue service early February 2023.

CLOSED SESSION

None

ADJOURNMENT

Meeting adjourned at 9:35 a.m.

MINUTES FOR THE HUMBOLDT TRANSIT AUTHORITY

SPECIAL BOARD MEETING

December 19, 2022

PRESENT

Board Members

Natalie, Arroyo, City of Eureka
Steve Ladwig, City of Trinidad
Mike Wilson, County of Humboldt
Tami Trent, City of Fortuna
Rex Bohn, County of Humboldt

ABSENT

Alex Stillman, City of Arcata
Julie Woodall, City of Rio Dell

Staff

Greg Pratt, General Manager
Consuelo Espinosa, Transit Planner
Katie Collender, Finance Manager
Carolann Aggeler, Administration and Finance Assistant
Andi Evans, Bookkeeper
Jim Wilson, Director of Maintenance
Jerome Qiriazzi, Transit Planner (Part Time)
Sherry Dunlap, Safety & ADA Coordinator
Brian Connors, Operations Manager

Also, in attendance was Nancy Diamond; HTA Legal Counsel.

CALL TO ORDER

Chairperson Arroyo called the meeting to order at 9:12 a.m.

ROLL CALL & Introductions

Introductions were made.

COMMUNITY MEMBERS COMMUNICATION

None

SPECIAL PRESENTATIONS

None

CONSENT CALENDAR

None

Items removed from the Consent Calendar

None

REPORTS

None

NEW BUSINESS

1. Professional Services Agreements for the Transit Intercity Rail (TIRCIP)

General Manager Greg Pratt informed the Board that Staff has been working with HTA Legal Council to develop the scope of work and contracts for professional services, and that work will not begin until HTA has signed program supplements under the already executed Master Services Agreement and that notice to proceed had been issued.

Motion by Supervisor Wilson, second by Councilmember Stillman to Adopt Resolution 22-26 Approving Professional Services Agreements with Schatz Energy Research Center, Humboldt County Association of Governments, Center for Transportation, and the Environment, and Creative Inclusion for Services Related to the TIRCIP Grant. Motion carried unanimously

2. Regional Early Action Planning (REAP) 2.0 Grant Application

General Manager Greg Pratt announced that the California Department of Housing and Community Development has issued a Notice of Funding Availability for Regional Early Action Planning grants (REAP 2.0), and that there is a \$6.6 million set aside which includes Humboldt County. Staff is requesting partnering with HCAOG to submit an application in the amount of \$2,190,000. Furthermore, that HTA's request will include the purchase of four electric shuttles, route optimization software, marketing and outreach, and operation costs for two separate microtransit services. This microtransit pilot service will identify 10-20 virtual stop locations across the McKinleyville service area, and that the fare structure will be integrated with the CalITP program that HTA is currently in the process of deploying.

Councilmember Arroyo suggested that HTA Staff reach out to the McKinleyville Community members about improving transit in their area, in hope that they will express interest.

Motion by Supervisor Wilson, second by Councilmember Stillman to Submit a Grant Application to the Regional Early Action Planning Grant Program by adopting Resolution 22-25. Motion carried unanimously

BOARD COMMUNICATIONS

None

STAFF COMMUNICATIONS

None

CLOSED SESSION

Board went into closed session at 9:31 am pursuant to Government Code Section 54957(b)(1), for a performance evaluation of the General Manger; and Government Code Section 54957.6 meeting with designated representative and unrepresented employee. In addition, pursuant to Government Code Section 5496.9 (d)(2), the board also meet in Closed Session to consider potential litigation against the Humboldt Transit Authority. No public comment or suggestions were received from members of the public on the item.

Nothing to Report

ADJOURNMENT

Meeting adjourned at 10:35 a.m.

HUMBOLDT TRANSIT AUTHORITY
RESOLUTION 23-01
RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF
EMERGENCY
PURSUANT TO ASSEMBLY BILL 361

WHEREAS, the Humboldt Transit Authority (HTA) is committed to preserving the Ralph M. Brown Act requirements that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings;

WHEREAS, A state of emergency was proclaimed by Governor's Executive Order N-33-20 on March 4, 2020, addressing the threat of the COVID-19 pandemic, and remains in effect;

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, COVID-19 and variants thereof remain a current threat to the health and safety of the general public, HTA Staff, and members of this Board; and

WHEREAS, the Humboldt County Department of Health & Human Services issued a Recommendation Regarding Physical Distancing Including Meetings of Legislative Bodies on September 29, 2021, which recommends physical distancing at gatherings and events, including meetings of local agency legislative bodies, and acknowledges that virtual meetings of legislative bodies provide a safer environment with less risk of exposure to COVID-19; and

WHEREAS, the HTA has an important governmental interest in protecting the health, safety, and welfare of those who participate in meetings of the HTA legislative and advisory bodies subject to the Brown Act; and

WHEREAS, in response to the current threat to the public of the COVID-19 virus and its existing and potential variants, the Humboldt County indoor mask order, and the Humboldt County recommendation

that local agency legislative bodies meet virtually, there is a desire to implement teleconference meetings pursuant to the requirements of the Brown Act so long as this State of and Emergency and local recommendations continue to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Humboldt Transit Authority hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference;
2. The Board of Directors finds, by a majority vote, that there exists a proclaimed state of emergency; and

In accordance with AB 361, based on the findings and determinations herein, meetings of HTA's legislative will be held remotely by virtual means, while providing for all feasible means of public participation.

PASSED, APPROVED AND ADOPTED this 1st day of February 2023 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair of the HTA Board of Directors

ATTEST:

Secretary to the Board



133 V Street
Eureka, CA 95501

A Public Entity Serving Humboldt County Since 1976

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TO: Vice Chair Ladwig
All Governing Board Members

FROM: Greg Pratt, General Manager

DATE: February 1, 2023

SUBJECT: Resolution to Approve Required Engineering and the Purchase of up to 11 Hydrogen Fuel Cell Buses (HFCB).

In July 2022, Humboldt Transit Authority (HTA) was awarded a \$38.7M grant from the California State Transportation Agency's Transit and Intercity Rail Capital Program (TRICP). The grant is for eleven (11) New Flyer fuel cell electric buses, a hydrogen fueling station at HTA's facility, bus service to Ukiah, and an intermodal transit center in downtown Eureka.

On December 8, 2022, the Transportation Commission approved HTA's first Cost Allocation Plan submission in the amount of \$6,279,000. Subject to the California Transportation Commission's (CTC) timely use of funds policy and for the construction phase, awardees are expected to execute the third-party contract within six months of the allocation.

For over a year, Staff and the Schatz Energy Research Center evaluated and road tested the two HFCB's and found that New Flyer performed well in a rural setting. The team also had several meetings with New Flyer engineers with concerns about the majority of our routes are over 300 miles, which is the max for the New Flyer bus. For our bus order, the New Flyer team agreed to engineer the buses to add additional fuel tanks to extend the range to 400 miles. The cost is approximately one million dollars and is covered in the TRICP grant. Because New Flyer engineers are the only professionals qualified to make the necessary changes to the bus, Staff is seeking a sole source of services as outlined in HTA's procurement policy.

Staff is also seeking Board authorization to purchase up to 11 HFCB's by piggybacking through the California Department of General Services and to authorize the General Manager to executed required agreements, subject to approval by HTA Legal Counsel.

Staff Recommendation: Adopt Resolution 23-02 Approving the Piggyback Purchase from New Flyer of America, Inc. of Hydrogen Fuel Cell Electric Buses, and a Sole Source Agreement to Engineer Extended Range Capacity Bus Modifications.

RESOLUTION No. 23-02

A RESOLUTION OF THE HUMBOLDT TRANSIT AUTHORITY GOVERNING BOARD OF DIRECTORS
APPROVING A SOLE SOURCE AGREEMENT WITH NEW FLYER
FOR HYDROGEN BUS ENGINEERING SERVICES RELATED TO THE TIRCP GRANT

Recitals

WHEREAS, in July 2022, HTA was awarded a \$38.7 million grant from California State Transportation Agency Transit and Intercity Rail Capital Program ("TIRCP Grant") for HTA transit-related purposes including, among other things, the purchase of eleven zero-emission hydrogen fuel cell electric buses ("FCEB"), installation of a hydrogen fueling station, creation of a bus service route to Mendocino County, and construction of an intermodal transit center ("Project");

WHEREAS, on October 5, 2022 the HTA Board of Directors adopted Resolution No. 22-21, approving a Master Services Agreement with the California Department of Transportation to implement the TIRCP Grant;

WHEREAS, the California Transportation Commission approved the first budgetary allocation plan on December 8, 2022, which allows HTA to expend TIRCP Grant funds on specified components and phases of the Project;

WHEREAS, New Flyer of America, Inc. ("New Flyer") is a leading manufacturer of zero emission transit buses, including hydrogen FCEBs, and holds a California Department of General Services Cooperative Purchasing Contract # 1-19-23-17B ("Statewide Contract") to provide hydrogen FCEBs to transit agencies and other public agencies in the State of California;

WHEREAS, as part of the development of the TIRCP Grant application, HTA staff identified through market research and testing a New Flyer FCEB model as the only available hydrogen FCEB that will meet the needs of HTA's existing and planned new fixed transit route duty cycles;

WHEREAS, New Flyer's FCEB is available through the Statewide Contract and HTA is therefore able to procure the hydrogen FCEBs by piggybacking on the Statewide Contract, as permitted under the HTA Procurement Policy;

WHEREAS, hydrogen FCEBs are in use in urban areas of California but have not been previously deployed for specific use on rural mountainous intercity routes with sparsely developed refueling infrastructure for zero-emission vehicles, such as those found on the North Coast;

WHEREAS, successful deployment of hydrogen FCEBs in HTA's region and on the proposed new route to Mendocino County will require adding extended range capacity to the New Flyer FCEB, which will require New Flyer to engineer appropriate modifications;

WHEREAS, the New Flyer FCEB is proprietary and New Flyer's design and engineering professionals are the only such professionals qualified to engineer the FCEBs modifications needed by HTA;

WHEREAS, HTA's Procurement Policy allows for the sole source of services from one source where the services are unusual and distinct;

WHEREAS, the rural mountain routes combined with limited zero-emission refueling infrastructure found on the North Coast presents an unusual and distinct situation justifying the use of New Flyer to engineer modifications to add extended range capacity to its FCEB;

WHEREAS, as part of the HTA's TIRCP Grant award, the California Department of Transportation approved HTA's purchase of the 11 New Flyer FCEBs and New Flyer's engineering services to modify the FCEB uniquely applicable to HTA's specific needs;

NOW THEREFORE, the Governing Board of the Humboldt Transit Authority hereby resolves as follows:

1. All Recitals are restated and incorporated into this Resolution.
2. Piggyback procurement through Statewide Contract # 1-19-23-17B of 11 FCEBs is approved.
3. Soul source procurement to use New Flyer to design and engineer extended range capacity modifications to its hydrogen FCEB is hereby approved.
4. The General Manager is authorized to execute an agreement or agreements, subject to approval by HTA General Counsel, with New Flyer to purchase the 11 FCEBs and to perform the engineering services necessary to modify the FCEB.

PASSED AND ADOPTED by the Humboldt Transit Authority of Humboldt County, State of California, at a regular meeting of said Board Meeting held on the 1st day of February, 2023, by the following vote:

AYES:
NOES:
ABSENT:

, Chair of the HTA Governing
Board of Directors

ATTEST:

HTA Secretary to the Board