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Title: Approve the reciprocal agreement for mutual assistance for public transportation services known as the California Transit Mutual Assistance Compact at no present monetary consideration.

Sponsors: Department of Transportation

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Attachments: 1. Transit Mutual Assistance Compact, 2. 2-DD (File ID 24-734) Supplemental Packet

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REPORT TO THE CITY COUNCIL

FROM: GREGORY A. BARFIELD, M.A., Director
Department of Transportation

BY: DANIEL COLBERT, Training Officer
Department of Transportation

SUBJECT

Approve the reciprocal agreement for mutual assistance for public transportation services known as the California Transit Mutual Assistance Compact at no present monetary consideration.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to enter into a reciprocal agreement for mutual assistance for public transportation services known as the California Transit Mutual Assistance Compact at no present monetary consideration (TransMAC).

EXECUTIVE SUMMARY

TransMAC is an emergency mutual assistance agreement for public transit providers modeled on the same type of mutual aid agreement used by law enforcement, fire, and utilities. The Agreement is designed to create a formal relationship among public transit providers in Los Angeles, Orange, San Bernardino, Riverside, and Kern counties to provide support to each other during a response to and recovery from an emergency. The TransMAC establishes the framework for activation, withdrawal, member responsibilities, reimbursement, documentation, legal and liability issues yet allow members to negotiate terms appropriate to the situation. The TransMAC may eventually expand to include transit agencies throughout the State. The TransMAC does not require any member to deplete its

own resources to furnish mutual assistance.

BACKGROUND

A formal Transit Mutual Assistance Compact (TransMAC) agreement for Fresno Area Express (FAX) is being proposed in order to better respond to various emergencies, including restoring or maintaining transportation service when such service has been disrupted by human or natural acts, equipment malfunction, accidents, sabotage, acts of terrorism or other occurrence for which emergency assistance is deemed necessary in order to recover from emergencies and disasters while fulfilling its obligation to provide essential services to the community; or assist its fellow public transit providers in doing the same.

Recognizing that emergencies and other events may overwhelm the resources and capabilities of transit agencies, and that transit agencies may require assistance in the form of personnel, services, and equipment to continue to deliver critical services, the TransMAC Members have established a program for Mutual Assistance.

TransMAC facilitates rapid, short-term deployment of emergency support (personnel, equipment, materials and other associated services) prior to, during and/or after an incident or pre-planned event amongst its membership. TransMAC establishes the framework for activation, withdrawal, member responsibilities, legal and liability issues.

In general, "Mutual" Assistance will be in the form of resources, such as personnel, services, equipment and/or supplies. Mutual assistance shall be given only when a member agency that responds to a request for assistance (Provider Member), at its sole and absolute discretion, determines that its own needs can be met while rendering Mutual Assistance.

In the event that FAX is required to rebuild its operations as a result of a natural disaster and in order to maintain essential services, the City Manager or his designee would be empowered to contract in an emergency with another TransMAC agency to obtain the necessary goods, and services to allow FAX to begin the rebuilding process. FAX's need to support other transit agencies and the potential need of FAX to be assisted by other agencies would be enhanced by this formal agreement with the other members to the TransMAC.

ENVIRONMENTAL FINDINGS

This is not a "project" for the purposes of CEQA, pursuant to CEQA Guidelines Section 15378.

LOCAL PREFERENCE

Local Preference is not applicable.

FISCAL IMPACT

At the time of a request from another transit agency for emergency response services, the fully burdened cost incurred by Provider Member including cost of personnel as well as the cost of use of equipment and replacement cost of material/supplies shall be the responsibility of the Requesting Member.

Attachment: Transit Mutual Assistance Compact