



## BOARD OF DIRECTORS REGULAR MEETING

Thursday, February 8, 2024, at 6 p.m.  
Benton County Administration Building, Room 303  
7122 W. Okanogan Place Building E, Kennewick, Washington

*Notice: Meeting attendance options include in-person and virtual via Zoom  
Spanish language translation is available via Zoom*

Meeting Link:

<https://zoom.us/j/98962178731?pwd=OGg1amhEQXA0RG5QRTdqNnFpRGN5dz09>

Phone: 253-215-8782 / Toll Free: 877-853-5247

Meeting ID: 989 6217 8731 / Password: 833979

If you wish to provide written comments to the Board or speak during the Public Comments portion of a Board meeting, please submit [this form](#). If you wish to make public comments during the meeting, you must attend the meeting in person, not via Zoom.

---

### AGENDA

---

- |  |                    |
|--|--------------------|
| 1. Convene Board Meeting   | Chair Will McKay   |
| 2. Roll Call   | Anel Montejano     |
| 3. Pledge of Allegiance  | Chair McKay        |
| 4. Public Comments:  | Chair McKay        |
| To facilitate an orderly and efficient board meeting, public comments will be limited to 3 minutes per speaker, <b>matters related to agenda items only</b> , limited duplication of prior statements, and no reading of written statements of other people. Written public comments will be provided to the board members prior to the meeting. |                    |
| 5. Approval of Agenda ( <i>page 1</i> )  | Chair McKay        |
| 6. Citizens Advisory Network (CAN) Report ( <i>page 7</i> )  | Dori Luzzo-Gilmour |

**7. Election of Officers**

Jeremy Bishop

**A. Chair/Vice Chair**

**B. BFCOG Representative**

**8. Consent Agenda**

**A.** January 11, 2024, Regular Board Meeting Minutes *(page 9)*

**B.** January Voucher Summary *(page 13)*

**C.** Resolution 05-2024 Authorizing the General Manager to Award General Legal Counsel Services to Roach & Bishop LLP *(page 40)*

**D.** Resolution 06-2024 Authorizing the General Manager to Acquire Property Deeded by Project Oyster Pasco, LLC *(page 43)*

**9. Action Items**

**A.** Resolution 07-2024 Amend Ben Franklin Transit Bylaws *(page 50)*

Jeremy Bishop

**B.** Approval of Adoption of Rules Pertaining to Requests for Public Records Submitted Pursuant to the Public Records

Jeremy Bishop

i. Rules Pertaining to Requests for Public Records Presentation

ii. Public Hearing

iii. Resolution 08-2024 Adopting Rules Pertaining to Requests for Public Records Submitted Pursuant to the Public Records Act, Chapter 42.56 RCW, and Agency Responses thereto *(page 60)*

**C.** Approval of New Fare Structure & Acknowledgement of Title VI Analysis Results Kevin Sliger

i. New Fare Structure Presentation & Comprehensive Fare Study Title VI Fare Equity Analysis

ii. Public Hearing

iii. Resolution 09-2024 Rescinding 04-2017 in its Entirety and Establishing all Fares *(page 80)*

iv. Resolution 10-2024 Adopting the 2024 Title VI Fare Study Equity Analysis *(page 85)*

**10. Discussion & Informational Items**

**A.** Fourth Quarter 2023 Agency Performance Report *(page 126)*

Kevin Sliger

**11. Staff Reports & Comments**

**A.** Legal Report

Jeremy Bishop

**B.** General Manager's Report

Rachelle Glazier

**12. Board Member Comments**

**13. Executive Session**

There will be an executive session under RCW 42.30.110(1)(g).

**14. Other**

**15. Next Meeting**

Regular Board Meeting – Thursday, March 14, 2024, at 6:00 p.m.

**16. Adjournment**



## JUNTA DIRECTIVA REUNIÓN ORDINARIA

Jueves, 8 de Febrero, 2024, a las 6 p.m.

Edificio de la Administración del Condado de Benton, Sala 303  
7122 W. Okanogan Place, Building E, Kennewick, Washington

*Aviso: Las opciones de asistencia a las reuniones incluyen en persona y virtuales a través de Zoom  
Traducción al Español está disponible a través de Zoom*

Enlace de la reunión:

<https://zoom.us/j/98962178731?pwd=OGg1amhEQXA0RG5QRTdqNnFpRGN5dz09>

Teléfono: 253-215-8782 / Número gratuito: 877-853-5247

ID de Reunión: 989 6217 8731 / Contraseña: 833979

---

Si desea proporcionar comentarios por escrito a la Junta o hablar durante la parte de Comentarios Públicos de una reunión de la Junta, favor envíe [este formulario](#). Si desea hacer comentarios públicos durante la reunión debe asistir la reunión en persona, no a través de Zoom.

---

### AGENDA

---

- |  |                       |
|--|-----------------------|
| 1. Convocar reunión de la Junta  | Presidente Will McKay |
| 2. Pase de lista   | Anel Montejano        |
| 3. Juramento de Lealtad  | Presidente McKay      |
| 4. Comentarios públicos  | Presidente McKay      |
| Para facilitar una reunión de la junta ordenada y eficiente, los comentarios públicos se limitarán a 3 minutos por orador, <b>los asuntos relacionados con los puntos de la agenda únicamente</b> , duplicación limitada de declaraciones anteriores, y no leer declaraciones escritas de otras personas. Se proporcionarán comentarios públicos por escrito a los miembros de la junta antes de la reunión. |                       |
| 5. Aprobación de la agenda (página 1)  | Presidente McKay      |
| 6. Reporte del Citizens Advisory Network (CAN) (página 7)  | Dori Luzzo-Gilmour    |

7. **Elección de Oficiales** Jeremy Bishop
- A. **Presidente/Vicepresidente**
  - B. **BFCOG Representante**
8. **Agenda de consentimiento**
- A. 11 de Enero, 2024, Actas de la Reunión Ordinaria de la Junta (*página 9*)
  - B. Resumen de los Comprobantes de Enero (*página 13*)
  - C. Resolución 05-2024 Autorizando al Director General para Adjudicar Servicios de Asesoría Legal General a Roach & Bishop LLP (*página 40*)
  - D. Resolución 06-2024 Autorizando al Director General para Adquirir Propiedad Escriturado por Project Oyster Pasco, LLC (*página 43*)
9. **Temas de Acción**
- A. Resolución 07-2024 Enmendar los Estatutos de Ben Franklin Transit (*página 50*) Jeremy Bishop
  - B. Aprobación de la Adopción de Reglas Relativas a las Solicitudes de Registros Públicos Remitidas Según los Registros Públicos Jeremy Bishop
    - i. Presentación de las Reglas Relativas a las Solicitudes de Registros Públicos
    - ii. Audiencia Pública
    - iii. Resolución 08-2024 Adoptando Reglas Relativas a las Solicitudes de Registros Públicos Remitidos en Conformidad con la Ley de Registros Públicos, Capítulo 42.56 RCW, y las Respuestas de la Agencias Acompañadas (*página 60*)
  - C. Aprobación de la Nueva Estructura de Tarifas y Reconociendo los Resultados del Título VI Análisis Kevin Sliger
    - i. Presentación de la Nueva Estructura de Tarifas y Estudio Comprensivo de Tarifas Título VI Análisis de Equidad de Tarifas
    - ii. Audiencia Pública
    - iii. Resolución 09-2024 Rescindir 04-2017 en su Totalidad y Estableciendo todas las Tarifas (*página 80*)
    - iv. Resolución 10-2024 Adoptando el 2024 Título VI Análisis de Equidad del Estudio de Tarifas (*página 85*)
10. **Temas de discusión y de información**
- A. Cuarto trimestre del 2023 Informe de Desempeño de la Agencia (*página 126*) Kevin Sliger
11. **Informes y comentarios del personal**
- A. Informe Jurídico Jeremy Bishop
  - B. Informe del Director General Rachelle Glazier
12. **Comentarios de los miembros de la Junta**
13. **Sesión ejecutiva**
- Se llevará a cabo una Sesión Ejecutiva bajo RCW 42.30.110(1)(g).

**14. Otro**

**15. Próxima reunión**

Reunión ordinaria de la Junta - Jueves, 14 de Marzo, 2024, a las 6:00 p.m.

**16. Aplazamiento**

January 29, 2024

The BFT Citizen Advisory Network is tasked in CAN Standing Rules – Section 1.1.a to assist BFT by serving as an advisory body to BFT Management and to the BFT Board of Directors. In that capacity the following recommendation is offered.

**CAN Recommendation 2024-01**  
**PUBLIC COMMENTS VIA ZOOM IN BFT BOARD MEETINGS**

**Issue:**

BFT Board of Directors announced in the January 11, 2024 Board Meeting that Public Comments via Zoom would no longer be an option.

For some of the Public the opportunity to participate in the Board Meetings via Zoom may be the only method that they have, either due to travel expense, inability to travel, or time constraints.

We have been made aware that the continuation of availability for Public Comment via Zoom would be welcomed by the public.

RCW 42.30.240

Public comment.

(2) Upon the request of any individual who will have difficulty attending a meeting of the governing body of a public agency by reason of disability, limited mobility, or for any other reason that makes physical attendance at a meeting difficult, the governing body shall, when feasible, provide an opportunity for that individual to provide oral comment at the meeting remotely if oral comment from other members of the public will be accepted at the meeting.

<https://app.leg.wa.gov/RCW/default.aspx?cite=42.30.240>

**Recommendation:**

Since many of the Riders of BFT Fixed and DAR find it hard to attend nighttime meetings such as the BFT Board Meeting it will be a service to that community to continue to offer Zoom access with a Public Comment option.

By looking at local county and municipal government public comments including City of Richland City Council, Benton County Commissioner Meetings, City of Pasco City Council, and Franklin County Commission; they all allow in-person and remote comments.

It is the recommendation of the Citizen Advisory Network that the BFT Board of Directors reconsider this issue and continue to offer Public Comment via Zoom in future Board Meetings.

END OF CITIZEN ADVISORY NETWORK RECOMMENDATION 2024-01

January 29, 2024

The BFT Citizen Advisory Network is tasked in CAN Standing Rules – Section 1.1.a to assist BFT by serving as an advisory body to BFT Management and to the BFT Board of Directors. In that capacity the following recommendation is offered.

**CAN Recommendation 2024-02**

**PUBLIC COMMENTS IN BOARD MEETINGS ON AGENDA ITEMS ONLY**

**Issue:**

Per the Agenda of the January 11, 2024, BFT Board Meeting Public Comments in the Board Meeting will no longer be allowed unless the comment is in regard to an Agenda Item.

By looking at local county and municipal government Public Comments including City of Richland City Council, Benton County Commissioner Meetings, City of Pasco City Council, and Franklin County Commission; they all allow in-meeting comments from the public on non- Agenda Items.

**Recommendation:**

The Citizen Advisory Network recommends allowing Public Comment on any item of public interest.

We believe that it is important that BFT Management and BFT Board be aware of issues that are of importance to the public, and the Public Comment period during BFT Board Meetings is the best method to accomplish that.

END OF CITIZEN ADVISORY NETWORK RECOMMENDATION 2024-02



## BOARD OF DIRECTORS REGULAR MEETING

Thursday, January 11, 2024, at 6 p.m.  
Benton County Administration Building, Room 303  
7122 W. Okanogan Place Building E, Kennewick, Washington

*Meeting attendance options included in-person and virtual via Zoom*

---

### MINUTES

---

#### 1. CONVENE BOARD MEETING

Chair Will McKay called the meeting to order at 6:00 p.m.

#### 2. ROLL CALL

Representing	Attendee Name	Title	Status
City of Pasco		Director	
City of Kennewick	Brad Beauchamp	Director	Present
City of Richland		Director	Present
City of West Richland	Richard Bloom	Vice Chair	Present
Franklin County #2	Steve Bauman	Director	Present
Franklin County #1	Clint Didier	Director	Present
Benton County	Will McKay	Chair	Present
City of Prosser	Steve Becken	Director	Present
City of Benton City	David Sandretto	Director	Present
Teamsters Union 839	Caleb Suttle	Union Representative	Present

**BFT Staff:** Rachelle Glazier, Janet Brett, Imelda Collop, Terry DeJuan, Sarah Funk, Katy Hamm, Tony Kalmbach, Brian Lubanski, Mackenzie Miller, Anel Montejano, Rob Orvis, Joshua Rosas, Kevin Slinger, Kathryn Wall

**Legal Counsel:** Jeremy Bishop

**Interpreters:** Ruth Medina, Ynez Vargas

#### 3. PLEDGE OF ALLEGIANCE

Chair McKay led the meeting participants in the Pledge of Allegiance.

#### 4. PUBLIC COMMENTS

Chair McKay opened the meeting to comments from the public to agenda items only.

Emily Pearce, a Fixed Route Dispatcher, wanted to address the Board about Terrel, but it was not an agenda item.

Cindy Fish wanted to address the Board about the inclement weather, and there are two warming stations opening tonight in Kennewick and Richland for homeless people.

Solomon Torelli, a resident of Richland and Fixed Route Coach Operator at Ben Franklin Transit, spoke against Resolution 04-2024 and outsourcing services to Via for ADA Dial-A-Ride overflow trips. He addressed his concerns about the qualifications of the Via drivers.

Denise Sommer, a resident of Richland and Dial-A-Ride driver, spoke against outsourcing services to Via and expressed her concerns about Via.

Nancy Kimsey, a resident of Pasco and a substitute teacher at the Richland School District, stated she does not qualify for Dial-A-Ride services and uses Via to get to a transit station to get on a bus to get to work. She addressed her concerns about outsourcing services to Via and wanted to be considered for the Citizens Advisory Network.

Michael Wells, a resident of Pasco and Coach Operator, spoke against outsourcing services to Via and asked the Board to research it out.

Angelica Gutierrez spoke against the resolution that contracts two law firms and groups joining the union.

Nathan Baker, a resident of Pasco and Dial-A-Ride Dispatcher Reservationist and Trainer, spoke against outsourcing services to Via. He spoke about his concerns and experience using Via.

Lisa, a resident of Kennewick, spoke against outsourcing services to Via for ADA Dial-A-Ride overflow trips. She expressed her concerns about Via.

Aimee Ramirez, a Dial-A-Ride Driver for Ben Franklin Transit, spoke against outsourcing services to Via.

**5. APPROVAL OF AGENDA**

Chair McKay asked for a motion to approve the agenda.

*Director Bloom moved to approve the agenda, and Director Sandretto seconded the motion. It passed unanimously.*

**6. CONSENT AGENDA**

Chair McKay presented the Consent Agenda items and invited a motion.

**A. December 14, 2023, Regular Board Meeting Minutes**

**B. December Voucher Summary**

**C. Resolution 01-2024 Authorizing the General Manager to Declare the Items Identified on Exhibit A: “List of Surplus Information Technology Items” as Surplus and Dispose of per Resolution 62-2014**

- D. **Resolution 02-2024 Authorizing the General Manager to Award Two Contracts for Employment and Labor Legal Services to Stoel Rives LLP and Summit Law Group, PLLC**
- E. **Resolution 03-2024 Adopting the Revised Policy HR-132, Total Rewards**

*Director Bloom moved for approval of the Consent Agenda items. The motion was seconded by Director Sandretto and passed unanimously.*

## 7. **ACTION ITEMS**

- A. **Resolution 04-2024 Approving the General Manager to Increase Budget of Associated Supplemental Contracted Transportation Services Contract #1160 by \$2.99 Million and Approve Nomad Transit LLC, dba Via (VIA) to Operate Expansion Services Through the End of the Contract in April 2025**

Chief Planning and Development Officer Kevin Sliger presented a memorandum and resolution for Board approval to increase the budget to expand services to provide public and student-focused on-demand services in Benton City and Prosser, address overflow services on the ADA Dial-A-Ride and provide direct service to the Tri-Cities airport. After discussion and questions by Board members, they agreed with the proposal. It will be brought back to the Board for input on the expansion services.

*Director Bloom moved for approval of Resolution 04-2024. The motion was seconded by Director Beauchamp and passed unanimously.*

## 8. **STAFF REPORTS & COMMENTS**

### A. **Legal Report**

BFT Legal Counsel Jeremy Bishop stated he doesn't have anything new or exciting this month. Next month will have amended Bylaws and hopefully a public records policy for the Board.

### B. **General Manager's Report**

The General Manager reported that Ben Franklin Transit won first place in the APTA AdWheel Award for our recruitment video for mechanics. There are two members from the Marketing and Communications Department that will be traveling to New Orleans to receive the award on our behalf.

We are in the process of rolling out an employee recognition plan for milestones.

She reported working on updating the employee handbook and all the policies; Director Bloom has received a copy and was asked to be a part of that review. She asked if there were any other Board members who wanted to be involved in the creation of the handbook and policies to reach out to her, and we will make sure to schedule time with them. In addition, it will go to Mr. Bishop before anything goes to the Board for approval.

Lastly, we have the APTA Legislative Conference in April, and if any Board member is interested in going, it is the first week in April. If anyone is interested, reach out to the Executive Office, and we can get that scheduled.

**9. BOARD MEMBER COMMENTS**

Director Suttle commented that we spoke about cost savings tonight, but a resolution was adopted for a second law firm to do labor relations and expressed his concerns.

Director McKay commended Rachelle for doing an amazing job running Ben Franklin Transit and that she is trying to make the operation cost-efficient.

There was discussion and questions on the resolution to approve two law firm contracts and grievances that were filed.

Director Beauchamp spoke about sitting on boards throughout the counties. He stated the importance of having people keep to the agenda in a respectful manner, so it does not go off the rails.

Director Didier stated he chose to sit on the Board for Ben Franklin Transit as he believes there is good leadership and it is moving in the right direction. When he heard that people were not getting to their doctor appointments because there are people on the sidelines not getting in the game and not doing their responsibilities, the resolution approved tonight is a viable solution. He spoke about watching the process of this and wanting a status on what is going on every three months. He wants the people to be happy with Ben Franklin Transit.

Director McKay stated that we can look into this and if it's not working out in six months to a year, then we can change it.

Director Bloom stated Director Didier brought up what the problem was and the lack of head count, we need to ask what is going on there. There were complaints of too much overtime, and we are fixing that.

Director McKay spoke about the hearing in December about the gentleman that was terminated. He spoke about needing to be efficient and be cost effective for the taxpayer dollars. He is glad that the staff is doing what they are doing.

**10. EXECUTIVE SESSION**

No Executive Session was held.

**11. OTHER**

There were no other agenda items.

**12. NEXT MEETING**

The next meeting will be held Thursday, February 8, 2024, at 6 p.m.

**13. ADJOURNMENT**

Chair McKay adjourned the meeting at 7:21 p.m.

---

Anel Montejano, Clerk of the Board

---

Date



1000 Columbia Park Trail, Richland, WA 99352  
 509.735.4131 | 509.735.1800 fax | www.bft.org

Thursday, February 8, 2024

To: Ben Franklin Board of Directors  
 From: Sarah Funk, Chief Financial Officer  
 RE: Vouchers for Jan 2024

Jan 2024 vouchers totaled \$7,163,463.06. An analysis of the vouchers had the following significant vendor payment amounts:

Vendor	Description	Amount
WA STATE TRANSIT INS. POOL	Insurance	1,375,287.00
FOWLER GENERAL CONSTRUCTION INC	Contracted Services	629,903.34
INTERNAL REVENUE SERVICE	Payroll Taxes	450,769.28
N.W. ADMIN. TRANSFER	Teamsters Medical	417,734.60
GOODMAN AND MEHLENBACHER	Contracted Services	324,864.95
DEPT LABOR & INDUSTRIES	Payroll Taxes	311,701.84
DEPT OF RETIREMENT SYSTEMS	PERS	308,953.17
ASSOCIATED PETROLEUM PRODUCTS INC	Fuel	285,945.77
RIVER NORTH TRANSIT LLC	Contracted Services	229,049.51
CDW GOVERNMENT INC.	IT Supplies	156,276.88
EMPLOYMENT SECURITY DEPARTMENT	Payroll Taxes	149,463.44
STATE OF WASHINGTON	Medical Insurance	105,321.91
WESTERN CONFERENCE OF	Teamsters Pension	81,517.00
WENAHU GROUP INC	Contracted Services	56,586.18
ARC OF THE TRI-CITIES INC	Contracted Services	56,504.52
PEAK CONTRACTORS INC	Contracted Services	56,162.37
KPFF INC	Contracted Services	54,241.03
ESF DEVELOPMENT LLC	Contracted Services	50,715.86
TRAPEZE SOFTWARE GROUP INC	Software	48,811.77
AVAIL TECHNOLOGIES INC	Software	37,430.85
US BANK CORPORATE PAYMENT SYSTEMS	Travel/Merchandise	36,225.86
ROCKWALLA IT LLC	Contracted Services	29,796.93
TCF ARCHITECTURE PLLC	Contracted Services	29,635.61
WEX BANK	Fuel	28,648.94
CITY OF RICHLAND	Utilities	28,640.94
CUMMINS INC	Vehicle Parts	26,993.65
BENTON-FRANKLIN COUNCIL	Membership	26,584.00
ALSC ARCHITECTS PS	Contracted Services	25,451.65
GILLIG LLC	Vehicle Parts	23,886.57
APPLE VALLEY BROADCASTING INC	Marketing	22,710.00
ROMAINE ELECTRIC CORP	Utilities/Contracted Services	19,264.27
TEAMSTERS UNION	Teamsters Union	17,092.00
DURA SHINE CLEAN LLC	Contracted Services	16,806.40
EDNETICS INC	Telephone	16,275.76
COMMERCIAL TIRE	Vehicle Parts	16,115.41
D'AMATO CONVERSANO INC PC	Contracted Services	16,082.82
FGL LLC	Contracted Services	14,847.75
ANR GROUP INC	Contracted Services	14,591.70
CHRISTENSEN INC	Vehicle Parts	13,558.30
KHQ INCORPORATED	Fuel	12,872.00
CASCADE NATURAL GAS CORPORATION	Utilities	11,564.18
VERIZON WIRELESS	Telephone	11,486.30
FOUR NINES TECHNOLOGIES	Contracted Services	11,135.00
SUMMIT LAW GROUP	Legal	11,053.34
<b>Total Significant Vendors \$</b>		<b>5,668,560.65</b>
<b>Payroll Total \$</b>		<b>1,219,084.97</b>
<b>Total Non-Significant Vendors \$</b>		<b>275,817.44</b>
<b>GRAND TOTAL \$</b>		<b>7,163,463.06</b>

I, the undersigned **CHAIRMAN/VICE-CHAIRMAN of BEN FRANKLIN TRANSIT**  
Benton County, Washington, do hereby certify that the payroll related services, herein specified have been  
received and that the following checks are approved for payment for the month of January 2024.

**PAYROLL**

Check Register Number	Check Number / Number	Date of Issue	In the Amount
501-24	80968                      80968	1/12/2024	605,587.64 Payroll
502-24	80969                      80969	1/26/2024	609,271.88 Payroll
527-24		1/16/2024	4,225.45 Payroll

**Total      \$ 1,219,084.97**

\_\_\_\_\_  
AUTHORITY MEMBER  
02/08/2024

I, the undersigned **CHAIRMAN/VICE-CHAIRMAN of BEN FRANKLIN TRANSIT**  
 Benton County, Washington, do hereby certify that the merchandise or services herein specified have  
 been received and that the following checks are approved for payment for the month of January 2024.

**ACCOUNTS PAYABLE**

Check Register Number	Check Number / Number	Date of Issue	In the Amount	
001-24	86434	86499	1/5/2024	601,995.79 MDSE
002-24	ACH TRANS		1/3/2024	2,654.53 ACH TRANS
003-24	ACH TRANS		1/9/2024	323.70 ACH TRANS
004-24	ACH TRANS		1/11/2024	28,648.94 ACH TRANS
005-24	ACH TRANS		1/9/2024	27,982.83 ACH TRANS
006-24	86500	86556	1/12/2024	635,484.16 MDSE
007-24	ACH VOID		1/5/2024	0.00 ACH TRANS
008-24	86557	86630	1/19/2024	747,526.41 MDSE
009-24	86631	86631	1/22/2024	1,857.27 MDSE
010-24	86632	86695	1/26/2024	2,748,688.22 MDSE
011-24	ACH TRANS		1/30/2024	11,398.91 ACH TRANS
012-24	ACH TRANS		1/12/2024	513,887.09 ACH TRANS
013-24	ACH TRANS		1/25/2024	564.58 ACH TRANS
014-24	ACH TRANS		1/16/2024	6,482.36 ACH TRANS
015-24	ACH TRANS		1/26/2024	633,104.33 ACH TRANS
016-24	CHECK VOID	86571	1/19/2024	(8,149.16) VOID
017-24	ACH TRANS		1/18/2024	500.00 ACH TRANS
018-24	ACH TRANS		1/31/2024	866.66 ACH TRANS
019-24	CHECK VOID	86468	1/29/2024	(5,775.45) VOID
020-24	CHECK VOID	86511	1/29/2024	(3,663.08) VOID
			<b>Total</b>	<b>\$ 5,944,378.09</b>

\_\_\_\_\_  
 AUTHORITY MEMBER  
 02/08/2024

January 2024 vouchers audited and certified by Ben Franklin Transit's auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been emailed to the Board members February 08, 2024.

**ACTION: As of this date, February 08, 2024, I, \_\_\_\_\_**  
 move that the following checks be approved for payment:

**PAYROLL**

Check Register Number	Check Number / Number	Date of Issue	In the Amount
501-24	80968 80968	1/12/2024	605,587.64 Payroll
502-24	80969 80969	1/26/2024	609,271.88 Payroll
527-24		1/16/2024	4,225.45 Payroll

**Total \$ 1,219,084.97**

**ACCOUNTS PAYABLE**

Check Register Number	Check Number / Number	Date of Issue	In the Amount
001-24	86434 86499	1/5/2024	601,995.79 MDSE
002-24	ACH TRANS	1/3/2024	2,654.53 ACH TRANS
003-24	ACH TRANS	1/9/2024	323.70 ACH TRANS
004-24	ACH TRANS	1/11/2024	28,648.94 ACH TRANS
005-24	ACH TRANS	1/9/2024	27,982.83 ACH TRANS
006-24	86500 86556	1/12/2024	635,484.16 MDSE
007-24	ACH VOID	1/5/2024	0.00 VOID
008-24	86557 86630	1/19/2024	747,526.41 MDSE
009-24	86631 86631	1/22/2024	1,857.27 MDSE
010-24	86632 86695	1/26/2024	2,748,688.22 MDSE
011-24	ACH TRANS	1/30/2024	11,398.91 ACH TRANS
012-24	ACH TRANS	1/12/2024	513,887.09 ACH TRANS
013-24	ACH TRANS	1/25/2024	564.58 ACH TRANS
014-24	ACH TRANS	1/16/2024	6,482.36 ACH TRANS
015-24	ACH TRANS	1/26/2024	633,104.33 ACH TRANS
016-24	CHECK VOID 86571	1/19/2024	(8,149.16) VOID
017-24	ACH TRANS	1/18/2024	500.00 ACH TRANS
018-24	ACH TRANS	1/31/2024	866.66 ACH TRANS
019-24	CHECK VOID 86468	1/29/2024	(5,775.45) VOID
020-24	CHECK VOID 86511	1/29/2024	(3,663.08) VOID

**Total \$ 5,944,378.09**

Check Register Nos. 501-24 to 502-24 and 527-24 and 001-24 to 021-24 in the total amount of: **\$ 7,163,463.06**

The motion was seconded by \_\_\_\_\_ and approved by a unanimous vote.

BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE

CHECK REGISTER NUMBER 001-24

CHECK NUMBERS 86434 to 86499

DATE 01/05/2024

PURPOSE AP JAN24A VOUCHERS AMOUNT \$601,995.79

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

*Sarah Funk*

\_\_\_\_\_  
AUDITOR

Jan 14, 2024

\_\_\_\_\_  
DATE

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

**CHECK REGISTER NUMBER:**        002-24

**ACH WIRE TRANSFERS**

**DATE:** 01/03/2024

**PURPOSE:**

<b>WA STATE SUPPORT</b>	<b>\$2,654.53</b>
<b>TOTAL</b>	<b>\$2,654.53</b>

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah York (Jan 29, 2024 10:44 PST)  
**AUDITOR**

**Jan 29, 2024**  
**DATE**

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREGACH  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER: 003-24

**ACH WIRE TRANSFERS**

DATE: 01/09/2024

PURPOSE:

<b>SAMBA HOLDINGS</b>	<b>\$323.70</b>
<b>TOTAL</b>	<b>\$323.70</b>

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

*Sarah Frank*

\_\_\_\_\_  
AUDITOR

**Jan 14, 2024**

\_\_\_\_\_  
DATE

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREGACH  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER: 004-24

**ACH WIRE TRANSFERS**

DATE: 01/11/2024

PURPOSE:

WEX BANK	\$28,648.94
TOTAL	\$28,648.94

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

*Sarah Fink*

\_\_\_\_\_  
AUDITOR

**Jan 14, 2024**

\_\_\_\_\_  
DATE

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREGACH  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

**CHECK REGISTER NUMBER:**        005-24

**ACH WIRE TRANSFERS**

**DATE:** 01/09/2024

**PURPOSE:**

<b>US BANK CORPORATE PAYMENT</b>	<b>\$27,982.83</b>
<b>TOTAL</b>	<b>\$27,982.83</b>

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Ben Franklin Transit, Inc. 2018 (01/31 PEST)  
\_\_\_\_\_  
**AUDITOR**

Jan 30, 2024  
\_\_\_\_\_  
**DATE**

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER 006-24

CHECK NUMBERS 86500 to 86556

DATE 01/12/2024

PURPOSE AP JAN24B VOUCHERS AMOUNT \$635,484.16

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

*Sarah Fink*

\_\_\_\_\_  
AUDITOR

**Jan 16, 2024**

\_\_\_\_\_  
DATE

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREG  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE

CHECK REGISTER NUMBER 007-24

CHECK NUMBERS ACH

DATE 01/05/2024

PURPOSE AP VOID ACH AMOUNT \$0.00

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah Funk (Feb 1, 2024 13:32 PST)  
AUDITOR

02/01/2024  
DATE

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREG  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER 008-24

CHECK NUMBERS 86557 to 86630

DATE 01/19/2024

PURPOSE AP JAN24C VOUCHERS AMOUNT \$747,526.41

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah Funk (Jan 23, 2024 15:46 PST)

AUDITOR

Jan 23, 2024

DATE

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREG  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE

CHECK REGISTER NUMBER 009-24

CHECK NUMBERS 86631 to 86631

DATE 01/22/2024

PURPOSE AP JAN24D VOUCHERS AMOUNT \$1,857.27

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah Funk (Jan 24, 2024 08:02 PST)  
AUDITOR

Jan 24, 2024  
DATE

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREG  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE

CHECK REGISTER NUMBER 010-24

CHECK NUMBERS 86632 to 86695

DATE 01/26/2024

PURPOSE AP JAN24E VOUCHERS AMOUNT \$2,748,688.22

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah Funk (Jan 26, 2024 16:23 PST)  
\_\_\_\_\_  
AUDITOR

Jan 26, 2024  
\_\_\_\_\_  
DATE

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREG  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports





**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

**CHECK REGISTER NUMBER:**        013-24

**ACH WIRE TRANSFERS**

**DATE:** 01/25/2024

**PURPOSE:**

<b>STATE OF WASHINGTON</b>	<b>\$564.58</b>
<b>TOTAL</b>	<b>\$564.58</b>

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah Funk (Jan 31, 2024 15:41 PST)  
\_\_\_\_\_  
**AUDITOR**

**01/31/2024**  
\_\_\_\_\_  
**DATE**

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER: 014-24

**ACH WIRE TRANSFERS**

DATE: 01/16/2024

PURPOSE:

WA STATE SUPPORT	\$2,619.92
IRS TAXES	\$956.50
DEPT OF RETIREMENT SYSTEMS	\$2,905.94
<b>TOTAL</b>	<b>\$6,482.36</b>

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah Funk (Jan 31, 2024 15:41 PST)  
AUDITOR

1/31/24  
DATE

TEMPLATE: T:\Admin Services\Accounting\Accounts Payable\AP\FINANCE FORMS\CHECK REGISTER CERTIFICATION  
DOCS\WARREGACH  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER: 015-24

**ACH WIRE TRANSFERS**

DATE: 01/26/2024

PURPOSE:

N.W. ADMIN TRANSFER	\$417,734.60
HRA VEBA TRUST	\$4,080.00
IRS TAXES	\$207,439.31
DEPT OF RETIREMENT SYSTEMS	\$3,850.42
<b>TOTAL</b>	<b>\$633,104.33</b>

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

 \_\_\_\_\_  
AUDITOR

1/31/24 \_\_\_\_\_  
DATE

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER 016-24

CHECK NUMBERS 86571

DATE 01/19/2024

PURPOSE A/P VOID CHECK AMOUNT (\$8,149.16)

Lost Check

"I, the undersigned, do hereby certify, under penalty of perjury under the laws of the State of Washington, that the original instrument(s) was (were) either, 1) based upon the attached Affidavit(s) from the vendor(s), lost or destroyed and has (have) not been paid, or 2) is (are) in Ben Franklin Transit's possession and has (have) been determined to be null-and-void and that I am authorized to authenticate and certify the above and hereby the instrument(s) is (are) canceled."

  
Sarah Funk (Feb 1, 2024 11:34 PST) \_\_\_\_\_ 2/1/24 \_\_\_\_\_  
AUDITOR DATE

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

**CHECK REGISTER NUMBER:**        017-24

**ACH WIRE TRANSFERS**

**DATE:** 01/18/2024

**PURPOSE:**

<b>A W REHN &amp; ASSOCIATES</b>	<b>\$500.00</b>
<b>TOTAL</b>	<b>\$500.00</b>

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah Yunk (Feb 1, 2024 11:33 PST)  
\_\_\_\_\_  
**AUDITOR**

**02/01/2024**  
\_\_\_\_\_  
**DATE**

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER: 018-24

**ACH WIRE TRANSFERS**

DATE: 01/31/2024

PURPOSE:

A W REHN & ASSOCIATES	\$866.66
<b>TOTAL</b>	<b>\$866.66</b>

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."

  
Sarah Funk (Feb 1, 2024 11:35 PST)  
\_\_\_\_\_  
AUDITOR

02/01/2024  
DATE

**BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE**

CHECK REGISTER NUMBER 019-24

CHECK NUMBERS 86468

DATE 01/29/2024

PURPOSE A/P VOID CHECK AMOUNT (\$5,775.45)

Lost Check

"I, the undersigned, do hereby certify, under penalty of perjury under the laws of the State of Washington, that the original instrument(s) was (were) either, 1) based upon the attached Affidavit(s) from the vendor(s), lost or destroyed and has (have) not been paid, or 2) is (are) in Ben Franklin Transit's possession and has (have) been determined to be null-and-void and that I am authorized to authenticate and certify the above and hereby the instrument(s) is (are) canceled."

  
Sarah Funk (Feb 1, 2024 11:35 PST)  
AUDITOR

02/01/2024  
DATE

TEMPLATE: T:\USER\Accounting\Accounts Payable\AP\WARREGVOID  
COMPLETE: T:\Admin Services\Finance\Accounts Payable (AP)\Payments Made\2023\Monthly Reports

BEN FRANKLIN TRANSIT  
CHECK REGISTER CERTIFICATION  
ACCOUNTS PAYABLE

CHECK REGISTER NUMBER 020-24

CHECK NUMBERS 86511

DATE 01/29/2024

PURPOSE A/P VOID CHECK AMOUNT (\$3,663.08)

Vendor required separate checks for invoices.

"I, the undersigned, do hereby certify, under penalty of perjury under the laws of the State of Washington, that the original instrument(s) was (were) either, 1) based upon the attached Affidavit(s) from the vendor(s), lost or destroyed and has (have) not been paid, or 2) is (are) in Ben Franklin Transit's possession and has (have) been determined to be null-and-void and that I am authorized to authenticate and certify the above and hereby the instrument(s) is (are) canceled."

  
AUDITOR

2/1/24  
DATE

**CHECK REGISTER CERTIFICATION**

**PAYROLL**

CHECK REGISTER NUMBER 501-24

CHECK NUMBER	80968	\$	737.75
ACH TRANSFER		\$	604,849.89

PAYROLL DATE JANUARY 12, 2024

PURPOSE: PPE 01/06/2024 AMOUNT: \$605,587.64

**"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."**

**Sarah Funk**  
Digitally signed by Sarah Funk  
Date: 2024.01.16 09:30:58 -08'00'

\_\_\_\_\_  
AUDITOR

1/16/2024  
\_\_\_\_\_  
DATE

**CHECK REGISTER CERTIFICATION**

**PAYROLL**

CHECK REGISTER NUMBER 502-24

CHECK NUMBER	80969	\$	704.77
ACH TRANSFER		\$	608,567.11

PAYROLL DATE            JANUARY 26, 2024

PURPOSE: PPE 01/20/2024    AMOUNT: \$609,271.88

**"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims."**

**Sarah Funk** Digitally signed by Sarah Funk  
Date: 2024.01.24 16:19:11  
-08'00'  
\_\_\_\_\_  
AUDITOR

1/24/2024  
\_\_\_\_\_  
DATE

**CHECK REGISTER CERTIFICATION**

**PAYROLL**

**CHECK REGISTER NUMBER 527-24**

<b>CHECK NUMBER</b>	<b>\$</b>	<b>0.00</b>
<b>ACH TRANSFER</b>	<b>\$</b>	<b>4,225.45</b>

**PAYROLL DATE**                      **JANUARY 16, 2024**

**PURPOSE: PPE 01/05/2024      AMOUNT: \$4,225.45**

**“I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein and that the claims are just, due and unpaid obligations against Ben Franklin Transit, and that I am authorized to authenticate and certify said claims.”**

**Sarah Funk** Digitally signed by Sarah Funk  
Date: 2024.01.16 19:10:21  
-08'00'

**01/16/2024**

\_\_\_\_\_  
**AUDITOR**

\_\_\_\_\_  
**DATE**

# **Memorandum**

---

Date: February 8, 2024

To: Rachelle Glazier, General Manager

From: Rob Orvis, Senior Manager of Procurement

Re: Resolution 05-2024 Authorizing the Award of General Legal Counsel Services to Roach & Bishop, LLP

## **Background**

Ben Franklin Transit (BFT) has had Contract #1097 in place with Roach & Bishop, LLP for general counsel legal services since September 14, 2018. Since 1981, Roach LLP has provided general legal counsel services to BFT, a cumulative total of over 42 years. Jeremy Bishop joined Roach LLP in 2013 as a partner. In 2018 Roach Law Offices became Roach & Bishop, LLP. The current contract term with Roach & Bishop, LLP is set to expire on February 29, 2024.

Listed below are some of the services the firm provides under the contract scope of work for legal services:

- A. Attend Executive Board Committee meetings during the year.
- B. Attend all Full Board meetings.
- C. Attend other committee meetings as directed by the General Manager, Board Chairman, or the Administration and Finance Committee.
- D. Review Request for Proposal's, Invitation for Bid's, contracts, leases, and other documents relating to BFT general business, as needed.
- E. Review and provide legal counsel on Public Records request.
- F. Respond on behalf of BFT to summons and complaints, interrogatories, requests for depositions, etc.
- G. Review all proposed BFT Board resolutions, bylaws, and amendments and make recommendations for change, as needed.
- H. Provide legal counsel, advise, recommendations and opinions on behalf of BFT to the full Board, Chairman of the Board, Board Committees, General Manager and BFT staff as requested, on any matter of importance to BFT in accordance with applicable standards of care.

## **Procurement Background**

BFT staff sent the Request for Proposals for General Legal Counsel to seven (7) potential law firms and advertised in the Tri-City Herald and posted on BFT's website.

BFT received two (2) proposals, and both were determined to be responsive and responsible. Evaluators reviewed and rated both proposals, and selected both firms for the second evaluation phase, oral interviews. Oral interviews were held, and evaluators rated the firms, Roach & Bishop, LLP received the highest evaluation points.

<b>EVALUATIONS (INCLUDES INITIAL ORAL PRESENTATIONS, WITH 30 POSSIBLE POINTS, FOR A TOTAL OF UP TO 130 POINTS)</b>				
<b>Law Firm</b>	<b>Initial Evaluation Points (possible 100)</b>	<b>Oral Evaluation Points + Initial = Total Points</b>	<b>Estimated Cost for One (1) Year</b>	<b>Estimated Cost for up to Five (5) Years</b>
Roach & Bishop, LLP	87.8	27.3 + 87.8 = 115.1	\$72,848	\$364,240
Sperline Raekes PLLC	75.5	20.7 + 75.5 = 96.2	\$52,200	\$261,000

BFT used a representative sample of hours from the previous 12 months of support to base their proposed costs on. The contract value is based on the estimated number of hours needed over the next year, and five years.

**Funding**

Budgeted: Yes  
 Budget Source: Annual Operating Budget  
 Funding Source: Local

**Recommendation**

Authorize the General Manager to award the General Legal Counsel Services Contract to Roach & Bishop, LLP for five (5) years with the option to extend five (5) additional years.

Forward as presented:

---

Rachelle Glazier, General Manager

**BEN FRANKLIN TRANSIT**

**RESOLUTION 05-2024**

**A RESOLUTION AUTHORIZING THE GENERAL MANAGER AWARD FOR GENERAL LEGAL COUNSEL SERVICES TO ROACH & BISHOP LLP**

WHEREAS, the current contract for general legal counsel services with Roach & Bishop LLP is set to expire on February 29, 2024; and

WHEREAS, Ben Franklin Transit (BFT) issued a Request for Proposal (RFP) for firms to provide proposals for general legal counsel services, and

WHEREAS, BFT received two (2) proposals that were all determined to be responsive and responsible. Roach & Bishop LLP received the highest overall points during the evaluations, and

WHEREAS, Funding for the services will be provided from local operating budget funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BEN FRANKLIN TRANSIT BOARD OF DIRECTORS THAT:

The General Manager is authorized to enter into Contract #1440 with Roach & Bishop LLP for five (5) years, with an option to extend up to an additional five (5) years.

APPROVED AT A REGULAR BEN FRANKLIN TRANSIT BOARD OF DIRECTORS meeting held Thursday, February 8, 2024, at 7122 W Okanogan Pl., Building E, Kennewick, Washington.

ATTEST:

\_\_\_\_\_  
Anel Montejano, Clerk of the Board

\_\_\_\_\_  
Will McKay, Chair

APPROVED AS TO FORM BY:

\_\_\_\_\_  
Jeremy J. Bishop, Legal Counsel

# **Memorandum**

---

Date: February 8, 2024

To: Rachelle Glazier, General Manager

From: Kevin Sliger, Chief Planning & Development Officer

RE: Adoption of Resolution 06-2024 to Authorize the General Manager to Acquire Property Deeded by Project Oyster Pasco, LLC

## **Background**

In 2021, Ben Franklin Transit (BFT) was approached by Amazon to provide bus service to both fulfillment centers along S. Rd. 40 E. in Pasco, WA. In return, Amazon provided bus stop pads along S. Rd. 40 E. and built a paved turnaround facility on Sacajawea Park Rd. (Figure 1). The facility was completed in late summer 2023. As part of BFT's ongoing effort to foster employment and economic growth within the community, Amazon will be donating the property in Figure 1. Pending Board approval of the land deed, utilization of the turnaround facility will begin in March 2024.

The acquisition of this property will not only serve as a testament to the collaborative efforts but also provide potential avenues for future development aligning with BFT's mission to expand and improve service to all communities. The acquisition will contribute positively to BFT's long-term goals and objectives.

## **Development Plan**

The City of Pasco is planning bike lane improvements along Sacajawea Park Rd. This area will continue to evolve as the Amazon fulfillment centers come online and surrounding areas are developed. The potential exists for adding a park and ride at this location to foster connections with Burbank and outlying regions.

*Figure 1- Bus Turnaround Facility – Sacajawea Park Rd.*



**Property Description**

- **Grantor:** Project Oyster Pasco LLC, a Delaware limited liability company
- **Grantee:** Benton Franklin Public Transit Benefit Area Authority, a Washington public transportation benefit authority
- **Abbreviated Legal Description:** Portion of NE4 of 34-9-30; and Parcels A-C, Section 34, T9N, R30EWM
- **Legal Description:** That portion of the West Half of the Southeast quarter of the Southeast quarter of Section 34, Township 9 North, Range 30 East, W.M., lying Southerly of the Northerly line of the Bridge-Stockyard Road (also known as Sacajawea Park Road), as the same now exists, in Franklin County, Washington.
- **Assessor's Tax Parcel ID Number(s):** 112-550-115

**Attachments**

Warranty Deed and Deed of Dedication

**Funding**

Budgeted: N/A

Budget Source: N/A

Funding Source: N/A

**Recommendation**

Staff recommends approval of Resolution 06-2024 authorizing the General Manager to acquire the deeded property and bus turnaround facility identified in this memorandum.

Forward as presented:

---

Rachelle Glazier, General Manager

**BEN FRANKLIN TRANSIT**

**RESOLUTION 06-2024**

**A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ACQUIRE PROPERTY DEEDED BY PROJECT OYSTER PASCO, LLC**

WHEREAS, Project Oyster Pasco LLC, a Delaware limited liability company is deeding real property Portion of NE4 of 34-9-30; and Parcels A-C, Section 34, T9N, R30EWM to BFT with included bus turnaround facility; and

WHEREAS, Project Oyster Pasco LLC, a Delaware limited liability company has designated Benton Franklin Public Transit Benefit Area Authority, a Washington public transportation benefit authority as the grantee; and

WHEREAS, Project Oyster Pasco LLC is deeding the real property and bus turnaround facility to BFT at no cost.

NOW, THEREFORE, BE IT RESOLVED BY THE BEN FRANKLIN TRANSIT BOARD OF DIRECTORS THAT:

Authorize the General Manager to acquire the identified real property on behalf of Ben Franklin Transit.

APPROVED AT A REGULAR BEN FRANKLIN TRANSIT BOARD OF DIRECTORS meeting held Thursday, February 8, 2024, 7122 W. Okanogan Place Building E, Kennewick, Washington.

ATTEST:

\_\_\_\_\_  
Anel Montejano, Clerk of the Board

\_\_\_\_\_  
Will McKay, Chairman

APPROVED AS TO FORM BY:

\_\_\_\_\_  
Jeremy Bishop, Legal Counsel

**WHEN RECORDED, RETURN TO:**

Ben Franklin Public Transit Benefit Area Authority  
c/o Ben Franklin Transit  
1000 Columbia Park Trail  
Richland, Washington 99352-4798

**DEED OF DEDICATION**

**Grantor:** Project Oyster Pasco LLC, a Delaware limited liability company

**Grantee:** Benton Franklin Public Transit Benefit Area Authority, a Washington public transportation benefit authority

**Abbreviated Legal Description:** Portion of NE4 of 34-9-30; and Parcels A-C, Section 34, T9N, R30EWM

⊖ Additional legal descriptions are on Exhibits A and B of document

**Assessor's Tax Parcel ID Number(s):** 112-550-115

**Recording No. of Related Documents:** N/A

For and in consideration of mutual benefits and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **PROJECT OYSTER PASCO LLC**, a Delaware limited liability company, hereby dedicates, quit claims, and conveys to the **BENTON FRANKLIN PUBLIC TRANSIT BENEFIT AREA AUTHORITY**, a Washington public transportation benefit authority, all of that certain real property located in Franklin County, State of Washington, legally described on **Exhibit A** attached hereto and incorporated herein by this reference, subject to all terms, conditions, and other matters of public record.

**[SIGNATURE AND NOTARY PAGE FOLLOWS]**

This Deed of Dedication is executed as of the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**GRANTOR:**

**PROJECT OYSTER PASCO LLC**, a  
Delaware limited liability company

By: \_\_\_\_\_  
Michael Reiter, Authorized Signatory

STATE OF ILLINOIS                    )  
  ) ss:  
COUNTY OF COOK                    )

This instrument was acknowledged and executed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by Michael Reiter, Authorized Signatory Project Oyster Pasco LLC, a Delaware limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



**EXHIBIT A**

Legal Description of the Bus Turnaround Dedication

That portion of the West Half of the Southeast quarter of the Southeast quarter of Section 34, Township 9 North, Range 30 East, .W.M., lying Southerly of the Northerly line of the Bridge-Stockyard Road (also known as Sacajawea Park Road), as the same now exists, in Franklin County, Washington.

(As of the date of this Deed of Dedication, assigned APN 112-550-115)

# Memorandum

---

Date: February 8, 2024

To: Board of Directors

From: Jeremy Bishop

RE: Amended Bylaws

## **Background**

The BFT Bylaws have not been updated since 2010. Prior to 2022, BFT had 3 standing committees of the Board of Directors. Those committees were Administration and Finance, Operations and Maintenance, and Planning and Marketing. Each committee met with the General Manager and various staff members each month and received brief overviews of various presentations related to matters to be on the agenda for the regular Board Meeting. The committees would offer feedback to staff and direct which matters should be on the consent agenda and what matters should be on as action items. Then, the same presentations would be made to the full Board of Directors at the regular Board Meeting. Over time, the committee presentations began to include lengthy presentations that would be given to each committee each month before then being presented, often for the fourth time, at the regular Board Meeting.

Since the hiring of Rachelle Glazier in 2022, the Board has asked that the committee structure be made more efficient. The first step in that effort was to form the Executive Committee, which consists of the chair of each of the standing committees and the Board Chair. That committee meets once per month and receives brief summaries of presentations related to matters to be set on the regular Board Meeting Agenda. This has simplified the process for Board Members and staff; however, it has also demonstrated to be unnecessary in most instances. Therefore, it is recommended that the Board adopt amended Bylaws that eliminate the prior standing committees, form only an Executive Committee, and granting the Board Chair the power to approve the regular Board Meeting agenda.

Additional suggested changes relate to virtual attendance at Board Meetings and an update to the General Manager duties consistent with the current BFT policy regarding the same.

## **Funding**

Budgeted:

Budget Source:

Funding Source:

## **Recommendation**

Approve Resolution 07-2024 as presented.

Forwarded as presented:

---

Rachelle Glazier, General Manager

**BEN FRANKLIN TRANSIT  
RESOLUTION 07-2024**

**A RESOLUTION TO AMEND BEN FRANKLIN TRANSIT BYLAWS**

WHEREAS, the Ben Franklin Transit Bylaws have not been updated or revised since 2010;

WHEREAS, Ben Franklin Transit has implemented changes to the committee practices beginning in 2022;

WHEREAS, Ben Franklin Transit the committee practice changes have made for more efficient management of Ben Franklin Transit for the Board Members and Ben Franklin Transit staff;

WHEREAS, the BFT Bylaws address the committee structure and to make the changes permanent the Bylaws should be amended to reflect those changes;

WHEREAS, the BFT Bylaws address the committee structure and to make the changes permanent the Bylaws should be amended to reflect those changes;

WHEREAS, the changes to the committee structure require a policy to be adopted regarding setting of the Board Meeting agenda and such change should be addressed in the Bylaws; and

WHEREAS, the Ben Franklin Board of Directors desires to formalize and make permanent the committee changes.

NOW, THEREFORE, BE IT RESOLVED BY THE BEN FRANKLIN TRANSIT BOARD OF DIRECTORS THAT:

1. The 2010 Bylaws be amended by adoption of new Bylaws as presented.

APPROVED AT A REGULAR BEN FRANKLIN TRANSIT BOARD OF DIRECTORS MEETING held Thursday, February 8, 2024, at 7122 W. Okanogan Place Building E, Kennewick, Washington.

ATTEST:

\_\_\_\_\_  
Anel Montejano, Clerk of the Board

\_\_\_\_\_  
William McKay, Chairman

APPROVED AS TO FORM BY:

\_\_\_\_\_  
Jeremy J. Bishop, Legal Counsel

**BYLAWS  
OF THE  
BENTON AND FRANKLIN PUBLIC TRANSPORTATION BENEFIT AREA  
AUTHORITY**

**ARTICLE I  
NAME**

Section 1.1 **Name.** The name of this municipal corporation, duly established pursuant to the laws of the State of Washington, Benton and Franklin Public Transportation Benefit Area Authority, known as BEN FRANKLIN TRANSIT ("BFT"). The offices of BFT shall be at 1000 Columbia Park Trail, Richland, Washington.

**ARTICLE II  
THE GOVERNING BODY - BOARD COMPOSITION**

Section 2.1 **Board Composition.** Subject to the provisions of RCW 36.57A.050, as it now exists or may be amended, the governing body of BFT, hereinafter referred to as the "Board," shall consist of **TEN (10)** members. **NINE (9) members** shall be elected officials selected by and serving at the pleasure of the governing bodies from the jurisdictions of the cities of Kennewick, Richland, Pasco, West Richland, Prosser, Benton City and of Counties of Benton and Franklin **and a single nonvoting member selected by the employees of Ben Franklin Transit that are represented by a labor union.** The membership of the Board shall consist of the following:

- (a) One elected official of the City of Kennewick.
- (b) One elected official of the City of Richland.
- (c) One elected official of the City of Pasco.
- (d) One elected official of the City of West Richland.
- (e) One elected official of the City of Prosser.
- (f) One elected official of the City of Benton City.
- (g) One elected official of Benton County.
- (h) Two elected officials of Franklin County.
- (i) **One ex-officio non-voting union representative shall serve and be selected in accordance with section 2.6 below.**

Each jurisdiction shall formally notify BFT, in writing, as to the identity of its authorized representatives(s) and its alternate representative. A notice of

change in representation shall be given by the jurisdiction in writing to BFT stating the name of the new representative and/or alternate. No change in representative shall be effective until such notice is received by BFT.

Section 2.2 **Alternate Representatives.** The Cities and the Counties may each appoint an alternate member to serve at a Board meeting in the event of a regular member's absence, and to exercise all of the powers and duties of the regular board member at that meeting. Such alternate member shall also be an elected official of the member cities or counties.

Section 2.3 **Term of Office.** Each member of the Board shall hold office until his/her successor has been selected, as provided herein, unless such person is legally ineligible to hold such position.

Section 2.4 **Attendance of Board Members.** It is recognized that in-person attendance by Board members is of prime public concern. Any Board member not able to attend a regularly scheduled Board meeting may attend virtually provided that such meeting is able to facilitate virtual attendance and if not, he or she shall notify the Board Chairman, Board Clerk, and his/her alternate. In the event that a Board member or alternate shall not consistently attend Board meetings, the Board may request from the member City or County the appointment of a replacement for such Board member.

Section 2.5 **Periodic Review of Board Composition.** In accordance with the provisions of RCW 36.57A.055, the Board shall, commencing in 2023, and every four years thereafter, request that the member Cities and Counties perform a review of the composition of the Board.

**Section 2.6 Union Representative.** In accordance with provisions of RCW 36.57A.050. There is one nonvoting member of the public transportation benefit area authority. The nonvoting member is recommended by the labor organization representing the public transportation employees within the local public transportation system. If the public transportation employees are represented by more than one labor organization, all such labor organizations shall select the nonvoting member by majority vote. The nonvoting member shall comply with all governing bylaws and policies of the authority. The nonvoting member shall be excluded from attending any executive session. The nonvoting member shall be selected by a vote among all of the represented employees of the organization in a manner to be determined and adopted by the Board of Directors.

ARTICLE III  
DUTIES OF THE BOARD AND BOARD MEETINGS

Section 3.1 **Duties of the Board.** The Board shall provide the policy and legislative direction for BFT and its administrators. The Board may create such departments, committees, offices, or advisory boards as it finds necessary or advisable and may determine the powers and duties of each department or office.

BFT shall have all of the powers specified in 36.57A RCW, specifically including those enumerated in RCW 36.57A.080 and .090, as now enacted or hereafter amended, and all other lawful powers which are necessary to carry out the purposes of BFT.

Section 3.2 **Meetings and Meeting Notice.**

(a) **Regular Meetings.** The time and place of regular meetings of the Board shall be established by a resolution of the Board. Such resolution may also specify the appropriate notification of such meetings.

(b) **Special Meetings.** A special meeting may be called at any time by the Chair of the Board or by a majority of the members of the Board in accordance with RCW 42.30.080, as now enacted or hereafter amended.

Section 3.3 **Quorum.** At any regular or special meeting, any FIVE (5) members of the Board shall constitute a quorum for the transaction of business, provided, however, that it shall take a majority of the entire Board in order to approve these following four (4) enumerated actions:

- (1) Initial appointment or dismissal of a General Manager; and
- (2) Selection of Chairperson and Vice-Chairperson; and
- (3) Revision or amendment of the Bylaws; and
- (4) Adoption of the annual budget.

Section 3.4 **Parliamentary Procedure.** This Section shall govern the procedures to be followed by the Board for the conduct of Board meetings and the maintenance of order.

(a) **Open Public Meetings Act.** The Board shall comply with the provisions of the Open Public Meetings Act, Chapter 42.30 RCW as amended, in the conduct of all meetings to which said act is applicable.

(b) **Executive Sessions.** The Board may discuss topics in executive session, which topics are specified in RCW 42.30.110 or relate to potential or pending litigation and are subject to attorney-client privilege. The Corporate Counsel shall inform the Board whenever any proposed discussion in executive session is not legally allowed and shall state the reason for the executive session for the record.

No member of the Board, employee of BFT, or any other person present during executive sessions of the Board shall disclose to any person the content or substance of any discussion or action which took place during said executive session, unless a majority of the Board shall authorize such disclosure.

(c) **Work Sessions.** The Board may, as it deems necessary, conduct either regular or special meetings as work sessions for the purpose of in-depth review and discussion of specified issues.

(d) **Voting Procedure and the Chair of the Board.** The Chair of the Board may vote on all matters coming before the Board; however, the Chair of the Board shall not be required to vote except in the event of a tie unless as otherwise provided in these bylaws.

The Chair of the Board shall state all questions coming before the Board, provide the opportunity for discussion from the floor, and announce the decision of the Board on all subjects. Procedural decisions shall be made by the Chair of the Board, who may request advice on such matters from the Corporate Counsel. Procedural decisions made by the Chair of the Board may be overruled by a majority vote of the Board.

(e) **Decorum and Debate.** When a measure is presented for consideration to the Board or committee of the board, the Chair of the Board or the chair of the committee, respectively, shall recognize the appropriate individual to present the matter. When two or more members wish to speak, the Chair of the Board or committee shall name the member who is to speak first. No member of the Board shall interrupt another while speaking except to make a point of order or privilege.

No Board or committee member shall be permitted to indulge in personalities, use language personally offensive, or use language tending to hold a member of the Board or the committee up to contempt.

(f) **Questions of Parliamentary Procedure.** Questions of parliamentary procedure not covered by these rules shall be governed by Robert's Rules of Order, Revised (1979 Edition).

(g) **Parliamentarian.** The Corporate Counsel shall act as the parliamentarian of the Board.

Section 3.5 **Board acting as a Body.** The Board shall act as a body in making its decisions and announcing them. No member shall speak or act for the Board without prior authorization of the Board, except as otherwise provided for in these Bylaws.

Section 3.6 **Records of Board Meetings - Minutes.** The proceedings of the Board meetings shall be recorded and maintained in the BFT offices. The minutes shall consist primarily of a record of the action taken. Copies of the proposed minutes shall be forwarded to all Board members prior to the next regular meeting for their reference and/or correction. At the next regular meeting, the Board shall consider the minutes for adoption or necessary correction.

Section 3.7 **Clerk of the Board.** The Board shall designate a Clerk of the Board, who may be an employee of BFT.

Section 3.8 **Committees.** Such standing or special committees as shall be necessary or appropriate may be formed, in accordance with the procedures of this paragraph.

(a) **Standing Committees.** The Board acting as a whole may form standing committees. Such standing committees shall be formed by amendment to these Bylaws. The amendment shall contain provisions stating the specific purpose of the committee and its membership, provided that, in no event, shall a standing committee's membership constitute a quorum of the Board. The general purpose of such standing committees shall be to adopt recommendations to the Board. In no event shall the attendance of the committee constitute a quorum of the board.

(b) **Special Committees.** Special committees may be formed and members appointed by the Chairperson. Membership shall be composed of Board Members and may include at large citizens residing within the Benton and Franklin Public Transportation Benefit Area boundaries, but the number of at large citizens shall not exceed the number of Board members appointed. The number of Board Members appointed to such committees shall not constitute a quorum of the Board.

At the time of the appointment of the members, the Board Chairman shall state the objective of the committee and the expected date upon which a report shall be issued to the Board.

(c) **At Large Citizens Attendance.** Any at large citizens serving on a special committee who fail to attend THREE (3) consecutive meetings or who are absent from FIVE (5) meetings within ONE (1) year, shall be deemed to have resigned from such committee.

(d) **General Manager as Ex-officio Member.** The General Manager shall be an ex-officio, non-voting member of any or all standing or special committees.

(e) **Standing Committees Identified.** The following are the standing committees of BFT:

(1) **Executive Committee.** There shall be a committee for the purpose of reviewing matters of general importance to the management and operations of BFT and forwarding recommendations for consideration by the whole Board.

The Executive Committee shall be composed of the Board Chairperson, Board Vice Chairperson, and two other members of the Board of Directors to be appointed by the Board Chairperson. The Executive Committee shall meet as needed.

ARTICLE IV  
SELECTION AND DUTIES OF THE CHAIRPERSON  
AND VICE-CHAIRPERSON

Section 4.1 The Board shall select a Chairperson and Vice-Chairperson at the regular monthly Board meeting in February meeting of the year. The Chairperson shall hold office until his/her successor is elected. The office of the Chairperson shall be elected on a yearly basis. The seating of successors shall be deemed to occur at the conclusion of the election.

Section 4.2 The Chairperson shall preside at all meetings of the Board. In the event of the Chairperson's absence or inability to preside, the Vice-Chairperson shall assume the duties of presiding; however, if the Chairperson is permanently unable to preside, the Board shall select a new Chairperson for the remainder of the Chairperson's term. In the event that the Vice-Chairperson is selected as the new Chairperson, then a new Vice-Chairperson shall be selected for the remainder of the Vice-Chairperson's term.

Section 4.3 The Chairperson shall act as spokesman for BFT and shall act as its representative at meetings with other organizations, committees and other such activities, unless such representative shall otherwise be authorized by the Board; provided, however, the Chairperson may delegate to any Board member the duty of being a spokesman or representative. Such spokesman or representative shall make no pronouncements that will obligate or commit BFT except pursuant to prior authorization of the Board.

Section 4.4 The Chairperson shall consider a proposed agenda, including allocation of items between the "consent agenda" and "action items" and make a final determination regarding the establishment of a Final Board Meeting Agenda monthly. Additionally, the Chairperson may accept proposed additions to a Board Meeting Agenda from other Board members and, if deemed appropriate in the Chairperson's discretion, direct that such matters be added to the Final Board Meeting Agenda.

ARTICLE V  
GENERAL MANAGER

Section 5.1 **Appointment and Removal of General Manager.** The Board may appoint a General Manager. The General Manager shall serve at the pleasure of the Board. The General Manager shall be the chief executive and administrative officer of BFT and shall perform such duties as specified in these by-laws, and as may otherwise be assigned by the Board.

Section 5.2 **Duties of the General Manager.** The powers and duties of the General Manager of BFT shall be:

- (a) Provide overall leadership and direction for management of the transit authority.

- (b) Serve the BOD in the development and implementation of strategic objectives and initiatives to foster the continued provision of safe and efficient public transportation system to community residents.
- (c) Ensure that land use planning and transportation system improvements are supportive and integrated.
- (d) Understand the interests of local business and industry, community, community groups, local and federal government, the media, and the public.
- (e) Ensure the continued safety and reliability of the system and its positive perception by the public.
- (f) Direct the formulation of budgets to provide funding for new or continuing operations; oversee the adequacy and soundness of the Agency's financial structure.
- (g) Review operating results of the Agency; compare to established objectives; ensure that appropriate measures are taken to correct unsatisfactory results.
- (h) Promote the needs of the Agency to local, state, and federal governments.
- (i) Ensure the on-going development and implementation of a long-term county-wide transportation strategy to secure continued development of an effective multi-modal transportation system.
- (j) Promote, and enforce accountability of management, for EEO and Affirmative Action program goals and objectives.
- (k) Promote ADA compliance; encourage disability awareness and sensitivity; enforce ADA internally and externally on all services.
- (l) Establish and approve policies and procedures of the Agency in accordance with BOD directives.
- (m) Oversee the preparation and response for relevant information needed during audits (triennial, annual, etc.).
- (n) Provide direction and guidance for employee programs.
- (o) Plan, direct, and review the work plan for staff; assign work activities; ensure compliance with Agency policies and procedures.
- (p) Work with and maintain confidential information.
- (q) Demonstrate regular and punctual attendance.
- (r) Other duties as assigned.

Section 5.3 In the event that the General Manager shall become unable to perform his/her duties, the Board shall appoint an acting General Manager.

## ARTICLE VI CITIZENS ADVISORY COMMITTEE

Section 6.1 **Creation and Authority.** The Board finds that it is desirable and necessary to appoint a Citizens Advisory Committee, (the "CAC") to serve in an advisory capacity to the Board and General Manager. The Board has established and adopted a set of "Standing Rules" which shall act as a guiding and constitutive document for the Ben Franklin Transit Citizens Advisory Committee. Such a document,

which may be amended by the Board of Directors from time to time, shall be deemed to be an attachment to these Bylaws.

ARTICLE VII  
CONFLICT OF INTEREST

Section 7.1 **Conflict of Interest.** Any Board member who has an interest in a contract or other transaction with BFT or who has any other type of relationship which could be construed as a conflict including, but not limited to family relationships, shall make a complete and prompt disclosure to the Board prior to taking part in the discussion or voting on the matter at issue. Such disclosure shall include any relevant and material information known to the Board member concerning the potential conflict of interest. The Board member may at anytime exclude himself or herself from the discussion and the vote by simply declaring so.

Section 7.2 **Disqualification.** In the event that the Board member shall continue to desire to participate in the discussion or vote, the remaining members of the Board shall determine by majority vote whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If the conflict is deemed to exist, the Board member shall not vote on, use personal influence in, nor participate in discussions or deliberations with respect to the matter at hand. Such Board member shall not be counted in determining whether or not a quorum exists. The minutes shall reflect that the Board member made the disclosure, abstained from voting and whether or not a quorum was present at the time of the action.

ARTICLE VIII  
SEVERABILITY

If any provision of these Bylaws, or its application to any person or circumstance is held invalid, the remainder of these Bylaws, or the application of the provisions to other persons or circumstances is not affected.

ARTICLE IX  
AMENDMENTS

These Bylaws, as adopted by the Board may be revised or amended at any regular or special meeting of the Board, with the provision that members receive copies of the proposed change(s) at least TWO (2) weeks prior to that meeting.

Adopted by Resolution \_\_\_\_\_ and passed by the BENTON FRANKLIN PUBLIC TRANSPORTATION BENEFIT AREA AUTHORITY at a meeting duly called and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024; and signed as authentication of its approval this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
William McKay, Chairperson  
Benton Franklin Public Transportation Benefit Area Authority

**BEN FRANKLIN TRANSIT  
RESOLUTION 08-2024**

**A RESOLUTION OF BEN FRANKLIN TRANSIT (BFT) ADOPTING RULES PERTAINING TO REQUESTS FOR PUBLIC RECORDS SUBMITTED PURSUANT TO THE PUBLIC RECORDS ACT, CHAPTER 42.56 RCW, AND AGENCY RESPONSES THERETO**

**WHEREAS,** Chapter 42.56 of the Revised Code of Washington is known as the "Public Records Act," or "PRA"; and

**WHEREAS,** the stated intent of the PRA is to provide full public access to public records pertaining to the conduct of government, respect individuals' privacy rights, protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the government agency holding the records; and

**WHEREAS,** other "essential agency functions" are determined by state law and by the Board of Directors and include, but are not limited to, providing fixed route public transportation, vanpool services, Dial-A-Ride services, and Demand Response service consistent with the annual service plan within the Public Transportation Benefit Area; and

**WHEREAS,** the PRA generally requires that each state and local agency shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of the PRA or other statute which exempts or prohibits disclosure of specific information or records; and

**WHEREAS,** RCW 42.56.100, requires local agencies such as BFT to "adopt and enforce reasonable rules and regulations... consonant with the [PRA's] intent" as described above; and

**WHEREAS,** RCW 42.56.100 also requires that such rules and regulations "shall provide for the fullest assistance to inquirers and the most timely possible action on requests for information"; and

**WHEREAS,** in 2018 the Washington Attorney General issued comprehensive new "Model Rules" concerning public records compliance, to advise state and local agencies about "best practices" for complying with the PRA; and

**WHEREAS,** since 2020, BFT has experienced a significant increase in the volume and complexity of public records requests; and

**WHEREAS,** to prevent excessive interference with the other essential functions of the Agency, it is necessary to determine a reasonable level of effort to devote to responding to requests for public records commensurate with the available resources and staffing; and

**WHEREAS,** while the Act generally precludes the Agency from charging a fee for inspecting or locating public records, it does allow the Agency to charge a reasonable fee for copying and sending public records; and

**WHEREAS,** since the Act's adoption in 1972, the use of technology has resulted in many public records stored in an electronic format for which a copying fee was not previously expressly authorized; and

**WHEREAS,** with the passage of Engrossed House Bill 1595 during the 2017 regular session, the Washington State Legislature authorized the imposition of a fee for the provision of records in an electronic format and a customized service charge when expertise is required to compile data or when customized access is necessary to provide requested records; and

**WHEREAS,** EHB 1595, Section 3, codified at RCW 42.56.120, permits the Agency to impose the actual cost of providing records (including staff time to copy and send public records), to impose a range of statutorily-authorized default costs, or to adopt a one-time flat fee of up to \$2.00; and

**WHEREAS,** BFT has prepared a cost study so as to determine the actual costs of providing public records; and

**WHEREAS,** EHB 1595, Section 1, codified at RCW 42.56.070, states that an agency seeking to impose actual costs must provide notice and a public hearing; and

**WHEREAS,** a duly-noticed public hearing was held on 02/08/2024 before the BFT Board of Directors; and

**WHEREAS,** the Board of Directors desires to adopt rules governing the process for requesting public records, responding to public records requests, and imposing such charges as allowed by law for the cost of providing requested public records;

**NOW, THEREFORE NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Directors of Ben Franklin Transit, as follows:

**Section 1. Public Records Rules Adopted.** The Public Records Act Rules attached hereto as Exhibit A (the "Rules") are hereby adopted for BFT pursuant to RCW 42.56.100.

**Section 2. Administrative Rules.** The agency General Manager is authorized to adopt reasonable administrative rules to further implement the Public Records Rules adopted pursuant to Section 1 of this Resolution. Any administrative rules or changes thereto shall be reported to the Board of Directors and made available on the agency website.

**Section 3. Effective Date.** This Resolution shall be effective immediately upon its passage.

**Section 4. Severability.** If any portion of this Resolution or the Rules adopted herein are found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other section of this Resolution or the Rules adopted herein.

Section 5. Corrections by the Board Clerk. Upon approval of the Agency Attorney, the Board Clerk is authorized to make necessary corrections to the Public Records Act Rules adopted by this Resolution, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations, or resolution numbering and section/subsection numbering.

APPROVED AT A REGULAR BEN FRANKLIN TRANSIT BOARD OF DIRECTORS meeting held Thursday, February 8, 2024, at 7122 W. Okanogan Place Building E, Kennewick, Washington.

ATTEST:

\_\_\_\_\_  
Anel Montejano, Clerk of the Board

\_\_\_\_\_  
Will McKay, Chair

APPROVED AS TO FORM BY:

\_\_\_\_\_  
Jeremy J. Bishop, Legal Counsel

## **Ben Franklin Transit**

### **PUBLIC RECORDS ACT** **RULES**

**February 2024**

#### **Section 1. Authority and Purpose.**

The Public Records Act, RCW 42.56 ("The Act" or "PRA"), requires public agencies to make identifiable, non-exempt public records available for inspection and copying upon request and to publish rules of procedure to inform the public how access to public records will be accomplished. Pursuant to Resolution No. \_\_\_\_\_ adopted by the Board of Directors on February 8, 2024, the following Rules for responding to public records/disclosure requests are established.

The purpose of these rules is to provide procedures for the full and timely access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of efficient administration of Ben Franklin Transit (BFT). The Act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the Act, BFT will be guided by the provisions of the Act describing its purposes and interpretation. Unless otherwise stated herein, the definitions outlined in the Act shall apply. In the case of any conflict between these Rules and the Act, the Act shall apply.

#### **Section 2. Description of City Services and Central Office**

BFT is a public transportation benefit area that provides fixed route, vanpool, ADA, and on-demand public transportation services in the benefit area. These functions include, but are not limited to, maintaining public records. BFT shall maintain descriptions of BFT's organization and the process through which the public may obtain information from BFT.

BFT's central office is located at 1000 Columbia Park Trail, Richland, WA 99352.

#### **Section 3. Public Records Officer**

Any person wishing to request access to public records or seeking assistance in making a request should contact BFT's Public Records Officer.

The Public Records Officer will oversee compliance with the Public Records Act and these Rules. In addition, each agency department shall designate a staff member or members to assist the Public Records Officer in implementing these Rules. The department-designated public records staff member(s) will assist the Public Records Officer in communicating with requestors, identifying records responsive to requests pertaining to the department, redacting information that is exempt from production, and providing responsive records to requestors, as appropriate and under the oversight of the Public Records Officer.

The Public Records Officer and/or designees will provide the fullest assistance to requestors, ensure that public records are protected from damage or disorganization, and prevent work

related to public records requests from causing excessive interference with the essential functions of BFT.

When using these Rules, references to the Public Records Officer should be interpreted to also include his or her designees and/or the department-designated public records staff members.

#### **Section 4. Availability of public records.**

- a. **Hours for inspection.** Public records are generally available for inspection and copying during BFT's normal business hours: Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. To assure protection of public records, BFT staff may require that inspection and/or copying of records responsive to a specific request occur at such dates and times as mutually agreed between BFT staff and a requester.
- b. **Place of inspection.** Records will generally be made available for inspection at BFT's central office. City staff and the requestor may make mutually agreeable arrangements for inspection at other locations if the particular records being sought are maintained at field offices of BFT.

A requester shall not take BFT records from BFT offices without the permission of the Public Records Officer.

- c. **Electronic access to records.** A variety of records are available on BFT's web site at: [www.bft.org](http://www.bft.org)

To the extent practical, BFT will store, maintain, and make its records available electronically. For those seeking responsive records in electronic format, BFT may provide access to public records by providing links to the web site containing an electronic copy of the record, provide records on a USB Flash Drive, or transmit the responsive record via e-mail. The Public Records Officer will work with the requester to determine the most appropriate method for providing electronic copies of responsive records.

- d. **Records index.** By adopting this policy, BFT Board of Directors determined that maintenance of a current index of identifying information for the public records described in RCW 42.56.070(3) would unduly burden and interfere with agency operations.
- e. **Organization of records.** Agency departments will seek to maintain records in a reasonably organized manner and BFT will take reasonable actions to protect records from damage and disorganization.
- f. **Retention of records.** BFT is not required to retain all records it creates or uses. The State Attorney General's Local Records Committee approves a general retention schedule for local agency records (including Public Transportation Benefit Areas) that are common to most agencies. Individual agencies may seek approval from the Local Records Committee for retention schedules specific to their agency or that, due to their particular business needs, must be kept longer than provided in the general schedule. Retention schedules vary based on the content of the record.

## **Section 5. Making a request for public records.**

**a. Reasonable notice that the request is for public records.** In order to make a request for public records, trigger BFT's obligation to respond and facilitate a timely response, requester must provide BFT with fair notice that a request being made is for public records. To do so, requestor must request records as set forth in Section 5(b) below and, if the request is made other than via BFT website public records form, label the front page of the document as containing a public records request, cite or name the Public Records Act, use the terms "public records" or "public disclosure," or otherwise call the request to the attention of the Public Records Officer. A requestor may not bury a request for public records within a larger document or communication unrelated to a public records request.

**b. Form.** Any person wishing to inspect or copy identifiable public records of BFT should make the request in writing in one of the following ways:

**i. Electronic requests for records:** Electronic requests to inspect or copy any records maintained by BFT should be made to the Public Records Officer using the online "Request for Public Records" form available at <https://www.bft.org/about/public-records/>. In addition, requests may be made in writing, labeled "Public Records Act request," and delivered to the address below:

Public Records Officer  
1000 Columbia Park Trail  
Richland, WA 99352

**ii. Written requests records:** Written requests to inspect or copy any records maintained by BFT should be made to the Public Records Officer labeled "Public Records Act request," and delivered to the address below:

Ben Franklin Transit  
1000 Columbia Park Trail  
Richland, WA 99352

**iii. Regardless of the form of the request:** The following information shall be included in the request:

- Name and address of requestor;
- Other contact information, including telephone number and email address;
- The fact that the requestor is making a Public Records Act request;
- Identification of the requested records adequate for the Public Records Officer to locate the records; and
- The date of the request.

**c. Identifiable Record.** A requestor must request an "identifiable record" or "class of records" before BFT must respond to it. An "identifiable record" is one that is existing at the time of the request and which BFT staff can reasonably locate. The Act does not require BFT to be a "mind reader" or to guess what records are being requested. The Act does not allow a requestor to make "future" or "standing" (ongoing) requests for records not in existence; nonexistent records are not "identifiable."

A request for all or substantially all records prepared, owned, used or retained by BFT agency is not a valid request for identifiable records; a request for all records must identify a particular topic or contain a particular keyword or name to not constitute a request for all of BFT's records. A "keyword" or name must have some meaning that reduces a request from all or substantially all of BFT's records.

An "identifiable record" is not a request for "information" in general. For example, asking "what policies" BFT has for handling discrimination complaints is merely a request for "information." A request to inspect or copy BFT's policies and procedures for handling discrimination complaints would be a request for an "identifiable record."

Public records requests also are not interrogatories or questions. BFT is not required to answer questions about records, agency business or agency actions, or conduct legal research for a requestor.

When a request uses an inexact phrase such as all records "relating to" a topic (such as "all records relating to the property tax increase"), the Public Records Officer may interpret the request to be for records which directly and reasonably address the topic. The Public Records Officer should inform the requestor of BFT's interpretation when responding to a request.

- d. Prioritization of records.** The Public Records Officer may ask a requestor to prioritize installments of the records he or she is requesting so that particular records may be provided first. A requestor need not prioritize installments for their request; however, if a requestor chooses not to prioritize installments or declines the Public Records Officer's request that the requestor do so, the Public Records Officer will provide records in the order determined by the Public Records Officer or designees.
- e. Copies.** If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to make a deposit or pay for the copies, as further discussed in Section 10 below. Costs for copies are set out on the fee schedule published periodically by BFT and made available at BFT's main campus and on BFT's website.
- f. Oral Requests.** The Public Records Officer may accept oral requests for public records that contain the above information by telephone or in person, provided that the request seeks a particular document identifiable by name, *e.g.*, "current transit service plan," or "Contract No. xxxx." If such an oral request is made, the Public Records Officer will confirm receipt of the information and the substance of the request in writing. If other requests are attempted to be made orally, in order to avoid confusion, the Public Records Officer will direct the requestor to submit the online public records request form or to otherwise submit the request in writing (Section 5(b)(i) or (ii) above).
- g. Requests made directly to agency departments.** Requests for public records that are made directly to departments should be delivered to the Public Records Officer immediately upon receipt for coordinated processing.
- h. Purpose of request.** Generally, BFT shall not distinguish among persons requesting records. To that end, a requestor need not state the purpose of the request,

except that BFT may request the requestor to provide information as to the purpose of the request in the following instances:

1. If the request is for a list of individuals, BFT shall investigate whether the requestor intends to use the list for commercial purposes. BFT may require the requestor sign a declaration stating that he or she will not use the list for commercial purposes. Unless otherwise required by law, BFT shall not give, sell or provide access to lists of individuals requested for commercial purposes.
  2. BFT may request information from a requestor about the purpose of the request sufficient to allow a determination as to whether another statute prohibits disclosure of specific information or records to certain persons.
  3. BFT may request information from a requestor about the purpose of a request in an effort to better understand the request and provide all responsive records.
- i. Overbroad requests.** BFT may not deny a request for identifiable public records solely because the request is overbroad. However, BFT may seek clarification, ask the requestor to prioritize the request so that particular records are provided first, and/or communicate with the requestor in an effort to voluntarily limit the size and complexity of the request. BFT may also provide the responsive records in installments.

## **Section 6. Processing public records requests**

- a. Providing "fullest assistance".** These Rules and related policies and procedures identify how BFT will provide full access to public records, protect records from damage or disorganization, prevent excessive interference with other essential functions of the agency, provide the fullest assistance to requestors and provide the timeliest possible action on public records requests.

All assistance necessary to help requesters locate particular responsive records shall be provided by the Public Records Officer and/or department-designated staff, provided that the giving of such assistance does not unreasonably disrupt the daily operations of the Public Records Officer or other duties of any assisting employee(s) in other BFT departments.

- b. Order for processing requests.** The Public Records Officer will process requests in the order and manner he or she determines to be the most efficient. If a request involves production of records in installments, and the requester has prioritized the preferred order of production of those installments, the Public Records Officer will provide the installments according to the requested prioritization.
- c. Acknowledging receipt and fulfilling requests.** Within five business days of receipt of the request, the Public Records Officer will respond in one of the following ways:
1. Make the record available for inspection or copying;
  2. Provide a link to BFT's web page where the requested records are posted;
  3. Acknowledge that the request has been received and provide a reasonable estimate of when records will be available;
  4. If the request is unclear or does not sufficiently identify the requested records, the Public Records Officer will acknowledge receipt of the request, request clarification from the requester and provide a reasonable estimate of time it will

take to respond to the request if it is not clarified. Such clarification may be requested and provided by telephone; or

5. Deny the request.

- d. **Reasonable estimate of time to fully respond.** If not able to fulfill the request within the five-business-day period, the Public Records Officer will provide a reasonable estimate of the time it will take to fully respond to the request. Additional time may be needed to clarify the scope of the request, locate and assemble the potentially responsive records, notify third parties affected by the request, consult with BFT Attorney about whether any portion of the records is exempt from disclosure, redact confidential or otherwise exempt information, and/or prepare an exemption log. Requestor may experience delays based on the number of records requests the agency has at any given time, large or multiple requests, lack of staffing or other agency constraints.

The Public Records Officer should briefly explain the basis for the time estimated to respond. Should an extension of time be necessary to fulfill the request, the Public Records Officer will provide a revised estimate and explain any changed circumstances related to the extension.

- e. **Categories of Requests.** When a public records request is received, the Public Records Officer will categorize the request according to the nature, volume, and availability of the requested records and complexity of the request using the following categories:

1. **Category 1:** Records requests that are routine and/or can be readily filled with little or no coordination between departments. Average processing time: 5 - 30 days.
2. **Category 2:** Records requests that may be routine but require coordination between two or more departments and may need additional time to identify or process exemptions. Requests that require third party notification may be a category 3. Average processing time: 4-5 weeks and may require several months to complete in total and are frequently provided in installments.
3. **Category 3:** Records requests that are complex and/or broad or vague. These requests contain a large number of records that may not be easily identified and may require additional research by agency staff who are not primarily responsible for public disclosure, or require legal review and processing for exemptions. Average processing time: 5-6 weeks and may require several months to complete in total and are frequently provided in installments.

After the initial categorization, records requests may be re-categorized due to unanticipated circumstances or additional information.

- f. **Tracking requests.**

1. BFT shall maintain a log to track all records requests. The log shall identify the category and status of the requests as "pending," "active," or "completed."
2. Records requests will initially be entered on the log and, within each category, processed in the chronological order in which they are received by BFT.

However, responding to a records request is not always a sequential process. BFT will manage the order in which requests are processed based on the individual circumstances of each request.

- g. Multiple requests by the same requestor.** In order to provide the fullest assistance to all records requestors and to prevent excessive interference with other essential functions of BFT, if the same requestor (or their representative) has submitted multiple unrelated requests categorized by BFT as Category 2 or 3 requests, the Public Records Officer may process the requests one at a time and in the order received, in order to allow the Public Records Officer to also process other requestors' later-received requests. Requestors may prioritize the order in which BFT processes such multiple requests. If a requestor submits multiple Category 2 or 3 requests that relate to the same subject, project, keyword, *etc.*, the Public Records Officer may consolidate such requests to be processed simultaneously. BFT shall endeavor to provide all requestors, and their representatives, with equal assistance and attention, to the extent reasonably and feasibly possible.
- h. Failure to respond within 5-day period.** If BFT does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the Public Records Officer to determine whether the request has been received by BFT.
- i. Requesting Clarification.** In acknowledging receipt of a public record request that is unclear, BFT may ask the requestor to clarify what information the requestor is seeking. Additionally, clarification may be sought in circumstances which include (but are not limited to) the following:

  1. To determine the specific date or date range of records sought, if known.
  2. To ask a requestor to prioritize the records he or she is requesting so that BFT is able to provide the most important records first. BFT is not required to ask for prioritization, and a requestor is not required to provide it; however, if BFT requests prioritization and the requestor declines to provide it, the Public Records Officer will determine the order/ priority of records to be produced.
  3. To clarify requests for identified in vague terms such as "any and all documents related to," "all records relating to" or similar language. If the requestor is unable or unwilling to help narrow the scope of the documents being sought in order to expedite BFT's response and/or reduce the volume of potentially responsive documents, BFT may err on the side of producing more rather than fewer documents in response to such a broad, general request. BFT staff shall not be obligated to interpret such a broad, general request in order to decipher which specific documents may be of interest to the requestor and the Act does not allow a requestor to search through BFT's files for records which cannot be identified or described to BFT.

Such clarification may be requested and provided by telephone. If the clarification is made by telephone, the Public Records Officer will confirm the scope of the clarification in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope.

If the requestor fails to respond to a request to clarify the request within 30 days, and the entire request is unclear, BFT may consider the request abandoned. Otherwise, BFT will respond to those portions of the request that, in the determination of the Public Records Officer, are clear. If BFT considers the request abandoned, it will send a closing letter to the requester.

- j. Consequences of disclosing a record in error.** BFT, and its officials, agents, employees or custodians shall not be liable, nor shall a cause of action exist, for loss or damage based on release of a public record if BFT, official, agent, employee or custodian acted in good faith in attempting to comply with the Public Records Act.
- k. Searching for records.** BFT must conduct an objectively reasonable search for responsive records. The Public Records Officer will determine where responsive records are likely to be located and involve records coordinators in other departments, as needed, to assemble the records.

After potentially responsive records are located, the Public Records Officer may take reasonable steps to narrow down the number of records assembled to those that appear directly responsive to the request; provided, however, that in the case of a broad request, the Public Records Officer may provide all documents located by search terms reasonably related to the breadth of the request, particularly if the requestor is unable or unwilling to help narrow the scope of the documents being sought.

If BFT does not locate responsive documents, it will so indicate to the requestor, and will explain in at least general terms the places searched and/or the search terms employed.

- l. Preserving requested records.** If a requested record is scheduled shortly for destruction under BFT's records retention schedule, the record cannot be destroyed until the public disclosure request has been resolved. Once a request has been closed, the Public Records Officer can destroy the record in accordance with the retention schedule.
- m. Records exempt from disclosure.** Some records or information contained therein are exempt from disclosure, in whole or in part (see Section 9).

If BFT believes that a record is exempt from disclosure and should be withheld, in whole or in part, the Public Records Officer will state the specific exemption and provide a brief explanation of why the record, or a portion of the record is being withheld.

If only a portion of the record is determined to be exempt, the Public Records Officer will redact the exempt portions and provide the non-exempt portions (See Section 9 below).

- n. Court protection of records (Third-party notice).** If the requested records contain information that may affect rights of a person who is named in the record or to whom the record specifically pertains and that may be exempt from disclosure, prior to providing the records the Public Records Officer may give notice to such persons. Generally, 14-days' notice will be given in order to make it possible to contact the requestor and ask him or her to revise the request or, if necessary, allow affected individuals to take action seek an order from a court to prevent or limit the disclosure. The notice to the affected person(s) will include a copy of the request. Nothing in this section requires BFT to provide such third-party notice, unless otherwise required by law.

- o. Inspection of records.** To the extent possible, the Public Records Officer shall promptly provide space to inspect public records at BFT's central office. The requester must claim or review the assembled records within thirty days of the Public Records Officer's notification that the records are available for inspection or copying. The Public Records Officer will notify the requestor in writing of this requirement and suggest that he or she contact the agency to make arrangements to claim or review the records. Depending on the number and length of responsive records, the Public Records Officer may require that the records inspection occur at such date and time mutually agreed by the records requestor. Possession of cameras, mobile phones, laptops, tablets or other electronic devices within such room where public records are made available for inspection is prohibited.
1. If the requestor or a representative of the requestor fails to claim or review the records within the 30-day period, or make other arrangements, the Public Records Officer may close the request and re-file the assembled records. Other public records requests can be processed before a subsequent request by the same person for the same or almost identical records, which will be processed as a new request.
  2. Members of the public may not remove documents from the viewing area or disassemble or alter any document. BFT employees may be present during the inspection of records.
- p. Providing copies of records.** If the requester has first inspected paper copies of potentially-responsive records, the requestor shall indicate which documents he or she wishes to have copied using a mutually agreed upon non-permanent method of marking the desired records. After inspection is complete, the Public Records Officer will arrange for copying. Making a copy of an electronic record is considered copying and not creation of a new public record.
- q. Providing records in installments.** When the request is for a large number of records, particularly Category 2 or 3, the Public Records Officer will generally provide access for inspection and copying in installments if he or she reasonably determines that it would be practical to provide the records in that way. If the requestor fails to inspect the entire set of records or one or more of the installments within 30 days of the records being made available for inspection, the Public Records Officer may stop searching for the remaining records and close the request.
- r. Completion of inspection.** When the inspection of the requested records is complete and all requested copies are provided, the Public Records Officer will indicate that BFT has completed a diligent search for the requested records and made any located non-exempt records available for inspection. If the requestor obtains the records he or she is seeking while BFT's response is still ongoing, the requestor should advise the Public Records Officer that the requested records satisfy the request and that the remainder of the request may be cancelled.
- s. Closing withdrawn or abandoned requests.** If the requestor withdraws the request, fails to fulfill his or her obligations to inspect the records within thirty (30) days of the date of BFT's notification of records availability, or fails to pay the deposit or final payment for the requested copies within ten (10) days of the date of the payment request, the Public Records Officer will close the request and indicate to the requestor that BFT has closed the request. The Public Records Officer will document closure of the request

and the conditions that led to closure.

- t. Later discovered documents.** If, after the Public Records Officer has informed the requestor that BFT has provided all available records, BFT becomes aware of additional responsive documents that existed on the date of the request, the Public Records Officer will promptly inform the requestor of the additional documents and provide them on an expedited basis.
- u. No duty to create records.** BFT is not obligated to create a new record to satisfy a records request; however, BFT may, with the requestor's approval, create such a new record to fulfill the request where it may be easier for BFT to create a record responsive to the request than to collect and make available voluminous records that contain small pieces of information responsive to the request. BFT is not required to conduct research for a requestor.
- v. No duty to supplement responses.** BFT is not obligated to hold current records requests open to respond to requests for records that may be created in the future. If a public record is created after a request is received by BFT, it is not responsive to the request and will not be provided. A new request must be made to obtain later-created public records.
- w. No access to BFT network or systems.** Requestors shall not be permitted to access or "plug into" agency networks or systems or copy records using personal devices or equipment, such as USBs or scanners, which must be connected to agency equipment in order to copy records.
- x. Prevention of excessive interference with essential agency functions.** To prevent excessive interference with other essential functions of BFT, and to allow the Public Records Officer and other designated BFT staff members to perform their other assigned duties, the Public Records Officer will spend a maximum of 16 hours per month responding to public records requests. Each department-designated staff member assisting the Public Records Officer under Section 3 of these Rules will spend a maximum of 8 hours per month responding to or assisting with responses to public records requests.

### **Section 7. Processing requests for electronic records.**

- a.** Providing electronic records. If public records are requested in electronic form, the Public Records Officer will provide non-exempt records in a generally commercially available electronic format that is used by BFT, as determined by the Public Records Officer in conjunction with BFT's Information Technology Department.
- b.** Access to electronic records. The Public Records Officer may provide a link to electronic records easily found on BFT's website. Records may also be accessed using an online transfer or sharing site, email, or an external device such as a USB drive. Copying of electronic records are subject to fees listed in the Fee Schedule.
- c.** Paper records provided electronically. Paper records that are specifically requested to be provided electronically are subject to processing fees listed in the Fee Schedule.

**Section 8. Retention of records.** BFT will retain its records in accordance with retention schedules approved by the State Local Records Committee. Public records may not be destroyed

per a retention schedule if a public records request or actual or anticipated litigation is pending.

**Section 9. Exempt and prohibited disclosure of public records.**

All public records maintained by BFT are available for public inspection and copying in accordance with these Rules, unless the records are specifically exempt or prohibited from disclosure by applicable state and federal laws.

- a. The Public Records Act and other statutes provide that a number of document types and information are prohibited from being disclosed or are exempt from public inspection and copying. BFT will maintain on its website a current list of disclosure prohibitions / exemptions, other than those listed in the Act, which exempt or prohibit disclosure of specific information or public records.
- b. BFT's failure to list an exemption shall not affect the effectiveness of the exemption.

**Section 10. Costs of providing copies of public records**

- a. **Costs for records, generally.** Fees for copies and scanning of public records requests shall be charged according to the fee schedule below. Payment of fees is required prior to release of records unless other arrangements have been made with the Public Records Officer. If requested by a requestor, BFT shall provide a summary of the applicable charges before any copies are made and the requestor may revise a public records request to reduce the number of copies to be made and reduce the applicable charges.

No fee is charged for locating records, inspecting records in person or for accessing records routinely made available on BFT's website prior to receipt of a request, unless the requestor has specifically requested that BFT provide copies of such records through other means.

BFT declares that it would be unduly burdensome to calculate the actual costs of providing copies of certain public records, due to variations in copy charges for leased copiers and variations in staff time for manual copying and mailing, or uploading or electronically transmitting, responsive records. Therefore, except as otherwise indicated below, the table below incorporates the standard fees prescribed in RCW 42.56.120(2)(b) for providing public records (other than outsourced copies or copies of large-format plans and maps).

<b>Method of Release of Records</b>	<b>Fee</b>
<b>Inspection of Records</b>	
Inspection of agency records on agency public internet web site or scheduled at agency officer.	No fee
Access or downloading records posted on City's public internet web site.	No fee
<b>Standard Copies of Physical Records</b>	
Size	
<b>8.5 X 11</b> black and white or color	\$0.15 per printed page

Outsourced Copies any size	Vendor Invoice
<b>Electronic Records</b>	
Use of FTP or Cloud drive service or e-mailing records	\$0.05 per four (4) electronic files or attachments
Scanning physical records to electronic format	\$0.10 per page
USB, CD, DVD or other Storage Device	Actual Cost of storage device*
Video or Audio Tape Reproduction	Vendor invoice
<b>Mailing Physical Records or Storage Devices</b>	
Mailing of physical records or electronic records on storage device	Cost of electronic records storage device plus the actual cost of envelope/container and postage/delivery charge.
<b>Customized Service</b>	
Data compilations prepared or access as a customize service (cost is in addition to copy fees above)	Actual Cost, including hourly rate for information technology staff involved in preparation of data compilation or customized electronic access.
<b>Copy charges above may be combined to the extent more than one type of charge applies to copies released in response to a particular records request.</b>	

\*Actual cost of storage devices may fluctuate based on purchase current price. BFT will retain an updated list of actual costs for electronic storage devices, which will be available upon request.

- b. **Customized Service Charge.** In addition to any charges noted on BFT's Fee Resolution, BFT may include a customized service charge if BFT estimates that the request would require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by BFT for other purposes. Such charge shall be the actual cost of providing the customized access service. BFT must notify the requestor in advance of the customized service charge to be applied, including an explanation of why the customized service charge applies, a description of the specific expertise, and a reasonable estimate cost of the charge, and BFT must provide the requestor the opportunity to amend the public records request in order to avoid or reduce the cost of a customized service charge.
- c. **Use of other copying services.** BFT is not required to copy records at its own facilities and may determine to use a commercial copying center for duplicating voluminous records or records in non-routine formats such as photographs, blueprints or tape recordings. BFT will bill the requestor for the amount charged by the vendor.
- d. **Deposit or payment by installments.** Prior to copying records, the Public Records Officer or designee may require a deposit of up to ten percent of the estimated costs of copying the records, including customized service charges, selected by a requestor. The Public Records Officer may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment.

- e. **Method of payment.** Payment may be made by cash, check, or money order to BFT.

**Section 11. Denials of requests for public records**

- a. **Petition for internal administrative review of denial of access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including by e-mail) to the Public Records Officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the Public Records Officer or designee denying the request and the basis for the requestor's challenge to the denial.
- b. **Consideration of petition for review.** The Public Records Officer shall promptly provide the petition and any other relevant information to BFT Attorney or his or her designee to conduct the review. BFT Attorney or designee will promptly consider the petition and either affirm or reverse the denial within ten (10) business days following BFT's receipt of the petition, or within such other time to which BFT and the requestor mutually agree.
- c. **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

# Memorandum

---

Date: February 8, 2023

To: Rachelle Glazier, General Manager

From: Sarah Funk, Chief Financial Officer  
Kevin Sliger, Chief Planning and Development Officer

Re: Approval of New Fare Structure & Acknowledgement of Title VI Fare Equity Analysis Results

## **Background**

In September 2021, Ben Franklin Transit (BFT) initiated the Comprehensive Fare Study. The study is composed of three main tasks:

- Formulating an inception report, including evaluating the current fare system and defining business priorities
- Developing fare policy recommendations, including exploring fare strategy options
- Creating a technology roadmap, including identifying fare technology options, and developing a fare collection strategy

The study encompasses all BFT services including Fixed Route, Dial-A-Ride (American with Disabilities Act complementary paratransit), General Demand (general public paratransit requiring reservations), CONNECT (app-based general public paratransit), and Vanpool. The objective of the study includes:

- Assessing the existing fare structure for each type of transit service and making recommendations consistent with applicable laws and regulations
- Evaluating how fare collection technology may impact fare policy and decisions while incorporating recommendations as appropriate into the fare structure and level

Four business priorities were identified from the Comprehensive Fare Study:

### **1. Ridership**

- Recover ridership lost due to the ongoing COVID-19 pandemic
- Promote use of transit and Vanpool as the population in the region grows

### **2. Data Collection**

- Leverage technology and data collection to improve service planning and rider satisfaction

### **3. Simplification**

- Simplify the fare structure to make fares easier to understand – for customers, operators, and BFT support staff
- Improve fare consistency among BFT services

### **4. Cost Management**

- Leverage technology to decrease cash collection and operator involvement to simplify boarding, minimize dwell times, and reduce operating and fare collection costs

### **Recommended Approach**

A series of discussions were held with BFT Board committees as well as the Board itself. As a result of these meetings, the Board requested that staff proceed with the fare structure option that:

- Provides nominal/minimal fares to maximize ridership opportunities.
- Includes fare collection technology, but takes a “Tech Lite” approach, that will focus on mobile ticketing and payments. This will significantly reduce the cost of digital fare payment infrastructure.

### **2024 Recommended Fare Structure**

With the general guidance to substantially reduce fare rates to support the community and to increase ridership, staff has developed a proposed new fare structure detailed in Attachment 1 to this memorandum. Staff’s proposal excludes Vanpool to allow further review of fare recovery implications. Key elements of the fare structure are:

- Promoting ridership and reduce the cost of a monthly bus pass by 60%
- Change the cost of cash fares for Fixed Route customers by the following:
  - Cash fare will decrease by 33% for riders
  - Transfers will be eliminated
  - Fare design incentivizes low monthly pass prices over cash fares
- Maintain the same cost of DAR fares and passes

This recommended fare structure is expected to be in place for approximately one year and then will be re-evaluated for the following reasons:

- Fare technology is expected to be implemented over the next year. The new technology may require some modifications to the structure and/or may provide the ability to offer additional options not currently feasible
- Determine the impact lower fares may be having on ridership growth
- Assess the financial impact of lower fare revenues

### **Title VI Fare Equity Analysis**

It has been determined that fare structure changes outlined in the 2024 Fare Study required a Title VI Fare Equity Analysis. BFT staff conducted a Title VI Fare Equity Analysis and has concluded that there is no Disparate impact on minority riders of Disproportionate Burden on low-income riders.

For additional information, please refer to the 2024 Comprehensive Fare Study Title VI Fare Equity Analysis appendix.

## **Public Outreach & Feedback**

BFT staff held two virtual public open houses with optional translation service on January 17 and 24. Open houses typically do not receive much community response, and these two were no exception with no community members in attendance.

BFT staff also presented to BFT's Citizen's Advisory Network (CAN) January 22 with great insights received. BFT also received a number of written comments from the public. For additional information, please refer to the 2024 Comprehensive Fare Study Title VI Fare Equity Analysis appendix.

Based on comments received to date during the public comment period, further fare changes include:

- Maintain DAR premium single rides and 10 Ride Ticket DAR and DAR Premium at, \$1.50, \$3.00, \$12.00 and \$25.00, respectively.
- Fixed route transfers issued to passengers will be continue phased out over several months following the technology lite go live.

Staff will continue to review recommendations during the 2024 fare structure process. Overall, there was great discussion and feedback during the public comment period.

## **Labor Resources**

Implementation of the 2024 fare structure and deployment of a technology lite solution is not expected to change approved headcount. A marketing outreach campaign for consumers and distribution networks will be developed.

## **Funding**

Budgeted: This is expected to have a nominal decrease on revenue and increase on expenses related to the approved 2024 Operating Budget

Budget Source: N/A

Funding Source: N/A

## **Recommendation**

Authorize the General Manager to adopt the 2024 Fare Structure and Fare Equity Analysis.

Forwarded as presented:

---

Rachelle Glazier, General Manager

**Attachment 1 – Proposed Fare Structure**  
**Fixed Route, CONNECT, General Demand and Dial-A-Ride**

Proposed Product Pricing	Fixed Route / CONNECT / General Demand		Dial-A-Ride	
	Current	Proposed	Current	Proposed
<b>Single Ride/Day Pass Fares</b>				
Adult Per Trip (with transfer)	\$1.50	Discontinued		
Adult Per Boarding (NO transfers)		\$1.00		
Reduced Per Trip (with transfer)	\$0.75 (\$1.50 GD)	Discontinued		
Reduced Per Boarding (NO transfers)		\$0.50		
Day Pass	\$4.00 (Not on GD)	\$3.00 (mobile)		
DAR – Within ¼ Mile			\$1.50	\$1.50
DAR Premium – Beyond ¼ Mile			\$3.00	\$3.00
<b>Ticket Books (General Public &amp; Human Service Agencies)</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
10 Ride Ticket - General Public (Adult / Reduced / Freedom)	\$12.00 / \$6.00 / \$25.00	Discontinued		
10 Ride Ticket - Human Services (All Categories)		\$8.00		
10 Ride Ticket - DAR			\$12.00	\$12.00
10 Ride Ticket – DAR Premium			\$25.00	\$25.00
<b>Retail Pass Products</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
Adult (19-65) / Reduced Monthly Pass ->	\$25.00 /	\$10.00		
All Customers Monthly Pass	\$12.50			
All Customers Annual Pass		\$120.00 (mobile)		
DAR (within ¼ mile) Monthly			\$25.00	\$25.00
Freedom/DAR Premium (> ¼ mile) Monthly			\$50.00	\$50.00
<b>Specialty Passes</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
Youth Pass	Free	Free	Free*	Free*
Senior Pass (over 65)	Free	Free	DAR Fare/Pass	DAR Fare/Pass
Veterans Pass		Free		DAR Fare/Pass
CBC ASB Card	Travel Allowed	Travel Allowed	Travel Allowed*	Travel Allowed*
WSU ASB Card	Travel Allowed	Travel Allowed	Travel Allowed*	Travel Allowed*
<b>Community Events</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
Community Event Fares	\$1.50 / \$0.75	Policy TBD	\$1.50 / \$0.75	Policy TBD

**BEN FRANKLIN TRANSIT  
RESOLUTION 09-2024**

**A RESOLUTION RESCINDING 04-2017 IN ITS ENTIRETY AND ESTABLISHING ALL  
FARES**

WHEREAS, Resolution 04-2017 will be rescinded with the attached schedule (A) definitions and new fares to be implemented in 2024;

WHEREAS, Planning staff have worked with Operations, Finance, and Marketing to identify needed fare changes that are intended to improve accessibility and efficiency and have incorporated the recommended changes into the 2024 Fare Plan;

WHEREAS, A Title VI Fare Equity Analysis was completed since there were major changes recommended; and

WHEREAS, Staff published and advertised the Draft 2024 Fare Plan and incorporated public comments into the 2024 Fare Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE BEN FRANKLIN TRANSIT BOARD OF DIRECTORS THAT:

The General Manager is authorized to adopt the 2024 Fare Plan and implement the outlined recommendations as detailed.

APPROVED AT A REGULAR BEN FRANKLIN TRANSIT BOARD OF DIRECTORS meeting held Thursday, February 8, 2024, at 7122 W. Okanogan Place Building E, Kennewick, Washington.

ATTEST:

\_\_\_\_\_  
Anel Montejano, Clerk of the Board

\_\_\_\_\_  
Will McKay, Chair

APPROVED AS TO FORM BY:

\_\_\_\_\_  
Jeremy J. Bishop, Legal Counsel

## EXHIBIT “A”

### BEN FRANKLIN TRANSIT

#### DEFINITIONS & RATES 2024

##### 1. Definitions. As used herein:

- "Services" means fixed route service, CONNECT service, Dial-A-Ride, and General Demand Response Services. Vanpool is not included as a service for this purpose of this definition.
- "Local Service" means any scheduled trip that stops on demand at designated stops within the service area with no planned deviation in its route or schedule.
- "Commuter Express Service" means any scheduled trip designed primarily for commuters which operates on local service with non-planned-for deviation with a minimum number of designated stops.
- "Dial-A-Ride" service means any travel provided by BFT or its contractors that services persons with disabilities who meet the eligibility criteria for para-transit service.
- "Premium" includes BFT Connection Services, Dial A Ride and General Demand Response service with one or both trip ends located beyond  $\frac{3}{4}$  of a mile from any fixed route service.
- "Fixed Route Service" is regularly scheduled bus service that covers an established route at established time of the day with posted stop, following a published schedule.
- "Trans+Plus" is a premium contracted service for extended times, day and or locations such as Night Service and BFT Connection Services.
- "Prosser and Finley Local Service" is demand response transit service to established stops provided within communities having low demand where no fixed route service is available.
- A "Youth" is any person enrolled in a school through the 12<sup>th</sup> grade. ID may be requested by the driver.
- "Persons with Disabilities" shall refer to those persons who by reason of permanent or temporary incapacity or disability, including those who are non-ambulatory wheelchair-bound, and those with semi-ambulatory capabilities, are unable to utilize mass transportation facilities and services.
- "College Sticker Program" refers to any person who is enrolled at Columbia Basin College, WSU, or an accredited trade school or vocational school contracting for the college sticker program. Stickers are provided to affix to current school IDs with the school funding the fares. Contract pricing to be approved by Board of Directors.
- "Reduced" fare includes disabled not eligible for Dial-A-Ride service determined by DSHS card coding. A BFT reduced photo identification card is issued at Customer Service.
- Medicare is Medicare card holders with a BFT reduced photo ID card.
- Children include riders under Five Years of Age. When accompanied by a responsible adult person paying the base fare (maximum 5 children to one paying adult).
- Senior Citizen are persons sixty-five (65) years of age or older having a BFT photo

ID senior is available at BFT's Customer Service.

- Disabled Person. Disabled persons who are not eligible for BFT Dial-A-Ride service who have applied for and received a reduced fare permit issued by BFT or its agents.
- Persons who have been certified as eligible for Dial-A-Ride service shall ride free on local service routes.
- Retired employees are those vested in the BFT retirement benefits. They shall receive a lifetime bus pass equivalent to the Freedom Pass (good on all services at all times).
- Employee badges are equivalent to the Freedom Pass (good on all services at all times).
- BFT employees' spouse and their legal dependents will be issued a transit pass equivalent to the Freedom Pass (good on all services at all times). The term "dependent" shall include unmarried dependent children up to age nineteen (19), full-time students up to age twenty-three (23), and children with mental and physical handicaps living at home. Lost passes shall be replaced once per year free and replaced after that at \$5.00 per replacement.
- Transfers issued to passengers upon request and payment of the proper fare. A transfer will permit any passenger to change to another coach to ride in any direction except returning on the same route within the BFT area. The transfer is time limited and will be recognized for one and one half (1 ½) hours from time of issuance.
- 10 Ride Tickets and Premium 10 Rides Tickets are good for one trip or as printed (no cash value) and are non-refundable.
- Special Event Tickets: Good for travel as printed, non-refundable, no cash value.
- All passes are monthly except for the quarterly College Sticker Program. Each is good for unlimited monthly trips on the mode listed and in combination with either tickets or cash for premium services.

## 2. Group Rates

The General Manager is authorized to negotiate the fare with private or public social service agencies for certain group rides where it can be shown that the cost of such rides are substantially lower than a non-group ride. More than standard fares shall not be charged and groups shall use standard routing or seasonal routings.

## 3. Special Rates

The General Manager is authorized to establish special rates of fare for limited transportation services to special or seasonal activities or events, and for temporary or experimental subscription bus service. Such service shall be on an individual fare-paying basis not to exceed established fares and be regularly scheduled according to such routes, schedules, and dates as are determined by the General Manager.

The General Manager is authorized to establish such procedures for implementing special rates of fares, transfers, passes and permits and such reasonable rules and regulations for travel on coaches as may be necessary to carry out the purposes set forth in this policy, and to protect the safety and comfort of passengers, and the safe and efficient operation of such coaches.

## 4. Transfers

The General Manager is hereby authorized and directed to establish a system of transfers to be issued to passengers upon request and upon payment of the proper fare as described

in Section 2 of this Resolution. Such system shall include a transfer which will permit any passenger to change to another coach to ride in any direction except returning on the same route within the BFT area, provided, however, that passenger must change to another coach within the time limit indicated on said transfer and, provided further, such time limit will not exceed one and on half (1 ½ ) hours from time to issuance.

**5. Board, Citizen Advisory Network (CAN), and Dial-A-Ride Committee Member**

Board, Citizen Advisory Network (CAN), and Dial-A-Ride Committee Members shall be Issued a pass entitling the holder thereof to ride without payment of fare on services operated by BFT. Such passes shall be restricted to use only by people currently serving as members and upon leaving the above committees past members shall forfeit the pass.

**6. Passes for Employees and Family Members**

Those employees, spouses, and their legal dependents (for the purposes of this section, the term “dependent” shall include unmarried dependent children up to age nineteen (19), full-time students up to age twenty-three (23), and children with mental and physical handicaps living at home Transit passes for dependents are issued at the 3 Rivers Customer Service Center. Human Resources maintains the record of employee dependents and will confirm this information with Customer Service upon request. Such passes shall be restricted to use only by the employee, spouse, and their legal dependents or retired employee and unauthorized use shall result in forfeiture of the pass.

Employee badges are equivalent to the Freedom Pass (valued at \$50 per month) which is good on all services at all times. Employee spouses and legal dependents will be issued a transit pass, equivalent to the Freedom Pass, also good on all services at all times. Dependent spouses must present identification; children must either be accompanied by their parent or present their school identification. Lost passes will be replaced once per year free; a \$5.00 fee will be charged for further replacements.

Proposed Product Pricing	Fixed Route / CONNECT / General Demand		Dial-A-Ride	
	Current	Proposed	Current	Proposed
<b>Single Ride/Day Pass Fares</b>				
Adult Per Trip (with transfer)	\$1.50	Discontinued		
Adult Per Boarding (NO transfers)		\$1.00		
Reduced Per Trip (with transfer)	\$0.75 (\$1.50 GD)	Discontinued		
Reduced Per Boarding (NO transfers)		\$0.50		
Day Pass	\$4.00 (Not on GD)	\$3.00 (mobile)		
DAR – Within ¼ Mile			\$1.50	\$1.50
DAR Premium – Beyond ¼ Mile			\$3.00	\$3.00
<b>Ticket Books (General Public &amp; Human Service Agencies)</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
10 Ride Ticket - General Public (Adult / Reduced / Freedom)	\$12.00 / \$6.00 / \$25.00	Discontinued		
10 Ride Ticket - Human Services (All Categories)		\$8.00		
10 Ride Ticket - DAR			\$12.00	\$12.00
10 Ride Ticket – DAR Premium			\$25.00	\$25.00
<b>Retail Pass Products</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
Adult (19-65) / Reduced Monthly Pass -> All Customers Monthly Pass	\$25.00 / \$12.50	\$10.00		
All Customers Annual Pass		\$120.00 (mobile)		
DAR (within ¼ mile) Monthly			\$25.00	\$25.00
Freedom/DAR Premium (> ¼ mile) Monthly			\$50.00	\$50.00
<b>Specialty Passes</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
Youth Pass	Free	Free	Free*	Free*
Senior Pass (over 65)	Free	Free	DAR Fare/Pass	DAR Fare/Pass
Veterans Pass		Free		DAR Fare/Pass
CBC ASB Card	Travel Allowed	Travel Allowed	Travel Allowed*	Travel Allowed*
WSU ASB Card	Travel Allowed	Travel Allowed	Travel Allowed*	Travel Allowed*
<b>Community Events</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
Community Event Fares	\$1.50 / \$0.75	Policy TBD	\$1.50 / \$0.75	Policy TBD

**BEN FRANKLIN TRANSIT  
RESOLUTION 10-2024**

**A RESOLUTION ADOPTING THE 2024 TITLE VI FARE STUDY EQUITY ANALYSIS**

WHEREAS, Staff has concluded that the fare changes outlined within the Fare Study result in substantial fare benefits; and

WHEREAS, A Title VI Fare Equity Analysis has been conducted to identify if the coming fare changes may impose adverse effects on low-income population, but no adverse impacts are expected for the effected minority populations; and

WHEREAS, Potential disproportionate burdens to low-income populations are not expected due to low ridership in impacted area and planned mitigation; and

WHEREAS, The results have been included in the 2024 Title VI Fare Equity Analysis; and

WHEREAS, The Title VI Fare Equity Analysis was released for a 30-day public comment period to meet federal and state funding compliance requirements; and

WHEREAS, Staff are evaluating comments from the public a summary of the feedback will be included in the final Fare Structure and 2024 Title VI Fare Equity Analysis;

**NOW, THEREFORE, BE IT RESOLVED BY THE BEN FRANKLIN TRANSIT BOARD OF DIRECTORS THAT:**

The General Manager is authorized to adopt the 2024 Title VI Fare Equity Analysis and accept the findings within the document.

APPROVED AT A REGULAR BEN FRANKLIN TRANSIT BOARD OF DIRECTORS meeting held Thursday, February 8, 2024, at 7122 W. Okanogan Place Building E, Kennewick, Washington.

ATTEST:

\_\_\_\_\_  
Anel Montejano, Clerk of the Board

\_\_\_\_\_  
Will McKay, Chair

APPROVED AS TO FORM BY:

\_\_\_\_\_  
Jeremy J. Bishop, Legal Counsel



---

# Comprehensive Fare Study Title VI Fare Equity Analysis

Final Delivered on: January 26, 2024

---

Prepared by Four Nines Technologies



# Table of Contents

<b>EXECUTIVE SUMMARY</b>	<b>3</b>
<b>1. BACKGROUND</b>	<b>4</b>
1.1 Ben Franklin Transit Agency	4
1.2 Current Fare Structure	5
1.3 Comprehensive Fare Study	5
<b>2. PROPOSED FARE CHANGES</b>	<b>6</b>
<b>3. TITLE VI REGULATORY CONTEXT</b>	<b>8</b>
3.1 Federal Regulations	8
3.2 BFT Title VI Policy	9
<b>4. FARE EQUITY METHODOLOGY</b>	<b>10</b>
4.1 Methodological Approach	10
4.2 Data	11
4.3 Assumptions/Definitions	11
<b>5. ANALYSIS</b>	<b>13</b>
5.1 Average Fare Analysis	16
<b>7. FINDINGS</b>	<b>17</b>
<b>Appendix A: Average Fare Analysis Results</b>	<b>25</b>

# TITLE VI FARE EQUITY ANALYSIS

## EXECUTIVE SUMMARY

Ben Franklin Transit (BFT) has undertaken a Comprehensive Fare Study, examining fare policies and pricing across all service types including fixed route bus, Dial-A-Ride (Americans with Disabilities Act [ADA] paratransit), General Demand (general public paratransit requiring reservations), CONNECT (on-demand app-based general public microtransit), and vanpool services. In January 2024, BFT began a public outreach and comment process on proposed changes to all modes except Vanpool pricing and policies. The focus of the Comprehensive Fare Study has been on improving the affordability of BFT services, simplifying fare product offerings, and encouraging the use of pre-paid pass products.

As a recipient of Federal Transit Administration (FTA) financial assistance, BFT is required to comply with Title VI of the Civil Rights Act of 1964 and to carry out the U.S. Department of Transportation’s Title VI regulations by evaluating fare changes at the planning and programming stages to determine whether those changes have a discriminatory impact (Reference: Circular FTA C 4702.1B).

### Findings

The results of the Average Fare Analysis find that there is no Disparate Impact on minority riders or Disproportionate Burden on low-income riders.

The proposed fare change benefits minority riders to a greater extent than non-minority riders. The proposed fare change does benefit non low-income riders to a greater extent than low-income riders, however the percentage difference in benefits (+3.3%) does not exceed BFT’s Disproportionate Burden threshold for low-income riders (+20%). As a result, the proposed fare change results in no Disparate Impact on minority riders or Disproportionate Burden on low-income riders.

Figure 1. Systemwide Average Fare Analysis Results for Protected and Non-Protected Riders

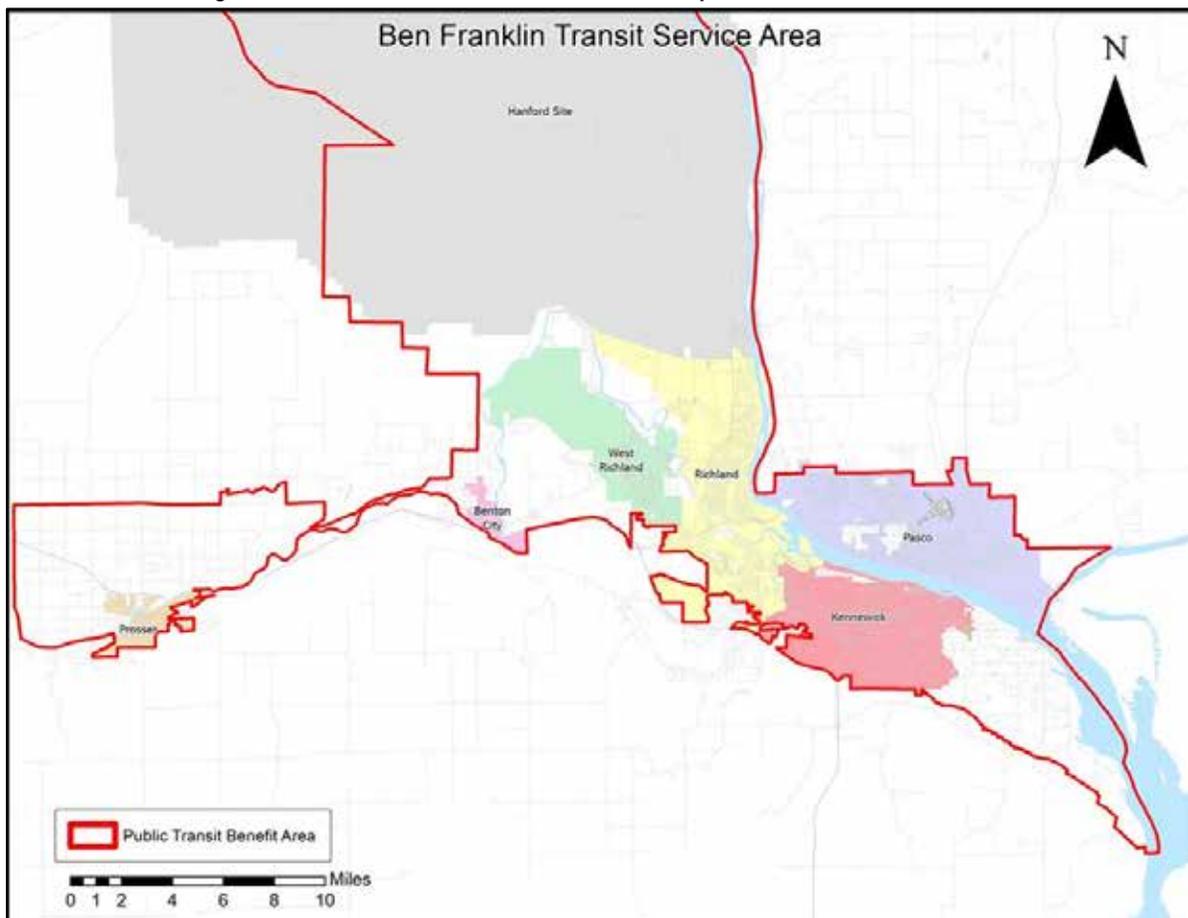
	Average Fare Per Boarding									
	Systemwide, All Rider Types		Minority		Non-Minority		Low-Income		Non Low-Income	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Impacts of proposed Comprehensive Fare Study Fare Changes	\$0.27	\$0.12	\$0.26	\$0.11	\$0.29	\$0.13	\$0.27	\$0.13	\$0.27	\$0.11
		-55.3%		-55.3%		-55.2%		-53.5%		-56.8%
				-0.1%				+3.3%		

# 1. BACKGROUND

## 1.1 Ben Franklin Transit Agency

BFT is the public transportation system for the metropolitan area of Benton and Franklin Counties in southeastern Washington state. The 617-square mile service area includes jurisdictions whose voters elected to join the BFT Public Transportation Benefit Area (PTBA), which is supported by a local sales tax that constitutes BFT's main source of revenue. As shown in Figure 2, the PTBA encompasses the cities of Kennewick, Pasco, Richland, West Richland, Benton City, and Prosser, as well as unincorporated areas within Benton and Franklin Counties. BFT serves the Hanford Site only through its vanpool program. The service area contains a population of approximately 310,000 residents. BFT provides fixed route bus, Dial-A-Ride (Americans with Disabilities Act [ADA] paratransit), General Demand (general public paratransit requiring reservations), CONNECT (on-demand app-based general public microtransit), and vanpool services.

Figure 2. Ben Franklin Transit Public Transportation Benefit Area



## 1.2 Current Fare Structure

BFT's existing fixed-route bus fare structure is a flat fare structure. BFT's fare products include single rides, 10-ride tickets, day pass, and monthly pass. Single ride and 10-Ride riders can receive one free paper transfer valid for 3 hours that cannot be used for a return trip on the rider's original bus route.

BFT offers a reduced fare for persons with disabilities. Seniors who are 65 years of age or older are able to ride for free on fixed route bus with a senior ID or a photo ID with the individual's date of birth. In June 2022, BFT launched a pilot free fares for youth fare program, which was made permanent in November 2022 with funding from Move Ahead Washington. The program extends free fares to youth 18 years or younger on all modes. Children under age 6 are also able to ride for free however, they will not be transported without an accompanying caregiver over 12 years of age. BFT also offers several pass programs for higher education institutions, including Columbia Basin College and Washington State University - Tri-Cities. These programs include a transportation fee in student tuition and in exchange, allow eligible students unlimited access to most BFT services with a student ID.

The adult base fare is \$1.50 and includes the 3-hour transfer upon request. The 10-ride ticket is priced to provide a 20% discount compared to cash, and a 10-ride ticket option is available for adult and reduced fare riders. The adult all day pass is priced such that it provides a discount to an adult cash rider making three or more linked trips per day. Reduced fare day passes are not sold. The monthly pass is priced to provide a discount to cash riders making 17 or more trips in a month. Riders who would otherwise purchase 10-ride tickets would benefit from purchasing a monthly pass if they make 21 or more trips in a month. Reduced fare riders receive a 50% discount on the adult cash fare, 10-ride tickets, and monthly passes.

BFT 10-ride tickets, day passes, monthly passes, and transfers are all paper products that are visually validated. 10-ride tickets are inserted into the farebox upon use, whereas paper transfers, day passes, and monthly passes are visually validated by the operator. Transfers are torn to indicate the validity period, while all day passes are issued as untorn transfers. Transfers/day passes are issued with a distinct color and letter that changes daily.

Since an analysis of fare changes affecting BFT's Dial-A-Ride, and General Demand services is not included in the fare equity analysis, the current fare structure information is limited to fixed-route and CONNECT services only.

## 1.3 Comprehensive Fare Study

In September 2021, Ben Franklin Transit (BFT) initiated the Comprehensive Fare Study. Prior to the study, BFT staff had identified fare policy inconsistencies and the need for new fare technology. The annexation and introduction of new services as well as ad hoc changes over the years have resulted in charging inconsistent fares between certain geographic areas within BFT's service area, as well as between modes for certain types of trips. Further, BFT's fare collection system does not support any form of electronic fare payment and consists of a simple drop box for cash fare collection. Two objectives were identified for the Comprehensive Fare Study:

- Assess existing fare structure and levels for each type of transit service and make recommendations consistent with applicable laws and regulations.
- Assess how fare collection technology may impact fare policy and decisions and incorporate recommendations as appropriate into the fare structure and level.

Five fare options were generated as part of the Comprehensive Fare Study, and each fare option was evaluated against agency priorities and goals such as ridership, revenue, data collection, simplification, and operating cost impacts. Using BFT staff and Board input, as well as ongoing public feedback, BFT has proposed a package of fare changes known as Option 5: Revised Nominal Fare. The Revised Nominal Fare changes meet BFT goals to encourage ridership, support data collection, and simplify BFT's fare policy. Details of the proposed fare changes can be found in Section 2.

## 2. PROPOSED FARE CHANGES

In an effort to simplify and align fares across all modes, maximize ridership, improve data collection, and cover costs of technology and fare collection, BFT proposes to implement fare changes from the Comprehensive Fare Study's Option 5: Revised Nominal Fare. BFT is proposing several fare changes as part of the Study:

- Introduction of a per boarding (Single Ride) fare at \$1.00 (Adult fare) and \$0.50 (Reduced fare), with the elimination of transfers
- Decrease in the Adult Day Pass fare from \$4.00 to \$3.00; the Adult Day Pass will only be available via mobile app
- Consolidation of Adult & Reduced 10-Ride Ticket Books with a price of \$8.00. 10-Ride Ticket Books will be available to members of the public and Human Service Agencies
- Decrease in the Adult Monthly Pass from \$25.00 to \$10.00
- Decrease in the Reduced Monthly Pass from \$12.50 to \$10.00
- Consolidation of the Adult and Reduced Monthly Passes
- Introduction of a mobile-only Annual Pass (\$120.00)

BFT is proposing to phase-in the changes proposed in the Comprehensive Fare Study's Revised Nominal Fare option. A large majority of changes would be implemented in Summer-2024 (the official date is still to be determined). The implementation of the per boarding fares and elimination of transfers would be phased out at a later date, but no later than 6-months after implementation of the majority of the Fare Study changes to provide adequate time for customer education and marketing. During the phase-out window, customers will continue to pay the existing \$1.50 for a full fare Single Ride (with transfer) or \$0.75 for a reduced fare Single Ride (with transfer). All other proposed fare changes will be made; customers will be able to purchase a \$10 Adult Monthly Pass, for example.

FTA guidance allows agencies to pilot fare changes lasting 6-months or less without the need to undertake a Title VI fare equity analysis. Given that BFT has committed to phase out transfers, implement the per boarding fare rates, and ultimately implement the entire package of fare policy and pricing changes within a 6-month timeframe, this Title VI fare equity analysis considers the full scope of all fare policy and pricing changes being proposed as part of the Comprehensive Fare Policy recommendation.

The tables below identify the current and proposed changes for each fare product and rider category.

**Figure 3. Proposed Product Pricing**

Proposed Product Pricing	Fixed Route	
	Current	Proposed
<b>Single Ride/Day Pass Fares</b>		
Adult Per Trip (with transfer)	\$1.50	Discontinued
Adult Per Boarding (NO transfers)		\$1.00
Reduced Per Trip (with transfer)	\$0.75	Discontinued
Reduced Per Boarding (NO transfers)		\$0.50
Day Pass	\$4.00	\$3.00 (mobile)
<b>Retail Pass Products</b>	<b>Current</b>	<b>Proposed</b>
Adult (19-65) Monthly	\$25.00	\$10.00
Reduced Monthly	\$12.50	\$10.00
Adult (19-65) Annual		\$120.00 (mobile)
<b>Ticket Books (General Public &amp; Human Service Agencies)</b>	<b>Current</b>	<b>Proposed</b>
10 Ride Ticket - Adult	\$12.00	\$8.00
10 Ride Ticket - Reduced	\$6.00	\$8.00
10 Ride Ticket - Freedom	\$25.00	Discontinued, but Dial-A-Ride Premium 10 Ride Ticket books will remain available for \$25.00

BFT is also proposing changes to specialty passes, namely the introduction of a free, annual pass program for eligible Veterans (Veterans Annual Pass).

**Figure 4. Proposed Product Pricing - Specialty Passes and Community Events**

Proposed Product Pricing	Fixed Route	
Specialty Passes	Current	Proposed
Youth Pass	Free	Free
Senior Pass (over 65)	Free	Free
Veterans Pass		Free
CBC ASB Card	Travel Allowed	Travel Allowed
WSU ASB Card	Travel Allowed	Travel Allowed
Community Events	Current	Proposed
Community Event Fares	\$1.50 / \$0.75	Pricing at GM direction, based on Board Policy

### 3. TITLE VI REGULATORY CONTEXT

#### 3.1 Federal Regulations

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides that: “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The scope of Title VI was expanded by the Civil Rights Restoration Act of 1987 (P.L. 100-209) to include all of a recipient’s and contractor’s programs or activities whether federally assisted or not.

The February 11, 1994, Executive Order 12898 on Environmental Justice requires that disproportionately high and adverse impacts on low income and minority populations be identified and addressed. Executive Order 12898 applies to all programs, policies, and activities of the transportation program and is consistent with Title VI of the Civil Rights Act of 1964. Executive Order 12898 also requires public involvement and mandates that transportation agencies ensure there is no exclusion from participation, no denial of benefits, and no discrimination in the services which they provide.

The Federal Transit Administration (FTA) requires all transit operators who receive federal funds to conduct assessments to demonstrate nondiscrimination of services and facilities for minority and low income communities.

The FTA requires BFT to conduct a fare equity analysis on most proposed fare changes for fixed-route service, regardless of the amount of increase or decrease. The fare equity analysis

evaluates the effects of the proposed fare change on low-income populations and Title VI protected populations. No such analysis is required for 1) instances in which the agency has declared that all passengers ride free; 2) temporary fare reductions that are mitigating measures for other actions; and 3) promotional fare reductions of up to six months.

The fare equity analysis will be conducted in accordance with FTA guidance and BFT's Title VI Program and will determine if the proposed fare changes result in a Disparate Impact on minority riders or a Disproportionate Burden on low-income riders. In accordance with FTA guidance, the fare equity analysis is only required to cover fare changes for BFT's fixed-route service. Due to data specificity and the fact that fixed route fare products are valid for travel on BFT's CONNECT services, this fare equity analysis evaluates impacts on fixed-route and CONNECT services. An analysis of fare changes affecting BFT's Dial-A-Ride, and General Demand services is not included in the fare equity analysis.

The following definitions apply:

*Disparate Impact* refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification or where there exist one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

*Disproportionate Burden* refers to a neutral policy or practice that disproportionately affects low-income populations more than non low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

### 3.2 BFT Title VI Policy

On April 28, 2014, the BFT Board of Directors approved the agency's revised 'Major Service Change, Disproportionate Burden & Discriminatory Impact Policies' to assess adverse effects on protected populations.

The Disparate Impact and Disproportionate Burden policies establish threshold standards for evaluating the equity impacts and the distribution of adverse effects and benefits caused by any fare change or major service change. These thresholds enable BFT to determine whether minority and low-income riders would be disproportionately impacted by the adverse effects of the proposed changes or whether non-minority and/or non-low-income riders would disproportionately benefit by the proposed changes. These thresholds are based on the cumulative impact of the proposed service or fare change.

**Disparate Impact on Minority Populations:** If the impact of a major service change proposal or any fare change proposal requires a minority population to receive benefits 20% less or to bear adverse effects 20% more than those benefits or adverse effects received or borne by the non-minority population, that impact will be considered a disparate impact.

**Disproportionate Burden on Low-Income Populations:** If the impact of a major service change proposal or any fare change proposal requires a low-income population to receive benefits 20% less or to bear adverse effects 20% more than those benefits or adverse effects received or borne by the non-minority population, that impact will be considered a disproportionate burden.

## 4. FARE EQUITY METHODOLOGY

### 4.1 Methodological Approach

Using the guidance provided in BFT's Major Service Change, Disproportionate Burden & Discriminatory Impact Policies to quantitatively assess the impacts associated with the proposed fare changes on minority and low-income populations, it is necessary to use data sets that present fare payment behavior that can be segregated by ethnicity and income as the basis of the analysis. This allows an analysis that can better isolate rider populations that may be affected by the fare change and compare these groups to the non-protected rider population.

In order to be able to assess the impacts of the proposed fare change on minority and low-income populations, the proposed methodology for the Fare Equity Analysis uses an Average Fare Analysis that considers not only the unique ticket type, but also the number of unlinked trips per use, disaggregated by income and ethnicity. As a result, the Average Fare per unlinked trip is somewhat less than the posted fare price. Using this analysis, it is possible to analyze the impacts of the proposed fare change on the ridership based on how each population pays their fare and uses the system.

The Average Fare Analysis uses BFT's July 2022 - June 2023 ridership and ticket sales data combined with the demographic data contained in the most recent onboard customer survey to disaggregate ridership by income and ethnicity within each ticket type. The decision to conduct the average fare analysis on ridership and ticket sales data from both 2022 and 2023 was based in part on BFT's launch of the Youth Ride Free program on June 1, 2022. The Youth Ride Free program resulted in some notable changes in ridership and particularly in the average fare paid by BFT customers which the Average Fare Analysis attempts to capture. This produces an "Average Fare" on a systemwide level as well as for each type of fare — both existing and proposed. This includes fare discounts that are currently offered as well as the new fare changes that are proposed. The Average Fare Analysis also provides the percentage change between the existing and proposed average fares by rider category and ticket type. The Average Fare Analysis uses this data disaggregated by income status and ethnicity to assess whether the proposed fare changes will fall within the threshold established by BFT's 'Disparate Impact and Disproportionate Burden Policy'.

The Average Fare Analysis provides the following correlated information for both the existing and the proposed fare system.

1. Fare Product and Rider Category used by all riders (overall) and by protected status (i.e., low-income vs. non low-income riders, minority vs. non-minority riders)
2. Numbers of unlinked trips (overall, low-income, non low-income, minority, and non-minority) within each fare product and rider category
3. Percentage of riders (overall, low-income, non low-income, minority, and non-minority) within each fare product and rider category
4. Average Fare for each fare product and rider category (overall, low-income, non low-income, minority, and non-minority)
5. Percentage change for each fare product and rider category, based on the proposed fare change

## 4.2 Data

### 2023 BFT Customer Survey

Demographic, income, and fare product usage data were obtained from the 2023 BFT Customer Survey. The survey was conducted between September 13, 2023 and October 12, 2023. A total of 749 valid surveys were completed. The 2023 Customer Survey represents the most recent and relevant data on BFT customer demographics.

The survey was conducted in person, at a combination of transit center platforms across the region while customers were waiting to board/transfer vehicles, and on-board the vehicle itself. Surveys were undertaken on a sample of routes at different times of day, and different days of the week. The survey was offered in English and Spanish to encourage greater participation. The survey was not conducted on-board CONNECT, General Demand, or Dial-A-Ride services.

### Fare Revenue Data - July 2022 - June 2023

BFT's fare revenue and ridership data was gathered monthly, and was aggregated together for the period of July 2022 - June 2023. This period was chosen as it includes all currently available fare products, including the new free Youth Pass. The free Youth Pass program was implemented in June 2022, and has resulted in notable changes in ridership and average fare that BFT team members wanted to ensure was captured in the average fare analysis.

BFT's revenue is summarized by product, but the recording of ridership does not always align with the revenue categories. For example, cash farebox revenue is recorded as a single revenue item, however it likely reflects Adult Single Ride, Reduced Single Ride and Day Pass revenue (and ridership by extension). For a number of products, some assumptions were made to align BFT's ridership with fare revenue categorization.

## 4.3 Assumptions/Definitions

### Minority Status

Any person that self identifies as non-white under the U.S. Census guidelines is classified as "minority." This includes American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, and Native Hawaiian or other Pacific Islander.

Minority status is determined based on survey respondents who did not self-identify as "Caucasian/White - Not of Hispanic Origin." Applying the 2023 Customer Survey responses to the July 2022-June 2023 Fare Revenue Data, approximately 60% of BFT riders self-identified themselves as Minority.

### Low-Income

FTA Circular 4702.1B encourages the use of a locally developed threshold for defining low-income status. Following FTA's guidance to use locally developed and inclusive definitions of low-income status, specifically in regions with a high cost of living, BFT defines low-income as falling at or below 100% of the Federal Poverty Guideline (FPG) as defined by the U.S. Department of Health and Human Services (HHS). The 2023 HHS Poverty Guidance includes both income and household size in determining income poverty categories, below.

**Figure 4. HHS Federal Poverty Guidelines (2023)**

Persons in Family/Household	Federal Poverty Guideline (FPG)
1	\$14,580
2	\$19,720
3	\$24,860
4	\$30,000
5	\$35,140
6	\$40,280
7	\$45,420
8	\$50,560
For families/households with more than 8 persons, add \$5,140 for each additional person.	

Source: Department of Health and Human Services (HHS)

Income information for BFT riders is derived from onboard survey data with household income reported by income ranges. Because the onboard survey’s income brackets do not exactly match the 2023 HHS Poverty Guidelines, Figure 5 below was used to classify the low-income group that includes the household size of the individual’s responses. Based on the definition of low-income, approximately 48% of the survey respondents are classified as low-income based on household size and household income.

**Figure 5. Low-Income Classification**

Persons in Family/Household	100% FPG (2023)	2023 Customer Survey Income Classification
1	\$14,580	\$10,000 - \$19,999
2	\$19,720	\$10,000 - \$19,999
3	\$24,860	\$20,000 - \$29,999
4	\$30,000	\$20,000 - \$29,999
5	\$35,140	\$30,000 - \$49,999
6	\$40,280	\$30,000 - \$49,999
7	\$45,420	\$30,000 - \$49,999
8	\$50,560	\$50,000 - \$79,999
For families/households with more than 8 persons, income classification was determined based on adding \$5,140 for each additional person.		

## 5. ANALYSIS

The analysis evaluated anticipated usage by rider category and fare product overall (all riders) and by Title VI protected populations. Rider category and fare product usage for Title VI protected populations was also compared to non-protected populations.

For all riders, the distribution of Rider category and fare product usage is based on the July 2022 - June 2023 ticket sales data. This provided a distribution of all riders by rider category and fare product.

Usage rates by rider category and fare product were then estimated based on data from the 2023 Customer Survey. The distribution of usage by rider category and fare product for all riders, by minority and by income status is shown in Figure 6. The share of boardings by rider category and fare product that were minority vs. non-minority, and low-income vs. non low-income, are shown in Figure 7.

**Figure 6. Distribution of Usage by Rider Category and Fare Product, Minority and Income Status**

Rider Category and Fare Product	All Riders	Minority	Non-Minority	Low-Income	Non Low-Income
Adult, Cash, Single Ride (Stay)	0.1%	0.1%	0.1%	0.05%	0.1%
Adult, Cash, Single Ride -> Day Pass	0.1%	0.1%	0.1%	0.1%	0.1%
Adult, Cash, Single Ride -> Monthly Pass	19.8%	19.7%	19.8%	19.2%	20.2%
Adult, Day Pass (Stay)	0.003%	0.003%	0.003%	0.001%	0.005%
Adult, Day Pass -> Monthly Pass	0.1%	0.1%	0.1%	0.1%	0.04%
Adult, 10-Ride (Stay)	2.7%	2.7%	2.7%	2.4%	2.9%
Adult, Monthly -> Monthly/Annual	19.1%	17.8%	21.3%	18.2%	19.9%
Adult, Special Service	0.4%	0.4%	0.4%	0.4%	0.4%
Reduced, Cash, Single Ride (Stay)	0.1%	0.1%	0.1%	0.05%	0.1%
Reduced, Cash, Single Ride -> Monthly Pass	1.4%	1.4%	1.4%	1.4%	1.4%
Reduced, 10-Ride (Stay)	0.1%	0.1%	0.1%	0.1%	0.1%
Reduced, Monthly -> Monthly/Annual	5.6%	2.3%	11.1%	5.9%	5.4%
Youth, Free Annual Pass	37.8%	42.0%	30.8%	35.9%	39.3%
Senior, Free Annual Pass	6.4%	6.0%	7.1%	7.4%	5.6%
Senior, Special Service	0.1%	0.1%	0.2%	0.2%	0.1%
Veterans, Free Annual Pass	2.7%	2.5%	3.0%	2.6%	2.8%
College Pass, College Pass	2.7%	3.7	1.0%	4.1%	1.5%
Human Services, 10-Ride	0.9%	1.0%	0.8%	1.9%	0.0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Figure 7. Rider Category and Fare Product by Minority and Income Status**

Rider Category and Fare Product	Minority	Non- Minority	Total	Low-Income	Non Low-Income	Total
Adult, Cash, Single Ride (Stay)	64%	36%	100%	36%	64%	100%
Adult, Cash, Single Ride -> Day Pass	77%	23%	100%	42%	58%	100%
Adult, Cash, Single Ride -> Monthly Pass	62%	38%	100%	45%	55%	100%
Adult, Day Pass (Stay)	67%	33%	100%	20%	80%	100%
Adult, Day Pass -> Monthly Pass	60%	40%	100%	71%	29%	100%
Adult, 10-Ride (Stay)	62%	38%	100%	42%	58%	100%
Adult, Monthly -> Monthly/Annual	58%	42%	100%	44%	56%	100%
Adult, Special Service	61%	39%	100%	44%	56%	100%
Reduced, Cash, Single Ride (Stay)	64%	36%	100%	36%	64%	100%
Reduced, Cash, Single Ride -> Monthly Pass	62%	38%	100%	45%	55%	100%
Reduced, 10-Ride (Stay)	62%	38%	100%	42%	58%	100%
Reduced, Monthly -> Monthly/Annual	25%	75%	100%	49%	51%	100%
Youth, Free Annual Pass	69%	31%	100%	44%	56%	100%
Senior, Free Annual Pass	58%	42%	100%	53%	47%	100%
Senior, Special Service	58%	42%	100%	53%	47%	100%
Veterans, Free Annual Pass	58%	42%	100%	44%	56%	100%
College Pass, College Pass	85%	15%	100%	70%	30%	100%
Human Services, 10-Ride	67%	33%	100%	100%	0%	100%

### Key Assumptions

A number of key assumptions were made when undertaking the analysis. As documented earlier, due to the level of data specificity and the fact that fixed route fare products are valid for travel on BFT's CONNECT services, the analysis includes ridership and fare revenue for BFT fixed-route bus and CONNECT services.

The 2023 Customer Survey included 749 valid responses. When considering the combination of fare product and rider category, this resulted in very low response rates for certain products. Some examples include the number of 10-Ride ticket survey responses (14 responses), Freedom Pass responses (2 responses) and Reduced fare, Single Ride responses (6 responses). In these cases, decisions were made to combine certain rider categories and fare products for greater statistical relevance in the analysis. For example, all Single Ride responses (Adult and Reduced) were combined, and Monthly Passes and Freedom Passes were combined for demographics analyses.

The proposed fare changes include a significant decrease to the Monthly Pass price, elimination of transfers, and introduction of a mobile-only Day Pass, and, as such, the analysis assumes some significant migration between fare products. The number of riders that are expected to migrate from one ticket type to another was determined by analyzing survey responses about current fare product usage, number of journeys per day, and number of transfers per journey from the 2023 Customer Survey. For example, for the subset of respondents who used the Adult, Cash, Single Ride and indicated they rode frequently enough to hit the new Monthly Pass multiple, they were assumed to migrate to the Adult Monthly Pass ticket type. Additionally, smartphone

data from the 2023 Customer Survey was used to determine whether riders would migrate to the new, mobile-only All Day Pass. Below is the logic used to categorize 2023 Customer Survey responses:

- Current Adult/Reduced, Cash, Single Ride, remaining in the pay per boarding product: Existing Single Ride respondents who indicated that they made fewer than 3 journeys on the day they were surveyed, and made fewer than 10 unlinked trips in a Month.
- Current Adult, Cash, Single Ride, shift to the All Day Pass: Existing Single Ride respondents who indicated that they made 3 or more journeys on the day that they were surveyed, and indicated that they use BFT services “A few times a month or less”, and indicated that they have a smartphone.
- Current Adult/Reduced, Cash, Single Ride, shifting to the Monthly Pass: Existing Single Ride respondents who indicated that they made 10 or more unlinked trips in a month. These riders typically indicated that they use BFT services at least once per week.
- Current All Day Pass, remaining in the All Day Pass product: Existing All Day Pass respondents who indicated that they made 3 or more journeys on the day that they were surveyed, and indicated that they have a smartphone.
- Current All Day Pass, shifting to the Monthly Pass: Existing All Day Pass respondents who indicated that they made 10 or more unlinked trips in a month.
- Current Adult/Reduced, 10-Rides, remaining in the 10-Ride Ticket Books: Existing 10-Ride respondents.
- Current Adult/Reduced, Monthly Pass, remaining in the Monthly Pass/Annual Pass product: Existing Monthly Pass respondents who indicated that they made 10 or more unlinked trips in a month.

Beyond the categorization of the 2023 Customer Survey, some assumptions were made to align ridership and fare revenue from the ridership and ticket sales reports. In some cases, ticket sales/fare revenue were consolidated to align with ridership reporting. For example, the ridership reports had no fixed route boardings from Freedom Pass riders even though 1,012 Freedom Passes were sold in the period of time considered. It was determined that the boardings for the Freedom Pass were likely included in the Monthly Pass ridership category. As such, Monthly Pass ridership was compared to the sum of Monthly Pass and Freedom Pass fare revenue to determine an average fare. In some cases, a single ticket sales/fare revenue category reflected multiple fare products and the category needed to be separated into multiple fare products and rider categories. For example, the revenue report provided a single line item for total farebox revenue, yet this likely reflects revenue from Adult Single Ride, Reduced Single Ride and All Day Pass sales. Frequency of use data from the 2023 Customer Survey and relative pricing differences between the products were used to estimate the relative share of revenue associated with each ridership segment.

Finally, some assumptions were made regarding the introduction of the Veterans Annual Pass. Since the product is new, and no survey questions were posed regarding veteran status, data from the US Census was used to estimate the approximate market size of the new fare product. The 2022 American Community Survey identifies approximately 16,000 veterans residing in the census-defined Kennewick-Richland, WA Metro Area. Of those 16,000 veterans, approximately 7,700 are 65 years or older (qualify for the Free Senior Pass) and 8,300 are under the age of 65. Applying the US Census transit mode share value of ~1.5% in the Tri-Cities to the 8,300 veterans under the age of 65 yields an estimate of approximately 125 veterans that would likely qualify and use the Veterans Annual Pass, and an estimate of roughly 63,000 annual boardings from the

new product. The analysis assumes that all of the veterans using the new Veterans Annual Pass were previously purchasing the Adult Monthly Pass and would migrate to the free Veterans Annual Pass.

### 5.1 Average Fare Analysis

The Average Fare Analysis was conducted to understand the average fare paid by rider category, fare product and fare media and by protected and non-protected riders under the existing and proposed fare levels. The absolute and percentage change in the average fare paid by minority, non-minority, low-income, and non low-income riders was calculated. Figure 8 provides the results of the Average Fare Analysis. Overall, the proposed fare changes are expected to result in the average fare per boarding for all riders to decrease by 55.3%, from \$0.27 to \$0.12.

**Figure 8. Systemwide Average Fare Analysis Results for Protected and Non-Protected Riders**

	Average Fare Per Boarding									
	Systemwide, All Rider Types		Minority		Non-Minority		Low-Income		Non Low-Income	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Impacts of proposed Comprehensive Fare Study Changes	\$0.27	\$0.12	\$0.26	\$0.11	\$0.29	\$0.13	\$0.27	\$0.13	\$0.27	\$0.11
		-55.3%		-55.3%		-55.2%		-53.5%		-56.8%

Among existing BFT riders, the current average fare for minority riders (\$0.26) is slightly lower than all riders (\$0.27) and non-minority riders (\$0.29). The current average fare for low-income riders (\$0.27) is the same as all riders (\$0.27) and non low-income riders (\$0.27).

The percentage decrease in the average fare per boarding for minority and non low-income riders is greater than for non-minority and low-income riders:

- **Minority Riders:** the average fare per boarding is expected to decrease from \$0.26 to \$0.11, a 55.3% decrease.
- **Non-Minority Riders:** the average fare is expected to decrease from \$0.29 to \$0.13, a 55.2% decrease.
- **Low-Income Riders:** the average fare is expected to decrease from \$0.27 to \$0.13, a 53.5% decrease.
- **Non Low-Income Riders:** the average fare is expected to decrease from \$0.27 to \$0.11, a 56.8% decrease

Detailed results are available in Appendix A.

## 6. FARE PROPOSAL OUTREACH

### 6.1 Outreach Initiatives

The proposed fare structure was available for public comment starting January 2. The 30-day public comment period was open from January 2 to February 8, 2024. Staff provided three opportunities for the community to provide feedback. Sessions were available in person and online via Zoom. Finance and Planning staff hosted the public outreach period which involved direct engagement with the community, two virtual open houses, and one in person public hearing. The sessions were promoted on the BFT website/social media, at transit centers, with partner agencies, and in the Tri-City Herald.

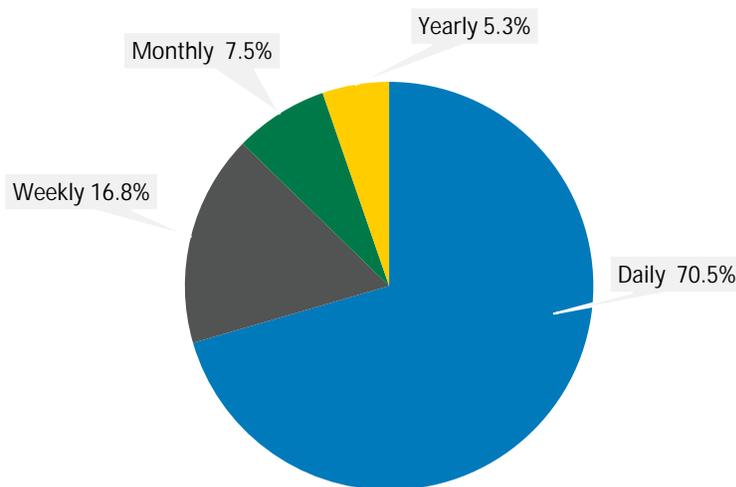
### 6.2 Public Feedback

During the public comment period, BFT staff included two surveys as platform to provide feedback for the proposed fare structure on the fixed route and Dial-A-Ride fare.

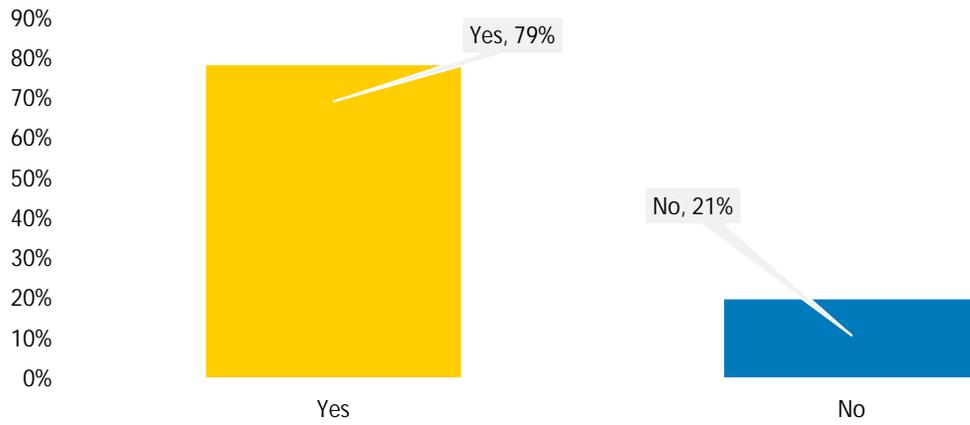
BFT staff greatly appreciated the valuable insights provided by the community. Each comment was evaluated and taken into consideration before presenting the final proposal for the fare structure changes to the Board. All comments included below are reflective of information received until January 24. Any information received after will be included in Appendix B after the final public hearing. The comment period will remain open through February 8.

#### Fixed Route Survey Feedback

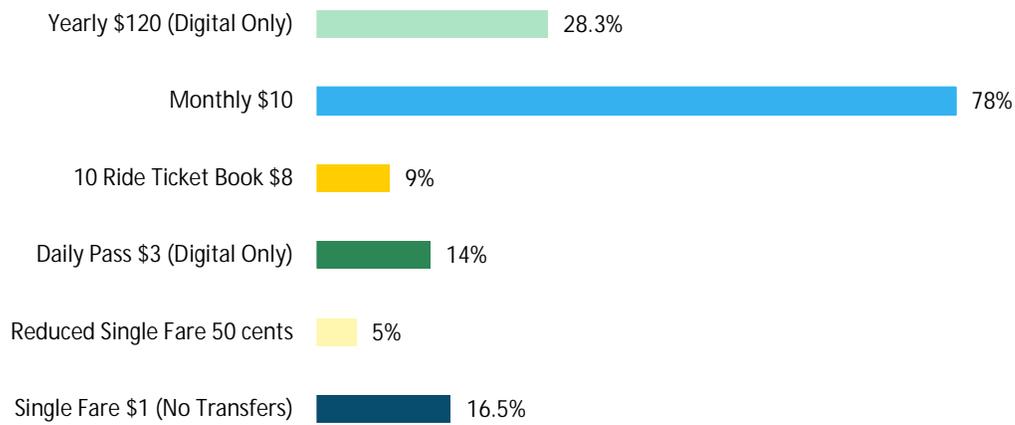
How frequently do you use Fixed Route Service?



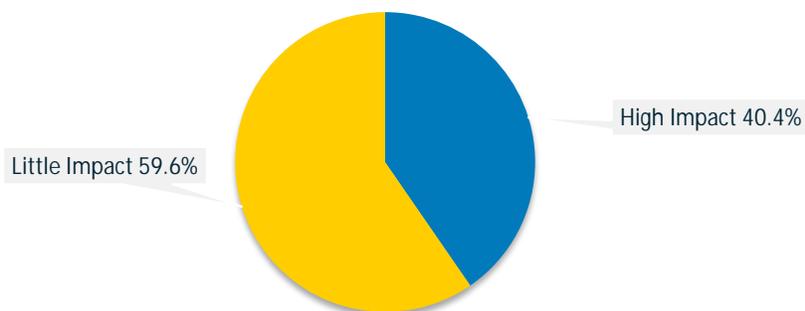
### Do you have access to a phone with data?



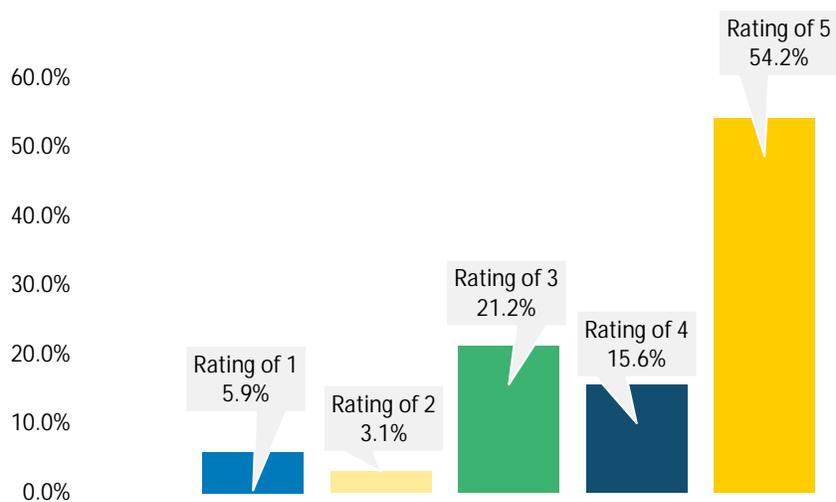
### With the new pricing structure, which pass/es would you consider purchasing?



### What impact would the removal of transfers have on your travel experience?



### Overall, how satisfied are you with the fare changes?



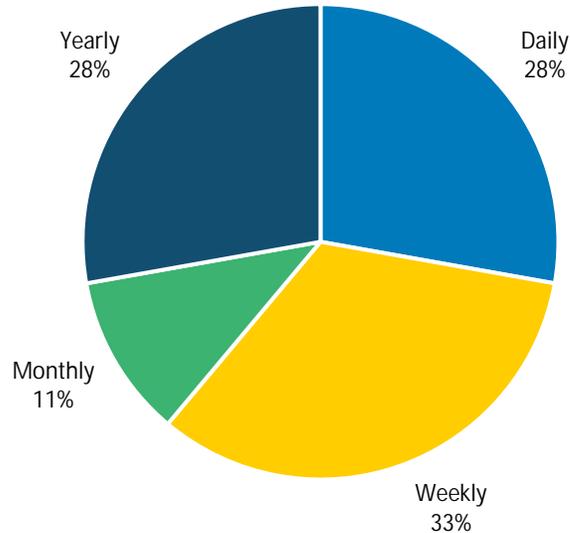
## Fixed Route Survey Comments:

There were a range of opinions and concerns received on the fixed route survey. Below is a summary of some key points:

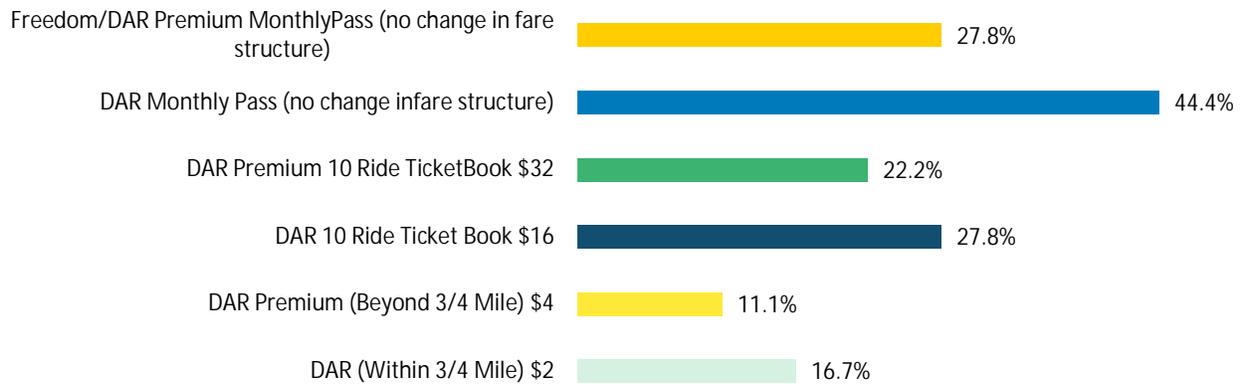
1. **Communication and Awareness:** Users emphasized the importance of spreading awareness and informing the community about the changes especially for those who do not speak English first.
2. **Gratitude for Fare Reduction:** Several riders expressed appreciation for the fare reduction, stating it will save them money.
3. **Digital Payment Options:** Many riders suggested adopting digital payment methods such as transit cards or mobile apps for easier and more accessible payment. However, there were concerns about excluding those without smartphones or data plans.
4. **Digital Pass Safety:** While many riders praise the ability to now have mobile options, users express the need for secure digital passes and inquire about how the digital-only system will work.
5. **Language and Accessibility:** Multiple riders requested an educational awareness campaign for Spanish-speaking communities to ensure outreach on the fare structure changes and ensure accessibility for all, including those without digital access.
6. **Access to Passes:** Suggestions were made to create more point of sale outlets, kiosks or remote selling locations to make passes more accessible, especially for those without phones.
7. **Technology Campaign:** There was an emphasis on easily accessible or in person educational campaigns for riders who are not tech savvy.
8. **Personalization:** Riders suggest that monthly/yearly passes include a picture.
9. **Viability of Service:** There were concerns about the impact of lower fares on the viability of the service and question if there are other funding sources to compensate for potential revenue reduction.
10. **Free Public Transit:** There were requests for free public transit, emphasizing the cost savings for individuals and the community.
11. **Seniors and Reduced Pricing:** Questions were raised about the impact on seniors, and suggestions were made to reduce pricing for certain groups, including those on government income assistance programs.
12. **Route Efficiency:** Concerns were raised about the efficiency of bus routes, with calls for more direct routes and increased frequency.
13. **Fare Reduction Impact:** Riders were concerned that significant fare reduction might negatively impact the transit system's long-term sustainability.
14. **Concerns for Special Events:** Questions were raised about whether fare changes will affect special events.
15. **Incentives for Ridership:** Suggestions were included that request incentives like free rides starting at transfer stations or city councils funding small taxes for free local routes.

## Dial-A-Ride Survey Feedback

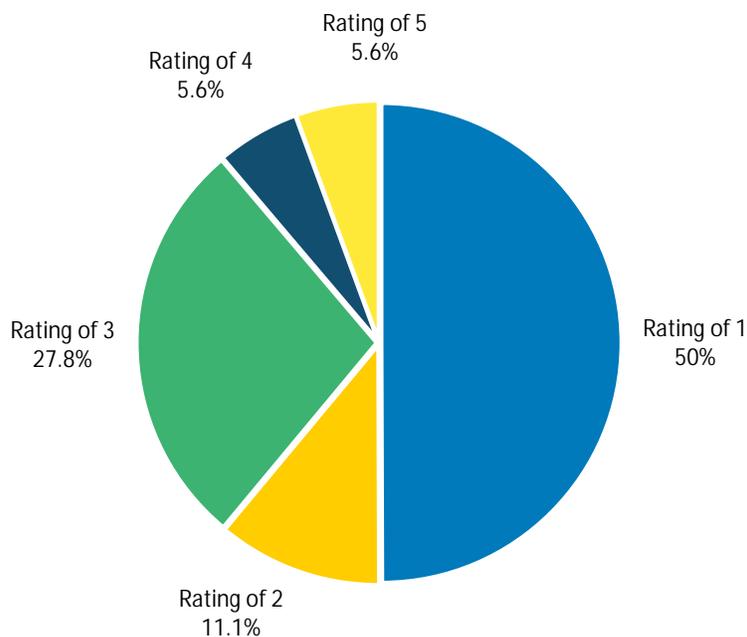
How frequently do you use Dial-A-Ride (DAR) Service?



With the new pricing structure, which pass/es would you consider purchasing?



Overall, how satisfied are you with the fare changes? (1 being not satisfied and 5 being very satisfied)



### Dial-A-Ride Survey Comments:

The feedback on Dial-A-Ride (DAR) reveals the following key points and concerns:

- 1. Outreach and Information:** There is a call for better outreach and information dissemination about DAR services, including details on who can use it, dispelling myths, providing waiting time information, and offering reviews.
- 2. Fee Discrepancies:** Concerns are raised about the perceived discrepancy in fee changes, with lower fees for non-DAR riders and significant increases for DAR riders. Some users express disappointment and frustration, especially considering the vulnerable nature of DAR riders.
- 3. Monthly Pass Pricing:** Questions are raised about the \$25 monthly pass for DAR in comparison to the \$10 regular bus pass. Users inquire whether such a price difference is justified.
- 4. Price Reduction for DAR:** Some users express the desire for a drop in the monthly price for DAR similar to the proposed reduction for fixed routes. Riders understand the challenges but would appreciate the consideration.
- 5. Impact on Vulnerable Populations:** Users strongly criticize the decision to raise fares for DAR riders, particularly the elderly and those on fixed incomes. The potential impact on essential services like groceries, prescriptions, and medical visits is highlighted, with suggestions of discrimination against vulnerable populations.

6. **Advocacy and Potential Legal Action:** Some users express strong opposition to the fare changes for DAR, indicating plans to contact state representatives and suggesting the possibility of class action for discrimination against the elderly.
7. **Suggested Alternatives:** Users propose alternatives such as slight increases on all transactions for fixed routes to compensate for the needs of disabled individuals. They suggest carrying over extra charges from fixed routes to avoid increasing charges for disabled and elderly riders.
8. **Freedom Pass Price:** There is a call to lower the price of the freedom pass.
9. **Concerns about Outsourcing to Via:** Some users express concern about outsourcing to companies like Via and mention the importance of maintaining well-maintained vehicles and skilled staff with background checks, especially CDL-certified drivers.
10. **Improvement Requests:** Users request improvements in various aspects, including reducing long wait times, retaining DAR for Prosser, and not cutting services for General Demand customers.
11. **Assistance for Low-Income DAR Riders:** Some users express hope for free or reduced rates for low-income DAR riders, emphasizing the potential financial burden of transportation costs for people living with disabilities.

**After careful consideration, BFT staff have decided not to proceed with any changes to the DAR fare structure.** Staff understand the importance of accessible and affordable transportation, particularly for vulnerable populations, and BFT remains committed to providing a service that meets the needs of every rider. Feedback from the community has had valuable input in shaping the agency's decision.

## 7. FINDINGS

Across all rider groups, the proposed fare changes result in substantial decreases in average fare, ranging from -53.5% to -56.8%. This represents substantial fare benefits to BFT riders in aggregate.

The proposed fare change benefits minority riders to a greater extent than non-minority riders. As a result, the proposed fare change will result in a slightly greater reduction in the average fare per boarding for minority riders than for non-minority riders, as shown in Figure 9. However, the proposed fare change benefits non low-income riders to a greater extent than low-income riders. As a result, the proposed fare change will result in a slightly greater reduction in the average fare per boarding for non low-income riders than for low-income riders. The greater benefit to non low-income riders does not exceed BFT’s Disproportionate Burden threshold for low-income riders.

**Figure 9. Average Fare Analysis Results for Protected and Non-Protected Riders**

	Average Fare Per Boarding							
	Minority		Non-Minority		Low-Income		Non Low-Income	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
<b>Impacts of proposed Comprehensive Fare Study Changes</b>	\$0.26	\$0.11	\$0.29	\$0.13	\$0.27	\$0.13	\$0.27	\$0.11
		-55.3%		-55.2%		-53.5%		-56.8%
		-0.1%				+3.3%		

Because the proposed fare change benefits minority riders to a greater extent than non-minority riders, the proposed fare change is determined to have no Disparate Impact on minority riders.

Additionally, while the proposed fare changes benefits non low-income riders slightly more than low-income riders, the benefits accrued by non low-income riders (-56.8%) when compared to low-income riders (-53.5%) does not exceed 20%. Therefore, in accordance with BFT’s Disproportionate Burden threshold, the proposed fare changes are determined to have no Disproportionate Burden on low-income riders.

As a result of the Fare Equity Analysis findings, no mitigations to the proposed fare changes are required in order to proceed with implementation.



Figure A-2: Average Fare Analysis by Low-Income Status

Fare Product	Average Fare per Boarding		Change in Average Fare	% Change in Average Fare	All Riders				Low Income Riders				Non-Low Income Riders			
	Existing	Proposed			Number of Riders		Fare Revenue		Number of Riders		Fare Revenue		Number of Riders		Fare Revenue	
					Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed		
Adult, Cash, Single Ride (Stay)	\$ 1.03	\$ 1.00	-\$0.03	-3.3%	1,450	1,450	\$1,500	\$1,450	527	527	\$545	\$527	923	923	\$955	\$923
Adult, Cash, Single Ride -> Day Pass	\$ 0.60	\$ 0.58	-\$0.02	-3.8%	2,500	2,500	\$1,500	\$1,442	1,042	1,042	\$625	\$601	1,458	1,458	\$875	\$841
Adult, Cash, Single Ride -> Monthly Pass	\$ 0.45	\$ 0.16	-\$0.29	-64.2%	462,000	462,000	\$210,000	\$75,244	207,103	207,103	\$94,138	\$33,730	254,897	254,897	\$115,862	\$41,514
Adult, Day Pass (Stay)	\$ 1.26	\$ 1.26	\$0.00	0.0%	71	71	\$90	\$90	14	14	\$18	\$18	57	57	\$72	\$72
Adult, Day Pass -> Monthly Pass	\$ 1.10	\$ 0.22	-\$0.88	-80.3%	1,704	1,704	\$1,873	\$368	1,217	1,217	\$1,338	\$263	487	487	\$535	\$105
Adult, 10-Ride (Stay)	\$ 0.60	\$ 0.40	-\$0.20	-33.3%	62,879	62,879	\$37,917	\$25,278	26,200	26,200	\$15,799	\$10,533	36,679	36,679	\$22,118	\$14,746
Adult, Monthly -> Monthly/Annual	\$ 0.54	\$ 0.22	-\$0.32	-60.0%	447,119	447,119	\$241,425	\$96,570	196,073	196,073	\$105,871	\$42,348	251,046	251,046	\$135,554	\$54,222
Adult, Special Service	\$ 1.50	\$ 1.00	-\$0.50	-33.3%	9,892	9,892	\$14,838	\$9,892	4,329	4,329	\$6,493	\$4,329	5,563	5,563	\$8,345	\$5,563
Reduced, Cash, Single Ride (Stay)	\$ 0.52	\$ 0.50	-\$0.02	-3.3%	1,450	1,450	\$750	\$725	527	527	\$273	\$264	923	923	\$477	\$461
Reduced, Cash, Single Ride -> Monthly Pass	\$ 0.23	\$ 0.16	-\$0.06	-28.3%	33,000	33,000	\$7,500	\$5,375	14,793	14,793	\$3,362	\$2,409	18,207	18,207	\$4,138	\$2,965
Reduced, 10-Ride (Stay)	\$ 0.30	\$ 0.40	\$0.10	33.3%	2,408	2,408	\$726	\$968	1,003	1,003	\$303	\$403	1,405	1,405	\$424	\$565
Reduced, Monthly -> Monthly/Annual	\$ 0.27	\$ 0.22	-\$0.05	-20.0%	131,075	131,075	\$35,388	\$28,310	63,610	63,610	\$17,173	\$13,739	67,465	67,465	\$18,214	\$14,571
Youth, Free Annual Pass	\$ -	\$ -	\$0.00	0.0%	882,759	882,759	\$0	\$0	386,963	386,963	\$0	\$0	495,796	495,796	\$0	\$0
Senior, Free Annual Pass	\$ -	\$ -	\$0.00	0.0%	149,604	149,604	\$0	\$0	79,382	79,382	\$0	\$0	70,222	70,222	\$0	\$0
Senior, Special Service	\$ 0.75	\$ 0.50	-\$0.25	-33.3%	3,226	3,226	\$2,420	\$1,613	1,712	1,712	\$1,284	\$856	1,514	1,514	\$1,136	\$757
Veterans, Free Annual Pass	\$ 0.54	\$ -	-\$0.54	-100.0%	62,968	62,968	\$34,000	\$0	27,613	27,613	\$14,910	\$0	35,355	35,355	\$19,090	\$0
College Pass, College Pass	\$ 0.40	\$ 0.40	\$0.00	0.0%	62,497	62,497	\$24,999	\$24,999	43,748	43,748	\$17,499	\$17,499	18,749	18,749	\$7,500	\$7,500
Human Services, 10-Ride	\$ 0.60	\$ 0.40	-\$0.20	-33.3%	20,960	20,960	\$12,639	\$8,426	20,960	20,960	\$12,639	\$8,426	0	0	\$0	\$0
<b>Sum</b>					2,337,562	2,337,562	\$627,563	\$280,750	1,076,815	1,076,815	\$292,269	\$135,945	1,260,747	1,260,747	\$335,294	\$144,805
<b>Average Fare</b>							\$ 0.27	\$ 0.12			\$ 0.27	\$ 0.13			\$ 0.27	\$ 0.11
<b>Percentage Change in Average Fare</b>								-55.3%				-53.5%				-56.8%

## Appendix B: Additional Comments for Fare Structure Proposal

This section will be updated after the public hearing on February 8, 2024

Comment Number	Fixed Route Fare Proposal Feedback
1	No
2	My only concern is how this impacts the viability of the service. Is the incentive of lower fares to increase ridership, or is other funding available to make up for the possible reduction this will result in if ridership stays stable? The reduction in price is nice as a bus pass user since this would reduce my annual cost a good amount when other prices keep rising.
3	Adopting a transit card similar to the ORCA card or using an app like STA does would make paying for transit easier and more accessible.
4	Public transit ought be free. It actually saves us money.
5	Will seniors no longer ride free?
6	Please offer all options without requiring a mobile phone and a data plan. Not all of us have the money to keep a smart phone on or with data plan. Do booklets, tokens, in addition to mobile. Don't assume that just b/c you and your staff have mobile phones, adults, disabled folks, and youth have mobile phones that could handle your system. If you go for mobile only options--you will be leaving people out--people who need to and you want riding the buses/services
7	I personally think this is a fabulous idea. Mobile passes would be extremely helpful, and fares going down would be as well. For me, my income is inconsistent. Sometimes I make not even \$200/month. It's always stressful trying to remember to pay \$25/month for a bus pass. \$10/month is much more manageable, or even a yearly so I don't have to worry about it! In today's world where prices are constantly rising, I'm very glad to see something lowering prices to make transportation accessible
8	Make monthly passes available digitally
9	Can the monthly pass be bought and used via our phone? Will there be a Reduced Monthly pass? If so, can you please have them available digital.
10	You don't have enough bus stops so far in between
11	The routes need to be more efficient. No one wants to add three hours to their daily commute by taking the bus instead of driving.
12	I love the addition of the mobile tickets! I would love to see this expanded to all ticket options.
13	Idea1: If Transfers are a large factor for others, then I propose making rides starting at a transfer station free. Idea 2: It could also be worth asking city councils to fund a tax to pay for free fares for local routes within their city. A \$10/month cost for riders split for the whole city should be a very small tax burden. Like a 0.01% sales tax increase or a \$5/\$100,000 property tax
14	Why is the annual pass the same as 12 monthly passes? It would make sense to discount it since some won't use it as much some months. Setting the annual price at \$100 seems like a good amount. Buy 10, get 2 free. If monthly is to be the priority, then disregard this
15	The increase of pricing for dial a ride seems a bit unfair, as most people that use it are on fixed income. If it's not already an available service, I think there should be an option for those on government income assistance programs to get a reduced price of, say, \$12-15 for a monthly pass.
16	No, but are the fare changes will effect special events
17	It is not clear what digital only means: are there going to be machines that will scan a barcode off a phone or a physical pass that we can scan into? How will they be accessed for those who might not have a functioning phone all of a sudden or cannot operate a smartphone? I appreciate the changes in fares favoring the passengers overall.
18	Please start this new structure now.
19	I don't understand the elimination of the transfers. Does that mean if the pass you are using is a ride ticket, then you have to use a new ticket for each bus you take to complete your trip? If yes, you could use 4 tickets out of your book of 10 for one round trip. The cost of 4 tickets is \$3.20 so a daily pass is more cost effective for a 4-bus round trip, but making it digital only limits its accessibility. Could you sell a paper daily pass on the bus?
20	While transfers would not impact me, it would SIGNIFICANTLY impact a high volume of riders that frequently utilize them, and BFT drivers. Riders that make multiple connections throughout a given day will be extremely displeased. And displeased riders usually take their frustrations out on the drivers. The removal of transfers is a bad idea...
21	Disclaimer, this goes beyond the fare restructuring, but it does tie into why I think the reduced prices might not be beneficial. I am not a BFT user. I would love to be one though. I think simplification of fares is a great idea. But I do worry that the significant reduction of fare cost may cause BFT to hurt itself in the long run. What would encourage me (and others who do not use bft) is more frequent, faster service, as well as parking at hubs (maybe move Knight Street to the abandoned Albertsons, for example?). If hubs offered direct routes to big employers, locations, and big events (Amazon, Hanford, Amtrak, PSC, music events at Howard Amon, etc) as well as parking, I imagine ridership may improve. But we can't begin to achieve that if we don't have more buses and employees. For instance: Google says it would take me almost an hour to get to my place of work when I can drive in 7min or bike in 15min. If I could bike to a BFT hub in 5min, park and lock up a bike, and then ride a non-stop BFT bus (no roadside pick-up stops) to my work in 15min, that would be great and I would 100% use that service. But like I said before, I fear that reduced fare costs would make this dream a continued dream, and never a reality. I believe mobile passes may be an issue for the older population, and that an open loop system may be more beneficial. Allow persons to use a mobile app, credit/debit, and RFID. Incentivizing the use of a mobile app or RFID with the proposed rates and current rates with the credit/debit (to offset transaction fees) may be a nice middle ground. It also acts as a "reward" for frequent users as well as maximizes the ease of use all users. Thank you for reading.
22	Have a personal picture be on the monthly and yearly pass.
23	As an occasional+ user, this structure really pushes me towards a pass. I like that aspect. But that also raises two concerns: 1- Mobile pass is really vague and could be very impractical... Is it yet another app I will have to download? Or through transit? Or through text (extremely impractical in that case if I have to scroll for a year pass in a year old text everytime I board a bus) 2- Transfer removal on single rides is a bad idea. Any trip between two cities will generally need a transfer to go point to point (i.e. if starting not on a metro or line 225/268). How about a single transfer for occasional users, even if the price has to be a compromise (\$1.25?). Also, with no transfer and day pass online only, this de-incentivizes visitors and tourists to use a transit option, in particular folks that may have low ability to use technology.
24	I would suggest make monthly pass \$15-\$20, while keep annual pass \$120, instead make via connection pass separately as \$10-\$20/week and add more pick up/drop off locations so that it is more sustainable
25	I have been blown away with how robust the public transit is here. I wish we had more. Streetcars and trains and even more busses. For now, I just want to increase ridership! I encourage everyone I know to use public transit.
26	I'm not certain why the yearly pass is digital only, or how that is intended to work: digital-only makes me hesitate to purchase the yearly pass, but the price reduction of the monthly pass would be welcome. I ride the fixed-route buses almost daily, and would appreciate the reduction in monthly expenses.
27	With your current route structure you seem to have 2 main lines to get between cities and then local routes transfers are almost required with that layout.
28	I'm happy that you're reducing the costs of the passes and adding a new yearly one
29	Please install technology to validate mobile passes, instead of requiring drivers to check the passes.
30	I think the changes are great but I think this will seriously affect the seniors that aren't aware of technology drivers would need to answer more questions
31	I would prefer it stay the same fare structure or see it increase slightly to help infrared and amenities
32	Be mindful of those people who don't have access to digital pass or aren't comfortable with technology but overall very happy with the reasonably priced passes
33	I need the ability to be able to buy the passes in advance
34	Uses cbc pass
35	Monthly pass is great. Continue passes to with colleges. We need more security with digital passes. Gentleman says he can help improve to make pass safer and unique signature kirklincoln@gmail.com
36	Thank you for saving me money for groceries
37	Transitions center yearly or monthly pass
38	Fabulous to see the prices go down. Please make the option to pay for the daily, monthly, or yearly on the bus. We need to improve technology so people can pay on their card and show digital pass
39	Love the new passes and that they are less expensive but would greatly appreciate if busses would go past 10pm at least 11pm
40	Please continue to go all digital so that I don't lose the pass but I want some sort of way to ensure people don't use my pass
41	Stop allowing inter zone trips on via. This should be a priority or else I'm having to wait 45 minutes to get to finley
42	I use BFT nearly every day since I don't drive, so making monthly passes cheaper would be appreciated
43	With the new mobile fares, will BFT be implementing a new app (like the STA [Spokane Transit Authority] Connect app) or will it utilize the current Transit app to collect the proposed fares? I do like the idea of mobile fare collection as it would likely give you more accurate ridership numbers for each service and fixed route.
44	I'm not a frequent user of BFT currently, but due to a new job in Kennewick (I live in Prosser) I'm hoping to learn more about the transit system and hopefully use it more frequently in the near future
45	We need to educate Spanish speaking communities to understand how fare structure works. Many people are paying for each trip because they don't understand there are other options.. spanish
46	First time riding bus
47	Currently cbc atudent

48	Great idea. CBC student but kind of liked passes
49	CBC student
50	Currently don't have phone but will don't know much English didn't know about passes but now will definitely make the change to passes monthly if you approve Spanish thank you for all your help
51	Please keep in mind not everyone has a phone with data and while \$10 is great I don't always have money for that
52	I myself am happy that the monthly pass is a nominal fee but there are many people that do not have \$1 to be paying each ride and that cost will be very high would recommend improving campaign so that people understand change and promote daily. Monthly, or yearly pass. Spanis
53	Removing the transfers will affect those who don't understand or can't afford
54	Please keep in mind migrant communities who cannot speak Spanish they are afraid to give documentation we need to run a strong campaign to help them understand we are there to help and the easiest way to access passes. Spanish
55	A lot of people will be affected and I would hope we make it clear so people in all languages understand their options
56	I think the changes make Dial a Ride less affordable to our seniors and disabled who need the services the most, I'd recommend a reduction in those fares.
57	I am concerned with the increase in the Dial-a-ride fares. My son uses Dial-a-ride 5 days a week and currently it is free for him but won't be next year. I did hear today that it will increase to a higher amount. He is part of a vulnerable population and while I can afford a higher amount, I fear that many won't. The dial-a-ride service is so valuable to us as a family I imagine it is to most who utilize it and I hope a rate increase won't be a disservice to many.
58	I think there should be a kiosk that someone could go to get a pass if the lobby is closed.
59	Please add an opening on 22nd so that we can access the transit center easier
60	Love the bus
61	Don't mess with the schedule so that I can make my connection on Stacy at so I can go to wapato
62	A simplified fare structure is a facade for limiting access to those without means. Many commuters need to use the transfers to move from home to school to work and back. I use the bus, as do my two youth, to get around the Tri Cities for work, school, doctors and shopping. The free student passes are the only way we can afford to get from home to school and back. The bus is essential and there is no easy way to get from one area of Richland to another. The fare reduction and simplification comes at the expense of those with special needs, disabilities, and the essential services of Dial a Ride.
63	Monthly pass rate should make a difference from yearly pass, e.g. monthly pass \$15/mon while yearly pass \$120
64	Very happy with change but please keep in mind community and those who don't have digital access especially homeless
65	\$1 adds up quick people can't afford it. Keep in mind our entire community
66	No Sunday service on Sundays makes me not happy please add it back
67	Expense can add up quickly at \$1 not everyone can afford but thanks for making monthly inexpensive
68	Keep in mind not everyone has a phone or access to data expense can add up and not everyone can afford to pay each time
69	Please keep in mind that is a lot of money to pay each time I hop on bus and I don't have \$10
70	I don't speak English only span but I like the \$10 option
71	Thx for digital
72	Will buy monthly now didn't have \$25 before
73	\$1 is too expensive for each trip they've tried this in Arizona and failed miserably
74	\$10 option is great but \$1 trip is going to impact many
75	\$1 per trip is a lot for some \$10 can even be unreasonable
76	Keep in mind community with no access to data
77	Don't like technology and some people can't afford \$10 or \$1 per trip. For me, option of \$10 is great
78	I like the options but spread the word so that everyone is aware the cost can really add up
79	Not everyone has access to a phone
80	\$10 is saving me money. My work kadlec currently takes the \$25 out of my paycheck so I'm excited that I will be saving money
81	Passes need to be more accessible to people maybe do a remote spot at the transit centers that don't have passes and sell passes a few times a month
82	This is expensive and you need to inform community of changes
83	Transfers being removed is expensive to many allot of people can't afford \$1 per trip
84	Thank you
85	I am not tech savvy and to have passes that aren't available to me sucks please make them all accessible to people without phones or knowledge of tech
86	For me it will be feasible but keep in mind some people don't have mine to purchase \$10 passes. Please get the word out and work with places like st Vincent to ensure that people who can't afford have access and can get word out in time so homeless can actually under and afford
87	Spanish like the option for \$10 but not everyone can afford or understand that they have to pay \$1 per ride
88	Being committed to \$10 is unreasonable but for my options that is the best choice since I don't have a phone
89	Will the fare structure put ANY grants/funding at risk ?
90	What is going on for the people with the green cards for the reduce bus passes doesn't seem that they are going down to 12.50 some people can't afford 12.50 for a bus pass but you guys will reduce the 25 to 10 chains to reduce bus passes to
91	Keep transfers
92	Allowing the additional 50 cents for a transfer
93	not allowing transfers will impact us greatly. we will need to use twice as many bus tickets.
94	Thank you for taking the time to research and lower fares for our community which is needed.
95	I really appreciate BFT and Dial A Ride, without it, id be stuck in Richland, thanks for all you do!
96	Reducción en el costo de DIAL-A RIDE. Pasaje free para personas con discapacidad.
97	Nada
98	Deberia brindarse un boleto free a las personas con discapacidad visual, pues ellos son los que conllevan más gastos y muchos no logran encontrar trabajo fácilmente o trabajan Part time.
99	Esta perfecto como se está manejando!!

Comment Number	Fixed Route Fare Proposal Feedback
1	You should do better outreach on DAR--who can ride it and dispel myths--like for example can non disabled people use this service? And share info on average waiting time etc. I think more people would ride it if it was easier to figure out waiting times and have reviews available, and also Offer a map to get from South Richland to PNNL, to the Airport with these services (if possible).
2	Is DAR allowed to charge \$25 for a monthly pass when a regular bus pass is \$10?
3	A drop in price for monthly price like you are proposing for fixed routes would be nice but understand if that is not possible.
4	Why have you lowered the fees for non-DAR riders and raised the fees so significantly for DAR riders? The people who need to ride have these services the most can usually least afford the huge increase. Shame on you!
5	Pass price should go up, otherwise your losing more money
6	It is mind boggling to find bft is increasing the fares to the most vulnerable people. A majority of dial a ride folks that I see are the elderly that are no longer able to drive due to age. To only raise rates on people with the most limited, fixed income that are dependent on bft for their transportation for everything. Groceries, prescriptions, Dr visits, is baffling to me. Sticking it to the elderly in this way, when many have no other way to get around is comparable to blackmail. If this goes through, I will definitely be contacting state representatives and if possible, suggest bringing class action for discrimination.
7	DAR riders are on a fixed income, you shouldn't raise rates for them!
8	I do not ride dial a ride but have had family who RELIED on your transportation. Please consider adding a slight increase on all transactions for fixed route to compensate helping the DISABLED who are likely on FIXED income! Fixed route monthly pass cost is the same as a year subscription?? Make the fixed route monthly a dollar more so the yearly 120 makes more sense? Carry over extra charge you can make from fixed route to not increase any charges for the disabled? Maybe fairs for temporary dial a ride riders a slight increase since their use is temporary? Please reconsider up-charging the elderly and disabled who struggle with income ans spread the need of upcharge into reasonable increase of fixed fairs with the smallest increases there as possible. Like an extra 25cents per ride. Or 50 cents per day pass. An increase on the monthly pass so the anual pass makes more sense.
9	Lower the freedom pass price
10	I think it's absolutely disgusting you are outsourcing to a company like Vis and getting rid of DAR. shame on you!!!

11 Less concerned with fares and more concerned with Via being utilized more in place of better-maintained vehicles and SUPERIOR STAFF who actually have CDLs and must submit to random drug testing, etc. Please ditch any plans to increase Via and hire more union-affiliated DAR drivers with adequate training to handle whatever happens on their route. The current DAR drivers are AMAZING!

12 You guys need to start improving on a lot thing's and I am General Demand Customer so I pay reduced fare no more long wait times and I mean it!!!!!!!!!!!!!! And dial a ride should not be cut for Prosser for General Demand needs to stay thank you.

13 our clients are not able to afford the ride now, so to charge more would put a even larger hardship on them.

14 Maybe there are free or reduced rates for low-income DAR riders that I am not aware of. Hopefully there is assistance to reduce the \$50 for those who cannot afford it. In some instances, \$50 is a substantial cost to people who are living with a disability. I would not want to see the cost of transport cause a resident to become isolated or miss medical visits, errands, and social visits. Thank you for not raising the DAR fare as that would have had a negative impact on many DAR riders. And a big thank you to the DAR drivers!

15 Debe mantenerse la tarifa o reducirla, porque nosotros los usuarios del servicio somos los que menos oportunidades laborales tenemos.

16 I am very concerned about BFT desire to outsource dial a ride services to a third party contractor (Via). Dial A Ride provides transportation services to some of the most vulnerable people in our communities. BFT should continue to provide the same level of service and due diligence to ensure drivers have security background checks, regular drug and alcohol screening and high level specialized training. This cannot be trusted or achieved by a third party contractor. If BFT intends to continue Dial A Ride services it has an obligation to ensure the safety and well being of this specialized clientele, keep Dial A Ride services and drivers internal to the organization.

DAR has provided excellent service for Taylor the past several years to and from the Arc. (I pay \$50 a month for a Freedom pass). It would be a hardship on us if you do away with the service.

Taylor needs assistance in and out of vehicles. I do not feel Taylor will be taken care of or safe if you change driving services to Via or another company that can't accommodate or help ADA clients like Taylor.

Taylor physically and mentally needs to attend the Arc, it would be devastating if this would be taken away from her. Having DAR driving her is a much needed service.

I'm pleading do not change to another transportation company for Prosser and BC clients.

Please keep DAR!

# Fare Structure Proposal

---

Board Meeting Update  
February 2024



## \* COST PER BOARDING



\$1/\$11.69

Cash Fare   
Agency Cost



\$1.50/\$65.07

## OTHER CHANGES

- No transfers
- Discounted monthly pass
- 33% single fare reduction
- Annual mobile pass option

## ADA SERVICE FACTS

- Door-to-door service
- Beyond 3/4 mile
- Fares stay the same

\*Data source — December 2023 Financial Report



# Proposed Nominal Fare Structure Changes

---

- **Deeply discount the monthly pass**, offering unlimited rides on fixed-route, CONNECT, and General Demand
- **Discontinue transfers**, so non-passholders will pay for each boarding, encouraging purchase of the monthly pass
- **Mobile Ticketing Option**, to improve access to BFT fares and passes
- **Introduce a Day Pass and Annual Pass available on mobile only** to support needs of visitors/infrequent riders and encourage mobile uptake
- **No changes to DAR Fares**, proposal has been adjusted based on further assessment and public feedback
- **Retain free fares for Seniors and Youth; introduce free fares for Veterans**
- **Restrict sale of 10 Ride Ticket Books to Human Services Agencies only**

# Revised Nominal Fare: Proposed Product Pricing

Proposed Product Pricing	Fixed Route / CONNECT / General Demand		Dial-A-Ride	
	Current	Proposed	Current	Proposed
Single Ride/Day Pass Fares				
Adult Per Trip (with transfer)	\$1.50	Discontinued		
Adult Per Boarding (NO transfers)		\$1.00		
Reduced Per Trip (with transfer)	\$0.75 (\$1.50 GD)	Discontinued		
Reduced Per Boarding (NO transfers)		\$0.50		
Day Pass	\$4.00 (Not on GD)	\$3.00 (mobile)		
DAR – Within ¾ Mile			\$1.50	\$1.50
DAR Premium – Beyond ¾ Mile			\$3.00	\$3.00

# Proposed Product Pricing

Proposed Product Pricing	Fixed Route / CONNECT / General Demand		Dial-A-Ride	
	Current	Proposed	Current	Proposed
<b>Ticket Books (General Public &amp; Human Service Agencies)</b>				
10 Ride Ticket - General Public (Adult / Reduced / Freedom)	\$12.00 / \$6.00 / \$25.00	Discontinued		
10 Ride Ticket - Human Services (All Categories)		\$8.00		
10 Ride Ticket - DAR			\$12.00	\$12.00
10 Ride Ticket – DAR Premium			\$25.00	\$25.00
<b>Retail Pass Products</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>
Adult (19-65) Monthly Pass -> All Customers Monthly Pass	\$25.00	\$10.00		
All Customers Annual Pass		\$120.00 (mobile)		
DAR (within ¾ mile) Monthly			\$25.00	\$25.00
Freedom/DAR Premium (> ¾ mile) Monthly			\$50.00	\$50.00

# Proposed Product Pricing

Proposed Product Pricing	Fixed Route / CONNECT / General Demand		Dial-A-Ride	
	Current	Proposed	Current	Proposed
<b>Specialty Passes</b>				
Youth Pass	Free	Free	Free*	Free*
Senior Pass (over 65)	Free	Free	DAR Fare/Pass	DAR Fare/Pass
Veterans Pass		Free		DAR Fare/Pass
CBC ASB Card	Travel Allowed	<b>Travel Allowed</b>	Travel Allowed*	<b>Travel Allowed*</b>
WSU ASB Card	Travel Allowed	<b>Travel Allowed</b>	Travel Allowed*	<b>Travel Allowed*</b>
<b>Community Events</b>				
Community Event Fares	\$1.50 / \$0.75	<b>Policy TBD</b>	\$1.50 / \$0.75	<b>Policy TBD</b>

# Title VI Results

## FINDINGS

Fare changes result in substantial decreases in average fare, ranging from -55.2% to -58.9%. This represents substantial fare benefits to BFT riders in aggregate.

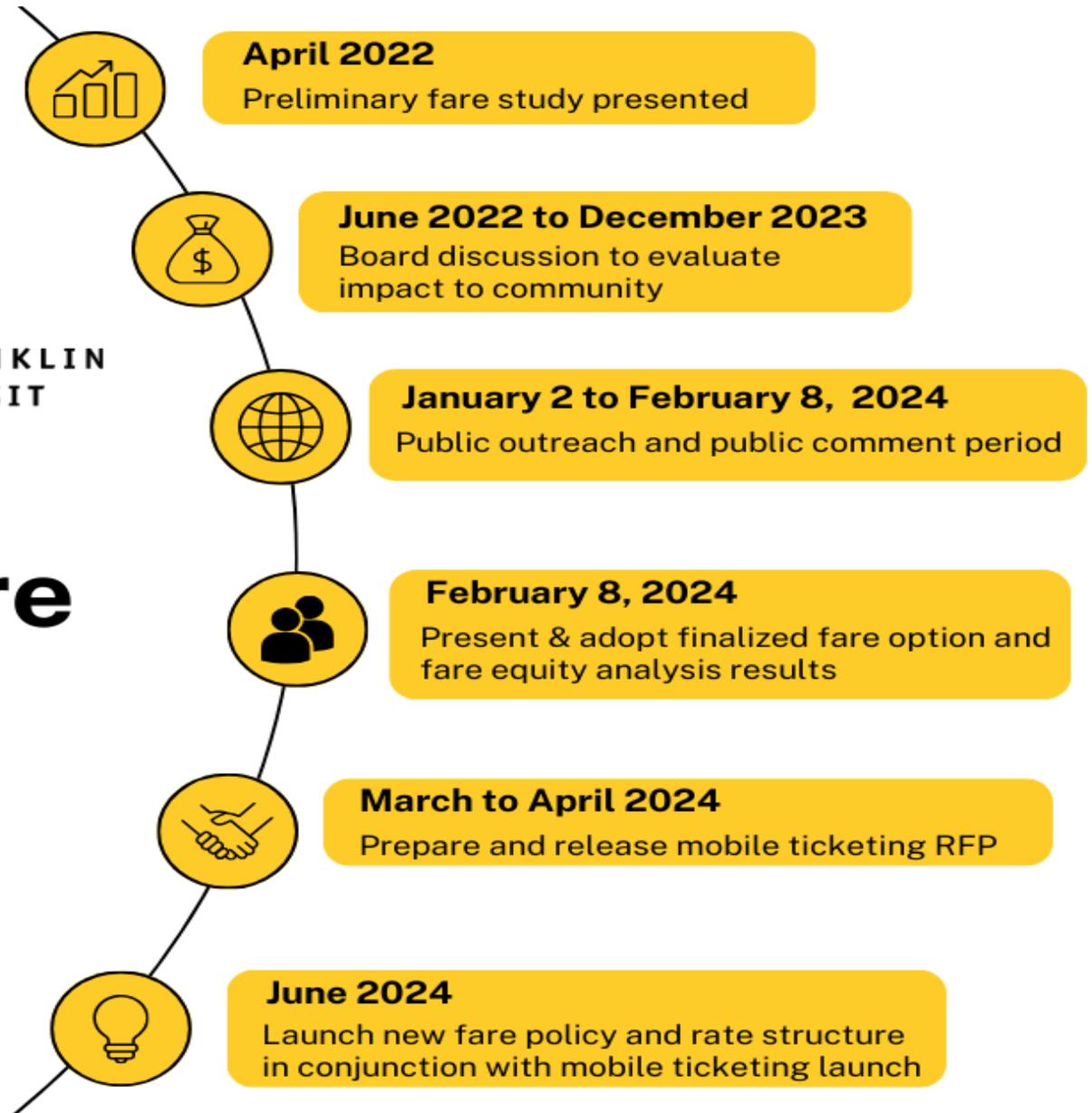
		Average Fare Per Boarding							
		Minority		Non-Minority		Low-Income		Non Low-Income	
		Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
		\$0.26	\$0.11	\$0.29	\$0.12	\$0.27	\$0.12	\$0.27	\$0.11
			-57.3%		-57.0%		-55.2%		-58.9%
Impacts of proposed Comprehensive Fare Study Changes			-0.3%				+3.7%		

\*As a result of the Fare Equity Analysis findings, no mitigations to the proposed fare changes are required in order to proceed with implementation.

# Timeline



## Fare Structure



# Questions & Additional Feedback



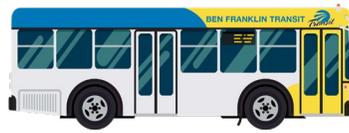


# Agency Performance

Fourth Quarter 2023

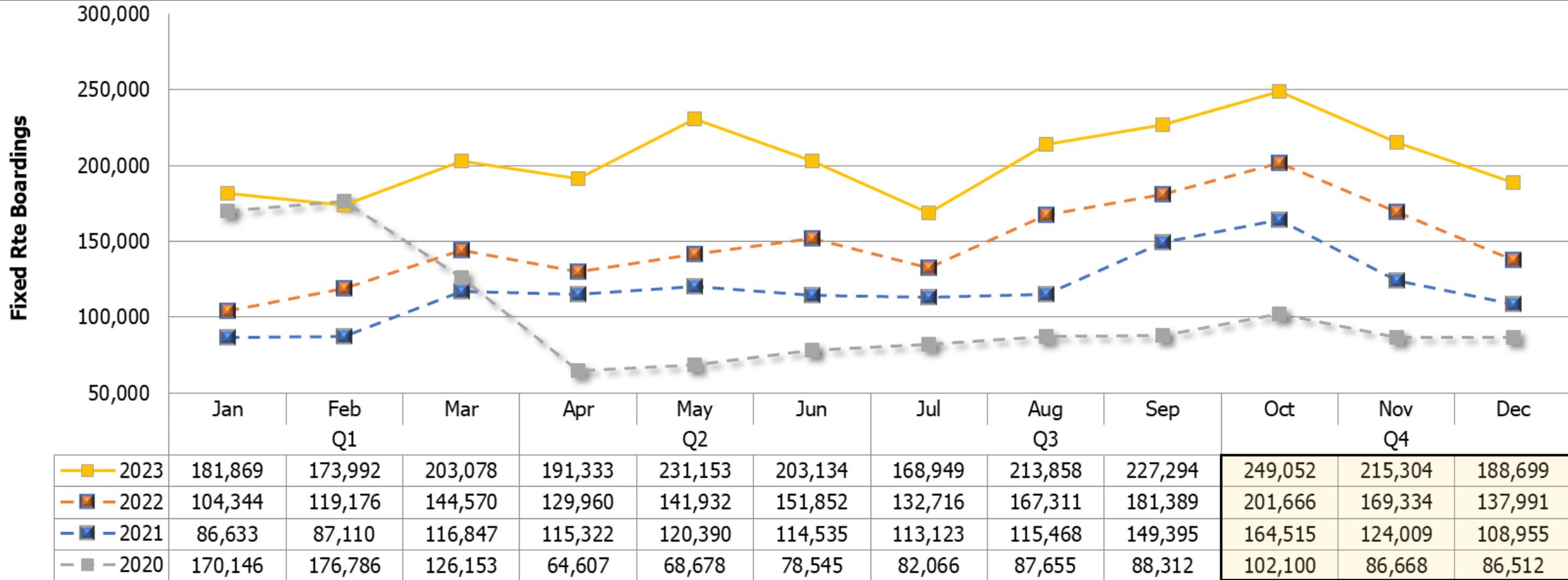


# Fixed Route Q4 Performance



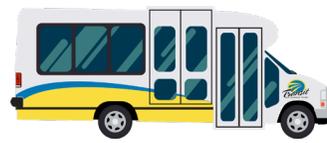
## Q4 Highlight:

Consistently over 10,000 boardings on weekdays in Sep

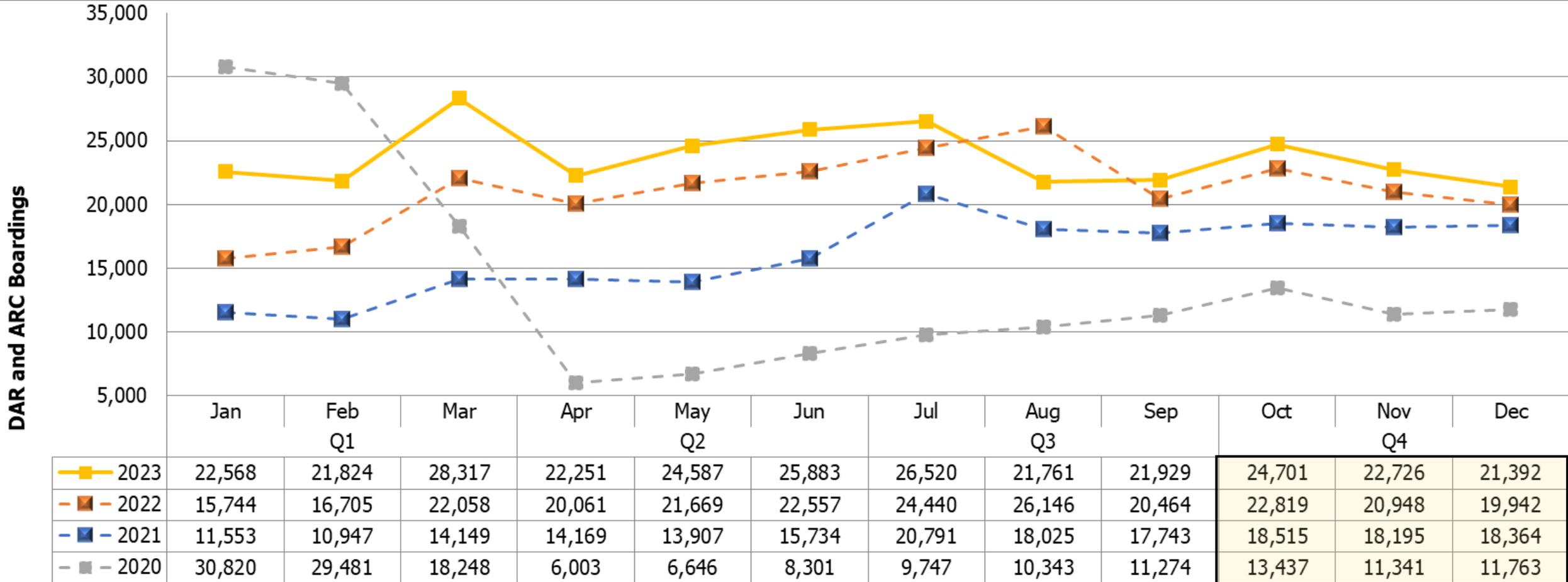


Ridership Trends: YTD Δ 2022/2023 = 37.3%

# Dial-a-Ride Q4 Performance



**Q4 Highlight:**  
12.2% Increase over Q4 2022



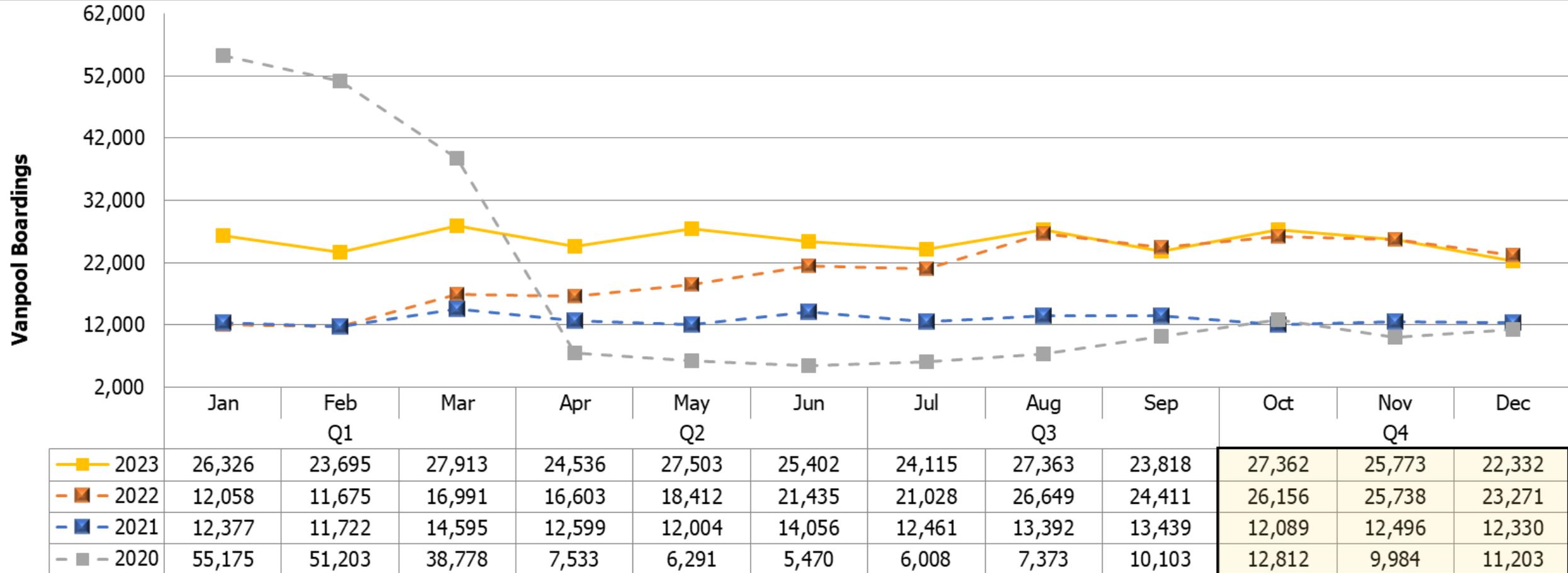
**Ridership Trends:** YTD Δ 2023/2022 = 12.2%

# Vanpool Q4 Performance



## Q4 Highlight:

Replacement & Expansion Vehicle Procurement Approved

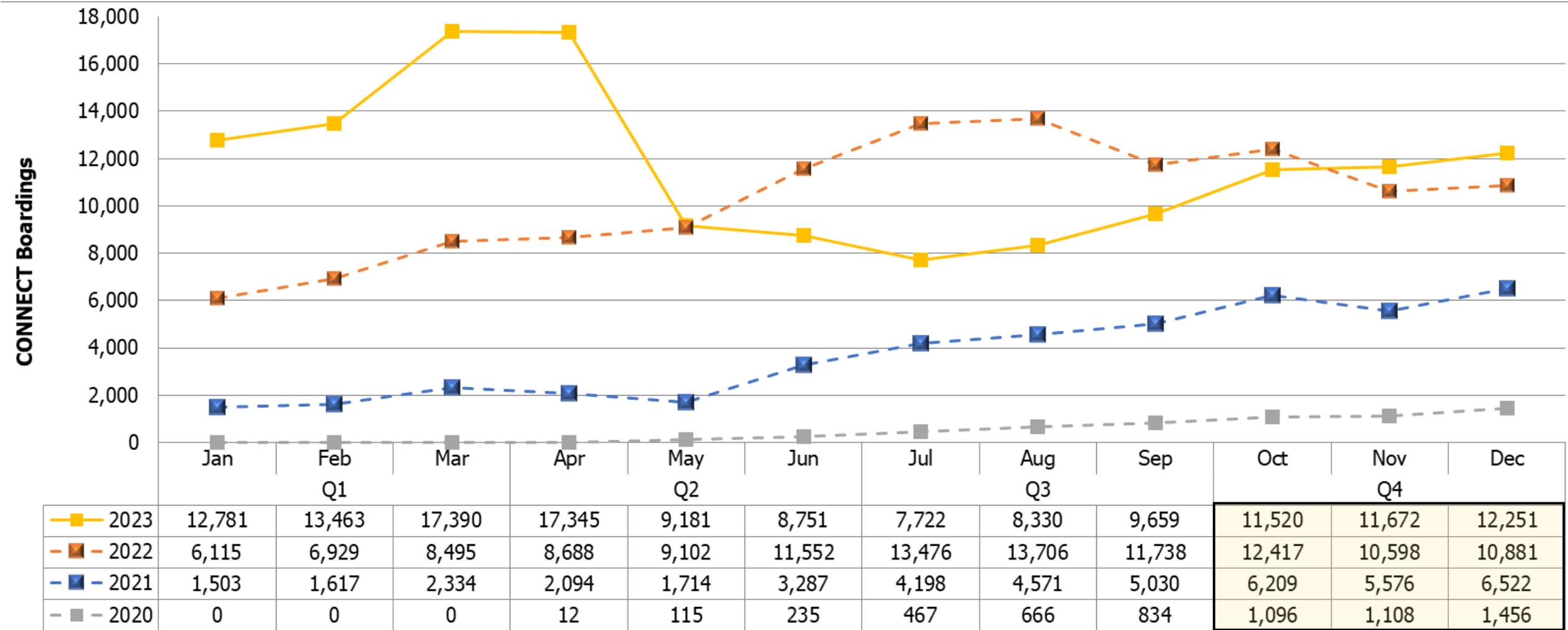


Ridership Trends: YTD Δ 2022/2023 = 25.2%

# BFT CONNECT Q4 Performance



**Q4 Highlight:**  
Signs of recovery from May service changes



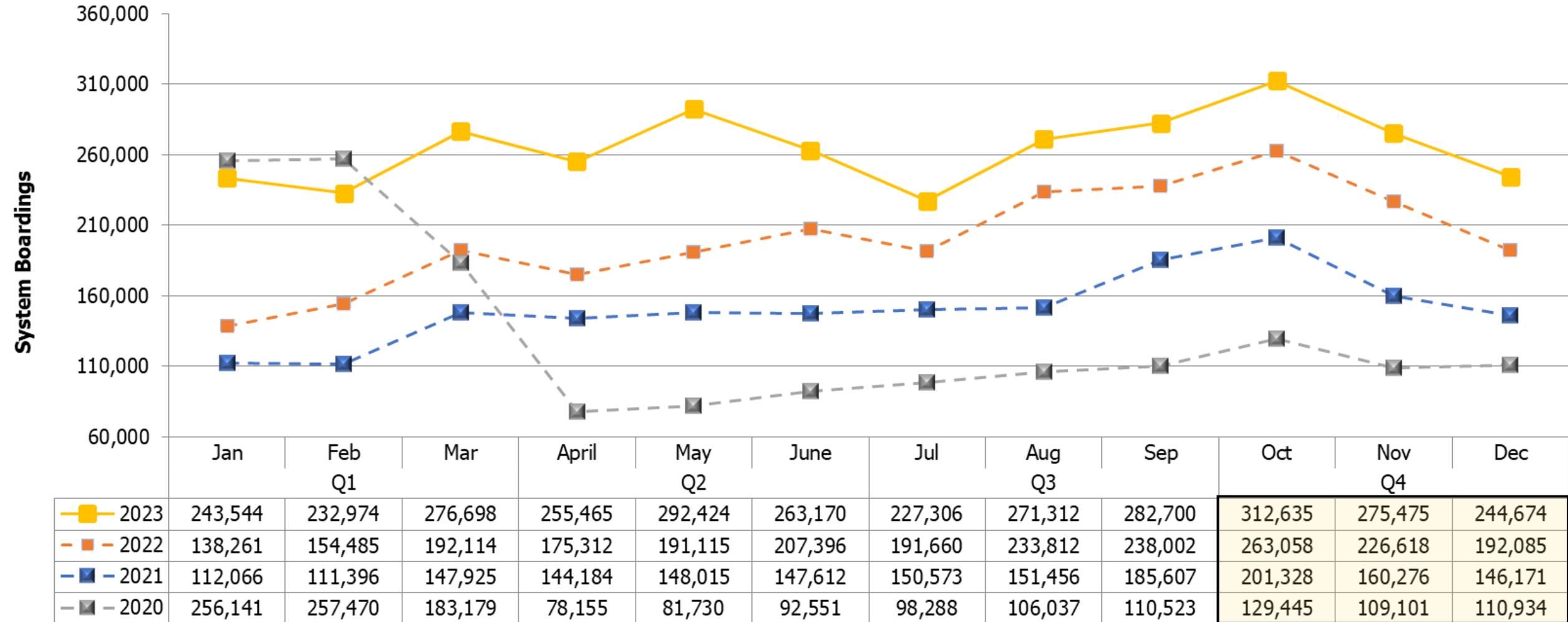
**Ridership Trends:** YTD Δ 2022/2023 = 13.2%

# Q4 2023 Ridership

## Annual Total System Boardings



**Q4 Highlight:**  
32.2% increase in Q4 ridership



**Ridership Trends:** YTD Δ 2022/2023 = 32.2%



# Capital Projects Update



- **Operations Building** — Estimated completion Q2 2024; on schedule and on budget. Currently being cladded with exterior brick.
- **Queensgate Transit** — Groundbreaking May 23<sup>rd</sup>, Estimated completion May 2024— Delay with arch culvert installation.
- **Downtown Pasco** — Design and community engagement underway . Conceptual designs being finalized
- **West Pasco** — Ideal site identified, waiting on input from City and landowners. High land cost expected. Acquisition expected in Q1 2024.

# Q4 Marketing & Outreach Update

## October

- Annual Service Plan Campaign
- Cane Quest
- CAN Member Recruitment
- Week Without Driving
- BFT Barbie Bus Hosted 3,000+ Youth



## November



- Veterans Day Parade in W. Richland
- Turkey Delivery with Second Harvest – 300 Meal Boxes Picked Up
- Quality Assurance Surveys End
- 4,000 Dial-A-Ride Surveys Mailed

## December

- Snow Chains Video Sets BFT Records: 41.2M Views, now 30.4K Followers on Instagram
- Year-End Review Dinner
- Cable Bridge Run – Served 2900 Participants
- BFT Art Bus Tour





# Additional Board Information

## February 2024

1. 90-Day Procurement Outlook as of 01/17/2024

