



TRI DELTA TRANSIT

Eastern Contra Costa Transit Authority
801 Wilbur Avenue • Antioch, California 94509
Phone 925.754.6622 Fax 925.757.2530

Board of Directors Meeting Agenda

Wednesday September 23rd, 2015

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Available on line: www.trideltatransit.com

Please see the last page of this agenda for:

- Public comment guidelines
- Agenda, staff report, and document availability
- Americans with Disabilities Act information
- Anticipated action by the Board of Directors

1. **Call to Order:** Chair Ben Johnson

a. **Roll Call**

2. **Pledge of Allegiance**

3. **Public Comment**

While public comments are encouraged and taken very seriously, State law prevents the Board of Directors from discussing items that are not on the meeting agenda. If appropriate, staff will follow up on public comments. Please see Public Comment Guidelines on Page 3 of this agenda.

4. **Chair's Report:** Chair Ben Johnson

5. **Consent Calendar (ACTION ITEM):** Minutes, Financial Report, and Marketing Activities Report (*see attachment: tab #1*)

- Minutes of the Board of Directors meeting of July 22nd, 2015
- Financial Report
- Marketing Activities Report

Requested Action: Approve items 5a, 5b, and 5c

6. **CEO's Report:** Jeanne Krieg

- Operations Report** (*see attachment: tab #2*)

Board of Directors:

City of Antioch

Wade Harper
Mary Rocha

City of Brentwood

Gene Clare
Barbara Guise

City of Oakley

Doug Hardcastle**
Kevin Romick

City of Pittsburg

Ben Johnson*
Pete Longmire

Contra Costa County

Federal Glover
Mary Piepho

Member-at-Large

Ken Gray

* Chair: FY 2015-16

** Vice-chair: FY 2015-16

**Board of Directors Meeting Agenda
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7. ACTION AND DISCUSSION ITEMS

- a. **ACTION ITEM:** Amended and Restated Clipper® Memorandum of Understanding
(see attachment: tab #3)

Requested Action: Adopt Resolution 150923a authorizing the CEO to sign the amended and restated Clipper MOU.

- b. **ACTION ITEM:** Photovoltaic (Solar/PV) Feasibility Study
(see attachment: tab #4)

Requested Action: Approve Resolution #150923b authorizing the CEO to apply for a low interest loan and enter into an agreement with the California Energy Commission.

- c. **DISCUSSION ITEM:** TDA Triennial Performance Audit
(see attachment: tab #5)

No Action Required

8. Board of Directors Comments

Under this item, Directors are limited to providing information, asking clarifying questions about matters not on the agenda, responding to public comment, referring matters to staff, or requesting a report be made at another meeting.

9. Adjourn

Next Meeting: October 28th, 2015 at 4:00pm at the ECCTA administration facility, 801 Wilbur Avenue, Antioch, CA

Public Comment Guidelines:

- Persons requesting to address the ECCTA Board of Directors are requested to complete a Comment Request form and submit it to the clerk. If possible, please submit the form prior to the start of the meeting. At the appropriate time, the ECCTA chair will call on individuals to comment.
- During the public comment agenda item, the public is permitted to address the ECCTA Board of Directors on items that are on the consent calendar or items not on the agenda. Individuals may also make a request for future agenda items. No action or discussion may take place on any item not appearing on the posted agenda.
- If a person wishes to speak on a specific agenda item, the ECCTA chair will call on the individual when the agenda item is being discussed by the Board of Directors.
- Persons addressing the ECCTA Board of Directors are requested to limit their remarks to three (3) minutes unless an extension of time is granted by the chair, subject to approval of the ECCTA Board of Directors.

Agenda, staff report, and document availability:

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection the Friday before each regularly scheduled Board of Director's meeting at Tri Delta Transit's front desk located 801 Wilbur Avenue, Antioch, California. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Board regarding any item on this agenda after the agenda has been distributed will also be made available for inspection at Tri Delta Transit's front desk at the above referenced address during regular business hours.

Americans with Disabilities Act Information:

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available in the Tri Delta Transit parking lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the CEO's Office at (925) 754-6622 or fax (925) 757-2530. Notification 48 hours prior to the meeting will enable Tri Delta Transit to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II} Please help us accommodate individuals with EI-MSD and refrain from wearing scented products to this meeting. Please turn off any electronic paging device or cell phone.

Anticipated action by the Board of Directors:

The Board of Directors may take action on any item on the agenda, which action may consist of the recommended action, no action or a related action.

TAB 1

Agenda Item 5a,b,c
Consent Calendar (ACTION ITEM): Minutes, Financial Report, and
Marketing Activities Report

Board of Directors Meeting Agenda

Wednesday September 23, 2015

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

EASTERN CONTRA COSTA TRANSIT AUTHORITY
Antioch - Brentwood - Pittsburg - Oakley and Contra Costa County

MINUTES

July 22, 2015

The Eastern Contra Costa Transit Authority (ECCTA) meeting was called to order in the ECCTA Board Room, 801 Wilbur Avenue, Antioch, California by Chair Ben Johnson at 4:00 P.M.

ROLL CALL / CALL TO ORDER

PRESENT: Gene Clare (Brentwood); Ken Gray (Member-at-Large); Nancy Parent, Alternate for Federal Glover (Contra Costa County); Barbara Guise (Brentwood); Wade Harper (Antioch); Pete Longmire (Pittsburg); Michael Daugelli, Alternate for Mary N. Piepho (Contra Costa County); Mary Rocha (Antioch); Kevin Romick (Oakley); Doug Hardcastle (Oakley/Vice Chair); and Ben Johnson (Pittsburg/Chair)

ABSENT: None

STAFF: Jeanne Krieg, Chief Executive Officer (CEO)
Steve Ponte, Chief Operating Officer (COO)
Ben Stock, Legal Counsel

OTHERS

PRESENT: Tate Baugh, Danville
Susan Hinson, First Transit
Ann Hutcheson, Director of Administrative Services
Vincent Manuel, Supervisor Glover's Office
Gary Mitchell, First Transit
Hosie Pintily, First Transit

PLEDGE OF ALLEGIANCE

Chair Johnson led the Pledge of Allegiance.

PUBLIC COMMENT

Tate Baugh, Danville, requested that the ECCTA Board consider more comfortable seats and improvement to bus schedules, such as adding more weekday and weekend schedules in both eastbound and westbound directions.

CHAIR'S REPORT

There was no Chair's Report.

CONSENT CALENDAR

On motion by Director Romick, seconded by Director Longmire, ECCTA Boardmembers adopted the Consent Calendar, as shown, which carried by the following vote:

- A. Minutes of the Board of Directors meeting of June 24, 2015
- B. Financial Report
- C. Marketing Activities Report

AYES: Clare, Daugelli, Gray, Guise, Hardcastle, Longmire, Parent, Romick, and Johnson

NOES: None

ABSTAIN: Harper and Rocha

ABSENT: None

CHIEF EXECUTIVE OFFICER'S REPORT

- A. Operations Report

CEO Jeanne Krieg referenced information provided to the Board from Michael Daugelli's two most recent columns published in the Antioch Senior Center Newsletter.

With respect to the Clipper card, Ms. Krieg reported that the installation of Clipper had been stalled due to equipment issues. Since Clipper had been installed in only 26 of the 63 Tri Delta Transit buses to be equipped, the live date for Clipper had been changed again to Thursday, October 29, 2015.

Ms. Krieg reported that the route redesign project was progressing. The consultants had been evaluating all of the traditional methods of route structure, although they had been frustrated in that they had found the Tri Delta Transit system to be so efficient there were few changes that had been proposed, which was validating to Tri Delta Transit staff. The next step would be for the consultants' suggestions to be presented through public outreach, expected to occur in late fall.

Mr. Krieg advised that Tri Delta Transit staff had met with the Contra Costa Transportation Authority (CCTA) and UC Berkeley's PATH (Partners for Advanced Transportation Technology) program. PATH had been awarded a grant by Caltrans, which had identified Tri Delta Transit as a "guinea pig" to study the development and demonstration of an integrated dynamic transit operation system that would give Tri Delta Transit's customers connection protection when arriving on BART. CCTA was acting as a partner in the project and facilitating the process. She characterized the project as innovative allowing an opportunity to test all of the technology that had been implanted in the Tri Delta Transit system, stated there was no cost to the agency other than staff time, and explained the process could result in a system that would be used throughout the industry in the future.

For the record, Ms. Krieg reported that staff had responded to the public comments that had been made at the last Board meeting on June 24 regarding the changes required by the implementation of the Clipper system. Those speakers now had a better understanding of the changes to the system, and while the loss of the day pass was necessary, both were now pleased with the changes.

Ms. Krieg clarified that the Board packet had mistakenly included the year-end ridership report for the last fiscal year although the correct report for 2014-15 had since been provided. That report identified a slight decrease in fixed route ridership, which she reported was a national trend. She explained that this year many agencies had experienced a decrease in ridership; some a big decrease in ridership. She stated a recent article had suggested that the change in laws allowing undocumented immigrants to get a driver's license had been affecting transit ridership.

Ms. Krieg reported that the fiscal year had ended at 95 percent of the budget, primarily due to savings in fuel, parts, and tires, as well as a reduction in billable hours, along with a savings of \$125,000 in benefits with the change in the health care plan. As a result, Tri Delta Transit had been able to defer acceptance of \$585,000 in federal funding to fiscal year 2016, which had effectively created a short-term off-book reserve for use during the year. In addition, due to the Governor's May revise and Transportation Development Act (TDA) revenues less than estimated, there had been a \$553,000 decrease in state funding that was originally to have been allocated. She explained that situation would not really affect the operation since there was last year's money to use and staff was taking the conservative approach that the money would never become available.

Ms. Krieg commented that there were several things that staff was watching on the revenue side, such as the average fare per passenger where fluctuations between .98 and 1.03 had started with the introduction of the day pass. She stated that had made budgeting a challenge, which would likely dip even more with the Clipper card. On the positive side, Dial-a-Ride fares were higher than anticipated given an increase in ridership, and the new advertising contract was bringing in more revenue.

Ms. Krieg explained that she was optimistic with the start of the new fiscal year given that there would be 20 new fixed route buses; a tour would be set up at the new Gillig factory in Livermore. A Request for Proposal (RFP) would be published for the operations contract, the first in ten years, which would allow an opportunity to rewrite incentives and penalties to reflect all of the changes in technology; Tri Delta Transit would also be part of a futuristic demonstration project being developed at UC Berkeley; the solar project for the building was progressing; the system would be part of Google Transit that would allow customers to plan trips based on real time information; electric buses would be added to the fleet; Clipper would be an option for customers; a new Contra Costa County Express Bus Study would be completed; the system redesign project would continue; and staff would continue to work with BART to coordinate schedules for transfers between Tri Delta Transit and eBART.

Ms. Krieg advised that Tri Delta Transit might finally get to serve the new Pacheco Transit Hub opened last year; continue to work with the CCTA to find funding for Park & Ride lots in Antioch and Oakley; and funding for the future looked to be stable. She added that Tri Delta Transit staff, while aging, continued to be enthusiastic, energetic, and focused on providing superior customer service.

B. FY 2015-16 CEO Meeting Attendance

Ms. Krieg presented her annual update to the Board for the travel associated with her involvement in industry organizations.

In response to questions from the Board with respect to the Operations Report, Ms. Krieg verified that complaints were down 25 percent from the year before and staff had reorganized the schedules to reflect reality in terms of traffic and road construction. She explained that currently Clipper cards could be purchased at Tri Delta Transit offices and Walgreens for senior and youth cards only, but could not yet be loaded at those locations.

COO Steve Ponte noted as part of the Clipper roll out that a certain number of free Clipper cards would be available as part of that roll out.

ACTION AND DISCUSSION ITEMS

A. Updated Productivity Guidelines

Ms. Krieg explained that the productivity guidelines went along with the service standards that the Board had approved at its last meeting. The productivity guidelines had last been approved in 2012, and those current guidelines along with the draft proposed July 2015 guidelines had been included in the Board packet. She noted that the state and federal policy required each agency to evaluate the adopted guidelines and make adjustments to reflect improvements and changes in performance. In fact, Tri Delta Transit had improved so much that it had to challenge itself.

Mr. Ponte described the goals attempted to be reached and reported what was desired to be achieved. He advised that each reporting category had been evaluated, what was important had been identified, and a red flag had been added with tracking as to how the operation had performed in each of the categories. In response to Vice Chair Hardcastle as to what would happen with routes of very low ridership, he explained that in the case of the Discovery Bay route, for instance, mass marketing had been employed as well as communication with the school districts. If ridership did not increase, the next option would be to eliminate the route.

On motion by Director Romick, seconded by Director Harper, ECCTA Boardmembers approved the proposed updated ECCTA Productivity Guidelines, as submitted, which carried by the following vote.

AYES: Clare, Daugelli, Gray, Guise, Hardcastle, Harper, Longmire, Parent, Rocha, Romick, and Johnson
NOES: None
ABSTAIN: None
ABSENT: None

B. Fare Structure Changes

Mr. Ponte advised that the public hearing for the fare structure changes had been conducted at the last meeting when public comments had been taken. To comply with the fare structure within the Clipper card agreement, ECCTA was required to approve a consistent fare structure which would change the current 24-hour general public pass to a general public day pass; change the current 24-hour Senior/Disabled pass to a Senior/Disabled day pass; increase the general public day pass from \$3.35 to \$3.75; and increase the Senior/Disabled day pass from \$1.35 to \$1.75.

In addition and as required by Title VI, Mr. Ponte explained that ECCTA was required to conduct a fare equity analysis prior to any fare changes to verify that there would be no greater than a 10 percent impact on low income minorities consistent with the standard set by the Federal Transit Administration (FTA). Given that the proposed fare change would produce a 3.4 percent impact, it would be well under the 10 percent set by the FTA and Title VI. He added that the fare structure would not take effect until Clipper had become available.

Director Daugelli noted that his concerns expressed at the public hearing had been addressed, and the answers were satisfactory to him given the need to work together with the other east bay operators to allow use of the Clipper system.

On motion by Director Clare, seconded by Director Parent, ECCTA Boardmembers approved Resolution 150722 adopting the proposed fare structure changes, as presented, carried by the following vote.

AYES: Clare, Daugelli, Gray, Guise, Hardcastle, Harper, Longmire, Parent, Rocha, Romick, and Johnson
NOES: None
ABSTAIN: None
ABSENT: None

C. Employee Handbook Updates

Ms. Krieg explained that the recent FTA auditors had recommended that ECCTA clarify how and when it audited contractors, service agents, and the collection site, and she clarified the policies in the handbook.

Ms. Krieg advised that the second update was in response to a change in the law having to do with time off, which only affected brand new employees in that new employees could take paid time off after 90 days, which differed from the current 180-day policy.

Ms. Krieg requested approval of the updates to the Employee Handbook, as presented.

On motion by Director Rocha, seconded by Director Harper, ECCTA Boardmembers 1) approved the proposed Maintenance Department's Drug and Alcohol policy update and new forms; and 2) approved the proposed update to ECCTA's Administration & Maintenance Department employee handbooks to allow new employees access to up to twenty-four hours of PTO after ninety days of employment, which carried by the following vote.

AYES: Clare, Daugelli, Gray, Guise, Hardcastle, Harper, Longmire, Parent, Rocha, Romick, and Johnson
NOES: None
ABSTAIN: None
ABSENT: None

D. Staff and Board Member Conference Attendance

Chair Johnson requested that staff conference attendance be considered separately from Boardmember conference attendance to allow two separate votes. The Board concurred with the request.

Ms. Krieg explained that the current policy allowed staff members to attend up to two conferences a year without authorization from the Board. She requested that Steve Ponte be allowed to attend additional conferences this year and noted that the American Public Transportation Association (APTA) Conference was in San Francisco this year, and that Mr. Ponte had attended the Deputy CEO Conference last year which had been beneficial to the organization. She added that the Active Bus Conference (CalACT) in May was very important with respect to electric buses and other fuel alternatives, CalACT focused on small operations, and it would be beneficial to the organization and to Mr. Ponte to designate him as ECCTA's representative to that organization. The spring conference was in Sacramento.

Ms. Krieg reported that extra funds had been included in the budget to allow Mr. Ponte's attendance at those conferences. In addition, Ann Hutcheson would be attending the California Association of Public Procurement Officers (CAPPO) Conference.

On motion by Director Parent, seconded by Director Romick, ECCTA Boardmembers approved the requested additional conference attendance for ECCTA staff, which carried by the following vote.

AYES: Clare, Daugelli, Gray, Guise, Hardcastle, Harper, Longmire, Parent, Rocha, Romick, and Johnson
NOES: None
ABSTAIN: None
ABSENT: None

With respect to Boardmember conference attendance, Ms. Krieg stated that current policy allowed each Boardmember to attend up to two conferences a year without authorization from the Board, although additional conferences must be approved by the Board. She reported that Chair Johnson had requested authorization to attend one extra conference during the 2015-16 fiscal year; having just attended the APTA Conference this week, and desirous to attend the APTA Conference in San Francisco and the APTA Conference in March. She noted that only two Boardmembers could attend the APTA Conference in March due to space limitations. The costs associated with this additional conference had been included in the FY 2015-16 budget.

Director Parent stated that the current policy had been adopted last year and at less than one year old she suggested the Board needed to give the new policy time to see how it worked before making changes. As Director Glover's alternate, she had consulted him on the subject and he had not objected her vote, which was also a vote she would cast as an individual. She urged no change to the adopted policy for at least a year.

Chair Johnson noted that the policy also identified the Chair and Vice Chair as representatives of the Board to attend conferences, and if so designated he did not understand the concern.

Director Rocha understood that the Chair had been designated to attend three conferences a year, although Ms. Krieg clarified that was one of the motions associated with the last discussion of the topic, although that motion did not pass.

Director Clare encouraged and supported a Chair who would be as active as possible, particularly at the most important conferences, which was why he had proposed the additional conferences in the prior discussions. He supported the request and commended Chair Johnson for his interest.

Director Harper commented that if someone else wanted to attend a conference that would still be part of the policy.

Director Guise suggested that if someone other than the Chair wanted to attend the APTA Conference in Washington, D.C., that should be allowed if the Chair did not want to attend.

On motion by Director Guise, seconded by Director Harper, ECCTA Boardmembers approved the requested additional conference attendance for the Board Chair, which carried by the following vote.

AYES: Clare, Daugelli, Gray, Guise, Hardcastle, Harper, Longmire, Rocha, and Johnson
NOES: Parent and Romick
ABSTAIN: None
ABSENT: None

BOARD OF DIRECTORS COMMENTS

Director Gray highlighted a Head Start conference he had attended in Las Vegas, Nevada and explained that one of the discussions related to communications with Boardmembers. He had identified the ECCTA Update system of communications at the conference to show how communications could work effectively.

Director Parent reported that the Pittsburg Seafood Festival would be held September 12 and 13, invited everyone to attend that event, and assumed the plans for the shuttle would work out. For those interested in Shakespeare in the Park, she identified the Fridays, Saturdays and Sundays in the next two weeks when a Midsummer Night's Dream, with a twist, would be presented at Buckley Park between Fifth and Sixth Streets on Railroad Avenue in Pittsburg. While free, she stated that donations would be gratefully accepted.

Director Romick announced the free Heart of Oakley event scheduled for September 19, 2015.

Vice Chair Hardcastle commended the thoroughness of the staff reports.

Director Daugelli reported that he would be placing a column in the Senior Center Newsletter regarding transportation issues, and in the September/October timeframe would identify ways to get to BART.

Director Harper announced the Saturday Concert Series in Antioch in July and August; and the Farmer's Market on Tuesdays in Downtown Antioch and at the Prewitt Water Park on the same day.

Director Clare thanked Anita Tucci-Smith, the minute-taker, for the preparation of the ECCTA minutes.

Director Rocha highlighted the APTA Conference in Denver she had attended this week, commented that it was a much better conference because it was smaller, noted she had learned a lot, and described some of what she had learned. She commented that she had been impressed with Denver, and stated that one of the sessions had related to transit oriented development (TOD) where the term 'workforce housing' had been recommended to replace previous references to 'low income housing.'

Director Longmire also found the conference to have been interesting and eye opening, with participants from all over the USA and Canada. Having the opportunity to go on one of the tours, and with Pittsburg in the development stage of its new eBART station, he stated the tour had given him some very good ideas. He commended the sessions and the speakers, particularly the Americans with Disabilities Act (ADA) session. As a new member of the ECCTA Board, having the opportunity to attend that particular conference and being immersed with transportation issues from across the nation had been invaluable to him. He thanked the Board for allowing him to attend the conference and commended the education he had received at that conference.

Chair Johnson thanked the Board for allowing him to attend the conference and commented that of the many things he had learned, he had learned that Jeanne Krieg was very highly regarded. He referred to the seminar book that Ms. Krieg had prepared for ECCTA's attendees and commended her for the information that had been provided which had been very helpful to those attending the conference and impressive to other participants. The laminated yellow card that identified Tri Delta Transit routes was also a hit with other participants. He thanked Ms. Krieg for the dedicated time and effort she had given the ECCTA organization.

Director Rocha referred to a workshop on evaluation at the conference, and noted that an evaluation of the CEO had not come up for years because everything had been running so well.

Chair Johnson asked that an evaluation of the CEO be placed on a future agenda to make sure that she was being sufficiently compensated for all the work that she did.

ADJOURNMENT

Chair Johnson adjourned the meeting of the Eastern Contra Costa Transit Authority at 5:05 P.M. to September 23, 2015 at 4:00 P.M. at the ECCTA Administration Facility, 801 Wilbur Avenue, Antioch, California.

Respectfully submitted,

Anita L. Tucci-Smith

TRI DELTA TRANSIT
Income Statement - Comparison to Annual Budget
 As of August 31, 2015
(unaudited)

	YTD Actual			YTD Budget			YTD Variance favorable/(unfavorable)			FY16 Full Year Budget			YTD % of Fiscal Year Budget			
	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
OPERATING REVENUES																
Passenger Fares	550,062	472,842	77,220	553,053	470,301	82,752	(2,991)	2,541	(5,532)	3,247,000	2,769,000	478,000	17%	17%	16%	
Other Income	-	-	-	20,000	20,000	-	(20,000)	(20,000)	-	-	260,000	80,000	180,000	-	-	-
Total Operating Revenues:	550,062	472,842	77,220	573,053	490,301	82,752	(22,991)	(17,459)	(5,532)	3,507,000	2,849,000	658,000	16%	17%	12%	
OPERATING EXPENSES																
Purchased Transportation	1,999,723	1,371,184	588,539	1,992,331	1,391,536	600,795	32,608	20,352	12,256	11,887,068	8,183,174	3,503,894	17%	17%	17%	
Materials and Supplies	541,296	424,416	116,880	602,732	488,866	113,866	61,436	64,450	(3,014)	3,550,100	2,880,100	670,000	15%	15%	17%	
Salaries & Benefits	679,246	613,356	65,890	705,700	635,100	70,600	26,454	21,744	4,710	4,234,000	3,810,500	423,400	16%	16%	16%	
Services	138,967	122,778	16,191	138,170	113,670	24,500	(797)	(9,108)	8,309	829,000	682,000	147,000	17%	18%	11%	
Other	51,582	48,389	3,193	49,600	45,720	3,880	(1,982)	(2,669)	687	405,000	375,450	29,550	13%	13%	11%	
Casualty and liability insurance	97,806	83,791	14,015	97,807	73,078	24,729	1	(10,713)	10,714	465,588	330,524	135,064	21%	25%	10%	
Utilities	44,985	42,665	2,320	42,000	40,000	2,000	(2,985)	(2,665)	(320)	254,000	241,000	13,000	18%	18%	18%	
Taxes	5,251	4,131	1,120	4,500	3,150	1,350	(751)	(981)	230	20,000	14,000	6,000	26%	30%	19%	
Total Operating Expenses:	3,518,856	2,710,708	808,148	3,632,840	2,791,120	841,720	113,984	80,412	33,572	21,444,756	16,516,848	4,927,908	16%	16%	16%	
NON-OPERATING REV																
Federal Funds	-	-	-	-	-	-	-	-	-	923,155	400,000	523,155	-	-	-	
State Funds	-	-	-	3,049,597	2,295,480	754,117	(3,049,597)	(2,295,480)	(754,117)	13,165,969	10,201,183	2,964,786	-	-	-	
Local Funds	132,857	132,957	-	9,858	5,023	4,835	123,099	127,934	(4,835)	1,341,942	559,975	781,867	10%	24%	-	
Inter-Operator Agreements	-	-	-	-	-	-	-	-	-	-	2,404,790	-	-	-	-	
Interest & Other Misc Income	919	874	45	332	316	16	587	568	29	102,000	101,900	100	1%	1%	45%	
Total Non-Operating Revenues:	133,876	133,831	45	3,059,787	2,300,819	758,968	(2,925,911)	(2,166,988)	(758,923)	17,937,756	13,667,848	4,269,908	1%	1%	0%	
EXCESS REV(EXP)	(2,834,918)	(2,104,035)	(730,883)	(2,834,918)	(2,104,035)	(730,883)	(730,883)	(730,883)	(730,883)	\$	\$	\$	-	-	-	

Agenda Item #5b
 Eastern Contra Costa Transit Authority
 Board of Directors Meeting
 September 23, 2015

TRI DELTA TRANSIT
Income Statement - Comparison to Prior Year
 As of August 31, 2015
(unaudited)

	August 2015 YTD Actual			August 2014 YTD Actual			FY16 vs FY15 - YTD			% Change from Previous Year		
	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR
OPERATING REVENUES												
Passenger Fares	\$ 550,062	\$ 472,842	\$ 77,220	\$ 540,421	\$ 453,161	\$ 87,260	\$ 9,641	\$ 19,681	\$ (10,040)	2%	4%	-12%
Other Income	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ -	\$ (20,000)	\$ (20,000)	\$ -	-100%	-100%	0%
Total Operating Revenues:	\$ 550,062	\$ 472,842	\$ 77,220	\$ 560,421	\$ 473,161	\$ 87,260	\$ (10,359)	\$ (319)	\$ (10,040)	-2%	0%	-12%
OPERATING EXPENSES												
Purchased Transportation	\$ 1,959,723	\$ 1,371,184	\$ 588,539	\$ 1,948,414	\$ 1,363,850	\$ 584,565	\$ (11,309)	\$ (7,334)	\$ (3,974)	-1%	-1%	-1%
Materials and Supplies	\$ 541,296	\$ 424,416	\$ 116,880	\$ 653,100	\$ 535,745	\$ 117,355	\$ 111,804	\$ 111,329	\$ 475	17%	21%	0%
Salaries & Benefits	\$ 679,246	\$ 613,356	\$ 65,890	\$ 643,809	\$ 588,941	\$ 54,868	\$ (35,437)	\$ (24,415)	\$ (11,022)	-6%	-4%	-20%
Services	\$ 138,967	\$ 122,776	\$ 16,191	\$ 120,203	\$ 100,619	\$ 19,584	\$ (18,764)	\$ (22,157)	\$ 3,393	-16%	-22%	17%
Other	\$ 51,582	\$ 48,389	\$ 3,193	\$ 28,766	\$ 26,342	\$ 2,424	\$ (22,816)	\$ (22,047)	\$ (769)	-79%	-84%	-32%
Casualty and liability insurance	\$ 97,806	\$ 83,791	\$ 14,015	\$ 74,820	\$ 67,007	\$ 7,813	\$ (23,186)	\$ (16,784)	\$ (6,402)	-31%	-25%	-84%
Utilities	\$ 44,985	\$ 42,665	\$ 2,320	\$ 39,313	\$ 37,662	\$ 1,651	\$ (5,672)	\$ (776)	\$ (669)	-14%	-13%	-41%
Taxes	\$ 5,251	\$ 4,131	\$ 1,120	\$ 6,873	\$ 3,355	\$ 792	\$ 1,622	\$ (500)	\$ (328)	24%	-23%	-41%
Total Operating Expenses:	\$ 3,518,856	\$ 2,710,708	\$ 808,148	\$ 3,512,372	\$ 2,723,521	\$ 788,852	\$ (6,484)	\$ 12,813	\$ (19,296)	0%	0%	-2%
NON-OPERATING REV												
Federal Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Funds	\$ -	\$ -	\$ -	\$ 1,951,742	\$ 1,464,520	\$ 487,222	\$ (1,951,742)	\$ (1,464,520)	\$ (487,222)	-100%	-100%	-100%
Local Funds	\$ 132,957	\$ 132,957	\$ -	\$ 405,272	\$ 206,724	\$ 198,548	\$ (272,315)	\$ (73,767)	\$ (198,548)	100%	100%	0%
Inter-Operator Agreements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	0%	0%
Interest & Other Misc Income	\$ 919	\$ 874	\$ 45	\$ 2,059	\$ 2,002	\$ 57	\$ (1,140)	\$ (1,128)	\$ (12)	-55%	-56%	-21%
Total Non-operating Revenues:	\$ 133,876	\$ 133,831	\$ 45	\$ 2,359,073	\$ 1,673,246	\$ 685,827	\$ (2,225,197)	\$ (1,539,415)	\$ (685,782)	-94%	-82%	-100%
EXCESS REV/(EXP)	\$ (2,834,918)	\$ (2,104,035)	\$ (730,893)	\$ (592,878)	\$ (577,114)	\$ (15,765)	\$ (2,242,040)	\$ (1,526,921)	\$ (715,118)			

OPERATING REVENUES
 Passenger Fares
 Other Income
Total Operating Revenues:


OPERATING EXPENSES
 Purchased Transportation
 Materials and Supplies
 Salaries & Benefits
 Services
 Other
 Casualty and liability insurance
 Utilities
 Taxes
Total Operating Expenses:

NON-OPERATING REV
 Federal Funds
 State Funds
 Local Funds
 Inter-Operator Agreements
 Interest & Other Misc Income
Total Non-operating Revenues:

EXCESS REV/(EXP)

Agenda Item #5b
 Eastern Contra Costa Transit Authority
 Board of Directors Meeting
 September 23, 2015

Staff Report to ECCTA Board of Directors

Meeting Date: September 23, 2015
Agenda Item: Marketing/Communications Activities – Agenda Item #5c
Lead Staff: Mike Furnary
Approved: Jeanne Krieg 

I. Completed Marketing Activities

- 1. Delta Blues Festival sponsor promotion**
Participated in month-long cross promotion with local two-day festival.
- 2. Brentwood Beer Festival PR Sponsorship**
Worked with local chamber event to provide free bus passes to event participants in the event that a safe ride was needed after the event. 150 passes were made available in exchange for event sponsorship recognition.
- 3. School Registration Antioch/Pittsburg/Concord**
Attending annual school registrations at all middle & high schools to promote bus service to all students and families. Information as well as trip planning services to be provided at the following schools in August
 - Black Diamond Middle School
 - Deer Valley High School
 - Park Middle School
 - Dozier Libbey High School
 - Antioch Middle School
 - Prospects High School,
 - Hillview Middle School
 - MLK Middle School,
 - Mt. Diablo High School (Concord)
- 4. Seafood Festival Shuttle**
Coordinated shuttle service to two-day event and participated in a month-long cross promotion with the Pittsburg Chamber of Commerce. 2015 Shuttle Ridership - 4700
- 5. Email Alert Promotion**
Completed six-month promotion designed to increase use of email/text alert system. Promotion resulted in an 83% increase in subscribers.
- 6. Art, Wine & Jazz Festival Cross Promotion**
Planned participation of cross promotion and attendance at two-day community event in Brentwood Aug 29-30 to promote Tri Delta Transit services with a focus on services provided/tools available.
- 7. TV Commercial Production**
Completed two-day photo shoot for TV commercial production. Currently editing first of six planned commercials for "More Than Buses" campaign.

8. Clipper Card Marketing Communications

Completed the development of marketing materials for the launch of Clipper Card in September. Materials received include: brochures, car cards, window decals for buses, Clipper Card sleeves and transit agency decals.

9. Schedule Revision

Completed revisions to bus schedule booklet and system maps. Printing to be completed and materials available on buses the week of October 26.

10. Ongoing marketing programs

- Welcome Pack mailing
- 2 for 1 tickets on Route 300 (subsidized by 511 Contra Costa)
- Take One on board newsletter

II. Planned Marketing/Communications Activities

1. New Tri Delta Transit branding campaign launch
2. Delivery additional TV commercials
3. Clipper launch
4. Schedule revise to coordinate with Clipper Card
5. System-wide collateral rewrite/revise to coordinate with Clipper
6. 2 for 1 ticket direct mail
7. Antioch/Pittsburg School registration attendance

III. Current Organization Commitments

1. East County Senior Coalition
2. APTA Marketing Committee
3. Local Chamber of Commerce Participation
Pittsburg, Brentwood, Oakley

TAB 2

Agenda Item 6a
CEO's REPORT: Operations Report

Board of Directors Meeting Agenda

Wednesday September 23, 2015

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Chief Executive Officer's Report

August -- September 2015



TRI DELTA TRANSIT

ECCTA Executive Team

Jeanne Krieg
Chief Executive Officer

Steve Ponte
Chief Operating Officer

Tom Harais
Chief Financial Officer

Ann Hutcheson
Director of Administrative Services

Kevin Moody
Director of Maintenance

Mike Furnary
Director of Marketing

Susan Hinson
First Transit Director of Operations

Highlights:

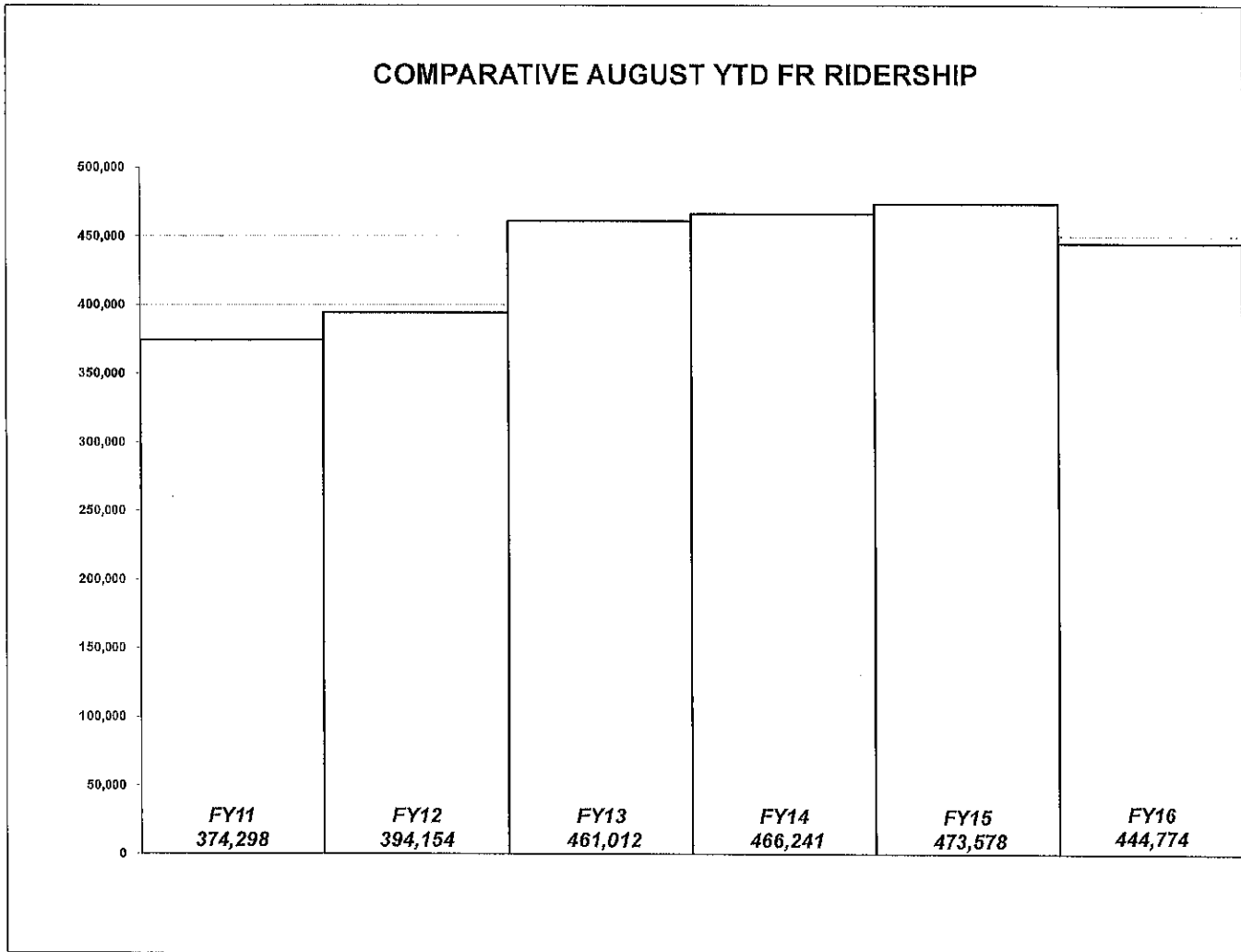
- Tri Delta Transit is now included in the Google Maps system.
- Staff met with transit districts who use electric buses. A recommendation for ECCTA's direction will be made to the Board of Directors in early 2016.
- Clipper equipment has been installed on the entire fleet. Several staff training sessions have been conducted and equipment testing has started. The system will go live November 1st.
- The Clipper small operators subgroup, which includes all small operators in the nine county Bay Area, continues to meet on a regular basis.
- Planning for the second generation of Clipper continued. Implementation is scheduled for 2019.
- Eriq Hayles of Antioch is the winner of the Free Transit for a Year promotion.
- The Bus Route Evaluation & Re-design project continued. Public hearings will be held later this year.
- The UC Berkeley PATH Integrated Dynamic Transit Operations system demonstration project that will use Tri Delta Transit as the subject continued. CCTA is overseeing the Caltrans-funded project that will demonstrate transit connect, dynamic dispatch, and dynamic rideshare in east county.
- Work continued on the Contra Costa County Express Bus Plan. Arup is the consultant.
- Construction throughout East County continues to be a challenge. On-time performance is being affected.

Pending:

- APTA Annual Conference
- FTA's Safety Program
- Federal Funding Re-Authorization
- Federal grants
- Clipper Card implementation (November 1st, 2015)
- Service to Brentwood LMC campus (August 2018)
- Next generation of Clipper (2019)
- Service to eBART stations in Pittsburg and Antioch (2019)
- Electric bus procurement
- Fixed route bus delivery (buses will be on production line October 2016)
- A&E: Antioch Park & Ride lot (in process)
- Oakley Park & Ride lot construction
- PATH Integrated Dynamic Transit Operations system demonstration project
- Contra Costa County Mobility Management Plan implementation
- Contra Costa County Transportation Plan
- Operations Contract (expires June 30, 2016)
- CCTA Express Bus Study (update to the 2001 study)

Agenda Item #6a
Eastern Contra Costa Transit Authority
Board of Directors Meeting
September 23, 2015

**TRI DELTA TRANSIT
YTD COMPARISON
FR RIDERSHIP**



**EASTERN CONTRA COSTA TRANSIT AUTHORITY
KEY PERFORMANCE INDICATORS BY SERVICE**

								YTD COMPARISON		
	Actual					Budget	15/16B	Actual		
	10/11	11/12	12/13	13/14	14/15	15/16	% ▲	Aug-14	Aug-15	% ▲
DIAL-A-RIDE										
PASSENGERS										
Total DAR Trips Provided	129,041	130,619	128,999	131,476	133,769	140,000	5%	24,033	22,553	-6%
Average Weekday Ridership	474	481	470	471	487	506	4%	506	489	-3%
Average Sat Ridership	110	106	140	180	153	164	7%	184	131	-29%
Average Sun/Hol Ridership	71	71	72	68	63	66	5%	61	44	-27%
Average Passengers/Hour (wkdays)	2.2	2.2	1.9	1.9	2.0	2.2	9%	2.1	2.1	0%
CUSTOMER SERVICE										
Ride Refusals / Day	0.0	0.0	0.0	0.0	0.0	0.0	0%	0.0	0.0	0%
Customer Complaints	0.148%	0.183%	0.097%	0.071%	0.103%	0.103%	0%	0.096%	0.111%	-18%
On Time Performance	85%	85%	87%	89%	87%	90%	3%	89%	86%	-3%
MAINTENANCE										
Gallons of Fuel Consumed	85,174	116,392	139,678	145,043	138,528	144,619	4%	26,888	24,204	-10%
Miles Between Preventable Accidents	61,377	898,457	328,002	244,390	162,293	200,000	23%	169,050	163,822	-3%
Miles Between Road calls	21,920	56,154	109,568	61,109	139,113	100,000	0%	84,534	54,613	-35%
COST RATIOS										
Farebox Recovery Ratio	12%	11%	11%	10%	10%	10%	0%	11%	10%	-14%
\$/Gal Fuel	\$ 3.33	\$ 3.84	\$ 3.81	\$ 3.67	\$ 3.09	\$ 3.73	21%	\$ 3.46	\$ 3.17	8%
Operating Cost/Passenger	\$ 31.47	\$ 30.56	\$ 33.22	\$ 35.25	\$ 34.18	\$ 35.23	3%	\$ 32.82	\$ 35.83	-9%
Operating Cost/Revenue Hour	\$ 63.05	\$ 64.34	\$ 63.52	\$ 68.75	\$ 69.81	\$ 71.60	3%	\$ 71.98	\$ 76.07	-6%
Operating Cost/Revenue Mile	\$ 5.25	\$ 5.22	\$ 5.36	\$ 5.76	\$ 5.74	\$ 6.01	5%	\$ 6.02	\$ 6.03	0%
FIXED ROUTE										
PASSENGERS										
Total FR Trips Provided	2,351,662	2,431,768	2,740,834	2,832,264	2,806,028	2,826,000	1%	473,578	444,774	-6%
Average Weekday Ridership	8,345	8,594	9,516	9,930	9,794	9,949	2%	9,639	8,988	-7%
Average Sat Ridership	2,594	2,753	3,232	3,464	3,498	3,391	-3%	3,583	3,369	-5%
Average Sun/Hol Ridership	1,989	2,087	2,788	2,692	2,787	2,695	-3%	2,687	2,832	5%
Average Passengers/Hour	15.1	15.9	17.7	19.0	19.2	19.3	1%	18.8	18.1	-4%
CUSTOMER SERVICE										
Customer Complaints	0.020%	0.023%	0.012%	0.009%	0.009%	0.009%	0%	0.008%	0.008%	0%
On Time Performance	97%	86%	86%	92%	92%	90%	-2%	94%	91%	-3%
MAINTENANCE										
Gallons of Fuel Consumed	639,072	636,276	562,702	603,013	600,072	595,703	-1%	105,739	104,438	1%
Miles Between Preventable Accidents	170,175	120,644	65,392	110,754	98,066	100,000	2%	417,362	102,593	-75%
Miles Between Road calls	37,539	32,481	42,844	67,684	41,553	50,000	20%	59,623	102,593	72%
COST RATIOS										
Farebox Recovery Ratio	16%	16%	18%	18%	18%	18%	1%	16.6%	17.4%	5%
\$/Gal Fuel	\$ 3.20	\$ 3.52	\$ 3.95	\$ 3.48	\$ 2.77	\$ 3.56	29%	\$ 3.45	\$ 2.23	35%
Operating Cost/Passenger	\$ 6.52	\$ 6.60	\$ 6.01	\$ 5.58	\$ 5.54	\$ 5.79	5%	\$ 5.75	\$ 6.09	-6%
Operating Cost/Revenue Hour	\$ 98.54	\$ 105.05	\$ 106.53	\$ 105.76	\$ 106.36	\$ 111.77	5%	\$ 108.25	\$ 110.59	-2%
Operating Cost/Revenue Mile	\$ 6.98	\$ 7.46	\$ 7.98	\$ 7.71	\$ 7.62	\$ 8.07	6%	\$ 7.83	\$ 7.79	0%

**TRI DELTA TRANSIT
COMPARATIVE YTD FR RIDERSHIP BY ROUTE**

TOTAL PASSENGER TRIPS												YTD COMPARISON		
ROUTE	% Chg	10/11	% Chg	11/12	% Chg	12/13	% Chg	13/14	% Chg	14/15	% Chg	Aug-14	Aug-15	% Chg
												Aug-14	Aug-15	% Chg
200	-38%	36,121	3%	37,682	4%	55,322	47%	55,914	1%	54,167	-3%	8,862	9,210	4%
201	-10%	105,655	6%	110,660	5%	119,977	8%	124,289	4%	112,116	-10%	17,447	17,198	-1%
300	-18%	290,750	8%	302,067	4%	290,313	-4%	328,582	13%	353,802	8%	59,605	57,684	-3%
379	-2%	12,230	0%	10,235	-16%	15,232	49%	6,759	-56%	3,223	-52%	221	266	20%
380	-10%	565,484	-4%	584,779	3%	680,981	16%	682,650	0%	666,704	-2%	112,719	101,027	-10%
383	-12%	39,780	-9%	34,210	-14%	35,031	2%	32,073	-8%	30,200	-6%	4,776	3,999	-16%
384	-32%	25,653	-14%	26,201	2%	8,227	-69%	N/A	N/A	N/A	N/A	N/A	N/A	N/A
385	-11%	36,855	6%	36,481	-1%	61,388	68%	70,974	16%	68,013	-4%	11,597	11,664	1%
386	-23%	4,650	-4%	3,042	-35%	2,172	-29%	1,902	-12%	1,583	-17%	342	154	-55%
387	-13%	195,608	2%	212,731	9%	282,396	23%	264,036	1%	257,944	-2%	44,582	40,424	-9%
388	-11%	311,242	5%	320,981	3%	366,041	14%	400,190	9%	370,128	-8%	65,506	59,527	-9%
389	-26%	48,272	-9%	46,723	-3%	53,255	14%	53,068	0%	51,480	-3%	7,992	8,123	2%
390	-10%	49,042	-5%	52,650	7%	68,564	30%	72,054	5%	71,211	-1%	11,740	11,677	-1%
391	-8%	332,841	0%	346,080	4%	370,500	7%	386,640	4%	402,579	4%	69,073	65,553	-5%
Dimes a Ride	-47%	12,745	-10%	11,328	-11%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Express (Hac)	-15%	18,586	18%	11,831	-36%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Shuttles	-45%	9,161	35%	9,446	3%	4,941	-48%	3,370	-32%	5,375	59%	0	0	950%
392	-4%	105,702	-1%	112,330	6%	133,569	16%	142,284	7%	142,650	0%	23,968	23,283	-3%
393	-10%	104,487	1%	111,697	7%	135,181	21%	133,078	-2%	141,281	6%	23,067	23,177	0%
394	9%	46,798	-10%	50,614	8%	71,557	41%	84,904	-9%	63,087	-3%	10,959	9,663	-12%
395	N/A	N/A	N/A	N/A	N/A	6,187	100%	9,497	100%	10,485	100%	1,122	2,145	91%
Total Fixed Route	-13%	2,351,662	0%	2,431,768	3%	2,740,834	13%	2,832,264	3%	2,806,029	-1%	473,578	444,774	-6%

AVERAGE PASSENGERS PER REVENUE HOUR												YTD COMPARISON		
ROUTE	% Chg	10/11	% Chg	11/12	% Chg	12/13	% Chg	13/14	% Chg	14/15	% Chg	Aug-14	Aug-15	% Chg
												Aug-14	Aug-15	% Chg
200	-8%	10.0	7%	10.3	3%	12.8	22%	12.5	-1%	12.6	1%	11.9	12.7	7%
201	3%	19.1	3%	19.7	3%	17.8	-10%	17.9	1%	17.0	-5%	15.3	15.2	0%
300	-14%	15.2	7%	15.8	4%	15.8	0%	18.6	18%	20.3	10%	19.9	19.3	-3%
379	N/A	13.2	4%	9.8	-26%	10.7	9%	16.8	57%	26.5	57%	26.0	28.4	9%
380	-14%	15.6	-5%	17.4	5%	20.2	18%	20.6	2%	20.2	-2%	19.7	18.2	-8%
383	-3%	11.2	-9%	9.7	-13%	10.2	5%	12.6	23%	13.0	3%	11.7	10.4	-11%
384	26%	9.6	-18%	10.2	7%	14.6	43%	N/A	N/A	N/A	N/A	N/A	N/A	N/A
385	18%	12.0	-10%	11.1	-7%	11.9	7%	12.9	8%	12.3	-4%	12.6	11.6	-8%
386	9%	6.0	-2%	3.9	-36%	3.6	-7%	6.3	74%	6.3	1%	10.9	4.7	-57%
387	-16%	17.7	2%	19.6	11%	22.8	16%	23.7	4%	23.3	-2%	23.1	21.9	-5%
388	-14%	15.0	4%	15.5	3%	17.1	10%	18.2	7%	17.4	-5%	17.5	17.2	-2%
389	-9%	14.7	-2%	13.6	-8%	13.4	-1%	14.4	8%	15.4	7%	13.6	14.9	9%
390	-8%	9.9	-19%	10.7	9%	18.6	73%	20.8	12%	21.5	3%	20.6	20.7	0%
391	-13%	16.8	0%	18.7	11%	19.6	5%	20.5	4%	21.9	7%	21.7	20.9	-4%
Dimes a Ride	-13%	8.1	-10%	10.9	36%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delta Express (Hac)	-25%	9.0	12%	8.1	-10%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Shuttles	-25%	11.7	44%	N/A	N/A	N/A	N/A	6.4	N/A	30.7	383%	0.0	0.0	0%
392	-9%	15.1	-2%	15.2	1%	17.6	16%	19.1	9%	18.9	-1%	19.2	18.8	-2%
393	-14%	16.7	1%	16.4	5%	17.5	7%	17.5	0%	18.7	7%	18.5	18.6	1%
394	-6%	10.8	-8%	11.7	9%	15.0	28%	17.0	13%	15.9	-7%	16.6	15.0	-10%
395	N/A	N/A	N/A	N/A	N/A	12.0	N/A	16.2	N/A	16.4	1%	10.6	20.2	91%
Total Fixed Route	-9%	15.1	-1%	15.9	5%	17.7	12%	19.0	7%	19.2	1%	18.8	18.1	-4%

TAB 3

Agenda Item 7a
Amended and Restated Clipper MOU

Resolution #150923a

Board of Directors Meeting Agenda

Wednesday September 23, 2015

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors**Meeting Date:** September 23, 2015**Agenda Item:** Amended and Restated Clipper®
Memorandum of Understanding –
Agenda Item #7a**Lead Staff:** Steve Ponte**Approved:** Jeanne Krieg 

Background

The ECCTA Board of Directors approved the Clipper Supplemental Agreement in September 2014. This agreement covered the initial start up and operating costs associated with implementing Clipper in the San Francisco Bay Area. It was developed when the Clipper card was first introduced. Many changes have occurred since that time so an Amended and Restated Clipper® MOU was developed and is being presented for approval. It describes the operating rules and financing for the Clipper operations for all Bay Area operators. The structure of Clipper card management was changed to reflect the current operating environment. The funding structure and operating rules reflect changes agreed to by all nine-county bay area transit systems.

Staff Request

Adopt resolution 150923a authorizing the CEO to sign the Amended and Restated Clipper® Memorandum of Understanding.



TRI DELTA TRANSIT

Eastern Contra Costa Transit Authority
801 Wilbur Avenue • Antioch, California 94509
Phone 925.754.6622 Fax 925.757.2530

Resolution #150923a

RESOLUTION AGREEING TO TERMS OF THE AMENDENED AND RESTATED CLIPPER® MEMORANDUM OF UNDERSTANDING

WHEREAS, Clipper® is an automated fare payment system for intra- and inter-operator transit trips in the San Francisco Bay Area that has been implemented and is currently being operated; and

WHEREAS, the Metropolitan Transportation Commission (MTC) has entered into a contract ("the Clipper® Contract") with Cubic Transportation Systems, Inc. ("Clipper® Contractor") to operate and maintain Clipper® through November 2, 2019; and

WHEREAS, MTC, Alameda-Contra Costa Transit District ("AC Transit"); Golden Gate Bridge Highway and Transportation District ("GGBHTD"); the San Francisco Bay Area Rapid Transit District ("BART"); the City and County of San Francisco, acting by and through its Municipal Transportation Agency ("MTA"); the San Mateo County Transit District ("SamTrans"); the Santa Clara Valley Transportation Authority ("VTA"); the Peninsula Corridor Joint Powers Board ("Caltrain"); and the Water Emergency Transportation Authority ("WETA"); Central Contra Costa Transit Authority (CCCTA); City of Fairfield; City of Petaluma; Livermore/Amador Valley Transit Authority (LAVTA); Marin County Transit District; Napa County Transportation and Planning Agency (NPTA); Solano County Transit; Sonoma County Transit; Sonoma-Marin Area Rail Transit; Vacaville City Coach (collectively, the "Clipper® Operators") have entered into the Clipper® Amended and Restated Memorandum of Understanding ("MOU") to identify their obligations relative to the implementation, operation, maintenance of the Clipper® program, including payment of operating fees due the Clipper® Contractor; and

WHEREAS, Eastern Contra Costa Transit Authority (ECCTA) wishes to continue to participate in the Clipper® program and understands that agreement to abide by the terms and conditions of the Clipper Amended and Restated MOU is a condition of such participation;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #150923a authorizing the CEO to sign the Amended and Restated Clipper® Memorandum of Understanding, agreeing to be bound by the terms and conditions of the MOU, a copy of which is attached to the Agreement and incorporated in full.

PASSED AND ADOPTED THIS 23th day of September 2015, by the following votes:

Ben Johnson, Chair

Jeanne Krieg, CEO

AYES: _____
NOES: _____
ABSENT: _____
ABSTENTIONS: _____

The appendices (21 pages) will be available at the board meeting. If you want them in advance of the meeting, please call (925) 754-6622

8/21/2015

AMENDED AND RESTATED CLIPPER® MEMORANDUM OF UNDERSTANDING

This Amended and Restated Clipper® Memorandum of Understanding (this "MOU") is entered into as of the ____ day of _____, 2015 (the "Effective Date"), by and among the Metropolitan Transportation Commission ("MTC") and the following transit operators participating in the Clipper® program (referred to herein individually as an "Operator" or collectively as the "Operators"):

Alameda-Contra Costa Transit District ("AC Transit"); Golden Gate Bridge Highway and Transportation District ("GGBHTD"); the San Francisco Bay Area Rapid Transit District ("BART"); the City and County of San Francisco, acting by and through its Municipal Transportation Agency ("SFMTA"); the San Mateo County Transit District ("SamTrans"); the Santa Clara Valley Transportation Authority ("VTA"); the Peninsula Corridor Joint Powers Board ("Caltrain"); Central Contra Costa Transit Authority; City of Fairfield, as the operator of Fairfield and Suisun Transit; City of Petaluma; Eastern Contra Costa Transit Authority; Livermore/Amador Valley Transit Authority; Marin County Transit District; Napa County Transportation and Planning Agency; Solano County Transit; Sonoma County Transit; Sonoma-Marin Area Rail Transit; Vacaville City Coach; Western Contra Costa Transit Authority; San Francisco Bay Area Water Emergency Transportation Authority; City of Santa Rosa; and City of Union City; and any other transit operators that implement Clipper® and execute a Supplemental Agreement to the MOU.

MTC and the Operators are referred to herein collectively as the "Parties" or individually as a "Party".

Recitals

1. Clipper® (formerly TransLink®) is an automated fare payment system for intra- and inter-Operator transit trips in the San Francisco Bay Area that has been implemented and is currently being operated on Operators' transit systems.
2. MTC entered into a contract (the "Clipper® Contract") with Cubic Transportation Systems, Inc. (the "Clipper® Contractor"), to implement, operate and maintain the Clipper® fare payment system through November 2, 2019.
3. On December 12, 2003, MTC and six of the Operators entered into an interagency participation agreement (the "IPA") to create a forum for joint agency decision-making (the "TransLink® Consortium") to work towards the successful implementation of the TransLink® automated fare payment system. The IPA was superseded and replaced by a Memorandum of Understanding Regarding Operations and Maintenance of Clipper® Fare Collection System dated November 10, 2011, by and among MTC and, initially, seven of the Operators (the "2011 MOU"). The 2011 MOU delineated, among other things, MTC's responsibilities, including as contracting agency, the Operators' responsibilities, a consultation process for amending the Clipper® Operating Rules, allocation of operating expenses among the Operators and MTC, and a dispute resolution process.
4. The Parties have examined the successes and challenges of the program to date and have identified certain areas in which existing arrangements should be modified or clarified to maximize the benefits to the Parties and Bay Area transit customers of the continued expansion, modification, operation and maintenance of the Clipper® program.

5. The Parties now wish to amend and restate the 2011 MOU in its entirety to clarify their respective roles and responsibilities, define roles and responsibilities for a newly-defined "Contracting Agency," establish a "Clipper® Executive Board," and establish a Clipper® Executive Director to ensure the successful operation and maintenance of Clipper®.

ARTICLE I
Operator Responsibilities

Each Operator agrees to:

- A. Implement and operate the Clipper® fare payment system in accordance with the Clipper® Operating Rules, as adopted and amended from time to time, consistent with the consultation and approval process set forth in Appendix A, Process for Amending Clipper® Operating Rules, attached hereto and incorporated herein by this reference. The Clipper® Operating Rules establish operating parameters and procedures for the consistent and efficient operation of Clipper® throughout the region. The current version of the Clipper Operating Rules® is available on MTC's website at <http://www.mtc.ca.gov/planning/tcip/>.
- B. Pay its share of Clipper® costs, including costs of the salary of additional Clipper® staff necessary to support the Executive Board, according to Appendix B, Clipper® Cost and Revenue Allocation, attached hereto and incorporated herein by this reference. Changes to Appendix B require an amendment to the MOU in accordance with Article XI.A.
- C. Make its facilities and staff available for implementation and operation of Clipper®. Any Operator and the Contracting Agency may agree to an Operator-specific implementation plan, setting forth specific requirements regarding implementation and operation of Clipper® for such Operator.
- D. Make determinations regarding the placement of Clipper® equipment on the Operator's facilities and equipment; perform necessary site preparation; attend Clipper® Contractor training on the use of the Clipper® equipment; and provide training to employees using the equipment.
- E. Beginning two years after the effective date of this Agreement, and every two years thereafter, participate in a review of the cost and revenue allocation formula in Appendix B, to support fairness among Operators and to accommodate changes in shared operation costs.

ARTICLE II
MTC Responsibilities

MTC agrees to:

- A. Fund a portion of the Clipper® operating and maintenance costs, including costs of the salary of additional Clipper® staff necessary to support the Executive Board, as set forth in Appendix B. Subject to availability of necessary funds, inclusion of projects in the Regional Transportation Plan and Transportation Improvement Program where necessary, and receipt of all necessary Commission approvals, budget appropriations and

allocations, MTC will continue to fund capital and Contracting Agency operating costs in the manner that it has funded capital and Contracting Agency operating costs to date, through a dedicated allocation of federal, state and local funds, both discretionary and project designated. Recommended annual capital allocations will be identified in the work plan approved by the Executive Board. (See Article IV.C.4.)

- B. Retain all books, papers, records, documents, and other materials pertaining to its responsibilities under Appendix B (the "Materials") in accordance with federal grant and audit requirements and generally accepted accounting principles and make the Materials available to Parties upon request through reasonable means and at reasonable times. Parties may request that Materials be made available for the most recently closed fiscal year during the term of this MOU and for up to one year thereafter; provided, however, that nothing in this Article II.B is intended to limit a Party's rights to obtain records under the California Public Records Act (Government Code Section 6250 *et seq.*).
- C. Continue to serve as the Contracting Agency (described in Article III), and continue to provide adequate staffing to support the Clipper® program under the direction of the Clipper® Executive Director (described in Article V), until such time as the Executive Board designates, and MTC's Commission approves, the assignment of MTC's duties as Contracting Agency to another Party pursuant to Article IV.D.
- D. Employ the initial Clipper® Executive Director (described in Article V). MTC reserves the right to make decisions regarding hiring, promotion, termination, compensation, and removal of the initial Clipper® Executive Director. Selection of a successor Executive Director shall be in accordance with Article III.J.
- E. Continue to create and maintain all copyrights and other intellectual property necessary or convenient for the operation of the Clipper® fare payment system and provide any necessary licenses to use such intellectual property to the Contracting Agency, if other than MTC.
- F. Enter into supplemental agreements with new operator participants in accordance with Article VI.

ARTICLE III Contracting Agency Responsibilities

The Contracting Agency agrees to:

- A. On behalf of the Parties, procure, award, manage and carry out the duties and responsibilities of the Clipper® program counterparty under all contracts necessary for the expansion, modification, modernization, operation, maintenance, marketing and customer service of the Clipper® fare payment system, including the Clipper® Contract and any successor contract and any contracts for associated professional services for the Clipper® program as a whole.
- B. Establish, manage and implement Clipper® Operating Rules in accordance with Appendix A.
- C. Provide regular updates (at least quarterly) on the Clipper® program to the Parties.

- D. Support the Parties with respect to Articles I.E and II.A by providing system data affecting the cost allocation formula.
- E. Own specified Clipper® program capital equipment, as may be required by grant or funding agency rules and regulations, and transfer ownership, to the greatest extent permitted under such rules and regulations, to any successor Contracting Agency.
- F. Hold and manage the Clipper® bank accounts and act as an agency in trust for the benefit of the cardholders for funds deposited by the cardholders for the ultimate use on the services provided by the Operators, and for the benefit of the Operators for funds due to Operators until dispersed to such Operators.
- G. Conduct an annual contract compliance audit covering Clipper® program revenue collection and allocation and cost allocation responsibilities under the MOU and provide a copy of the complete audit report to all Parties upon conclusion of each such annual audit.
- H. Retain all books, papers, records, documents, and other materials pertaining to its responsibilities under Appendix B (the "Materials") in accordance with federal grant and audit requirements and generally accepted accounting principles and make the Materials available to Parties upon request through reasonable means and at reasonable times. Parties may request that Materials be made available for the most recently closed fiscal year during the term of this MOU and for up to one year thereafter; provided, however, that nothing in this Article III.H is intended to limit a Party's rights to obtain records under the California Public Records Act (Government Code Section 6250 *et seq.*).
- I. Serve as the Application Issuer and Card Issuer, as those terms are defined in the Clipper® Operating Rules.
- J. Engage the Clipper® Executive Director in accordance with Article V. The Contracting Agency reserves the right to make decisions regarding hiring, promotion, termination, compensation, and removal of the Clipper® Executive Director provided that it shall not engage the successor to the initial and successor Executive Directors without the concurrence of the Executive Board. The Contracting Agency shall collaborate with the Executive Board in considering potential candidates for Executive Director.
- K. Provide adequate staffing (including program and legal staff) to support the Clipper® program. The Contracting Agency reserves the right to make decisions regarding hiring, promotion, termination, compensation and removal of program staff.
- L. Provide necessary logistical and technological support to the Executive Board and any committees thereof, except as provided in Article IV.H.

ARTICLE IV
Clipper® Executive Board

- A. Role; Composition. The Parties agree that responsibility for the management of the current Clipper® program, as well as the strategic planning effort to procure and implement a future system on or before the termination of the current Clipper® Contract, shall reside with a Clipper® Executive Board ("Executive Board"). The Executive Board's responsibilities shall be executed in a manner consistent with the Operator, MTC

and Contracting Agency responsibilities set forth in Articles I, II and III, respectively. The Executive Board shall be comprised of nine members: one representative each from SFMTA, BART, Caltrain/SamTrans, AC Transit, VTA, GGBHTD and MTC, and two representatives who are selected to represent all other Operators (the "Small Operators") in the sole discretion of the Small Operators. Each representative shall be at the General Manager or Senior Management level.

B. Principles. The Executive Board shall adhere to the following principles:

1. The Clipper® program shall continue as the primary electronic fare collection system for the Operators.
2. Each member of the Executive Board commits to actively advance the continued successful operation, maintenance and growth of the Clipper® program on a cost effective, operationally efficient, and coordinated basis.
3. Promote efforts to reduce the overall cost of the Clipper® system, including operating costs, capital costs and consultant expense.
4. Promote regional efforts to simplify fare structures while protecting revenue levels.

C. Duties. The Executive Board shall undertake the following duties:

1. Meet in accordance with a regular meeting schedule established by the Executive Board, not less than quarterly.
2. Establish goals for the Clipper® program, including targets to increase market penetration and cost containment initiatives. The Program Goals and Performance Measures are attached as Appendix C, and may be amended by unanimous vote of the Executive Board from time to time.
3. Propose for review by MTC, Operators and other funding sources (collectively, the "Funding Agencies") a biennial capital and operating budget for the Clipper® program. Revise and adopt the proposed budget in accordance with the Clipper® budgets adopted and/or allocations made by each of the Funding Agencies. The biennial budget will outline staffing requirements and resources needed to accomplish the work plan. The budget will define required funding, identify funding sources, and specify the amount of individual agency contributions.
4. Adopt a detailed biennial work plan to implement the established goals and budget.
5. Designate the Contracting Agency, as further described in and subject to Article IV.D, and provide policy oversight, advice, and direction to the Contracting Agency.
6. Evaluate the performance of the Clipper® Executive Director on at least an annual basis. The Board will develop goals and objectives jointly with the Clipper® Executive Director, which will form the basis for the annual evaluation.
7. Review and authorize Significant Business Matters as described in Article IV.E.

8. Establish such procedures as shall be necessary or desirable to facilitate compliance by the Executive Board with the Ralph M. Brown Act (Government Code Section 54950 *et seq.*) (the "Brown Act") and other applicable laws.
- D. Designation of a Contracting Agency. The Executive Board shall designate one of the Parties to serve as the "Contracting Agency" with the responsibilities defined in Article III. MTC shall serve as the initial Contracting Agency. The Executive Board shall review the designation of the Contracting Agency not more often than once every three (3) years and may designate any of the Parties as a new Contracting Agency no later than one year prior to the proposed assignment date, which designation may be subject to the approval of the governing board of the proposed new Contracting Agency. In the event of a new designation, the then-current Contracting Agency shall seek approval from its governing board to assign all outstanding contracts, funding agreements, licenses, and accounts to the newly designated Contracting Agency and, if it receives approval from its governing board for such assignment, take such other actions as may be necessary or convenient to effect the transition of the Contracting Agency role. In the event of a change from the role of MTC as the Contracting Agency, the Executive Board will work with MTC and the successor Contracting Agency to protect or minimize loss or degradation of jobs for Clipper® support staff at MTC.
- E. Significant Business Matters. The Executive Board shall decide all Significant Business Matters by a majority vote. "Significant Business Matter" shall mean any matter that can reasonably be expected to have a substantial financial impact (defined as an impact of \$250,000 or more) or a substantial operating impact (defined as causing operations to fall below then-current annual operational goals) on Clipper® or any of the Parties. Significant Business Matters, include, but are not limited to the following:
1. Approval of Clipper® Contract Change Orders that exceed the maximum authority levels established by the Contracting Agency's procurement rules for its chief executive officer, or \$250,000, whichever is less, or that are not funded in the biennial budget. Contracting Agency governing board approval may also be required.
 2. Amendments to the Clipper® operating rules, pursuant to Appendix A.
 3. Acceptance of new Parties to the Clipper® program. The Executive Board delegates to MTC the authority to sign supplemental agreements with new Parties accepted into the program, as provided in Article VI.
 4. Implementation of new business ventures or opportunities for the Clipper® program.
 5. Contract awards for contract amounts that exceed the maximum authority levels established by the then-current Contracting Agency's procurement rules for its chief executive officer, or \$250,000, whichever is less. Contracting Agency governing board approval may also be required.
 6. Assignment of the Clipper® Contract. Contracting Agency approval shall also be required.
 7. Approval of expenses (administrative, operating and legal) incurred by the Contracting Agency if in excess of or not contemplated by the current approved budget.

8. Approval of the Clipper® 2.0 rollout strategy.
9. Decision whether any other matter, not expressly included or excluded as a Significant Business Matter in this list, is a Significant Business Matter in accordance with the definition above.

The foregoing definition of "Significant Business Matters" may be amended by unanimous vote of the Executive Board from time to time.

- F. Quorum. Five members of the Executive Board constitute a quorum. In the absence of a quorum, a smaller number of Executive Board members may secure the attendance of absent members by video conference, teleconference or other means compliant with the Brown Act to establish a quorum. Only eligible voting members shall be counted to establish a quorum.
- G. Voting. Each member of the Executive Board shall have one vote. A vote of a majority of the Executive Board is required for approval. Executive Board members may not abstain from voting on any matter before the Executive Board, except in cases of conflicts of interest.
- H. Board Chair; Committees. The Executive Board shall annually elect a Chair and Vice Chair from its members. The Chair shall provide administrative staff support to the Executive Board, as needed as determined by the Chair and the Clipper® Executive Director. The Chair may appoint advisory committees or working groups for specified projects of limited duration. The Executive Board may establish standing committees from time to time.
- I. Delegates. Executive Board members may appoint, in writing, delegates to vote on their behalf in the event of a member's absence from any Executive Board meeting, for up to two (2) meetings per calendar year. No voting rights are accorded to alternates, nor do alternates count toward a quorum of the Executive Board, when alternates are representing an Executive Board member for meetings after two (2) missed meetings in a calendar year.

ARTICLE V Clipper® Executive Director

The Clipper® Executive Director shall be responsible for regional coordination of the Clipper® program among the Parties, oversight of consultants and contractors retained for the design, operation and maintenance of the Clipper® program, and effectuation of the goals and work plan adopted by the Executive Board in accordance with the budget. Clipper® program support staff engaged by the Contracting Agency shall report to the Clipper® Executive Director.

The Clipper® Executive Director shall be selected and appointed by the Contracting Agency following consultation with the Executive Board to factor in any Executive Board concerns. The Contracting Agency will directly engage the Clipper® Executive Director as its employee or independent contractor in accordance with any civil service or procurement rules applicable to the Contracting Agency. The initial Clipper® Executive Director shall be Carol Kuester and shall be an employee of MTC.

ARTICLE VI
New Operator Participants

Any Bay Area transit operator not a Party to this Agreement must be approved by the Executive Board and agree to the terms of the MOU then in effect as a condition of implementing Clipper®, by entering into a supplemental agreement to this MOU accepting the then-current terms of this MOU. Signature by the other Parties to the MOU is not required. MTC shall not enter into a supplemental agreement with a particular operator prior to the issuance of a Change Notice to the Clipper® Contract covering all or a portion of the work required to accept such operator into the system. MTC shall provide the other Parties to the MOU with written notice of each supplemental agreement.

ARTICLE VII
Indemnification

- A. Mutual Indemnification. No Party to this MOU (including any of its directors, commissioners, officers, agents or employees) shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by any other Party under or in connection with this Agreement. Pursuant to Government Code Section 895.4, each Party agrees to fully indemnify and hold other Parties harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by such indemnifying Party under or in connection with this Agreement and for which such indemnifying Party would otherwise be liable.
- B. Contracting Agency Indemnification of Other Parties. Notwithstanding the provisions of Subsection A above, the Contracting Agency shall indemnify, hold harmless, and defend the other Parties from any and all claims or liability resulting from any action or inaction on the part of Contracting Agency relating to the Clipper® Contract or from its failure to carry out its responsibilities under Article III of this MOU. With respect only to MTC as Contracting Agency, this indemnification covers action or inaction on the part of MTC relating to the Clipper® Contract prior to the Effective Date of this MOU. Except as stated in the previous sentence, this indemnification only covers action or inaction on the part of a Contracting Agency while it serves as Contracting Agency under this MOU.
- C. Other Parties' Indemnification of Contracting Agency. Notwithstanding the provisions of Subsection A above, each Party hereto that is not the Contracting Agency shall indemnify, hold harmless, and defend the Contracting Agency from any and all claims or liability resulting from any action or inaction on the part of such Party relating to its responsibilities under Article I or II, as applicable, of this MOU.
- D. Operator Indemnification of MTC. Notwithstanding the provisions of Subsection A above, each Operator shall indemnify, hold harmless, and defend MTC from any and all claims or liability resulting from any action or inaction on the part of such Operator relating to its responsibilities under Article I of this MOU.
- E. MTC Indemnification of Operators. Notwithstanding the provisions of Subsection A above, MTC shall indemnify, hold harmless, and defend each Operator from any and all claims or liability resulting from any action or inaction on the part of MTC relating to its responsibilities under Article II of this MOU.

ARTICLE VIII

Term

The term of the MOU shall begin upon the Effective Date and continue through June 30, 2025, unless terminated by written agreement of the Parties.

ARTICLE IX

Dispute Resolution

The Parties agree to abide by the dispute resolution procedures in Appendix D, Dispute Resolution, attached hereto and incorporated herein by this reference to resolve disputes between or among Parties to the MOU. To invoke the dispute resolution process, two Executive Board members must request it.

ARTICLE X

Changed Circumstances

Any Party may initiate informal discussions among the Parties concerning the provisions of this MOU, based on its assessment that changes in technology or other factors external to the MOU or the Clipper® Contract indicate that it would be in the best interests of one or more Parties to consider revisions to the MOU. If a majority of Parties agree, the Parties will then jointly evaluate the changed circumstances to determine what, if any, revisions to the MOU are necessary or desirable. Any agreed-upon changes shall require an amendment to the MOU approved and executed by all Parties.

ARTICLE XI

General Provisions

- A. The entire Agreement between and among the Parties is contained herein, and no change in or modification, termination or discharge of this MOU shall be valid or enforceable unless it is approved by the Parties and made in writing and signed by the Parties.
- B. Headings in this MOU are for convenience only and not intended to define, interpret or limit the terms and conditions herein.
- C. This MOU may be executed in one or more counterparts, each of which shall be considered an original and all of which shall constitute a single instrument.
- D. This MOU is intended for the sole benefit of the Parties and is not intended to nor shall be construed to confer any benefit or create any right in any third party.
- E. Appendix E, Special Provisions for the City and County of San Francisco, attached hereto and incorporated herein by this reference, sets forth the terms and conditions required by the City and County of San Francisco in any expenditure contracts entered into by the City.
- F. If any provision of this MOU or the application thereof to any person, entity or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this MOU, or the application of such provision to persons, entities or circumstances, other

than those as to which it is invalid or unenforceable, shall not be affected thereby, and each other provision of this MOU shall be valid and be enforceable to the fullest extent permitted by law.

- G. Notices provided under the MOU shall be provided to the individuals listed in Appendix F, Notices, attached hereto and incorporated herein by this reference. Each Party to the MOU is responsible for notifying other Parties of a change in the individual designated to receive notices in writing. Changes to Appendix F may be made by any Party without an amendment to this MOU. MTC will distribute to every other Party the notice information of new Parties to the MOU added pursuant to Article VI.
- H. This MOU supersedes and replaces the Memorandum of Understanding Regarding Operations and Maintenance of Clipper Fare Collection System dated November 10, 2011, as amended, in its entirety.
- I. By its execution of this MOU, each Party (i) acknowledges that, although the City of Rio Vista executed a Supplemental Agreement to the 2011 MOU, it subsequently declined to have Clipper® implemented on its bus system, (ii) waives the requirement for 240 days' advance notice to it of the City of Rio Vista's withdrawal from the 2011 MOU, and (iii) acknowledges that the City of Rio Vista is therefore not a Party to this MOU upon its initial execution and delivery.

IN WITNESS WHEREOF, this MOU has been duly authorized and executed by the Parties hereto on the dates specified below by their duly authorized representatives.

Metropolitan Transportation Commission

Approved as to form:

Steve Heminger, Executive Director

Adrienne Weil, General Counsel

Date: _____

Alameda-Contra Costa Transit District

Approved as to form:

Name: _____

Denise C. Standridge, General Counsel

Title: _____

Date: _____

**Golden Gate Bridge, Highway and
Transportation District**

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

San Francisco Bay Area Rapid Transit District

Approved as to form:

Name: _____
Title: _____
Date: _____

Matthew Burrows, General Counsel

**City and County of San Francisco
Municipal Transportation Agency**

Approved as to form:
Dennis J. Herrera, City Attorney

Name: Edward D. Reiskin
Title: Director of Transportation
Date: _____

Name: Robin M. Reitzes
Title: Deputy City Attorney

Municipal Transportation Agency Board of Directors
Resolution No. _____
Dated: _____

Secretary, SFMTAB

San Mateo County Transit District

Approved as to form:

Name: Jim Hartnett
Title: General Manager/CEO
Date: _____

Joan L. Cassman, General Counsel

Santa Clara Valley Transportation Authority

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

Peninsula Corridor Joint Powers Board

Approved as to form:

Name: Jim Hartnett
Title: Executive Director
Date: _____

Joan L. Cassman, General Counsel

Central Contra Costa Transit Authority

Approved as to form:

Name: _____
Title: _____
Date: _____

Madeline Chun, General Counsel

**City of Fairfield
Fairfield and Suisun Transit**

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

City of Petaluma

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

Eastern Contra Costa Transit Authority

Approved as to form:

Name: Jeanne Krieg
Title: Chief Executive Officer
Date: _____

Ben Stock, General Counsel

Livermore/Amador Valley Transit Authority

Approved as to form:

Name: _____
Title: _____
Date: _____

Michael N. Conneran, General Counsel

Marin County Transit District

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

Napa County Transportation and Planning Agency

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

Solano County Transit

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

Sonoma County Transit

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

Sonoma-Marin Area Rail Transit District

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

Vacaville City Coach

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

Western Contra Costa Transit Authority

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

**San Francisco Bay Area Water Emergency
Transportation Authority**

Approved as to form:

Name: _____
Title: _____
Date: _____

Stanley S. Taylor III, General Counsel

City of Santa Rosa

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

City of Union City

Approved as to form:

Name: _____
Title: _____
Date: _____

_____, General Counsel

TAB 4

Agenda Item 7b
ACTION ITEM: ECCTA Solar Project

Resolution #150923b

Board of Directors Meeting Agenda

Wednesday September 23, 2015

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: September 23, 2015

Agenda Item: Photovoltaic (Solar/PV) Feasibility Study
– Agenda #7b

Lead Staff: Steve Ponte

Approved: Jeanne Krieg 

Background

In October 2014, the ECCTA Board of Directors approved staff to enter into an agreement with EDesign C, Inc to study the photovoltaic (PV) options available to ECCTA. The consultant analyzed:

- outright purchase, lease, Power Purchase Agreement, (PPE) and loan options
- types of solar equipment, design, size, and placement.
- System requirements

The attached report includes the recommendation that best meets ECCTA's needs.

Additionally, the consultant recommended that ECCTA apply for a State of California Energy Commission 1% interest loan that is available to government agencies that cannot take advantage of the solar rebates being offered to for-profit organizations.

Staff Request

Approve Resolution #150923b authorizing the CEO to apply for a low interest loan and enter into an agreement with the California Energy Commission.



TRI DELTA TRANSIT

Eastern Contra Costa Transit Authority
801 Wilbur Avenue • Antioch, California 94509
Phone 925.754.6622 Fax 925.757.2530

Resolution #150923b

RESOLUTION AGREEING TO APPLY AND ACCEPT A SOLAR PROJECT LOAN FROM THE CALIFORNIA ENERGY COMMISSION

WHEREAS, the California Energy Commission provides loans to schools, hospitals, local governments, special districts, and public care institutions to finance energy efficiency improvements;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors for the Eastern Contra Costa Transit Authority, a Joint Powers Authority authorizes Jeanne Krieg, CEO Eastern Contra Costa Transit Authority to apply for energy efficiency loan from the California Energy Commission to implement energy efficiency measures.

BE IT ALSO RESOLVED, that in compliance with the California Environmental Quality Act (CEQA), Eastern Contra Costa Transit Authority finds that the activity funded by the loan is a project that is exempt under CEQA.

BE IT ALSO RESOLVED, that if recommended for funding by the California Energy Commission, the Board of Directors for the Eastern Contra Costa Transit Authority authorizes Jeanne Krieg, CEO Eastern Contra Costa Transit Authority to accept a loan up to \$1,581,000.

BE IT ALSO RESOLVED, that the amount of the loan will be paid in full, plus interest, under the terms and conditions of the Loan Agreement, Promissory Note and Tax Certificate of the California Energy Commission.

BE IT FURTHER RESOLVED, that Jeanne Krieg, CEO is hereby authorized and empowered to execute in the name of Eastern Contra Costa Transit Authority all necessary documents to implement and carry out the purpose of this resolution, and to undertake all actions necessary to undertake and complete the energy efficiency projects.

PASSED AND ADOPTED THIS 23th day of September 2015, by the following votes:

Ben Johnson, Chair

Jeanne Krieg, CEO

AYES: _____
NOES: _____
ABSENT: _____
ABSTENTIONS: _____



Eastern Contra Costa Transit Authority Administration and Maintenance Facility

Photovoltaic Feasibility and Energy Improvements

September 15, 2015

The appendices (31 pages) will be available at the board meeting. If you want them in advance of the meeting, please call (925) 754-6622

Prepared For:

Eastern Contra Costa Transit Authority
Steve Ponte, Chief Operating Officer
801 Wilbur Avenue
Antioch, CA 94509

Prepared By:

EDesignC, Inc.
Stephen Howarter, PE
582 Market Street, Suite 400
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Stephen@edesignc.com
415.963.4303



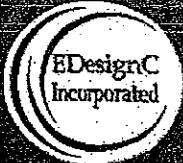
Acknowledgements

The following firms and individuals worked in collaboration on this plan:

- Hamon Engineering, Inc. – Marvin Hamon, PE
- Tom Kabat, Financial Analyst
- Dale Hendsbee, SE – Mesiti-Miller Engineering, Inc.
- Rosanna Lerma PE - Technical Overview
- Meri Furnari – Editorial Support

We appreciate the following staff members of the Eastern Contra Costa Transit Authority who provided guidance and support in developing this final report:

- Steve Ponte, Chief Operating Officer
- Anne Hutcheson, Contract Administration



Eastern Contra Costa Transit Authority
Administration and Maintenance Facility
Photovoltaic Feasibility and Energy Improvements
September 15, 2015

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1. Executive Summary

1.1 Project Summary & Goals

This feasibility assessment for energy efficiency and application of renewables in the form of solar photovoltaics (PV) for the Administration and Maintenance Facility in the Eastern Contra Costa Transit Authority was commissioned by the ECCTA and prepared by EDesignC. To prepare the report, EDesignC's team visited the site in order to understand site-related issues, identify process and end-use loads, identify opportunities for operational savings, and create preliminary assessments for PV installation. EDesignC has analyzed energy consumption data, developed estimates for PV energy production, reviewed the current regulatory environment, and assessed utilities interconnection requirements for PV generation on the site. The results of these efforts are contained within this feasibility study.

1.2 Assessment and Financial Findings

The Administration and Maintenance Facility is a great opportunity to offset electrical usage with PV as there is ample space for a roof-mounted system and canopy type. Due to financial limitations a roof mount partial can be

The Antioch area has good insolation throughout the year as shown in this data for the area:

Antioch, California, United States - Solar energy and surface meteorology

Variable	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Year
Insolation (kWh/m ² /day)	2.0	3.0	3.9	3.2	2.0	1.2	0.9	0.9	1.8	2.8	3.0	2.5	2.85
Clearness (k _t)	0.5	0.2	0.37	0.51	0.43	0.67	0.67	0.6	0.58	0.38	0.4	0.4	0.4
Temperature (C)	20	18	16	14	12	10	9	9	10	12	14	16	14
Wind speed (m/s)	2.0	1.6	1.4	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6
Precipitation (mm)	0	0	0	0	0	0	0	0	0	0	0	0	0
Wet days (d)	0	0	0	0	0	0	0	0	0	0	0	0	0

These data were obtained from the NASA Langley Research Center Atmospheric Science Data Center, New et al. 2002
 Notes: [Help](#), [Change preferences](#)

\$1.581M budget is based on \$4.25/watt installed system cost. This cost includes the PV modules, the inverters, installation, and development costs. The final cost will vary depending on final selection for mounting and type of system selected. Appendix B has sample cutsheets of current products being used in commercial installations. The various manufacturers and warranties available depend on the time that procurement occurs. Because historically many firms have ceased to exist, final selection will be determined closer to the procurement stage.

1.3 Recommendations

Based on the discussions provided in this report, the following recommendations are submitted for the ECCTA to review and explore further:

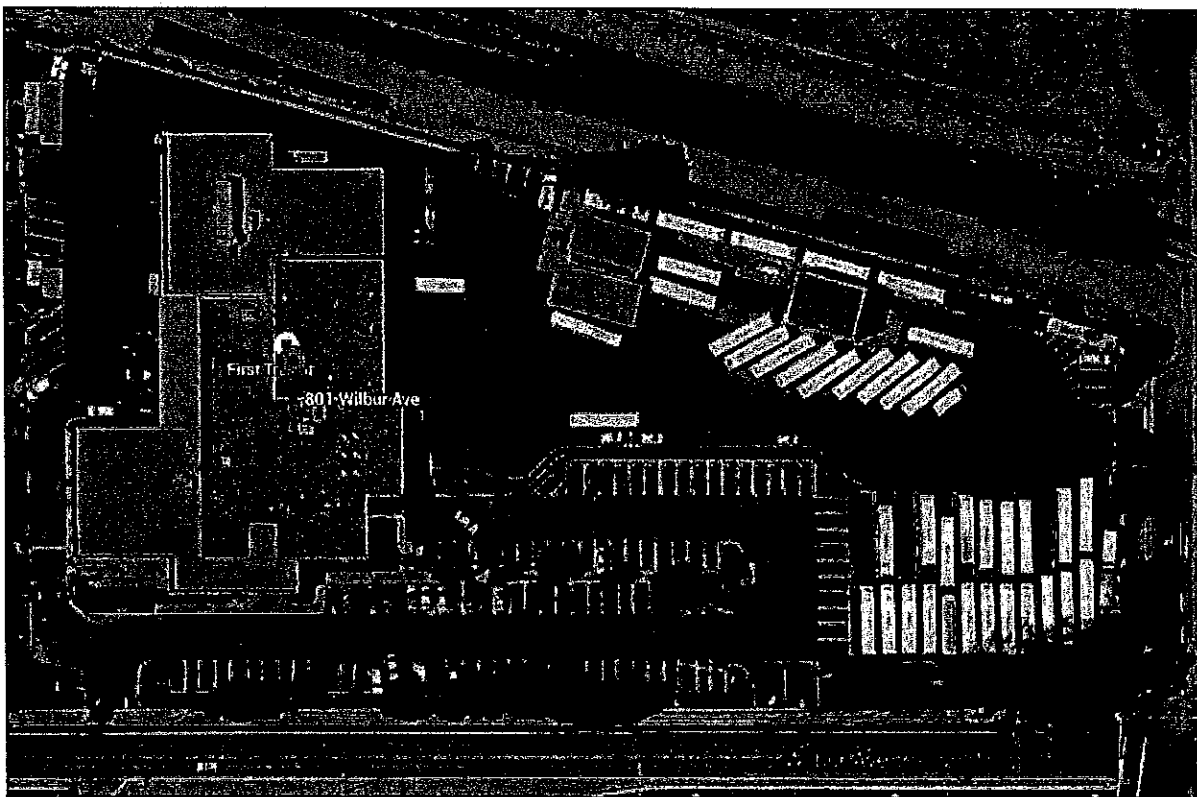
1. Implement the exterior Lighting Retrofit, this ROI (return of investment) period of 18 months makes it an easy project for saving energy and reducing the size of the PV system selected.
2. Review ECCTA legal requirements for lease or PPA on ECCTA property.
3. Recommend low-interest loan option for installation of PV system that is capable of offsetting the annual kwh of the site.
4. Design process that will establish installation options about the structure in order to increase the budget as required for a final solution.
5. Review Demand Response Programs with PG&E for added cost savings.

2. Facility Description and Field Observations

Eastern Contra Costa Transit Authority (Tri Delta Transit) provides nearly 3 million trips each year to a population of nearly 290,000 residents in the 225 square miles of Eastern Contra Costa County. Tri Delta Transit operates 13 local bus routes Monday-Friday, 4 local bus routes on weekends and holidays, door-to-door bus service for senior citizens and people with disabilities, and shuttle services for community events.

The facility houses the administration offices and the maintenance facility.

- The existing utility electrical service is rated 208/120V, 3-phase, 4-wire, 1600 Amps.
- The Main Service Entrance SWBD (MSB) could accept up to 320A of PV (115kWac) interconnected on the load side and up to 1600A of PV (575kWac) interconnected on the supply side.



3. Energy Usage Analysis – Demand Response Program

Approximately three years of the Eastern Contra Costa Transit Authority’s data was examined from a period including 2012 through 2014. A sample of the data collected was analyzed and is included in *Appendix C*. Electrical energy usage in 2013 was 711,574 kWh/yr and in 2014 was 680,556 kWh/yr. There is a general downward trend in energy usage over the last three years.

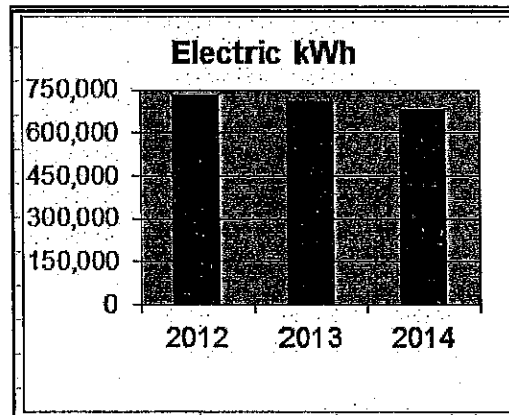
The preliminary PV system size will be based on the 2014 energy usage provided. The ECCTA ought to consider whether to develop just enough solar to meet the site’s annual energy needs, or whether to allow (for certain compensation) the development of the site for an additional system for exporting energy to third parties.

	\$ELEC	kWh	\$/kWh
2010			
2011			
2012	\$99,369.85	729,589	\$0.136
2013	\$100,567.24	711,574	\$0.141
2014	\$103,446.83	680,556	\$0.152
2015*	\$93,445.56	741,500	\$0.126

-*projected for 2015

The annual \$/kWh cost has seen an escalation increase over the years from 3.5 to 7.2% last year. This is based on an E19SV rate with demand charges that would need to be more closely reviewed to see other potential savings in demand reduction. A rate analysis should be completed unless there is history of why the voluntary rate was selected.

ECCTA should review the PG&E demand response program to identify the potential to participate with financial incentives. The Demand Bidding Program (DBP) is a relatively low-risk demand response program that pays an incentive to reduce one’s electric load during program events. This day-ahead program allows the submission of load reduction bids on an hourly basis for any event without a financial penalty.



Total Energy usage in KWh/year

4. Energy Improvements and Considerations

4.1 Operational Improvements

Further study on how the facility operates to see any changes that can reduce energy to minimize the size of the PV system needed.

4.2 Air Conditioning (HVAC)

Field verification of HVAC system and controls needs further review to determine potential savings from replacement of HVAC system with higher efficiency units as well as controls. Further study is needed

4.3 Site Lighting Improvements

Further study on exterior lighting to LED conversion might impact size of system and demand charges.



5. Renewable Energy Sources

Various renewable energy sources are wind, geothermal, and solar. This study focuses on the solar photovoltaic technology as it is the most cost effective and practical for this area.

Solar cells, also called photovoltaic (PV) cells by scientists, convert sunlight directly into electricity. The term PV stems from the process of converting light (photons) to electricity (voltage), which is called the *PV effect*. The PV effect was discovered in 1954, when scientists at Bell Telephone realized that silicon (an element found in sand) created an electric charge when exposed to sunlight. Soon solar cells were being used to power space satellites and smaller items like calculators and watches. Today, thousands of people power their homes and businesses with individual solar PV systems. For large electric utility or industrial applications, hundreds of solar arrays are interconnected to form a large utility-scale PV system.

Traditional solar cells are made from silicon, are usually flat-plate, and generally are the most efficient. Second-generation solar cells are called thin-film solar cells because they are made from amorphous silicon or non-silicon materials such as cadmium telluride. Thin film solar cells use layers of semiconductor materials only a few micrometers thick. Because of their flexibility, thin film solar cells can double as rooftop shingles and tiles, building facades, or the glazing for skylights and are sometimes added to existing building roofs as an option.

Photovoltaic power systems are intended to have a working life in excess of 20 years. During the life of the system, a number of maintenance items can be expected. Primary among those tasks will be inverter replacement and PV module replacement. It is therefore important to try where possible to design a PV system that can be maintained with equipment that is expected to be available over the 20-year lifespan of the system.

The average service life of current inverters is 7 to 10 years. Therefore, it can be expected that an inverter will need to be replaced once or twice during the life of the PV system, early failures notwithstanding. Inverter technology is constantly evolving with operating DC voltages increasing and a move toward the use of non-isolated ungrounded inverters. This changing technology could make grounded inverters difficult to source in the future and could lead to difficulties during the life of the PV system when an inverter requires replacement but the available inverters are not compatible with a system designed 10 years ago.

While PV modules can be expected to last for the full life of the system, they can fail early. Modules can be damaged if struck by an object or fracture due to improper mounting. Manufacturing defects can result in premature power lows, delamination, or internal conductor failures. While early failures are fairly rare, due to the number of modules in large PV arrays, some failures can be expected. PV module technological advancement is fast enough that sourcing an exact replacement for a module even within a year of the original installation can be difficult as manufacturers deprecate products for new offerings. This typically means using a module with a higher power rating than the one that is being replaced. It is a common O&M (operations and maintenance) practice to put aside a number of PV modules as ready spares on larger PV arrays. Another alternative is to allow the system power rating to be reduced as modules fail.

PV Module Comparisons

There are a number of PV module technologies currently available each with qualities that make them better suited for a specific application.

The basic unit of a PV array is the module string. Modules are connected together in series to add the voltage of each module to the string voltage. The voltage of an individual module may be 30V while the string voltage may be up to 600V to 1000V or more. The number of modules in a string is a function of the maximum voltage of the module and the maximum voltage of the inverter, the string voltage normally being as high as possible without exceeding the inverter voltage. The number of modules can vary from one to 20 modules or more. This basic unit of the PV array has a direct effect on the balance of system (BOS) equipment costs.

Thin-film modules generally have the following characteristics:

- Lower cost per watt than other technologies
- Lower efficiency
- Lower power output per unit area
- Larger number of modules needed for a given array output
- Shorter string lengths due to higher module maximum voltages
- More BOS needed to support the larger number of modules

These characteristics tend to maximize the value of these modules when used in large ground-mount PV arrays in systems that have high string voltages. They are commonly used in multi-megawatt utility scale systems. The cost of the modules tends to be overshadowed by the increase in BOS costs in smaller arrays. In PV arrays in constrained areas such as roofs, the lower efficiency of thin-film will not produce enough power.

Polycrystalline modules generally have the following characteristics:

- Higher efficiency than thin-film but less than monocrystalline
- Higher power output per unit area than thin-film but less than monocrystalline
- Higher cost per watt than thin-film but less than monocrystalline
- Longer string lengths than thin-film, about the same as monocrystalline

Polycrystalline modules are the workhorse module of the distributed PV industry used in ground-mount, roof-mount, and shade structure arrays of all sizes. These are the type of module usually used when the particular characteristics of thin-film or monocrystalline modules are not justified.

Monocrystalline modules generally have the following characteristics:

- Highest efficiency
- Highest power output per unit area
- Highest cost
-

These are usually used where space is constrained and the greatest amount of power must be produced from the fewest number of modules and are commonly used in roof-mounted PV arrays.

While these general applications apply widely in the PV industry, it is noted that, while unusual, there have been residential roof mounted thin-film arrays and megawatt monocrystalline arrays.

PV Inverter Comparisons

PV inverters convert the DC power from the array to AC power. They also control the PV system interconnection with the utility grid. Classification of inverters is not well defined into the categories



listed here and there are edge cases where a particular inverter could be put in either of two classifications.

Micro-inverters: One micro-inverter connects to one or two PV modules; some can connect to up to four modules. Usually used in residential and small commercial systems, these are most beneficial in areas where there would be partial shading of modules in a string. They have a higher initial cost. Replacement requires removal of module or access to back of module. High monitoring granularity is inherent in design with a more failure-tolerant array. A micro-inverter failure only affects one or two modules at a time. Due to the number of micro-inverters in an array, the chances of a failure of one increases over the use of central or string inverters.

String inverters: Commonly available in sizes from 700W to 60KW. String inverters are generally defined as inverters that use modules connected in strings and the strings are connected directly to the inverter. Recently, new 480V, three-phase commercial string inverters are available and being employed in systems up to several megawatts, or more. This type of inverter has historically been the most common one used in Europe and in residential installations in the U.S. With the addition of commercial string inverters, they are quickly gaining market share in the U.S. over central inverters in commercial installations.

The major advantage of string inverters in larger systems is that the failure of one inverter will not have an effect on the output of the other inverters. With a single central inverter, a failure of the inverter will take the entire PV system offline. The higher granularity of monitoring built into the string inverter system also results in better monitoring of the PV array without the need to install sub-array level DC monitoring.

Central inverters: Central inverters are basically any inverter that is too large to be a string inverter. Sizes range from about 100KW and up to 2MW. They require modules to be connected in strings and the strings aggregated in parallel before being connected to the inverter. These inverters are the most common inverter in PV systems over 2MW. Central inverters have been preferred over string inverters for their lower cost.

Photovoltaic Maintenance Costs:

The PV maintenance costs for a grid-tied system are minimal and limited to only periodic wash down if: a) dust accumulates to impact system performance, b) a budget for a quarterly check on the system might include wash down, and c) checks are done for any defective modules or vandalism. Because the system will not have batteries, the maintenance is minimal.

The other maintenance cost to budget for will be to replace the inverters every 7 to 10 years.

6. PV System Sizing & Installation Options

6.1 Photovoltaic PV System Sizing

A preliminary PV system design for the purposes of obtaining an approximate system rating, and required PV array size to provide a 100% annual electrical energy offset for the facility, resulted in the following specifications:

Annual Energy Production Goal: 647,701kWhr/yr

PV Array Specification:

- Total 453kWdc (372kW)
- Roof Mount 60kw
- Canopy Mount – 312kw
- 38° tilt, 180° orientation



PV System DC rating:

PV Array area:

ECCTA

Administration and Maintenance Facility

Electric Load	681 MWh load/yr	681,000 kWh/yr
Electric Rate		\$ 0.15 \$/kWh
Estimated annual kWh AC / kW DC	1,800 MWh/MW	
System size DC to meet full load	378 kW DC	
System Size Studied	372 kW DC	
System Annual Production kWh AC	647,701 kWh/yr	
Annual Gross Savings	\$ 98,451	
System Life	25 Years	
System installed Cost Estimate	\$ 4.25 /Watt	
System installed Cost Estimate	\$ 1,581,000	
Applicable tax credits and rebates	0	
System Cost Studied	\$ 1,581,000	Estimated system cost
O&M	1%	
O&M	\$ 15,810 per year	
Annual Net Savings	\$ 82,641 Annual Net Savings	
	19.1 Simple payback Years	
Loan Interest Rate	1% interest	
Loan Term	20 Years	
	\$71,788 Annual Loan Payment	
Annual Cost of Ownership with loan	\$87,598 per year	
Annual net cash flow	\$ 10,853 Savings per year	
Calculated cost of solar energy	\$ 0.135 Cost/kWh	

6.2 Installation Options

The primary area for PV is the roof of the buildings as noted in the conceptual drawings. This limits available size at about 60kW – see attached drawing ESK-1

At open parking areas, a standard elevated parking canopy system can be utilized to provide shaded and protected parking spaces. Security lighting can also be provided. Further information regarding these systems can be found in Appendix A.

6.2.1 Solar PV Racking Systems

There are various types of racking systems for roof mount and canopies. Ballasted systems do not penetrate the roofs but require structural integrity for added weight. See Appendix F for the structural analysis and recommendation for placing a PV system on the existing roofs.

6.2.2 Parking/Bus Area

The carport PV mounting systems are very popular and offer many varieties from off-the-shelf pre-fabricated bolt-up systems to custom site-welded assemblies. The foundations may be a challenge due to unknown soil conditions, but no site-specific geotechnical data was provided for this study. The range of foundation systems is quite varied from concrete spread footings, concrete drilled piers, driven or vibrated steel pipes, and proprietary metal foundation systems. We have no way to confirm the most appropriate foundation system at this time.

A standard carport parking system with metal or pipe foundation would be recommended for poor soils. A conventional concrete spread footing would be the choice for competent soil locations. The "T" shaped configuration, if suitable, is traditionally the most cost-effective. See Appendix F for the structural analysis and recommendation for placing a PV system the parking and driveway areas.

6.2.3 Fuel and Bus Wash Canopies

Further study is needed to finalize this portion of the study.

7. Interconnection Requirements

Based on initial findings, the Eastern Contra Costa Transit Authority has the potential to connect about a 350 kW solar system. Under rules applied by Pacific Gas & Electric, the serving utility, the connection of a renewable PV system of this size (greater than 30kw but less than 1000kw requires the following:

1. Provide ground fault protection
2. Provide PGE SCADA equipped recloser or interrupter.

The requirements for interconnection shall be reviewed with PG&E early in the project to identify the total impact of the project. See *Appendix D* -Utility Bulletin TD-2306B-002.

7.1 Net Metering

Net metering allows credits to the account when generated electricity (in this case from the PV system) exceeds consumption. A credit can be used at a later time or date.

7.2 Electrical Main

Main Service Entrance SWBD (MSB) could accept up to 320A of PV (115kWac) interconnected on the load side and up to 1600A of PV (575kWac) interconnected on the supply side. Therefore for the system proposed, the interconnection will need to occur on the supply side between the meter and the service disconnecting means, also known as a supply side interconnection.



8. Project Financing Alternatives

Solar Acquisitions strategies include:

- 1) ECCTA Purchase of system for Cash without Investment Tax Credit (ITC)
- 2) ECCTA Purchase of system with a loan, without ITC
- 3) ECCTA entering into a Power Purchase Agreement for solar output from a third party
- 4) ECCTA entering into an Equipment Lease from a third party system owner

Not analyzed in this comparison, but worth further review is collaborative solar procurement which increases the size of the systems purchased for better pricing and terms.

The preferred alternative would be the purchase/financing option as this allows the ECCTA to avoid escalation charges and take full benefit of the generated electricity without parsing out a portion of the benefit to a 3rd party. The cost to borrow money currently is low and available for this type of project.

Conceptual Comparison				
Acquisition method	Buy for cash	Buy with loan	Lease	PPA
Land owner		ECCTA	ECCTA	ECCTA
Land rent paid to ECCTA	0	0	\$1	\$1
Initial system owner	ECCTA	ECCTA	3rd party	3rd party
Option to buy System after 7 years			At fair market value	At fair market value
Maintenance payment responsibility	ECCTA	ECCTA	ECCTA	3rd party
Inverter replacement cost	ECCTA	ECCTA	3rd party	3rd party
Payment drops with output	No	No	No	Yes
Payment escalation	n/a	n/a	Negotiated	Negotiated
Payment escalation			Probably flat	Probably flat
Price reduced by Investment Tax Credit if in service by 12/31/2016	No	No	Yes	Yes
Tax influenced strategy	Build after 2016	Build after 2016	In service by 12/31/16	In service by 12/31/16
Cash Required	\$ 1,600,000	Near zero	\$ -	\$ -
Sited on ECCTA owned property	Yes	Yes	Yes	Yes or other
If on ECCTA property, Project needs:			Site license or Site Easement or Site lease	Site license or Site Easement or Site lease
Concurrent uses and allocation of liability will also factor into determining the appropriate site right agreement.				
Who owns the SRECs	ECCTA	ECCTA	Negotiated	Negotiated

Comparing Acquisition Strategies



While the 30% Energy Investment Tax Credits are available through 2016; it may be advantageous to have third parties with tax appetites own solar systems that are either leased to municipal clients or that sell power to municipal clients like the ECCTA.

After the Energy ITC expires for sites not yet in service by 12/31/2016, it may be advantageous for the ECCTA to borrow money at a low interest to funds its turn-key purchase of a solar plant developed at the site.

The key factors in the comparison of Acquisition Strategies are:

- Can the agreements be executed in time for third parties to place the system in service by the 12/31/2016 deadline for the Federal 30% ITC?
- If the timing appears inadequate, the ECCTA may want to delay groundbreaking for the solar project until contractors and developers are done pursuing other simpler clients.
- One theory is that after the 30% Energy ITC expires on 12/31/2016, the demand for tax-assisted solar will be reduced. (The regular 10% investment Tax Credit will continue to be available even to solar projects.) With reduced demand, it will be easier to get contractor and developer attention to municipal solar projects, and it may also result in reduced installation costs for a system owned by the ECCTA. However, there may be increased lease rates and increased PPA rates available for new projects after starting in 2017, as they will be less supported by the remaining 10% ITC.

Site Control Arrangements Grantable by ECCTA

Related issue for ECCTA to quickly resolve: Can the ECCTA provide a simple irrevocable site usage license to the developer or a rapidly approved site usage easement or a rapidly approved site lease to the developer? If these answers from ECCTA legal counsel are that it would require drafting something more than a simple irrevocable site usage license for the duration of the project, then it is unlikely that the project can be accomplished in time for a developer to receive Federal Energy ITC and the developers will likely seek other clients up through 2016. After the Energy ITCs expire, the developers may be interested in municipal clients again.

Describe Site Control Arrangements in an RFP

If the ECCTA issues an RFP for Solar development alternatives, it could include its preference or requirements regarding the provision of either a site use license, or an easement, or a lease. This should help speed the developer selection and contract negotiation process.

Should the Eastern Contra Costa Transit Authority move forward with installation of PV combined with a power purchase agreement (PPA) for the purchase of generated solar electricity, the ECCTA could financially benefit if the solar energy PPA offers a lower price than those for current and projected utilities pricing.

Researching Loans

If The ECCTA decides to not immediately seek third party system owners, the ECCTA may want to explore starting the process of applying for loans to finance a ECCTA-owned solar system. Solar PV projects have largely proven themselves to be reliable, maintainable energy producers. The issue here is can the ECCTA qualify for receiving a low interest loan such as the CEC 1% loan.

<http://www.energy.ca.gov/efficiency/financing/>

There are other collaborative solar procurement innovations being done in the public and private sector. These programs are being tested and have case studies documented with best practices outlined for other agencies to utilize, including sample documents.

TAB 5

Agenda Item 7c

DISCUSSION ITEM: TDA Triennial Performance Audit

Board of Directors Meeting Agenda

Wednesday September 23, 2015

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: September 23, 2015

Agenda Item: TDA Triennial Performance Audit
Agenda Item #7c

Lead Staff: Jeanne Krieg



A performance audit must be conducted every three years in order to be eligible to receive Transportation Development Act (TDA) funds. Attached is the executive summary of the audit for fiscal years 2011/12 through 2013/14. A summary of the findings:

- Tri Delta Transit is in compliance with the data collection and reporting requirements for the five data items required to meet the TDA-mandated performance indicators.
 - Performance Indicators and Trends:
 - Bus Service:
 - Our costs have decreased and our productivity has increased.
 - Paratransit Service:
 - Trends are good but costs for the federally-mandated door-to-door service are increasing. Some factors affecting ECCTA's costs:
 - In addition to the service required by the ADA, ECCTA offers door-to-door service to seniors.
 - The senior and ADA-eligible population is increasing faster than the general population.
- Staff is analyzing ways to improve efficiency.
- Tri Delta Transit is in compliance with the sections of the state PUC sections that were reviewed.
 - Implementation is in progress for the one recommendation from the prior audit.
 - One recommendation was presented: Continue efforts to address the declining passenger productivity and cost effectiveness of the paratransit service.

The full report (41 pages) will be available at the board meeting for review. Staff will review the findings during the board meeting. No action is required.

Agenda Item #7c
*Eastern Contra Costa Transit Authority
Board of Directors
Meeting: September 23, 2015*

Triennial Performance Audit

of the

**Eastern Contra Costa Transit Authority
(Tri Delta Transit)**

Fiscal Years 2011/12, 2012/13 and 2013/14

FINAL AUDIT REPORT

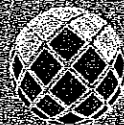
TRI DELTA TRANSIT

AUG 24 2015

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prepared for the

Metropolitan Transportation Commission



Pierlott & Associates, LLC
Management Consulting

EXECUTIVE SUMMARY

This executive summary highlights the findings from the performance audit of the Eastern Contra Costa Transit Authority (Tri Delta Transit). In California, a performance audit must be conducted every three years of any transit operator receiving Transportation Development Act (TDA) Article 4 funds, to determine whether the operator is in compliance with certain statutory and regulatory requirements, and to assess the efficiency and effectiveness of the operator's services. Tri Delta Transit's bus and paratransit modes are the focus of the performance audit. The audit covers the period of fiscal years 2012 through 2014 (from July 1, 2011 through June 30, 2014).

Performance Audit and Report Organization

The performance audit is being conducted for MTC in accordance with its established procedures for performance audits. The final audit report consists of these sections:

- An assessment of data collection reporting procedures;
- A review of performance trends in TDA-mandated indicators;
- A review of compliance with selected PUC requirements;
- An evaluation of Tri Delta Transit's actions to implement the recommendations from the last performance audit; and
- Findings, conclusions, and recommendations to further improve Tri Delta Transit's performance based on the results of the previous sections.

Comments received from Tri Delta Transit and MTC staff regarding the draft report have been incorporated into the final report as applicable. Highlights from the key activities are presented in this executive summary.

- Purchased transportation costs represented the largest portion of the total cost per vehicle service hour, rising from 47 percent in FY2012 to nearly 50 percent in FY2014 (attributed in part to annual contract rate changes).
 - The shares of most other component costs trended up or down in each year at moderate rates, while fringe benefits costs remained at about a ten percent share and certain other categories each comprised five percent or less of the total.
- Paratransit Service – The following is a brief summary of the TDA performance trend highlights over the six-year period of FY2009 through FY2014:
 - Cost efficiency improved modestly overall, with an average annual decrease in the operating cost per hour of one percent in inflation adjusted dollars.
 - The operating cost per passenger averaged an annual increase of 6.5 percent, or 3.9 percent when normalized in FY2009 dollars. Both operating costs and ridership increased over the period, but ridership increased at a lower rate.
 - Passenger productivity trends were negative, with passengers per hour decreasing an average of 4.7 percent per year, and passengers per mile decreasing 2.3 percent annually.
 - Employee productivity increased by an average of 0.2 percent per year.

The following is a brief summary of the component operating costs trend highlights for the paratransit service between FY2012 and FY2014:

- Total operating costs increased by 7.7 percent per year, with annual average increases posted in all component cost categories.
- The most significant annual increases (16 to 29 percent per year) were for services/utilities, taxes/miscellaneous expenses, and casualty/liability.
- Purchased transportation costs, which went up by 6.1 percent per year, remained the largest portion of the total cost per vehicle service hour, consistently above 70 percent.
- The second highest contribution to total costs was materials/supplies, consistently at about 14 percent. Other categories were less than five percent each.

During the current audit period, Tri Delta Transit took several steps toward greater control of its paratransit passenger productivity and cost effectiveness. Nonetheless, ridership demand continues to grow, and the desired productivity and cost effectiveness results have not yet been achieved. Tri Delta Transit should continue its efforts in this regard.

Tri Delta Transit has identified its upcoming participation in the county-wide Mobility Management Plan as a further potential strategy. Effective mobility management may reduce costs and increase overall service through coordination of existing resources and the establishment of new programs when necessary. There could also be more redirecting of passengers from paratransit to fixed-route services.