



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 December 16, 2020

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Available online: www.trideltatransit.com

On March 12, 2020, in response to the increasing threat posed by the Coronavirus, California Governor Newsom issued Executive Order N-25-20 which suspends meeting requirements of the Brown Act and Bagley-Keene Act.

The order authorizes state and local bodies to hold public meetings by teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local or state agencies.

The Governor further ordered that "all requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived."

Members of the Board of Directors or members of the public can attend the meeting from a laptop or a phone:

Click to join Zoom Meeting:

<https://zoom.us/j/99420999810?pwd=d0NlVDdSYjhUQWJyclJlOHdWMG1RUT09>

OR

Go to: <https://zoom.us/join>, then enter meeting ID: 994 2099 9810. Then click join. Then enter passcode: 571719

OR

Dial: 1 669 900 6833 US

Meeting ID: 994 2099 9810

- Public comments can be submitted via e-mail to CEO@trideltatransit.org Comments received one hour prior to the meeting will be distributed to the members of the Board of Directors and summarized in the minutes.



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Please see the last page of this agenda for:

- Public comment guidelines
- Agenda, staff report, and document availability
- Americans with Disabilities Act information
- Limited English Proficiency (LEP) information
- Anticipated action by the Board of Directors

1. **Call to Order:** Chair Shanelle Scales-Preston
 - 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 Shanelle Scales-Preston
 - a. Letter from MTC Chair Scott Haggerty regarding Blue Ribbon Transit Recovery Task Force (*see attachment: tab #1*)

5. **Consent Calendar (ACTION ITEM):** Minutes, Financial Report, and Marketing Activities Report (*see attachment: tab #2*)

- a. Minutes of the Board of Directors meeting of October 28, 2020
- b. Financial Report
- c. Marketing and Customer Service Activities Report

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

6. **CEO's Report:** Jeanne Krieg
 - a. **Operations Report** (*see attachment: tab #3*)
 - b. **Salary Range Analysis** (*see attachment: tab #4*)

Board of Directors:

City of Antioch

Lamar Thorpe
Monica Wilson

City of Brentwood

Barbara Guise
vacant

City of Oakley

Sue Higgins
vacant

City of Pittsburg

Merl Craft
Shanelle Scales-Preston*

Contra Costa County

Diane Burgis
Federal Glover

Member-at-Large

Ken Gray **

* Chair: FY 2020-21

** Vice-chair: FY 2020-21

**Board of Directors Meeting Agenda
Wednesday December 16, 2020**

7. ACTION and DISCUSSION ITEMS

- a. **ACTION ITEM:** Income-Based Transit Fare Discount Pilot Program Fare Equity Analysis
(see attachment: tab #5)
Requested Action: Adopt Resolution #201216A accepting the findings of ECCTA's income-based transit fare discount pilot program fare equity analysis.

- b. **ACTION ITEM:** Section 5310 Funding
(see attachment: tab #6)
Requested Action: Adopt Resolution #201216B authorizing the application for financial assistance through Section 5310 Funding.

- c. **ACTION ITEM:** Amendment to the Agreement for General Counsel Services
(see attachment: tab #7)
Requested Action: Adopt Resolution #201216C approving a fee increase for General Counsel Service with Burke, Williams & Sorensen, LLP to \$335 and authorizing the CEO to sign an amended agreement reflecting the fee increase.

- d. **ACTION ITEM:** Autonomous Vehicle Demonstration Project
(see attachment: tab #8)
Requested Action: Approve, in concept, the three-year electric semi-autonomous vehicle demonstration project. If staff can develop an agreement that is acceptable to the General Counsel, authorize staff to enter into an agreement with First Transit, Perrone Robotics, and Green Power Motor Company for a three-year electric semi-autonomous vehicle demonstration project.

- e. **ACTION ITEM:** Maintenance Department Wage Scale and Staff Hazard Dividend
(see attachment: tab #9)
Requested Action #1: Approve a 4% wage adjustment for all maintenance department employees effective the pay period that includes January 1, 2021.
Requested Action #2: Approve a one-time staff hazard dividend of \$500 for each employee.

- f. **ACTION ITEM:** 2021 Board of Directors Meeting Schedule
(see attachment: tab #10)
Requested Action: Combine the November and December 2021 board meetings and conduct that meeting on December 15, 2021.

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: January 27, 2021 at 4:00pm, 801 Wilbur Avenue, Antioch, CA 94509

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 ECCTA's front desk located at 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 ECCTA'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 ECCTA 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 no fewer than 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.

Limited English Proficiency (LEP):

Any person with Limited English Proficiency (LEP) who requires language assistance to communicate with the Tri Delta Transit Board of Directors during the meeting should contact the CEO's Office at (925) 754-6622 or fax (925) 757-2530. Notification no fewer than 48 hours prior to the meeting will enable Tri Delta Transit to make reasonable arrangements to assure language assistance for this meeting.

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 #4

Chair's Report: Letter from MTC re: Blue Ribbon Task Force

Board of Directors Meeting

Wednesday December 16, 2020

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105
415.778.6700
www.mtc.ca.gov

December 24, 2020

Scott Haggerty, Chair
Alameda County

Alfredo Podroza, Vice Chair
Napa County and Cities

Edite Ahn
San Francisco Bay Conservation
and Development Commission

Jeanne Bruins
Cities of Santa Clara County

Damon Connolly
Marin County and Cities

Dave Cortese
Santa Clara County

Carol Dutra-Vernaci
Cities of Alameda County

Dorene M. Giacopini
U.S. Department of Transportation

Federal D. Glover
Contra Costa County

Nick Josefowitz
San Francisco Mayor's Appointee

Sam Liccardo
San Jose Mayor's Appointee

Jake Mackenzie
Sonoma County and Cities

Gina Papan
Cities of San Mateo County

David Rabbit
Association of Bay Area Governments

Hillary Ronen
City and County of San Francisco

Libby Schaaf
Oakland Mayor's Appointee

Warren Stocum
San Mateo County

James P. Spering
Solano County and Cities

Jimmy Strachner
U.S. Department of Housing
and Urban Development

Tony Tanares
California State
Transportation Agency

Amy R. Worth
Cities of Contra Costa County

Therese W. McMillan
Executive Director

Alix Bockelman
Deputy Executive Director, Policy

Andrew B. Fremier
Deputy Executive Director, Operations

Brad Paul
Deputy Executive Director,
Local Government Services

Ms. Shanelle Scales-Preston
Chair, Board of Directors
Eastern Contra Costa Transit Authority
801 Wilbur Avenue
Antioch, CA 94509-7500

RE: Blue Ribbon Transit Recovery Task Force

Dear Chair Scales-Preston:

I wanted to provide you and your colleagues an update on the activities of the Blue Ribbon Transit Recovery Task Force (Task Force) convened by MTC as part of our action last spring to distribute the first phase of CARES Act funding to transit operators. After focusing initially on COVID-19 health and safety protocols and encouraging the adoption of common messaging that all of the region's transit operators could agree upon, the Task Force has now moved to the next critical stage—long-term recovery and transformation. The Task Force's vision of transit transformation is to:

Design, adequately invest in and effectively manage a public transit network that is equitable, inclusive, frequent, affordable, accessible, reliable; is integrated with unified service, fares, schedules, customer information and identity; and serves all Bay Area populations, resulting in increased transit ridership and reduced growth in vehicle miles traveled.

At its meeting on November 16, the Task Force adopted four specific goals and objectives for the Transformation Action Plan, attached. Goals 1 and 2 are foundational to the remainder of the plan: First, acknowledge the fiscal crisis facing operators and defer post-recovery service planning to allow agencies to prioritize difficult fiscal and service choices in the midst of increasing uncertainty. Second, prioritize equity. Third, identify near-term actions to implement network management & governance reforms, and fourth, identify how current MTC and state initiatives can help advance those reforms.

Notably, this effort is related to, but separate from, two other initiatives that MTC is working on with the Bay Area's transit operators of which you may also be aware: A Fare Coordination/Integration Study and a Transit Mapping and Wayfinding Project, both of which seek to improve the transit rider experience and encourage ridership as we recover from the pandemic. Work on those efforts is ongoing, with updates to the Task Force planned for January 2021.

The Task Force currently consists of 32 members, including California State Transportation Agency Secretary David Kim and, Assemblymember David Chiu, eight MTC Commissioners, nine transit agency general managers and 9 stakeholders representing various interests, including labor, business, social equity, and persons with disabilities. Knowing what a difficult time this is for your agency, we very much appreciate the time your staff are devoting to this effort.

MTC staff will schedule a virtual meeting for the region's transit agency board members early next year to provide an opportunity for you to learn more and ask questions. In the meantime, meetings of the Task Force are open to the public and held via Zoom. Prior meeting materials are available for review on MTC's website [here](#). The final Transformation Action Plan, anticipated to be completed in June 2021, will likely include legislative recommendations and Assemblymember Chiu has made it clear he is interested in authoring legislation on this subject. If you have questions or would like to request a presentation regarding the work of the Task Force work at a future board meeting, please contact Rebecca Long, MTC Manager of Government Relations at rlong@bayareametro.gov or 510-504-7914.

Sincerely,


Scott Haggerty
Chairman

cc: MTC Commissioner Jim Spering (Blue Ribbon Transit Recovery Task Force Chair)
Jeanne Krieg, General Manager, Eastern Contra Costa Transit Authority

TAB 2

Agenda Item #5a,b,c

Consent Calendar (ACTION ITEM): Minutes, Financial Report and
Marketing Activities Report

Board of Directors Meeting

Wednesday December 16, 2020

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

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

MINUTES

October 28, 2020

The Eastern Contra Costa Transit Authority (ECCTA) meeting was called to order remotely via Zoom by Chair Shanelle Scales-Preston at 4:04 P.M.

Chair Scales-Preston announced that due to public health recommendations related to COVID-19, also known as coronavirus, and consistent with Contra Costa County's Shelter in Place Order as well as the Governor's Executive Order N-29-20, which suspends certain provisions of the Bagley-Keene Open Meeting Act and the Brown Act, the Tri Delta Transit Board meeting offered a Zoom and teleconferenced option for Boardmembers, staff members, and members of the public.

Chair Scales-Preston reported that the meeting was being recorded; Legal Counsel Ben Stock and scribe Anita Tucci-Smith were attending remotely and were on the telephone; those present and those on the telephone whether Boardmembers, staff, or members of the public were identified; and all votes were to be Roll Call votes.

ROLL CALL / CALL TO ORDER

BOARDMEMBERS

PRESENT: Diane Burgis (Contra Costa County); Merl Craft (Pittsburg); Federal Glover (Contra Costa County); Barbara Guise (Brentwood); Sue Higgins (Oakley); Kevin Romick (Oakley); Robert (Bob) Taylor (Brentwood); Lamar Thorpe* (Antioch); Monica Wilson (Antioch); Ken Gray (Director-at Large/Vice Chair); and Shanelle Scales-Preston (Pittsburg/Chair)
*Arrived after Roll Call

ABSENT: None

STAFF PRESENT: Jeanne Krieg, Chief Executive Officer (CEO)
Steve Ponte, Chief Operating Officer (COO)
Ben Stock, Legal Counsel
Joe Chappelle, Manager of Administrative Services
Tania Babcock, Executive Assistant
Maria Arce, Chief Communications Officer
DeAnna Perry, Manager of Accessible Services
Kevin Moody, Director of Maintenance

OTHERS

PRESENT: Michael Daugelli, Board Alternate
Yevette McNeese, First Transit General Manager
Hosie Pintily, First Transit Safety Manager
Myeisha Williams, First Transit Assistant Safety Manager

PLEDGE OF ALLEGIANCE

Chair Scales-Preston led the Pledge of Allegiance.

PUBLIC COMMENT

There were no comments submitted prior to the meeting by the public.

MICHAEL DAUGELLI, Antioch, referred to the Amazon Distribution Center in Brentwood and asked if Tri Delta Transit would provide access. He also noted recent experiences on Tri MyRide and paratransit, appreciated those services, and described them as exceptional.

CHAIR'S REPORT

Chair Scales-Preston reported that this would be Director Taylor's last meeting as a member of the Board of Directors after 16 years on the Board.

Director Taylor stated it had been a pleasure to work for Tri Delta Transit and to be a member of the Board. He wished everyone well and urged everyone to be safe.

CONSENT CALENDAR

On motion by Director Romick, seconded by Director Guise, ECCTA Boardmembers adopted the Consent Calendar, as follows, which carried by the following Roll Call vote:

- A. Minutes of the Board of Directors meeting of September 23, 2020
- B. Financial Report
- C. Marketing and Customer Service Activities Report

AYES: Burgis, Craft, Glover, Gray, Guise, Higgins, Romick, Taylor, Thorpe, Wilson, Scales-Preston

NOES: None

ABSTAIN: None

ABSENT: None

CHIEF EXECUTIVE OFFICER'S REPORT

- A. Operations Report

Chief Executive Officer (CEO) Jeanne Krieg highlighted the busy last month which included changes to the Mobility on Demand program in partnership with Uber, Lyft and United Taxi for premium same-day trips for senior and paratransit customers. Since there had been no agreement with Uber about the level of insurance ECCTA required, Uber had been removed from the program. She added that customers appreciated the service and approximately 400 trips had been provided in the last month compared with 500 trips a month pre-COVID.

Ms. Krieg referred to one of her ongoing goals to offer a single seat option for regional trips that had now come to fruition with agreements with County Connection, WestCat and Wheels. A six-month demonstration project was expected to be initiated on November 1 where registered Americans with Disabilities Act (ADA) certified customers could take a trip within Contra Costa County or the Livermore Valley without requiring a transfer. The fares to be charged would be equal to the paratransit fares currently charged. County Connection's contractor would be taking the lead on reservations and trip provisions as well as the distribution of fares collected. If the demonstration project was successful in six months a long-term plan would be brought to the Board for consideration.

Ms. Krieg explained now that driver barriers and hand sanitizers had been installed on all buses, ECCTA would return to front door boarding and fare collection on January 1. In preparation, staff was working with the Metropolitan Transportation Commission (MTC) to distribute 1,000 free Clipper® Cards to encourage contactless fare payment. A current promotional campaign would let people who might be reluctant to try Clipper® know that a credit card was not required. Prior to COVID when fares were charged, less than 15 percent of customers used Clipper®. The goal was to increase that use to 75 percent. In preparation for fare collection, on December 7 the lobby would be open to the public for ticket sales and Clipper® Card loading, although the facility would still be closed to outside visitors and non-essential vendors. There were still no cases of COVID among the employees.

Ms. Krieg stated the region-wide dashboard for Healthy Transit was available on MTC's website where ECCTA's status compared with other Bay Area transit agencies could be found, and was also available on ECCTA's website. She explained that ECCTA was doing well in all categories with 99 percent compliance for employee mask wearing, 97.7 percent compliance for customer mask wearing, and 96.6 percent compliance for social distancing on the buses. Given that there were no COVID cases contact tracing was not required.

Ms. Krieg also reported that the American Public Transportation Association (APTA) Seal of Commitment to Safety had been installed on all buses and the collateral they produced had been adapted to reflect what was being done at Tri Delta Transit. She added that a Zoom presentation during a webinar had recently been made to show how the APTA program was being used. To make customers feel safe while on a bus, customers could text a COVID-related concern to a dedicated number. Additionally, the ECCTA app called TRANSIT had a feature where customers could be provided real-time information about the load level of each bus allowing a choice of a particular run based on how many people were on the bus. Ridership was still around 50 percent of normal on fixed routes and 90 percent of normal on paratransit on weekends. ECCTA continued to work with Contra Costa County Health & Human Services to transport homeless people from shelters to motels. The level of transport remained at 10 to 12 per week.

Ms. Krieg commented that she had a recent visit from Transportation Security Administration (TSA) inspectors who had informed her that contrary to an initial review of the regulations which had indicated that Tri Delta Transit was not required to participate, it was required to participate and provide security training for all employees.

Since there was already a plan in place to keep equipment and employees safe through the See-Something-Say Something type of training all that had to be done was designate a security coordinator and an alternate. ECCTA's security coordinator, Uriel Diaz, was working with other Bay Area transit agencies to formalize the training.

Ms. Krieg also reported that one of the elements of the Title VI program was a language assistance plan. To help drivers communicate with passengers, a new program had been initiated through the use of "I Speak Cards," which had instructions in many languages that would direct a customer to a phone number that would connect to a translation service. The cards would be placed on the buses, in the lobby, and the receptionist's office.

Ms. Krieg explained that in response to BART's change in schedules in September, ECCTA would be implementing a schedule change on November 8 to better meet the BART trains. Given that neither BART nor Tri Delta Transit's schedules were consistent with full pre-COVID schedules, the expensive bus schedules would not be printed by either agency at this time. She explained that all schedules were available on line and a printed copy could be provided upon request.

Ms. Krieg advised that ECCTA was in the middle of two public hearings related to the Clipper® Start Program, a means-based discount fare program for individuals making less than 200 percent of the poverty level, and the System Redesign. Members of the public were being asked to review both projects. Public comments would be accepted through November 15 for the Clipper® Start Program, and through October 31 for the System Redesign.

In other matters, Ms. Krieg stated the installation of the WiFi equipment had started and the switch over to the new phone system was scheduled for November 11; the 13 bus shelters approved in March had been delivered as had the eight new vehicles that would be used for the Tri MyRide service; and the request for bid for the Oakley Park & Ride lot would be published by December 1, 2020. In addition, MTC, as part of its transportation plan, had formed a Blue Ribbon task force that had been working on developing a plan to make transportation in the region more efficient. She noted that there had been some concerning statements being made and an interesting dialogue about efficiency versus effectiveness, governance and network management, and how to effectively serve the entire Bay Area and not just the urban core. The MTC study was separate from the Contra Costa County Accessible Transportation Strategic Plan which focused on paratransit and transportation for seniors, and she served on the Policy Advisory Committee for that study.

With respect to the budget, ECCTA was \$1.3 million under budget for the first quarter of this fiscal year. Staff continued to plan for anticipated future revenue losses. Projections showed that the agency would be okay for the foreseeable future and Ms. Krieg stated she was confident in the long-term financial health of Tri Delta Transit, thanks in part to some of the wise systems that had been put in place by the founders of the agency, which included Barbara Guise.

Ms. Krieg reported that Tri Delta Transit's traditional holiday dinner had been canceled for 2020. She looked forward to reviving the tradition in December 2021.

Chair Scales-Preston asked about the social distancing on the buses and Ms. Krieg explained that there were stickers on the windows in the bus with respect to social distancing requirements. Few people had not followed that requirement primarily due to peer pressure. She described the Plexiglas shields that had been installed to protect the drivers

ACTION AND DISCUSSION ITEMS

A. Bus Yard Repaving

CEO Krieg identified the areas directly in front of the maintenance bay entrance in the bus yard which were in disrepair. An Invitation for Bid (IFB) had been mailed to 25 firms; eight firms had attended the pre-bid meeting and seven bids had been received. The lowest bidder was Sunrise Grading and Paving. She recommended the adoption of the resolution to enter into a contract for repaving a portion of ECCTA's bus yard with Sunrise Grading and Paving for an amount not to exceed \$50,930, which included a 10 percent contingency.

On motion by Director Higgins, seconded by Director Guise, ECCTA Boardmembers adopted Resolution 201028A authorizing the CEO to enter into contract for the repaving of a portion of ECCTA's bus yard with Sunrise Grading and Paving for an amount not to exceed \$50,930 which includes a 10 percent contingency, carried by the following Roll Call vote:

- AYES: Burgis, Craft, Glover, Gray, Guise, Higgins, Romick, Taylor, Thorpe, Wilson, Scales-Preston
- NOES: None
- ABSTAIN: None
- ABSENT: None

B. Vehicle Disposal

Ms. Krieg reported that the eight Tri MyRide vehicles had been delivered and the four buses used for that service were ready to be retired and would be replaced. She sought authorization to add those four vehicles to the existing vehicles set for auction that the Board had approved last December. She explained that the paratransit vans (Dodge Grand Caravans) were in pretty good shape while the paratransit vehicles were not. Prior to the public auction each member of ECCTA's JPA would be offered the opportunity to purchase one of the four paratransit vehicles for \$5 each.

On motion by Director Guise, seconded by Director Glover, ECCTA Boardmembers adopted Resolution 201028B authorizing the disposal of four 2011 Ford E1 Dorado paratransit vehicles and four 2015 Dodge Grand Caravans, carried by the following Roll Call vote:

AYES: Burgis, Craft, Glover, Gray, Guise, Higgins, Romick, Taylor, Thorpe, Wilson,
Scales-Preston
NOES: None
ABSTAIN: None
ABSENT: None

BOARD OF DIRECTORS COMMENTS

Director Craft identified two major contributions to the City of Pittsburg, one of which was \$1 million to complete the California Theatre, a direct result of the efforts of the Pittsburg Foundation's Janice Glover. She also took this opportunity to thank Director Thorpe for his help in cleaning up an Antioch lot situated adjacent to the City of Pittsburg.

Directors offered each other best wishes for Halloween and Thanksgiving, and commended Bob Taylor for his years of service, his dedication to country, community, and Tri Delta Transit.

Director Guise commented that she had an opportunity for the first time on her own to use paratransit, which she found to be very efficient. She stated the Board should be pleased with Tri Delta Transit's paratransit operations.

Director Taylor thanked CEO Krieg and staff for a marvelous job.

ADJOURNMENT

The meeting of the Eastern Contra Costa Transit Authority adjourned at 4:48 P.M. to December 16, 2020 at 4:00 P.M. in 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 November 30, 2020
(unaudited)

	YTD Actual			YTD Budget			YTD Variance <i>favorable/(unfavorable)</i>			FY21 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	\$ 137,739	\$ 3,288	\$ 134,451	\$ 843,332	\$ 681,582	\$ 161,750	\$ (705,593)	\$ (678,294)	\$ (27,299)	\$ 2,024,000	\$ 1,635,794	\$ 388,206	7%	0%	35%
Other Income	\$ 72,979	\$ -	\$ 72,979	\$ 129,165	\$ 68,665	\$ 62,500	\$ (56,186)	\$ (66,665)	\$ 10,479	\$ 310,000	\$ 160,000	\$ 150,000	24%		49%
Total Operating Revenues:	\$ 210,718	\$ 3,288	\$ 207,430	\$ 972,497	\$ 748,247	\$ 224,250	\$ (761,779)	\$ (744,959)	\$ (16,820)	\$ 2,334,000	\$ 1,795,794	\$ 538,206	9%	0%	39%
OPERATING EXPENSES															
Purchased Transportation	\$ 5,780,090	\$ 4,447,165	\$ 1,332,925	\$ 7,013,460	\$ 5,028,800	\$ 1,984,660	\$ 1,233,370	\$ 581,635	\$ 651,735	\$ 16,832,314	\$ 12,069,127	\$ 4,763,187	34%	37%	28%
Materials and Supplies	\$ 953,493	\$ 744,950	\$ 208,543	\$ 1,643,291	\$ 1,349,285	\$ 294,006	\$ 689,798	\$ 604,335	\$ 85,463	\$ 3,943,911	\$ 3,238,291	\$ 705,620	24%	23%	30%
Salaries & Benefits	\$ 1,876,889	\$ 1,637,330	\$ 239,559	\$ 2,156,360	\$ 1,876,035	\$ 280,325	\$ 279,471	\$ 238,705	\$ 40,766	\$ 5,175,276	\$ 4,502,490	\$ 672,786	36%	36%	36%
Services	\$ 396,635	\$ 297,813	\$ 98,822	\$ 469,600	\$ 367,680	\$ 91,920	\$ 62,965	\$ 69,867	\$ (6,902)	\$ 1,103,048	\$ 882,438	\$ 220,610	36%	34%	45%
Other	\$ 66,658	\$ 57,204	\$ 9,454	\$ 145,725	\$ 137,655	\$ 8,070	\$ 79,067	\$ 80,451	\$ (1,384)	\$ 349,750	\$ 330,379	\$ 19,371	19%	17%	49%
Casualty and liability insurance	\$ 230,130	\$ 208,758	\$ 21,372	\$ 257,680	\$ 239,645	\$ 18,035	\$ 27,550	\$ 30,887	\$ (3,337)	\$ 618,442	\$ 575,151	\$ 43,291	37%	36%	49%
Utilities	\$ 84,345	\$ 77,197	\$ 7,148	\$ 65,077	\$ 61,825	\$ 3,252	\$ (19,268)	\$ (15,372)	\$ (3,896)	\$ 166,193	\$ 148,384	\$ 17,809	54%	52%	92%
Taxes	\$ 8,019	\$ 6,616	\$ 1,403	\$ 9,994	\$ 8,789	\$ 1,205	\$ 1,975	\$ 2,173	\$ (198)	\$ 23,983	\$ 21,088	\$ 2,895	33%	31%	48%
Total Operating Expenses:	\$ 9,396,259	\$ 7,477,033	\$ 1,919,226	\$ 11,751,187	\$ 9,069,714	\$ 2,681,473	\$ 2,354,928	\$ 1,592,681	\$ 762,247	\$ 28,202,917	\$ 21,767,348	\$ 6,435,569	33%	34%	30%
NON-OPERATING REV															
Federal Funds	\$ 6,233,999	\$ 5,672,939	\$ 561,060	\$ 3,640,835	\$ 2,172,335	\$ 1,468,500	\$ 2,593,164	\$ 3,500,604	\$ (907,440)	\$ 8,738,008	\$ 5,213,606	\$ 3,524,402	71%		16%
State Funds	\$ 409,447	\$ 409,447	\$ -	\$ 6,012,747	\$ 5,265,792	\$ 746,955	\$ (5,603,300)	\$ (4,856,345)	\$ (746,955)	\$ 14,430,595	\$ 12,637,905	\$ 1,792,690	3%	3%	
Local Funds	\$ 676,012	\$ 256,581	\$ 419,431	\$ 360,240	\$ 118,880	\$ 241,360	\$ 315,772	\$ 137,701	\$ 178,071	\$ 864,584	\$ 265,313	\$ 599,271	78%	90%	72%
Inter-Operator Agreements	\$ -	\$ -	\$ -	\$ 762,379	\$ 762,379	\$ -	\$ (762,379)	\$ (762,379)	\$ -	\$ 1,829,730	\$ 1,829,730	\$ -			
Interest & Other Misc Income	\$ 155,458	\$ 155,317	\$ 141	\$ 2,489	\$ 2,081	\$ 408	\$ 152,969	\$ 153,236	\$ (267)	\$ 6,000	\$ 5,000	\$ 1,000	2591%	3108%	14%
Total Non-operating Revenues:	\$ 7,474,916	\$ 6,494,284	\$ 980,632	\$ 10,778,690	\$ 8,321,467	\$ 2,457,223	\$ (3,303,774)	\$ (1,827,183)	\$ (1,476,591)	\$ 25,868,917	\$ 19,971,554	\$ 5,897,363	29%	33%	17%
EXCESS REV/(EXP)	\$ (1,710,625)	\$ (979,461)	\$ (731,164)	\$ -	\$ -	\$ -	\$ (1,710,625)	\$ (979,461)	\$ (731,164)	\$ -	\$ -	\$ -			


Agenda Item #5b
Eastern Contra Costa Transit Authority
Board of Directors Meeting
December 16, 2020

Staff Report to ECCTA Board of Directors

Meeting Date: December 16, 2020

Agenda Item: Marketing/Communications Activities – Agenda Item #5c

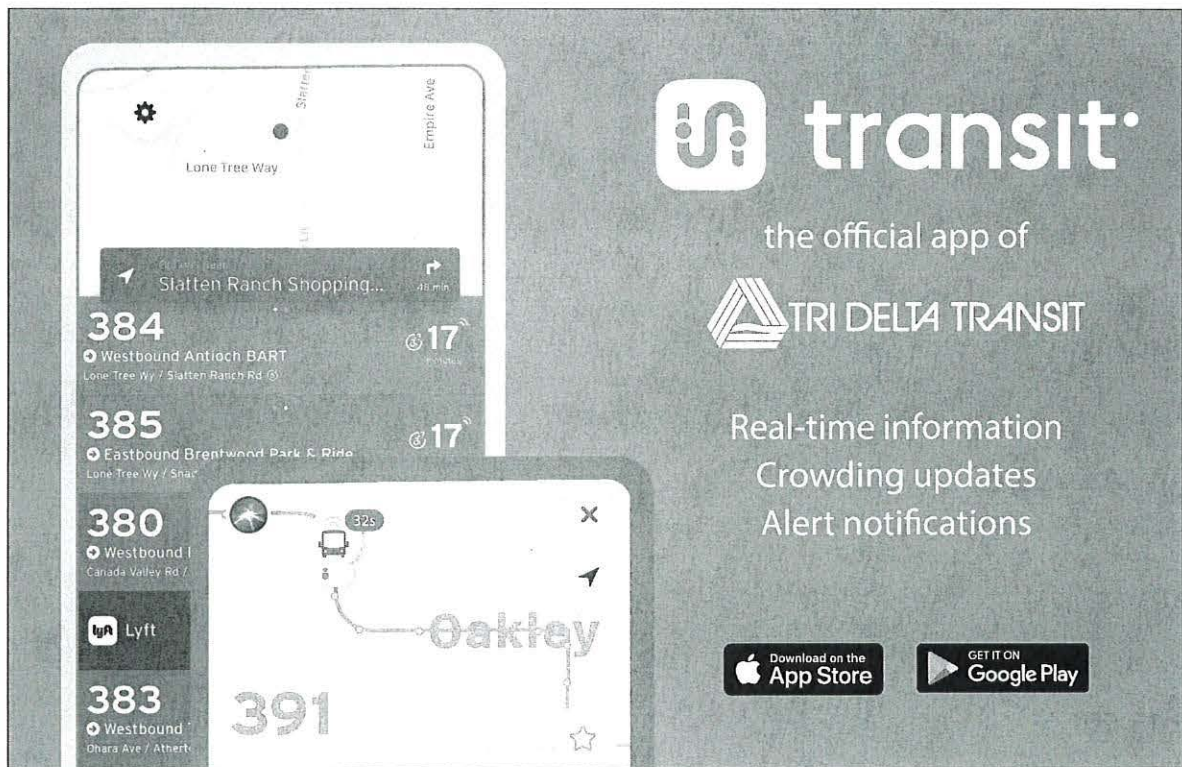
Lead Staff: Maria Arce, Chief Communications Officer

Approved: Jeanne Krieg, Chief Executive Officer 

Tri Delta Transit continues to innovate and develop programs aimed to meet the growing needs of the community. Here are some of the projects and outreach Marketing has been working on and developing.

Transit app

On November 16, 2020, a press release was published announcing Transit app as Tri Delta Transit's officially endorsed mobility app. The story was covered by Mass Transit magazine. Users can easily navigate Tri Delta Transit's service, aided by real-time bus ETAs, trip planning, step-by-step navigation, and crowdsourced real-time information.



Agenda Item #5c
Eastern Contra Costa Transit Authority
Board of Directors Meeting
December 16, 2020

The application also allows riders to access bus crowding information for their trip, an important tool during the COVID-19 pandemic, when deciding which bus trip to take. Crowding levels are described as Crowded, Some Crowding, and Not Crowded. These standards are based on the temporarily lowered crowding threshold to accommodate social distancing. A 3-month marketing campaign has begun, through digital and print channels, highlighting this unique crowding data available to passengers.

System Re-Design

As approved by the Board of Directors in February 2020, Advanced Mobility Group (AMG) is evaluating current routes with the goal of proposing a redesign of the Tri Delta Transit system. AMG has completed the initial outreach phase of gathering survey responses. The initial survey closed on December 14, 2020, after gathering over 350 responses. AMG is now moving to phase two in which they design a new system based on gathered data. They will then move to the next phase of outreach, gathering input on proposed changes. Updates can be found on the dedicated web page <https://transformtrideltatransit.com/> which hosts a virtual town hall meeting, timeline, and detailed fact sheet.



Together, we can build a better bus system.

A dark, rectangular button with a textured background. The text 'Tell Us' is positioned above 'What You Think', both in a white, bold, sans-serif font.

Resuming fare collection

Tri Delta Transit will resume fare collection on January 1, 2021. Notification of the change began in October 2020 allowing ample time for our customers to plan. Ticket sales locations and community partners have also been notified. To assist passengers with ticket sales, the Tri Delta Transit lobby re-opened on December 7, 2020.

Clipper card giveaway

The Tri Delta Transit Clipper campaign and card giveaway began October 5th. So far, 398 requests for Clipper cards have been received and fulfilled. MTC and Tri Delta Transit are working together to increase Clipper usage and dispel common myths about this contactless payment method.

Paratransit on-line booking

Tri Delta Transit's contracting partner, First Transit, has been developing an on-line paratransit booking system that would allow interested paratransit customers to book trips from their mobile phone or desktop. This project will move into a testing phase soon with a small group of currently registered paratransit users. This small group of customers will use the on-line booking system and provide feedback that will be used to fine-tune the program before marketing efforts begin. Marketing has begun work on a video, pamphlet, and fact sheet that will aid passengers in accessing this new tool.

Tri Delta Transit Newsletter

Tri Delta Transit's growing e-newsletter subscriber list continues to be an effective way to message important Tri Delta Transit news and updates. This e-newsletter will be sent out 4 times a year to over 7,500 subscribers. The winter newsletter featured information about the schedule update, system redesign, Tri Delta Transit's Clipper card giveaway, safety measures, and the Clipper START public hearing. This newsletter was opened by 1,166 subscribers.

Tri MyRide

This month, Tri MyRide bus wraps were installed on eight new vehicles. Four of these vehicles will be put into service January 1, 2021.

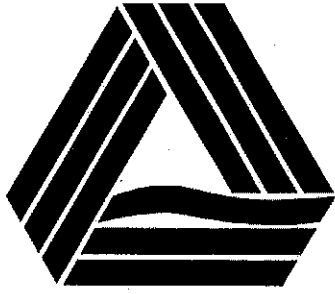
TAB 3

Agenda Item #6a
CEO's Report

Board of Directors Meeting

Wednesday December 16, 2020

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509



Chief Executive Officer's Report

December 2020

COVID-19 – Recovery

- Tri Delta Transit's app, *Transit*, provides crowding information to customers (in addition to real-time bus information, ETAs, trip planning, and step-by-step navigation).
- Collection of fares will resume January 1, 2020. In preparation for ticket sales, the lobby reopened December 7th. Boarding will be done through the front door.
- Hand sanitizer dispensers and shields have been installed on all buses.
- An adjusted COVID schedule began November 8th to better meet BART's new schedule. BART announced an additional schedule change planned for February 8th so staff will be adjusting schedules accordingly.
- Fixed route ridership declined slightly and is around 50 % of normal on weekdays and 70% of normal on weekends.
- Paratransit ridership declined slightly and is around 40% of normal on weekdays and 70% of normal on weekends.
- Seals indicating ECCTA's certification in APTA's Health and Safety Commitments Program have been installed on all buses.

COVID-19 -- Response

- Signs regarding masks and social distancing have been placed on all buses.
- Contra Costa County is requiring ECCTA to operate special shuttle service transporting homeless individuals from shelters to motels. The county trained the drivers on the use of PPE and provided all necessary equipment. The drivers who operate this service are being paid an extra \$5/hour.
- All Tri Delta Transit buses, cars, and vans are cleaned and disinfected each evening by our maintenance staff.
- All employees have their temperature taken when they enter the building. Anyone over 100.4 will be sent home.
- All employees are required to wear masks in the facility. All drivers and passengers must wear a mask when on a bus.
- All employees have access to gloves, masks, and hand sanitizer.
- All meetings away from the facility have been canceled.
- Data is being collected and reported to MTC for a dashboard indicating compliance with specific standards. These include customer masks, operator masks, social distancing, and contact tracing.

Projects

- Oakley Park & Ride Request for bid (will be published soon)
- Tri Delta Transit website update
- WiFi on all buses
- Hydrogen fueling station (looking for a source of funds)
- Hydrogen bus procurement
- System redesign project
- Annual financial audit – results will be presented in January
- Title VI program outreach
- Phase II: UC Berkeley's PATH IDTO project
- Vehicle disposal
- Mobile Emergency Operations bus construction
- One-seat regional paratransit pilot program
- LCFS credits
- CCTA's Design Alternative Assessment for SR4 from I-680 to Hillcrest
- Bus shelter placement: shelters have been delivered and will be installed soon
- Policy manual update
- Title VI Plan update
- CCTA Accessible Transportation Strategic Plan (I serve on the Policy Advisory Committee and Steve Ponte serves on the Technical Advisory Committee)
- Paratransit on-line booking (will be offered soon to a test group)

Facility

- The new phone system was installed on November 11th
- The bus parking lot repair project was completed

Pending

- CCTA planning grant: transit corridor between Hillcrest & Marsh Creek
- Clipper: next generation
 - Funding agreement
 - Site visits for hardware placement
 - Ticket vending machine for ECCTA's lobby
- Service to Brentwood LMC campus (ON HOLD through Fall 2021)
- Zero emission bus plan implementation
- Facility electric grid upgrade
- Antioch BART station parking lot construction – will require changes to the bus stops when the project is complete
- Transportation Development Act

Tri MyRide

- Ridership on Tri MyRide continues to slowly climb.
- The eight Tri MyRide vehicles approved by the Board of Directors in December 2019 were delivered. They have been wrapped with new promotional material and will be put into service January 4th.

Services Offered

- Fixed route
- Senior paratransit
- ADA paratransit
- Mobility on Demand
- Tri MyRide
- MedVan

FYI

Amenities at Tri Delta Transit's bus stops in east county include:

- 204 benches
- 68 shelters
- 111 trash cans

Clipper Card promotion:

- 389 free cards have been distributed

Catalytic converter theft:

For the second time, the fence to the east yard was cut and a catalytic converter was stolen from a bus. The maintenance staff will install catalytic converter locks on all vehicles.

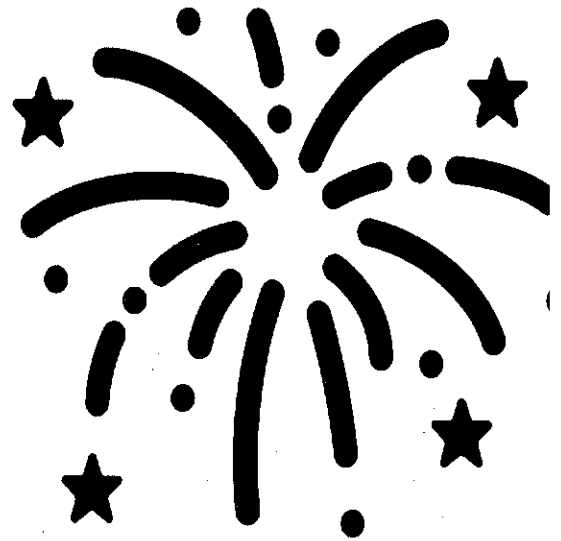
BART will not be operating extended service on New Year's Eve. BART will close at 9pm on December 31st.

The California Highway Patrol will be conducting their annual inspection beginning December 16th.

ECCTA's semi-annual DBE report was approved by the Federal Transit Administration.

APTA's EXPO and annual meeting has been postponed to September 1-3, 2021. It will be held in Anaheim.

Tri Delta Transit will operate holiday service December 24th, December 25th, and January 1st. Routes 392, 393, 394, 395, 396, and limited paratransit service will operate. The administrative office will be closed.



Happy
New
Year!

TAB 4

Agenda Item #6b
Salary Range Analysis

Board of Directors Meeting

Wednesday December 16, 2020

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: December 16, 2020

Agenda Item: Salary Range Analysis -- Agenda Item #6B

Lead Staff: Jeanne Krieg, Chief Executive Officer



Background

- Earlier in 2020, then-board chair Bob Taylor directed staff to conduct a salary survey of like-sized agencies for the CEO position. The results were presented to the Board of Directors in August and indicated a disparity in the CEO salary when compared to similar sized agencies. The Board of Directors adjusted the CEO salary and directed staff to conduct a salary analysis of all ECCTA administrative positions and to present the results to the Board of Directors for consideration at a future meeting.
- There are 17 administrative positions (not including the Chief Executive Officer). Those positions are assigned to one of five levels that has a corresponding salary range. These salary ranges and corresponding assignment of positions to a particular level was implemented in 2002. The ranges have been adjusted over the years.

Process

1. Koff & Associates, a full-service human resource and recruiting firm that specializes in customized services for public sector agencies was retained to perform a compensation study for the administrative department classifications. They recently completed a similar study for LAVTA so ECCTA was able to benefit from work that had already been completed. This project included:
 - Data collection from ECCTA and from comparator agencies
 - Analysis and data review
 - Presentation of data global recommendations to staff
2. ECCTA staff analyzed each administrative position and created a matrix by using these questions:
 - a. Does the position's responsibilities carry with it some financial or operational risk to the agency?
 - b. Is the position a supervisory one?

- c. Does the position's responsibilities cover multiple departmental areas (e.g. Accounting and Grant Planning)?
- d. Does the position require either specialized training or do the position's responsibilities focus primarily on one area?
- e. Does the position's responsibilities include any interaction with the Board?
- f. Does the position's responsibilities consist primarily of support duties?
- g. Is the position unique in its responsibilities in any way?
- h. Would the position be seen as being required to assume the majority of the responsibilities of any other position should that other position be eliminated?

Conclusion

The salary ranges will be updated using the data collected with the goal of making the salary associated with each position competitive so the best individuals can be attracted and retained.

TAB 5

Agenda Item #7a

**ACTION ITEM: Income-Based Transit Fare Discount Pilot Program
Fare Equity Analysis**

Resolution #201216A

Board of Directors Meeting

Wednesday December 16, 2020


**ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509**

Staff Report to ECCTA Board of Directors

Meeting Date: December 16, 2020

Agenda Item: Income-Based Transit Fare Discount Pilot Program Fare Equity Analysis– Agenda Item #7A

Lead Staff: Tania Babcock, Executive Assistant/Civil Rights Officer

Approved: Jeanne Krieg, Chief Executive Officer 

Background

Eastern Contra Costa Transit Authority's (ECCTA's) Title VI program provides policy, procedure, and data analysis to comply with guidelines issued by the Federal Transit Administration (FTA) of the United States Department of Transportation (USDOT) to implement Title VI of the 1964 Civil Rights Act. The intent of Title VI is to assure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

Tri Delta Transit's Requirements

As required by ECCTA's Title VI program, ECCTA conducted a fare equity analysis to determine if the proposed Pilot Program offering a 20 percent single-ride general public fare discount to eligible low-income adults (age 19-64) for travel on ECCTA fixed route and Tri MyRide demand response buses with the Clipper START card resulted in a disparate impact on the basis of race, ethnicity, or national origin, and/or a disproportionate burden on low-income households.

ECCTA conducted public engagement activities to provide an opportunity to both educate and to collect input from the community and riders on the proposed Pilot Program. As part of the public engagement, a virtual public hearing was held from October 14, 2020 to November 15, 2020. Individuals were encouraged to comment or to submit questions online or by email, telephone, fax, mail, or in-person. ECCTA's website communicated information about the proposed Pilot Program, the virtual public hearing, and how to provide comments.

Comments collected, which totaled three, are summarized below:

- A customer had a question about why the Pilot Program reduced fare was not for seniors as well. ECCTA staff followed up with the customer and let her know

Agenda Item #7A

*Eastern Contra Costa Transit Authority
Board of Directors Meeting
December 16, 2020*

that seniors already receive a reduced fare for travel on ECCTA buses and the senior discount is greater than the 20 percent discount for eligible low-income adult riders in the Pilot Program. The customer appreciated the follow up and the good deal that seniors get on the bus. She also thanked Tri Delta Transit for the wonderful drivers and service.

- A customer called twice, the first time requesting a copy of the virtual public hearing presentation and requesting a call back because she had some questions. She stated that she thought the program would be really beneficial because a lot of people are still on unemployment and the buses will no longer be free. She was hoping the program would go forward. The customer called a second time to comment on the Clipper START online application process, which she found not user friendly and difficult to upload documents. She stated that a paper application could only be picked up at Lake Merritt. ECCTA staff followed up with the customer and mailed a copy of the virtual public hearing presentation. Staff is looking into what paper application options MTC provides.

Based on the fare equity analysis, ECCTA determined that introduction of the Pilot Program would not place a disproportionate burden on low-income riders or a disparate impact on minority riders.

Requested Action

Adopt Resolution #201216A, accepting the findings of ECCTA's Income-Based Transit Fare Discount Pilot Program Fare Equity Analysis.

ATTACHED:

Resolution #201216A

NOTE: The *Income-Based Transit Fare Discount Pilot Program Fare Equity Analysis* is attached to this agenda packet in Appendix A



TRI DELTA TRANSIT

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

RESOLUTION #201216A Income-Based Transit Fare Discount Pilot Program Fare Equity Analysis

Resolution #201216A accepts the findings of ECCTA’s Income-Based Transit Fare Discount Pilot Program Fare Equity Analysis

WHEREAS, the Federal Transit Administration requires Eastern Contra Costa Transit Authority (ECCTA) to conform to Title VI of the Civil Rights Act of 1964, its amendments, and related statutes and Executive Orders, including Environmental Justice and Limited English Proficiency; and

WHEREAS, ECCTA is required to comply with FTA Circular 4702.1B; and

WHEREAS, ECCTA has established a Major Service Change Policy and Disparate Impact and Disproportionate Burden Policy complying with FTA Circular 4702.1B; and

WHEREAS, a Title VI analysis was conducted on the proposed Income-Based Transit Fare Discount Pilot Program to evaluate if there would be a disparate impact on the basis of race, ethnicity, or national origin, or a disproportionate burden on low-income households; and

WHEREAS, the Title VI analysis shows that introduction of the Pilot Program would not place a disparate impact on minority riders or a disproportionate burden on low-income riders;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #201216A accepting the findings of ECCTA’s Income-Based Transit Fare Discount Pilot Program Fare Equity Analysis.

PASSED AND ADOPTED THIS 16th day of December 2020, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Shanelle Scales-Preston, Chair

Jeanne Krieg, Chief Executive Officer

AYES: _____

NOES: _____

ABSENT: _____

ABSTENTIONS: _____

TAB 6

Agenda Item #7b
ACTION ITEM: Section 5310 Funding


Resolution #201216B

Board of Directors Meeting

Wednesday December 16, 2020

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: December 16, 2020
Agenda Item: Section 5310 Funding – Agenda Item #7B
Lead Staff: Agustin Diaz, Chief Financial Officer
Approved: Jeanne Krieg, Chief Executive Officer 

Background

The 5310 program provides formula funding to states for the purpose of assisting private nonprofit groups in meeting the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. Funds are apportioned based on each state's share of the population for these two groups. Formula funds are apportioned to direct recipients; for rural and small urban areas, this is the state Department of Transportation, while in large urban areas, a designated recipient is chosen by the governor. Direct recipients have flexibility in how they select subrecipient projects for funding, but their decision process must be clearly noted in a state/program management plan. The selection process may be formula-based, competitive or discretionary, and subrecipients can include states or local government authorities, private non-profit organizations, and/or operators of public transportation.

The Caltrans Division of Mass Transportation has allocated \$95,391 of FY19 Section 5310 discretionary funds for operating assistance. We are prepared to file an application for the \$95,391 of FY19 Section 5310 operating funds at this time. We are seeking board approval.

Requested Action

Adopt Resolution #201216B authorizing the application for financial assistance through Section 5310 Funding.

Agenda Item #7B
Eastern Contra Costa Transit Authority
Board of Directors Meeting
December 16, 2020



TRI DELTA TRANSIT

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

RESOLUTION #201216B

RESOLUTION AUTHORIZING THE FEDERAL FUNDING UNDER FTA SECTION 5310 (49 U.S.C. SECTION 5310) WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital/operating assistance projects for non-urbanized public transportation systems under Section 5310 of the Federal Transit Act (**FTA C 9070.1G**); and

WHEREAS, the California Department of Transportation has been designated by the Governor of the State of California to administer Section 5310 grants for transportation projects for seniors and individuals with disabilities; and

WHEREAS, The Eastern Contra Costa Transit Authority desires to apply for said financial assistance to permit operation of service/purchase of capital equipment in Contra Costa County; and

WHEREAS, the Eastern Contra Costa Transit Authority has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Directors of the Eastern Contra Costa Transit Authority does hereby Authorize the Chief Executive Officer, to file and execute applications on behalf of Eastern Contra Costa Transit Authority with the Department to aid in the financing of capital/operating assistance projects pursuant to Section 5310 of the Federal Transit Act (**FTA C 9070.1G**), as amended.

That Chief Executive Officer is authorized to execute and file all certification of assurances, contracts or agreements or any other document required by the Department.

That Chief Executive Officer is authorized to provide additional information as the Department may require in connection with the application for the Section 5310 projects.

That Chief Executive Officer is authorized to submit and approve request for reimbursement of funds from the Department for the Section 5310 projects.

PASSED AND ADOPTED THIS 16th day of December, 2020, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Shanelle Scales-Preston, Chair

Jeanne Krieg, Chief Executive Officer

AYES: _____

ABSENT: _____

NOES: _____

ABSENTIONS: _____

TAB 7

Agenda Item #7c

ACTION ITEM: Amendment to the Agreement for General Counsel Services

Resolution #201216C

Board of Directors Meeting

Wednesday December 16, 2020

**ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509**

Staff Report to ECCTA Board of Directors

Meeting Date: December 16, 2020

Agenda Item: Amendment to the Agreement for General Counsel Services
Agenda Item #7C

Lead Staff: Jeanne Krieg, Chief Executive Officer



Background

Burke, Williams & Sorensen, LLP ("BWS") has been providing General Counsel services to ECCTA since August 30, 2010. Benjamin L. Stock has been serving as ECCTA's General Counsel since January 1, 2004, first with McDonough Holland & Allen PC ("MHA") and then with Burke when MHA ceased operation in 2010.

ECCTA's association with BWS has been positive. BWS has been in existence since 1927 and was one of a small number of private law firms to originate the specialized practice of public law in California. BWS is a full-service law firm providing public entities with a full range of legal, advisory, transactional and litigation services. BWS's practice is organized into six practice groups: Public Law; Labor and Employment; Litigation; Environmental and Natural Resources; Real Estate and Business; and Education.

ECCTA has benefited from BWS's recognition that public entities exist in a legal environment that is both diverse and complex. BWS's Public Law Practice Group contains a number of specialized inter-divisions, allowing many of its attorneys to focus their attention in a particular area of public law in addition to maintaining general public law expertise. This enables BWS's attorneys to quickly draw upon the experience of an in-house expert for assistance with a wide range of legal problems that are common in public transportation.

Considerations

- The fee paid by ECCTA for legal services was \$200/hour April 1, 2002 – May 31, 2014.
- The fee paid by ECCTA for legal services has remained at \$250/hour since June 1, 2014.
- The average hours/month required by ECCTA for legal services have been:
 - 2018: 11.1 hours
 - 2019: 11.8 hours
 - 2020 (through 11/30/2020): 14.8 hours

- In November 2020, ECCTA staff conducted a survey of local transit agencies regarding legal fees:

Agency	Retainer	Hourly attorney fee	Firm used
CCCTA	n/a	Partner: \$420/hour Senior Counsel: \$400/hour Associate: \$365/hour	Hanson Bridgett
ECCTA	n/a	\$250/hour	Burke, Williams, & Sorenson
LAVTA	n/a	Partner: \$415/hour Senior Counsel: \$365/hour Associate: \$340/hour	Hanson Bridgett
MST	\$240/hour for 12 hour retainer (\$2880/month)	\$266.40/hour for hours over 12/month	DeLay & Laredo
Santa Cruz Metro	\$24,000/month	Hourly fee for specialized services	Hanson Bridgett
SJRTD	\$7500/month	\$275 for additional tasks	Al Warren Hoslett
WCCTA	n/a	\$350/hour	Hanson Bridgett

Requested Action

Adopt Resolution #201216C approving a fee increase for General Counsel Service with Burke, Williams & Sorensen, LLP to \$325/hour and authorizing the CEO to sign an amended agreement reflecting the fee increase.



TRI DELTA TRANSIT

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

RESOLUTION #201216C

APPROVING AN AMENDMENT TO THE AGREEMENT FOR GENERAL COUNSEL SERVICES WITH BURKE, WILLIAMS & SORENSEN, LLP

WHEREAS, the Eastern Contra Costa Transit Authority ("ECCTA") is a joint powers agency consisting of the cities of Antioch, Brentwood, Oakley, Pittsburg and the County of Contra Costa;

WHEREAS, the firm of Burke, Williams, & Sorensen, LLP ("BWS") has provided legal services to ECCTA since 2010;

WHEREAS, Benjamin L. Stock, on behalf of McDonough, Holland & Allen from 2004 – 2010 and on behalf of BWS since August 30, 2010, has served as General Counsel to ECCTA since January 1, 2004;

WHEREAS, the fee paid for the General Counsel Services was \$200/hour between April 1, 2002 and May 31, 2014 and has remained at \$250/hour since June 1, 2014;

WHEREAS, a recent survey indicates that the fee paid by ECCTA for general counsel services is substantially lower than fees paid by similar-sized transit agencies;

WHEREAS, ECCTA and BWS desire to continue the agreement to provide general counsel services to ECCTA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ECCTA that its Agreement for General Counsel Services with Burke, Williams, & Sorensen, LLP is hereby amended to reflect an hourly rate of \$325 for General Counsel legal services effective January 1, 2021.

BE IT FURTHER RESOLVED by the Board of Directors of ECCTA that its Chief Executive Officer is authorized to sign an amendment reflecting the fee change for General Counsel Services between ECCTA and Burke, Williams & Sorensen, LLP to be effective January 1, 2021.

PASSED AND ADOPTED THIS 16th day of December, 2020, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Shanelle Scales-Preston, Chair

Jeanne Krieg, Chief Executive Officer

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

TAB 8

Agenda Item #7d

ACTION ITEM: Autonomous Vehicle Demonstration Project

Board of Directors Meeting

Wednesday December 16, 2020

**ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509**

Staff Report to ECCTA Board of Directors

Meeting Date: December 16, 2020

Agenda Item: Autonomous Vehicle Demonstration Project
Agenda Item #7D

Lead Staff: Jeanne Krieg, Chief Executive Officer



Background

First Transit approached ECCTA staff with a proposal to operate a three-year demonstration of an electric semi-autonomous vehicle.

Considerations

There are many details to work out including:

- Effect on spare ratio restrictions
- Charging capabilities
- Route assignments
- Necessary approvals to operate on public roads
- Maintenance of the vehicle

Staff would like to begin work on possible implementation of the project and desires approval – in concept – from the Board of Directors. The initial concept presented to ECCTA staff is included in Appendix B of this board packet.

Requested Action

Approve, in concept, the three-year electric semi-autonomous vehicle demonstration project. If staff can develop an agreement that is acceptable to the General Counsel, authorize staff to enter into an agreement with First Transit, Perrone Robotics, and Green Power Motor Company for a three-year electric semi-autonomous vehicle demonstration project.

TAB 9

Agenda Item #7e

**ACTION ITEM: Maintenance Department Wage Scale
and Staff Hazard Dividend**

Board of Directors Meeting

Wednesday December 16, 2020

**ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509**

Staff Report to ECCTA Board of Directors

Meeting Date: December 16, 2020

Agenda Item: Maintenance Department Wage Scale and Staff Hazard Dividend
Agenda Item #7E

Lead Staff: Jeanne Krieg, Chief Executive Officer 

Considerations – Wage Scale

- Mechanics and Service Workers are paid according a wage scale that is based on time. Employees reach the top of the wage scale after 36 months of employment.
- Typically, the Board of Directors adjusts the maintenance department pay scale to address cost of living and other considerations.
- The last cost of living wage adjustments for maintenance department employees were effective September 1st, 2016 (3%) and March 1st, 2019 (3%).
- When the March 1st, 2019 adjustment was approved, the Board of Directors included a plan to increase the wages an additional 4% on July 1, 2020. That amount was included in the budget.
- The uncertainty associated with the pandemic delayed staff's recommendation to implement the wage adjustment. Now that staff has a clear financial picture of the next several years, it is time to move forward with the plan the board approved in 2019.

Considerations – Staff Hazard Dividend

Public transit is considered an essential service so all employees have remained dedicated to continue to provide vital transportation services to the residents of eastern Contra Costa County. The health and safety of our organization has been a focal point for all employees and the result has been no cases of COVID in the facility. After a review of the budget, it is feasible to award each employee a small bonus as a thank you for keeping the system running while maintaining the health and safety of our organization.

Recommendation

1. Approve a 4% wage adjustment for all maintenance department employees effective the pay period that includes January 1st, 2021.
2. Approve a one-time staff hazard dividend of \$500 for each employee.

TAB 10

Agenda Item #7f

ACTION ITEM: 2021 Meeting Schedule

Board of Directors Meeting

Wednesday December 16, 2020

**ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509**

Staff Report to ECCTA Board of Directors

Meeting Date: December 16, 2020

Agenda Item: 2021 ECCTA Board of Directors Meeting Schedule
Agenda Item #7F

Lead Staff: Jeanne Krieg, Chief Executive Officer



Background

- The regular meeting date and time of the ECCTA Board of Directors is the 4th Wednesday of each month at 4:00pm.
- The Board Chair has the authority to cancel or reschedule any Tri Delta Transit Board meeting if there is a lack of pressing agenda items or if extenuating circumstances exist. As much notice as possible is given so board members can plan accordingly.

Considerations

- The 4th Wednesday of each month in 2021:

January 27	May 26	September 22
February 24	June 23	October 27
March 24	July 28	November 24
April 28	August 25	December 22
- The last several years, the Board of Directors combined the November and December meetings to avoid the Thanksgiving, Christmas, and New Year holidays.

Requested Action

Combine the November and December 2021 board meetings and conduct that meeting on December 15, 2021.