



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 July 27, 2022

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Available online: www.trideltatransit.com

Members of the Board of Directors and members of the public can attend the meeting:

- In person (proof of COVID-19 vaccination is required)
- from a laptop:

Click to join Zoom Meeting:

<https://zoom.us/j/99420999810?pwd=d0NlVDdSYjhUQWJyclJjOHdWMG1RUT09>

OR

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

- from a phone

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
 - made in-person during the meeting
 - made via phone or Zoom during the meeting



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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 Anissa Williams
 - 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 4 of this agenda.

4. **Chair's Report:** Chair Anissa Williams

5. **Consent Calendar (ACTION ITEM):** Minutes, Financial Report, and Marketing Activities Report (*see attachment: tab #1*)
 - a. Minutes of the Board of Directors meeting of June 22, 2022
 - 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 #2*)

Board of Directors:

- City of Antioch
 - Lamar Thorpe **
 - Monica Wilson
- City of Brentwood
 - Joel Bryant
 - Barbara Guise
- City of Oakley
 - Sue Higgins
 - Anissa Williams *
- City of Pittsburg
 - Merl Craft
 - Shanelle Scales-Preston
- Contra Costa County
 - Diane Burgis
 - Federal Glover
- Member-at-Large
 - Ken Gray

* Chair: FY 2022-23

** Vice-chair: FY 2022-23

**Board of Directors Meeting Agenda
Wednesday July 27, 2022**

7. ACTION and DISCUSSION ITEMS

- a. **ACTION ITEM:** Facility Parking Lot Resurfacing
(see attachment: tab #3)
Requested Action: Adopt Resolution #220727A authorizing the CEO to enter into a contract for the resealing and resurfacing of ECCTA's front parking lot with Sunrise Grading & Paving for an amount not to exceed \$29,975 which includes a 10% contingency.

- b. **ACTION ITEM:** Facility Flooring
(see attachment: tab #4)
Requested Action: Adopt Resolution #220727B authorizing the CEO to enter into a contract for the removal, disposal, and replacement of carpeting in various areas of ECCTA's facility with Creative Floor Covering Sales and Supplies for an amount not to exceed \$139,549 which includes a 10% contingency.

- c. **ACTION ITEM:** Interior Painting
(see attachment: tab #5)
Requested Action: Adopt Resolution #220727C authorizing the CEO to enter into a contract for the interior painting of several areas inside ECCTA's main facility with Pro Group Painting for an amount not to exceed \$15,620 which includes a 10% contingency.

- d. **ACTION ITEM:** Revised Budget
(see attachment: tab #6)
Requested Action: Adopt Resolution #220727D approving the revised FY2022-2023 ECCTA operating and capital budget.

- e. **ACTION ITEM:** Key Personnel Retirement
(see attachment: tab #7)
Requested Action #1: Approve the proposed temporary organizational chart that will be effective 9/7/2022 – 2/3/2023.

Requested Action #2: Authorize a retirement recognition for Chief Operating Officer Steve Ponte and Chief Executive Officer Jeanne Krieg to be presented upon their retirements in February 2023.

- f. **ACTION ITEM:** August Meeting
(see attachment: tab #8)
Requested Action: Affirm Chair Anissa Williams' cancellation of the August 24, 2022 meeting of the ECCTA Board of Directors.

**Board of Directors Meeting Agenda
Wednesday July 27, 2022**

8. CLOSED SESSION (Pursuant to Section §54957(b) of the Ralph M. Brown Act)

Closed Session – Public Employment Appointment (Gov. Code §54957(b))
Position: Chief Executive Officer

9. RECONVENE TO OPEN SESSION

a. Report of actions taken during closed session

b. **ACTION ITEM:** Employment Agreement for ECCTA's Chief Executive Officer
(see attachment: Tab 9 -- to be distributed 24 hours prior to the meeting)

Requested Action: Approve the proposed employment agreement for Chief Executive Officer, effective September 7, 2022.

10. 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.

11. Adjourn

Next Meeting: September 28, 2022 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 #5

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

Board of Directors Meeting

Wednesday July 27, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

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

MINUTES

June 22, 2022

The Eastern Contra Costa Transit Authority (ECCTA) meeting was called to order in the ECCTA Board Room, 801 Wilbur Avenue, Antioch, California by Chair Ken Gray at 4:02 P.M.

Chair Gray announced that Members of the Board and members of the public could attend the hybrid meeting in person with proof of COVID-19 vaccination required, from a laptop, or by phone.

Chair Gray reported that the meeting was being recorded; General Counsel Eli Flushman was attending in person in the Board Room; those present and those on the telephone whether Directors, staff, or members of the public were identified; and all votes were to be Roll Call votes.

ROLL CALL / CALL TO ORDER

BOARDMEMBERS

PRESENT: Joel Bryant (Brentwood); Diane Burgis* (Contra Costa County); Federal Glover (Contra Costa County); Barbara Guise (Brentwood); Shanelle Scales-Preston* (Pittsburg); Lamar Thorpe (Antioch); Monica Wilson (Antioch); and Ken Gray (Director-at Large/Chair)
*Arrived after Roll Call

ABSENT: Merl Craft (Pittsburg); Sue Higgins (Oakley); Anissa Williams (Oakley/Vice Chair)

STAFF PRESENT: Jeanne Krieg, Chief Executive Officer (CEO)
Steve Ponte, Chief Operating Officer (COO)
Eli Flushman, General Counsel
Agustin Diaz, Chief Financial Officer (CFO)
Kevin Moody, Director of Maintenance
Joe Chappelle, Manager of Administrative Services
DeAnna Perry, Manager of Accessible Services
Leeann Lorono, Manager of Marketing and Customer Service
Ashley Funaki, Administrative Assistant
Tania Babcock, Executive Assistant
Uriel Diaz, Special Projects Analyst

OTHERS

PRESENT: Myeisha Williams, First Transit Assistant General Manager
Hosie Pintily, First Transit Safety Manager

Lori Sprinkle, First Transit Office Manager
Nancy Parent, Alternate
Adrianna Green, City of Antioch intern
Guest

PLEDGE OF ALLEGIANCE

Director Thorpe led the Pledge of Allegiance.

PUBLIC COMMENT

There were no comments from the public.

CHAIR'S REPORT

Chair Gray reported the Personnel Committee interviewed final candidates for the CEO position earlier in June and the Board would discuss this during closed session.

CONSENT CALENDAR

On motion by Director Wilson, seconded by Director Thorpe, ECCTA Board members adopted the Consent Calendar, as follows, which carried by the following Roll Call vote:

- A. Minutes of the Board of Directors meeting of May 25, 2022
- B. Financial Report
- C. Marketing and Customer Service Activities Report

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

CHIEF EXECUTIVE OFFICER'S REPORT

- A. Operations Report

Chief Executive Officer Jeanne Krieg reported the painting of the front of the facility started this week and should be done by Friday.

Ms. Krieg advised the Board that the staff recommendation for the facility flooring and carpet bid would be presented next month along with the restroom hand dryers and employee parking lot paving bid.

Ms. Krieg also advised the Board that the new board room chairs were scheduled to be delivered next week.

As an update on the Summer Youth Pass, Ms. Krieg stated it will be sold until July 31st. The \$60 pass sells for \$30 to passengers 18 and younger. It is valid on County Connection, WestCat, and Tri Delta Transit fixed route buses through August 31st. \$30 of the cost is subsidized by 511 Contra Costa.

Ms. Krieg reported that a walk-through of the Oakley Park & Ride lot was scheduled for July 5th. It would give the contractor an opportunity to address any issues prior to the final walk-through. The final walk-through could not be scheduled until the power was turned on and PGandE was working on it, but had not provided a date yet.

Ms. Krieg also reported that ECCTA's mobile ticket app provider was unable to address some issues with the mobile ticketing app, so ECCTA no longer had a mobile ticket app. Fixed route customers could transition to the Clipper mobile app.

Ms. Krieg stated that ECCTA was slowly building the mobile emergency operation center. The mobile emergency operation center is the retired MCI bus that is being converted into a mobile emergency operation center that can be used by community partners in case of an emergency. It has a satellite dish, laptops, and work stations. Staff has been working with a designer for the graphics on the outside.

In regards to the hydrogen fueling station, Ms. Krieg shared that a kick-off meeting for the design of the station was scheduled for next week.

Ms. Krieg reported that ECCTA's zero-emission bus rollout plan approved by the Board in March was officially approved by the California Air Resources Board.

Ms. Krieg congratulated Manager of Customer Service and Marketing Leeann Lorono for developing an ad that won a first-place award in this year's AdWheel competition: "Be Kind to Drivers and to Each Other" social media ad. Later this summer, all First-Place award winners would compete for the Grand Award winners and those winners would be announced during the APTA annual conference in Seattle October 9-12.

Ms. Krieg shared that the operation contractor, First Transit, was experiencing an employee shortage. First Transit has been creative and aggressive to hire new drivers for the plan to return to full service on September 12th. To entice people to apply, First Transit was offering a \$3000 sign-on bonus for non-CDL drivers or a \$5000 sign-on bonus for fully credentialed CDL drivers. First Transit provides free paid training with a starting wage of \$19.60 - \$29.60

depending on experience. Additionally, current employees could earn a referral bonus of \$1000 for non-CDL drivers and \$2500 for a fully credentialed CDL.

Director Bryant asked about First Transit's sign-on bonus. First Transit Assistant General Manager Myeisha Williams responded that the sign-on bonus was divided up quarterly.

ACTION AND DISCUSSION ITEMS

A. Institutional Transit Pass Pilot Program

Ms. Krieg stated that MTC put together a pilot program for an institutional transit pass. MTC will start the Institutional Transit Pass Pilot with existing relationships between transit agencies and schools. None of the schools in the pilot program are in Contra Costa County, but ECCTA does have customers that take the bus and BART to get to schools that are in the pilot program. ECCTA will be paid \$5,000 per month to accept the institutional transit passes. Phase 1 of the pilot program will include schools and Phase 2 of the pilot program will include schools and employers.

Ms. Krieg requested the Board approve the resolution authorizing ECCTA's participation in MTC's Institutional Transit Pass Pilot Program.

On motion by Director Thorpe, seconded by Director Scales-Preston, ECCTA Board members adopted Resolution 220622A authorizing ECCTA's participation in MTC's Institutional Transit Pass Pilot Program, carried by the following Roll Call vote:

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

B. SB1 State of Good Repair Program

Chief Financial Officer Agustin Diaz discussed that Senate Bill 1, the Road Repair and Accountability Act of 2017, established the State of Good Repair program to fund eligible transit maintenance projects. To be eligible for the funds, ECCTA must submit a proposed project list to MTC each year. For fiscal year 2022-23, ECCTA's share of SGR funds is estimated to be \$65,141. ECCTA staff proposes the funds be used to repair a section of the maintenance parking lot that is around the bus detail bay.

Mr. Diaz requested the Board adopt the resolution approving ECCTA's fiscal year 2022-23 SGR Project List submittal.

On motion by Director Glover, seconded by Director Scales-Preston, ECCTA Board

members adopted Resolution 220622B approving ECCTA's fiscal year 2022-23 SGR Project List submittal, carried by the following Roll Call vote:

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

C. Triennial Review

Chief Financial Officer Agustin Diaz reported that every three years the Federal Transit Administration performs a review of grantee performance and adherence to FTA requirements and policies. Since November of 2021, ECCTA staff had worked with the FTA and consultant to provide requested documents and answer questions about ECCTA's service.

During the review, five deficiencies were found in four different areas: Financial Management and Capacity, Award Management, Procurement, and General ADA. Prior to publishing the final report, staff was able to provide corrective action responses to four out of five of the deficiencies so they would be noted as closed on the final report. ECCTA staff is making progress on addressing the last deficiency that relates to ECCTA's Mobility on Demand service.

Mr. Diaz requested the Board adopt the resolution accepting ECCTA's Triennial Review final report dated June 8, 2022.

On motion by Director Guise, seconded by Director Bryant, ECCTA Board members adopted Resolution 220622C accepting ECCTA's Triennial Review dated June 8, 2022, carried by the following Roll Call vote:

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

D. Oakley Park & Ride Budget

Chief Operating Officer Steve Ponte reported that in 2008 ECCTA purchased the property in Oakley for \$880,000. In 2009, the Architectural and Engineering consultant's estimate for the construction of the Oakley Park and Ride lot was \$3,603,300. ECCTA wasn't able to do anything with the property until funding became available in 2019. In 2019, the Architectural and Engineering consultant's updated estimate was \$6,624,100. In 2020, ECCTA went out

to bid for the construction of the Oakley Park and Ride and the contractor bid \$4,388,471 to build the park and ride.

Construction of the Oakley Park and Ride lot has been challenging. There were two improperly abandoned storm drains that had to be properly abandoned, a sewer line had to be moved, a sewer line had to be re-abandoned correctly, 540 tons of concrete treated base had to be removed and disposed of, and 160 tons of base rock had to be installed.

ECCTA staff has been working with the City of Oakley and the contractor. An additional \$300,000 was needed to finish the project. This brings the cost to about \$4.6 million, which is still under the engineer's estimate.

Mr. Ponte requested the Board adopt the resolution authorizing an additional \$300,000 to be allocated to the Oakley Park & Ride lot project.

Director Guise asked if the City of Oakley was responsible for any of the additional costs. Mr. Ponte responded that the City of Oakley was not responsible.

Director Thorpe asked where the \$300,000 was coming from. Mr. Ponte responded that ECCTA received a grant of \$6.8 million from the federal government and only about \$4.3 million had been used to date. The leftover money from the grant received for the construction of the Oakley Park and Ride lot has been negotiated with MTC to allow ECCTA to place the leftover money into building the Antioch Park and Ride lot.

On motion by Director Burgis, seconded by Director Glover, ECCTA Board members adopted Resolution 220622D authorizing an additional \$300,000 to be allocated to the Oakley Park & Ride lot project, carried by the following Roll Call vote:

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

E. Cost of Living Wage and Salary Adjustment

Ms. Krieg stated that traditionally the Board of Directors considers a cost living wage increase, however, during the rough years it was not considered at all. An 8% increase was included in the salary line part of the budget. The inflation rate for the US at the time the Board report was written was 8.6%, but has since gone down to 8.3%.

Ms. Krieg requested the Board approve a 5% cost of living increase for all ECCTA employees effective with the pay period that includes July 1st, 2022. She also requested the authorization of a one-time \$1000 pay supplement to each employee as an

acknowledgement that a 5% increase does not match the current rate of inflation.

Director Glover asked about the \$1000 one-time payment and if that was part of the COVID relief for individuals working during that time. Ms. Krieg responded that some of the money would be coming from COVID relief funds. In late 2020 the Board of Directors approved a one-time \$500 payment.

Director Burgis asked if the cost of living wage increase was sustainable by the transit agency. Ms. Krieg responded that it was sustainable.

Director Thorpe asked about First Transit drivers. Ms. Krieg responded that First Transit drivers are under a union contract and they are currently in the middle of union negotiations. The Board of Directors approved the First Transit contract adjustment two months ago.

On motion by Director Glover, seconded by Director Burgis, ECCTA Board members approved a 5% cost of living increase for all ECCTA employees effective with the pay period that includes July 1st, 2022 and authorized a one-time \$1000 pay supplement to each employee as an acknowledgement that a 5% increase does not match the current rate of inflation, carried by the following Roll Call vote:

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

F. FY 2022-2023 ECCTA Board of Directors Officers

Ms. Krieg stated that ECCTA's bylaws specify the rotation of chair and vice-chair. It is Oakley's turn to be chair and Antioch's turn to be vice-chair. The current vice-chair from Oakley is Anissa Williams.

Ms. Krieg requested the Board elect Oakley Representative Director Anissa Williams as the chair of the ECCTA Board of Directors for FY 2022-23 and the Board elect Antioch Representative Director Lamar Thorpe to serve as the vice-chair of the ECCTA Board of Directors for FY 2022-23.

On motion by Director Glover, seconded by Director Wilson, ECCTA Board members elected Oakley Representative Director Anissa Williams as the chair of the ECCTA Board of Directors for FY 2022-23 and elected Antioch Representative Director Lamar Thorpe to serve as the vice-chair of the ECCTA Board of Directors for FY 2022-23. carried by the following Roll Call vote:

AYES: Bryant, Burgis, Glover, Guise, Scales-Preston, Thorpe, Wilson, Gray

NOES: None
ABSTAIN: None
ABSENT: Craft, Higgins, Williams

CLOSED SESSION (Pursuant to Section §54957(b) of the Ralph M. Brown Act)

A closed session was held for Public Employment Appointment (Gov. Code §54957(b)) for the position of Chief Executive Officer.

RECONVENE TO OPEN SESSION

After the closed session, the Board reconvened to open session to report actions taken during the closed session. Chair Gray reported the Board has considered candidates for the position of Chief Executive Officer and the Board has directed the attorney and Chief Executive Officer to work with the final candidate to bring a contract back to the Board of Directors for approval at the July meeting.

BOARD OF DIRECTORS COMMENTS

Director Guise thanked Antioch and Pittsburg for joining Brentwood 45 years ago to form transit in eastern Contra Costa County.

Director Thorpe introduced Adrianna Green who would be working as an intern at Antioch City Hall.

Director Scales-Preston shared the City of Pittsburg is having an Italian Festival this weekend to celebrate the City of Pittsburg's Italian heritage and culture. On Friday 8pm-11pm, Saturday 11am-10pm, and Sunday 11am-6pm.

Director Glover shared that he is looking forward to the City of Pittsburg's Italian Festival. He thanked Director Guise that she was still with ECCTA after 45 years and thanked Ms. Krieg for being a great leader.

Director Burgis wished the Board a happy summer.

Chair Gray commented that he will be attending the Italian Festival in Pittsburg.

ADJOURNMENT

The meeting of the Eastern Contra Costa Transit Authority adjourned at 4:56 P.M. to July 27, 2022 at 4:00 P.M. in the ECCTA Administration Facility, 801 Wilbur Avenue, Antioch, California.

Eastern Contra Costa Transit Authority
Board of Directors Minutes
June 22, 2022
Page 9

Respectfully submitted,

Tania Babcock
Executive Assistant

TRI DELTA TRANSIT
Income Statement - Comparison to Annual Budget
As of June 30, 2022
(unaudited)

	YTD Actual			YTD Budget			YTD Variance <i>favorable/(unfavorable)</i>			FY22 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	\$ 1,380,884	\$ 801,776	\$ 579,108	\$ 1,393,750	\$ 909,756	\$ 483,994	\$ (12,866)	\$ (107,980)	\$ 95,114	\$ 1,393,750	\$ 909,756	\$ 483,994	99%	88%	120%
Other Income	\$ 184,029	\$ -	\$ 184,029	\$ 354,985	\$ 160,000	\$ 194,985	\$ (170,956)	\$ (160,000)	\$ (10,956)	\$ 354,985	\$ 160,000	\$ 194,985	52%		94%
<i>Total Operating Revenues:</i>	\$ 1,564,913	\$ 801,776	\$ 763,137	\$ 1,748,735	\$ 1,069,756	\$ 678,979	\$ (183,822)	\$ (267,980)	\$ 84,158	\$ 1,748,735	\$ 1,069,756	\$ 678,979	89%	75%	112%
OPERATING EXPENSES															
Purchased Transportation	\$ 15,163,484	\$ 10,894,437	\$ 4,269,047	\$ 15,900,242	\$ 11,087,081	\$ 4,813,161	\$ 736,758	\$ 192,644	\$ 544,114	\$ 15,900,242	\$ 11,087,081	\$ 4,813,161	95%	98%	89%
Materials and Supplies	\$ 4,031,887	\$ 3,380,467	\$ 651,420	\$ 4,443,911	\$ 3,738,291	\$ 705,620	\$ 412,024	\$ 357,824	\$ 54,200	\$ 4,443,911	\$ 3,738,291	\$ 705,620	91%	90%	92%
Salaries & Benefits	\$ 5,152,792	\$ 4,863,861	\$ 488,931	\$ 5,068,439	\$ 4,437,117	\$ 631,322	\$ (84,353)	\$ (226,744)	\$ 142,391	\$ 5,068,439	\$ 4,437,117	\$ 631,322	102%	105%	77%
Services	\$ 1,054,571	\$ 837,007	\$ 217,564	\$ 1,091,952	\$ 865,857	\$ 226,095	\$ 37,381	\$ 28,850	\$ 8,531	\$ 1,091,952	\$ 865,857	\$ 226,095	97%	97%	96%
Other	\$ 347,070	\$ 301,171	\$ 45,899	\$ 296,072	\$ 251,006	\$ 45,066	\$ (50,998)	\$ (50,165)	\$ (833)	\$ 304,126	\$ 259,060	\$ 45,066	114%	116%	102%
Casualty and liability insurance	\$ 613,467	\$ 542,354	\$ 71,113	\$ 584,219	\$ 525,857	\$ 58,362	\$ (29,248)	\$ (16,497)	\$ (12,751)	\$ 576,185	\$ 517,803	\$ 58,362	106%	105%	122%
Utilities	\$ 199,566	\$ 175,741	\$ 23,825	\$ 192,787	\$ 173,274	\$ 19,513	\$ (6,779)	\$ (2,467)	\$ (4,312)	\$ 192,787	\$ 173,274	\$ 19,513	104%	101%	122%
Taxes	\$ 18,415	\$ 14,883	\$ 3,532	\$ 19,150	\$ 15,556	\$ 3,594	\$ 735	\$ 673	\$ 62	\$ 19,150	\$ 15,556	\$ 3,594	96%	96%	98%
<i>Total Operating Expenses:</i>	\$ 26,581,252	\$ 20,809,921	\$ 5,771,331	\$ 27,596,772	\$ 21,094,039	\$ 6,502,733	\$ 1,015,520	\$ 284,118	\$ 731,402	\$ 27,596,772	\$ 21,094,039	\$ 6,502,733	96%	99%	89%
NON-OPERATING REV															
Federal Funds	\$ 3,552,316	\$ 2,420,303	\$ 1,132,013	\$ 4,972,424	\$ 2,656,033	\$ 2,316,391	\$ (1,420,108)	\$ (235,730)	\$ (1,184,378)	\$ 4,972,424	\$ 2,656,033	\$ 2,316,391	71%		49%
State Funds	\$ 16,165,650	\$ 13,133,801	\$ 3,031,849	\$ 15,883,813	\$ 13,454,549	\$ 2,429,264	\$ 281,837	\$ (320,748)	\$ 602,585	\$ 15,883,813	\$ 13,454,549	\$ 2,429,264	102%	98%	125%
Local Funds	\$ 2,899,892	\$ 2,899,892	\$ -	\$ 2,085,908	\$ 1,008,809	\$ 1,077,099	\$ 813,984	\$ 1,891,083	\$ (1,077,099)	\$ 2,085,908	\$ 1,008,809	\$ 1,077,099	139%	287%	
Inter-Operator Agreements	\$ 2,086,300	\$ 1,009,201	\$ 1,077,099	\$ 2,899,892	\$ 2,899,892	\$ -	\$ (813,592)	\$ (1,890,691)	\$ 1,077,099	\$ 2,899,892	\$ 2,899,892	\$ -	72%	35%	n/a
Interest & Other Misc Income	\$ 13,227	\$ 12,156	\$ 1,071	\$ 6,000	\$ 5,000	\$ 1,000	\$ 7,227	\$ 7,156	\$ 71	\$ 6,000	\$ 5,000	\$ 1,000	220%	243%	107%
<i>Total Non-operating Revenues:</i>	\$ 24,717,385	\$ 19,475,353	\$ 5,242,032	\$ 25,848,037	\$ 20,024,283	\$ 5,823,754	\$ (1,130,652)	\$ (548,930)	\$ (581,722)	\$ 25,848,037	\$ 20,024,283	\$ 5,823,754	98%	97%	90%
EXCESS REV/(EXP)	\$ (298,954)	\$ (532,792)	\$ 233,838	\$ -	\$ -	\$ -	\$ (298,954)	\$ (532,792)	\$ 233,838	\$ -	\$ -	\$ -			

Agenda Item #5b
Eastern Contra Costa Transit Authority
Board of Directors Meeting
July 27, 2022

Staff Report to ECCTA Board of Directors

Meeting Date: July 27, 2022

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

Lead Staff: Leeann Loroño, Manager of Customer Service and Marketing

Approved: Jeanne Krieg, Chief Executive Officer 

Tri Delta Transit strives to provide top notch service to our customers and the community, as well as communicate the pivotal role Tri Delta Transit plays in the community. Here are some projects Marketing has been working on.

	<p>July Marketing Campaign</p> <p>With the high price of gas, Tri Delta Transit reminded the community that public transportation is there for them and at a great savings compared to driving.</p>
	<p>Pass2Class with 511 Contra Costa</p> <p>Pass2Class program offers free bus passes to students in Contra Costa County in order to encourage the use of bus transportation to and from school. Up to two students per household can receive two 20-ride passes for Tri Delta Transit. Restrictions and requirements do apply.</p> <p>This program is in partnership with 511 Contra Costa, AC Transit, County Connection and WESTCAT.</p>

TRI DELTA TRANSIT
Transportation for ANTIOCH HIGH SCHOOL
 Please use the following Tri Delta Transit information for the 2022-2023 school year.

BUS STOP LOCATIONS NEAR ANTIOCH HIGH SCHOOL—Weekdays
 1800 99—1800 Street near Antioch VTA Bus Stop #181010
 1800 100—1800 Street opposite Antioch VTA Bus Stop #181020
 187 99—1 Street near 1800 Street Bus Stop #181030
 187 100—1 Street near 1800 Street Bus Stop #181040

STAY CONNECTED:
 Use Tri Delta Transit's mobile app to connect and then select the bus number.

HOW TO FIND A BUS STOP NEAR YOU:
 Check the website and/or call the bus stop locations. Please also check your school's website for more information.

HOW TO PLAN YOUR TRIP:
 Use the Tri Delta Transit website to view and print the schedule and other information. Use the bus stop and route information to plan your trip.

FOR MORE INFORMATION ON PASSES & FARES:
 For bus fares, passes, and other information, visit the website or call the customer service line.

SEE SOMETHING, SAY SOMETHING:
 If you see a problem with the bus or driver, please report it to the customer service line.

OTHER HELPFUL INFORMATION:
 • Have a valid ID? Report any lost or stolen passes to the customer service line.
 • Make sure to use the correct bus stop and boarding the bus.
 • All Tri Delta Transit buses are equipped with safety seats for children 4 years old and under. Seats are for the height and weight of the child only.

Visit www.trideltatransit.com for more information, videos, and more!
 Serving East Contra Costa County since 1977!

High School Registrations

School registrations have begun for the 2022-2023 school year. Tri Delta Transit will be attending school registrations to educate students and parents about our services, the routes to their particular school, and about the important tools to use while traveling.

School route fliers will be posted on the website and mailed to each high school.

**Buy One
 Get One Free
 Transit Passes**

BOGO

BOGO – Buy One Get One

BOGO partnership program is continuing for another year. 511 Contra Costa, in partnership with county transit agencies, offers riders who commute a deal that stretches their commuting dollar.

A BOGO Pass is good for 20 one-way rides on all Tri Delta Transit fixed routes, including Express Routes 200, 201 and 300 (except paratransit and Tri MyRide).

An application needs to be completed and approved, and some requirements do apply.

TRI DELTA TRANSIT
BRIGHTENS YOUR DAY WITH GREAT CUSTOMER SERVICE

We provide:

- A COMPREHENSIVE WEBSITE**
 TRIDELTATRANSIT.COM
- WAYS TO TRAVEL WITH EASE**
 FREE WI-FI AND USEFUL APPS
- TOOLS TO REPORT INFORMATION OR ISSUES**
 TRI DELTA WATCH APP
- PHONE ASSISTANCE DURING BUSINESS HOURS**
 REAL PEOPLE ANSWERING

TRI DELTA TRANSIT

August Marketing Campaign

Not only is Tri Delta Transit an inexpensive way to travel with the current gas prices, but we deliver top notch customer service.

So much so that our service will brighten your day!

Ongoing projects:

SUMMER YOUTH PASS
 More info + Order Online:
 Más información + pídelo por internet:
511cc.org/youthpass
 Only | Solo **\$30** Ages | Edades **6-18** Ride on | Sequir Adelante
 Fixed route and express only
 TRI DELTA TRANSIT WESTCAT
 County Connection
 Brought to you by s11 Contra Costa, with funding from CCTA and BAACQMD
 If information is needed in another language, please contact 1-925-754-4040.
 如需需要其他語言的信息, 請聯繫 1-925-754-4040.
 Kung kailangan ng impormasyon sa ibang wika, mangyaring makipag-ugnayan sa 1-925-754-4040.

Summer Youth Pass

As of mid-July, 88 passes have been sold throughout eastern Contra Costa County out of 196 countywide. Passes sold through the 511 Contra Costa on-line store for our area total 59. Twenty-nine have been sold at the Tri Delta Transit administrative office.

Sales of the Summer Youth Pass will end on July 31, 2022.

TRI DELTA TRANSIT ADA Paratransit Passenger Guide
 Eligibility and Registration
 Processing the Application
 Important Contact Information
 You must fully complete the application form and submit it to Tri Delta Transit by:
 • mail to Tri Delta Transit 811 Wilbur Ave., Berkeley, CA 94709, or
 • fax to 925-754-4040

TRI DELTA TRANSIT
Senior Paratransit Application Packet
 Thank you for your interest in Tri Delta Transit senior paratransit services.
 For your information and use, this packet contains the following:
 • General information about senior paratransit service Pages 1 - 2
 • Senior Paratransit Application Pages 4 - 8
 Please read this packet thoroughly and carefully. The application must be completed and signed in all designated areas to be processed.
 If information is needed in another language, please contact 1-925-754-4040.
 Si necesita información en otro idioma, comuníquese al 1-925-754-4040.
 如需需要其他語言的信息, 請聯繫 1-925-754-4040.
 Kung kailangan ng impormasyon sa ibang wika, mangyaring makipag-ugnayan sa 1-925-754-4040.

Accessible Services Materials

Marketing continues to work on updating Accessible Services materials.

Current status:

- Senior Paratransit Application – complete
- Senior Paratransit Rider’s Guide – in progress
- ADA Paratransit Application – in progress
- ADA Paratransit Rider’s Guide – in progress
- Easy Book brochure English & Spanish – complete. Loading to website in progress.
- Paratransit ADA and Senior Service Area maps in progress.



Website Redesign

Marketing has completed the RFP scope of work for the website update.

As the process moves forward, Marketing continues to add and update information for the transition. Next to be added in honor of our 45th anniversary is a page titled ‘Our History’. This page will include the milestones our 45-year history, as well as pictures from the past to present.

Please let us know if you have any questions or need further information about any of these materials.

Agenda Item #5c
 Eastern Contra Costa Transit Authority
 Board of Directors Meeting
 July 27, 2022

TAB 2

Agenda Item #6a
CEO's Report

Board of Directors Meeting

Wednesday July 27, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509



Chief Executive Officer's Report

July 2022



Federal Safety Committee Requirement Compliance Deadline - 7/31

Transit agencies that receive Section 5307 funding (Tri Delta Transit receives these funds) and serve a large, urbanized area (such as east county) have until July 31, to establish a Safety Committee as part of the Infrastructure Investment and Jobs Act changes to the Public Transportation Agency Safety Plan requirements. The Safety Committee must have an equal number of frontline employee representatives and management representatives. In addition, FTA expects the Safety Committee to approve an update to the agency's Agency Safety Plan by December 31. Tania Babcock, Tri Delta Transit's SMS Executive has been working with our partners at First Transit to establish the team. They have been meeting for several months so, unlike many agencies who are asking for an extension of the deadline, Tri Delta Transit is in compliance with the requirement.

511 Contra Costa Pass2Class Program – Free Bus Passes for Students

511 Contra Costa launched their Pass2Class Program for 2022. The program offers free bus passes to Contra Costa County students at the beginning of the school year to encourage the use of bus transportation to and from school. The free passes are available for Tri Delta Transit, AC Transit, County Connection and WestCAT. Up to two students per household can each receive TWO 20-ride passes. Interested families can apply online at 511cc.org.

SWAT Training

In early July, the San Pablo SWAT team conducted training exercises on a couple of our buses behind the shop near the training trailer. When the various police departments train at our facility, we take the opportunity to teach them how to shut off a bus, evacuate passengers, and safely move a bus out of harm's way. Over the years, we've had bomb sniffing dogs, drug sniffing dogs, hostage negotiators, and SWAT teams train at our facility.

Around the Facility

- The blue part of the front of the building was repainted.
- A new horn (amplifier) for the announcement system was installed in the shop.
- The annual maintenance department inventory for fuel, parts, and tires was conducted.
- New chairs for the board room were delivered.
- Maintenance work on the facility HVAC system was conducted. There was an issue with the duct work sweating and moisture dripping onto the acoustic ceiling tiles.
- Improvements to our cyber-security were made.
- The fence in the east yard was cut so, once again, Alta fence repaired it.
- The ice machine was cleaned and serviced.
- A leak in the operators' restroom was fixed.
- A plugged downspout was fixed.
- The Wi-Fi system on the buses was upgraded.
- The sumps were pumped out.
- New blinds were installed in the dispatch office.
- New cold food vending machines were installed in the operations kitchen.

Mobile Ticketing App

The vendor who supported Tri Delta Transit's Mobile Ticketing App was unable to address recurring issues so the app has been discontinued. Customers who have funds on their app will be reimbursed. Our fixed route customers can use the Clipper app.

Stormwater Inspection

We are required to have an annual evaluation of the facility. The purpose is to identify and correct issues that might negatively affect water that flows into the storm drains. The inspection was conducted on June 22nd and was a good step toward moving from being required to analyze four storm water samples/year to two samples/year. The inspector noted that our facility looked very good, clean, and organized. He made the following observations:

- There was a small unattended leak on the ground at the bus detail area. Team members should clean up leaks and spills right away.
- There was a good amount of dry absorbent on the ground at a parking spot. Dry absorbent must be cleaned out right after the affected area has been treated. If dry absorbent does not get cleaned up right away it can be windblown to the rest of the facility spreading pollutants such as oil and other fluids.

Procurement

Due to a lack of responsive bids, staff determined that an award for electric hand dryers will not be made.

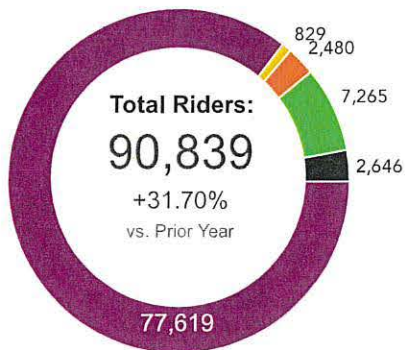
Coming soon:

- RFP for website design
- RFB for bus wash area asphalt resurfacing



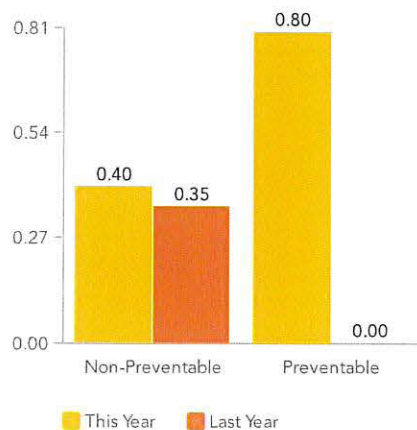
Performance Summary

Ridership

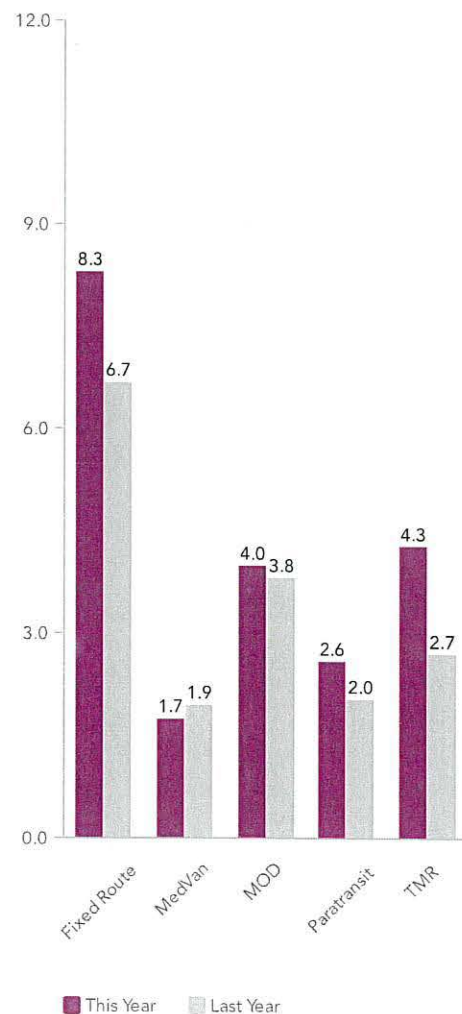


- Fixed Route
- Paratransit
- MedVan
- TMR
- MOD

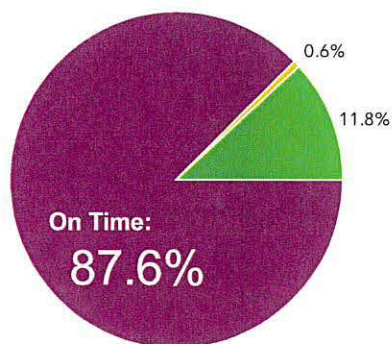
Accidents / 100K Miles



Passengers Per Revenue Hour



On Time Performance



- On Time
- Early
- Late

Cost Recovery Ratio



- Demand Response
- Fixed Route

Safety Performance

Preventable Accident Report

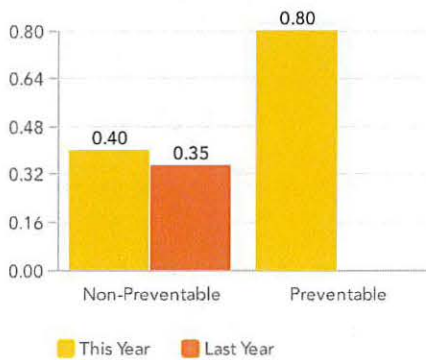
	Accidents	Per 100,000 Miles
Dec/FY2022	1	0.38
Jan/FY2022	2	0.88
Feb/FY2022	2	0.66
Mar/FY2022	1	0.39
Apr/FY2022	2	0.67
YTD 2022	2	0.80

YTD Change No data

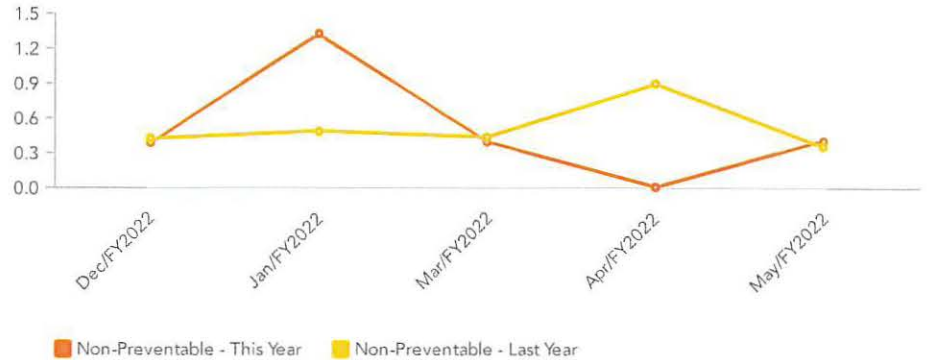
Preventable Accidents Per 100,000 Miles Last Six Months - System Wide



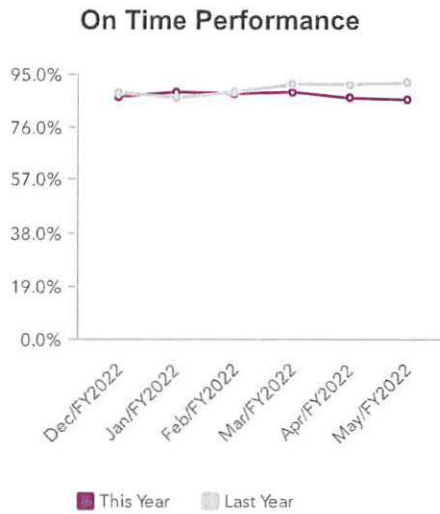
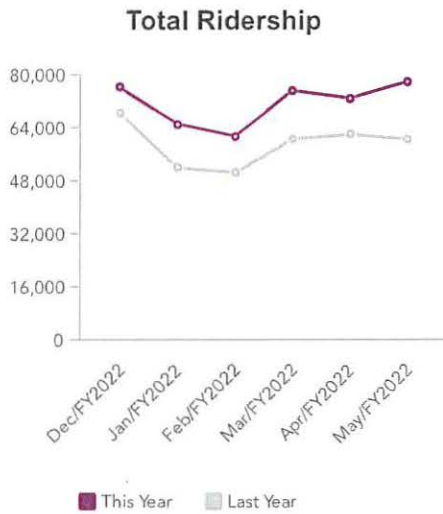
Year To Date - System Wide Accidents Per 100,000 Miles



Non-Preventable Accidents Per 100,000 Miles Last Six Months - System Wide



Fixed Route Performance



YTD Report - Fixed Route

	Metric	This Year	Prior Year	% Change
Customer	Average Miles Between Roadcalls	154,747.20	18,529.81	+735.1%
Service	Complaints Per 100k Riders	38.65	43.16	-10.4%
	% of Trips On Time	85.86	91.97	-6.6%
	Ridership Per Rev. Hour	8.31	6.69	+24.2%
Financial	Operating Costs Per Rev. Hour	183.28	172.60	+6.2%
Ridership	Ridership	77,619.00	60,246.00	+28.8%

Passengers Per Revenue Hour



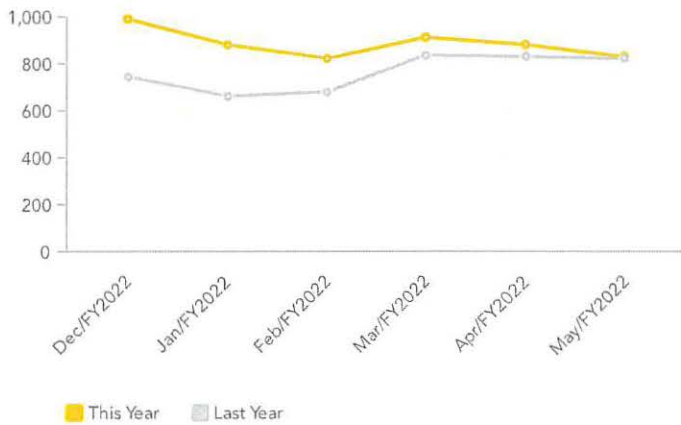
MedVan, Paratransit, and MOD Performance

YTD Report

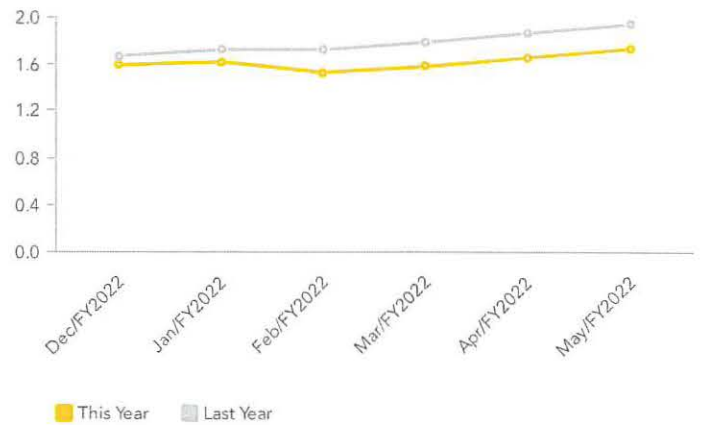
MedVan

	Metric	This Year	Prior Year	% Change
Customer	Complaints Per 100k Riders	241.25	243.90	-1.1%
Service	% of Trips On Time	94.40	83.51	+13.0%
	Ridership Per Rev. Hour	1.73	1.94	-10.8%
Financial	Operating Costs Per Rev. Hour	114.49	116.36	-1.6%
Ridership	Ridership	829.00	820.00	+1.1%

Total Ridership



Passengers Per Revenue Hour



YTD Report

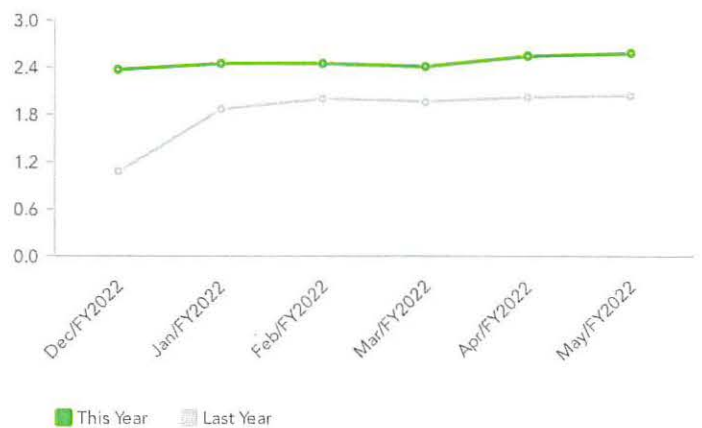
Paratransit

	Metric	This Year	Prior Year	% Change
Customer	Complaints Per 100k Riders	178.94	71.48	+150.3%
Service	% of Trips On Time	94.96	71.73	+32.4%
	Ridership Per Rev. Hour	2.58	2.03	+27.1%
Financial	Operating Costs Per Rev. Hour	114.37	116.89	-2.2%
Ridership	Ridership	7,265.00	4,197.00	+73.1%

Total Ridership



Passengers Per Revenue Hour



YTD Report

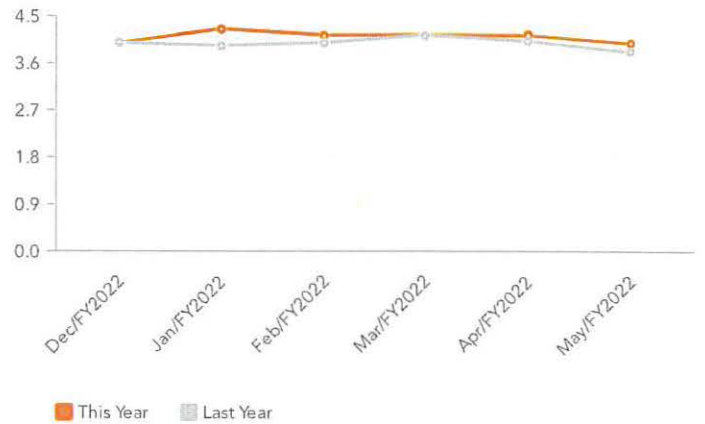
MOD

	Metric	This Year	Prior Year	% Change
Customer	Complaints Per 100k Riders	40.32	0.00	
Service	Ridership Per Rev. Hour	3.98	3.81	+4.5%
Financial	Operating Costs Per Rev. Hour	97.91	90.13	+8.6%
Ridership	Ridership	2,480.00	2,214.00	+12.0%

Total Ridership



Passengers Per Revenue Hour

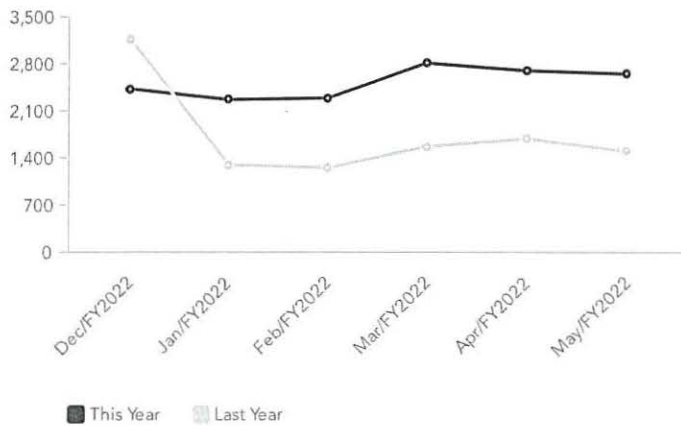


YTD Report

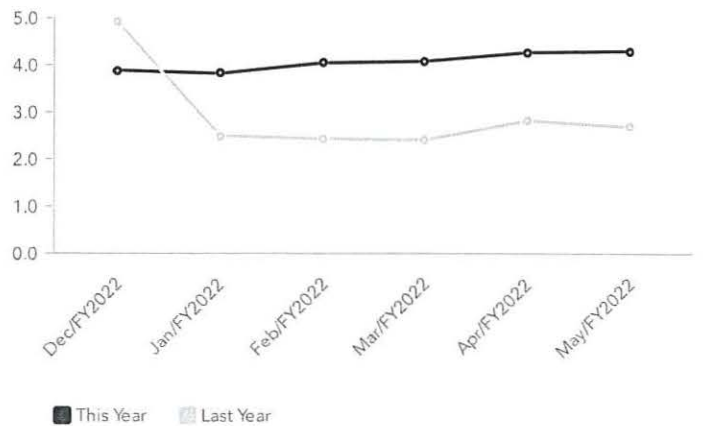
TMR

	Metric	This Year	Prior Year	% Change
Customer	Complaints Per 100k Riders	37.79	133.51	-71.7%
Service	Ridership Per Rev. Hour	4.28	2.69	+59.1%
Financial	Operating Costs Per Rev. Hour	108.35	102.51	+5.7%
Ridership	Ridership	2,646.00	1,498.00	+76.6%

Total Ridership



Passengers Per Revenue Hour



TAB 3

Agenda Item #7a

ACTION ITEM: Facility Parking Lot Resurfacing


Resolution #220727A

Board of Directors Meeting

Wednesday July 27, 2022

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

Staff Report to ECCTA Board of Directors

Meeting Date: July 27, 2022
Agenda Item: Facility Parking Lot Resurfacing – Agenda Item #7a
Lead Staff: Joe Chappelle, Manager of Administrative Services
Approved: Jeanne Krieg, Chief Executive Officer 

Background

The front parking lot was constructed in 1986 alongside the facility. Due to the relatively low vehicle traffic it has received over the years, it has only now gotten to a point where some minor repair is needed.

When the facility was expanded in 2003, a vehicle gate and speedbump were installed on the western side of the facility. The speedbump (or berm) has proven to be too tall and is often scraped by the undercarriages of vehicles as they leave the facility. These scrapings have dug sizeable grooves into the berm. As such, the berm needs to be sized down and widened.

The work needed for both of these areas would be considered public works, which required ECCTA to conduct a formal procurement.

Process

June 7, 2022: IFB 2022-04 for the resealing and resurfacing of ECCTA's front parking lot was mailed to 44 firms, publicly advertised, and posted on ECCTA's website.

June 23, 2022: three firms attended a pre-bid meeting.

July 11, 2022: ECCTA received six responsive bids from:

- American Asphalt Repair & Resurfacing Co., Inc.
- Pacific Coast General Engineering
- Forticon, Inc.
- Azul Works
- Sunrise Grading & Paving
- G&S Paving

Requested Action

Adopt Resolution #220727A authorizing the CEO to enter into a contract for the resealing and resurfacing of ECCTA's front parking lot with Sunrise Grading & Paving for an amount not to exceed \$29,975 which includes a 10% contingency.



TRI DELTA TRANSIT

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

RESOLUTION #220727A **Authorization for Award of Contract for** **Parking Lot Resurfacing**

Resolution #220727A authorizes the CEO to enter into a contract for the resealing and resurfacing of ECCTA’s front parking lot with Sunrise Grading & Paving.

WHEREAS, the front parking lot was constructed in 1986 and is need of minor repair; and

WHEREAS, the berm at the western vehicle gate needs to be sized down and widened; and

WHEREAS, six responsive bids were received; and

WHEREAS, Sunrise Grading & Paving is the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #220727A authorizing the CEO to enter into a contract for the resealing and resurfacing of ECCTA’s front parking lot with Sunrise Grading & Paving for an amount not to exceed \$29,975 which includes a 10% contingency.

PASSED AND ADOPTED THIS 27th day of July 2022, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Anissa Williams, Chair

Jeanne Krieg, Chief Executive Officer

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

TAB 4

Agenda Item #7b
ACTION ITEM: Facility Flooring


Resolution #220727B

Board of Directors Meeting

Wednesday July 27, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: July 27, 2022
Agenda Item: Facility Flooring – Agenda Item #7b
Lead Staff: Joe Chappelle, Manager of Administrative Services
Approved: Jeanne Krieg, Chief Executive Officer 

Background

The carpet that exists throughout the facility was installed in 2003 as part of the expansion to ECCTA's facility. Staff has done its best to keep it maintained, however after many years of heavy traffic, the carpeting in certain areas of the facility need to be replaced. The impacted areas are: the boardroom, the dispatch and scheduling offices, the driver's common area and locker room, and the entire administration area of the contractor. The replacement tiles will consist of heavy traffic, commercial carpet and rubber tiles.

Process

May 11, 2022: IFB 2022-03 for the removal, disposal, and replacement of carpeting was mailed to 21 firms, publicly advertised, and posted on ECCTA's website.

May 23, 2022: one firm attended a pre-bid meeting.

June 13, 2022: ECCTA received one responsive bid from:

- Creative Floor Covering Sales and Supplies

Per ECCTA's procurement procedures, and in accordance with FTA Circular 4220.1F, an investigation was conducted to determine whether adequate competition existed for the bid project. It was determined that the reason ECCTA received only one bid response was because of business concerns outside ECCTA's control and that full and open competition existed. As such, ECCTA's procurement procedures, in accordance with FTA Circular 4220.1F, allow for an award to be made to the single bidder.

Requested Action

Adopt Resolution #220727B authorizing the CEO to enter into a contract for the removal, disposal, and replacement of carpeting in various ECCTA facility areas with Creative Floor Covering Sales and Supplies for an amount not to exceed \$139,549 which includes a 10% contingency.



TRI DELTA TRANSIT

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

RESOLUTION #220727B **Authorization for Award of Contract for** **Carpet Removal, Disposal, and Replacement**

Resolution #220727B authorizes the CEO to enter into a contract for the removal, disposal, and replacement of carpeting with Creative Floor Covering Sales and Supplies.

WHEREAS, on May 11, 2022, ECCTA advertised IFB #2022-03 and one responsive bid was received on June 13, 2022; and

WHEREAS, ECCTA conducted an investigation which determined that there was full, open, and adequate competition; and

WHEREAS, ECCTA concluded the single bid price received was fair and reasonable;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #220727B authorizing the CEO to enter into a contract for the removal, disposal, and replacement of carpeting in various areas of ECCTA's facility with Creative Floor Covering Sales and Supplies for an amount not to exceed \$139,549 which includes a 10% contingency.

PASSED AND ADOPTED THIS 27th day of July 2022, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Anissa Williams, Chair

Jeanne Krieg, Chief Executive Officer

AYES: _____

NOES: _____

ABSENT: _____

ABSTENTIONS: _____

TAB 5

Agenda Item #7c
ACTION ITEM: Interior Painting


Resolution #220727C

Board of Directors Meeting

Wednesday July 27, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: July 27, 2022
Agenda Item: Interior Painting – Agenda Item #7c
Lead Staff: Joe Chappelle, Manager of Administrative Services
Approved: Jeanne Krieg, Chief Executive Officer 

Background

The Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021 apportioned \$911.8 million to California. ECCTA received \$175,000 of that money to use on things such as operations, personnel wages and salaries, and routine maintenance projects. The fully-funded budget, which accounted for operations and personnel wages and salaries, approved by the Board on May 25, 2022 allows us to use this money for routine maintenance projects around the facility. One such project would be to repaint several areas of the facility, including the driver's area of operations and a handful of staff offices.

This project would be considered public works, which requires ECCTA to conduct a formal procurement.

Process

June 13, 2022: IFB 2022-06 for the interior painting of several areas inside ECCTA's main facility was mailed to 18 firms, publicly advertised, and posted on ECCTA's website.

June 28, 2022: six firms attended a pre-bid meeting.

July 13, 2022: ECCTA received five responsive bids from:

- Pro Group Painting
- Athens Painting
- Satellite Painting, Inc.
- Anchor Singh Painting, Inc.
- C&J Painting

Requested Action

Adopt Resolution #220727C authorizing the CEO to enter into a contract for the interior painting of several areas inside ECCTA's main facility with Pro Group Painting for an amount not to exceed \$15,620 which includes a 10% contingency.



TRI DELTA TRANSIT

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

RESOLUTION #220727C **Authorization for Award of Contract for** **Interior Painting**

Resolution #220727C authorizes the CEO to enter into a contract for the interior painting of several areas within ECCTA’s main facility with Pro Group Painting.

WHEREAS, ECCTA received \$175,000 from California’s Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) apportionment; and

WHEREAS, ECCTA can spend the money on routine maintenance projects; and

WHEREAS, several areas of ECCTA’s facility need repainting; and

WHEREAS, on June 13, ECCTA advertised IFB #2022-06 and received five responsive bids on July 13, 2022; and

WHEREAS, Pro Group Painting is the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #220727C authorizing the CEO to enter into a contract for the interior painting of several areas inside ECCTA’s main facility with Pro Group Painting for an amount not to exceed \$15,620 which includes a 10% contingency.

PASSED AND ADOPTED THIS 27th day of July 2022, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Anissa Williams, Chair

Jeanne Krieg, Chief Executive Officer

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

TAB 6

Agenda Item #7d
ACTION ITEM: Revised Budget

Resolution #220727D

Board of Directors Meeting

Wednesday July 27, 2022


ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: July 27, 2022

Agenda Item: FY2022-2023 ECCTA Budget Revision – Agenda Item 7d

Lead Staff: Agustin Diaz, Chief Financial Officer

Approved: Jeanne Krieg, Chief Executive Officer 

A revision to the Fiscal Year 2022-2023 operating budget is required because of a change in availability of operating funds. Due to ongoing negotiations of inter-operator agreements with the Metropolitan Transportation Commission, Bay Area Rapid Transit and four East Bay transit operators, ECCTA is only allowed to claim 50% of funds made available by the BART Feeder Bus program. ECCTA was allocated \$2,808,992 in BART Feeder Bus Funds but will only be allowed to claim \$1,404,496.

The loss of these operating funds was partially offset by the Measure J allocation being higher than anticipated. This will result in the operating budget to decrease from \$32,535,285 to \$31,497,685.

ECCTA was able to reduce operating expenses by trimming costs from fixed-route bus operations and being more conservative in cost estimates with materials and supplies such as fuel.

The capital budget will remain the same.

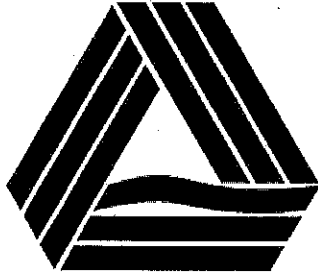
Total Budget

ECCTA's revised, fully-funded FY2022-2023 operating budget is \$31,497,685.

ECCTA's fully-funded FY2022-2023 capital budget will remain the same at \$5,200,000.

Requested Action

Adopt Resolution #220727D approving the revised FY2022-2023 ECCTA operating and capital budget.



TRI DELTA TRANSIT

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

RESOLUTION #220727D
APPROVAL OF THE REVISED FISCAL YEAR 2022-2023 OPERATING AND CAPITAL BUDGET

WHEREAS, the County of Contra Costa and the cities of Antioch, Brentwood, Oakley and Pittsburg (hereinafter "Member Jurisdictions") have formed the Eastern Contra Costa Transit Authority ("ECCTA"), a joint exercise of powers agency created under California Government Code Section 6500 et seq., for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions; and

WHEREAS, the adoption of an operating and capital budget is required by the Joint Exercise of Powers Agreement and Bylaws of ECCTA, and is necessary for obtaining both Federal, State and Local funds to support ECCTA's transit program; and

WHEREAS, the Chief Executive Officer or her designee have prepared and presented to the Board of Directors a Revised Operating Budget for Fiscal Year 2022-2023 in the amount of \$31,497,685 which sets forth the projected revenues and expenses associated with ECCTA's operating and maintenance program; and

WHEREAS, the Chief Executive Officer or her designee have prepared and presented an unchanged final Capital Budget for Fiscal Year 2022-2023 in the amount of \$5,200,000.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Eastern Contra Costa Transit Authority adopts the Revised Operating and Capital budget for Fiscal Year 2022-2023, a copy of which is attached and incorporated by this reference; and

BE IT FURTHER RESOLVED, BE IT RESOLVED, that the Chief Executive Officer or her designee is directed to submit this budget to the Metropolitan Transportation Commission, together with a copy of this resolution at the earliest practicable date.

PASSED AND ADOPTED THIS 27th day of July 2022, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Anissa Williams, Chair

Jeanne Krieg, CEO

AYES: _____
NOES: _____

ABSENT: _____
ABSTENTIONS: _____

**Eastern Contra Costa Transit Authority
Revised FY 2022-2023 Operating Budget**

	FY21 Actual	%	FY22 Budget	%	FY22 Estimate	%	FY23 Budget	%
REVENUES								
Fares	718	3%	1,394	5%	1,358	5%	1,740	6%
Advertising Sales	170	1%	160	1%	170	1%	170	1%
BART DR Service Reimbursement	168	1%	195	1%	187	1%	205	1%
<u>Total Operating Sources:</u>	<u>1,056</u>	<u>4%</u>	<u>1,749</u>	<u>6%</u>	<u>1,715</u>	<u>7%</u>	<u>2,115</u>	<u>7%</u>
Federal	6,850	29%	5,068	18%	3,552	14%	4,361	14%
State	1,838	8%	15,788	57%	15,757	60%	21,513	68%
Local	10,296	44%	2,086	8%	2,338	9%	2,094	7%
BART "feeder bus"	3,050	13%	2,900	11%	2,900	11%	1,405	4%
Interest & Other	401	2%	6	0%	11	0%	10	0%
<u>Total Non-operating Sources:</u>	<u>22,435</u>	<u>96%</u>	<u>25,848</u>	<u>94%</u>	<u>24,558</u>	<u>93%</u>	<u>29,383</u>	<u>93%</u>
Total Operating Revenues:	23,491	100%	27,597	100%	26,273	100%	31,498	100%
EXPENDITURES								
Purchased Transportation	14,323	61%	15,900	58%	15,359	58%	18,474	59%
Materials and Supplies	2,490	11%	4,444	16%	3,669	14%	4,525	14%
Salaries & Benefits	4,788	20%	5,069	18%	5,078	19%	6,149	20%
Services	939	4%	1,092	4%	994	4%	1,036	3%
Casualty and liability insurance	547	2%	576	2%	620	2%	670	2%
Utilities	195	1%	193	1%	207	1%	220	1%
Other	209	1%	323	1%	346	1%	424	1%
<u>Total Operating Expense:</u>	<u>23,491</u>	<u>100%</u>	<u>27,597</u>	<u>100%</u>	<u>26,273</u>	<u>100%</u>	<u>31,498</u>	<u>100%</u>
KEY PERFORMANCE INDICATORS								
Passengers	858		1,072		1,024		1,189	
Revenue Hours	170		217		202		234	
Revenue Miles	2,244		2,837		2,682		3,122	
Gallons of Diesel Fuel	445		525		512		558	
Gallons of Gasoline	99		132		113		172	
FTEs	160		185		174		191	
Average # ECCTA Positions	37.0		37.0		37.0		38.0	
FINANCIAL RATIOS								
\$/Passenger	\$27.38		\$25.74		\$25.66		\$26.48	
\$/Rev Hour	\$138.18		\$127.18		\$130.06		\$134.69	
\$/Rev Mile	\$10.47		\$9.73		\$9.80		\$10.09	
\$/Gallon Diesel	\$2.95		\$4.75		\$3.50		\$6.00	
\$/Gallon Gasoline	\$3.41		\$3.25		\$4.14		\$4.75	
\$ Sal&Ben/Employee ECCTA (\$000s)	\$129		\$137		\$137		\$162	

**Eastern Contra Costa Transit Authority
FY 2022-2023 Capital Budget**

Project	TDA Share	Total Cost
Antioch Park and Ride	\$1,000,000	\$5,000,000
Trapeze Software Upgrade	\$200,000	\$200,000
TOTAL	\$1,200,000	\$5,200,000

TAB 7

Agenda Item #7e

ACTION ITEM: Key Personnel Retirement

Board of Directors Meeting

Wednesday July 27, 2022


ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: July 27, 2022

Agenda Item: Key Personnel Retirement -- Agenda Item #7e

Lead Staff: Jeanne Krieg, Chief Executive Officer 

Background

In late 2021, the Chief Executive Officer announced her plan to retire in February 2023 after 32 years of service to Tri Delta Transit. The Board of Directors' Personnel Committee considered two options for the recruitment of a new CEO:

1. Contract with a recruiting firm, directing them to conduct a nationwide search and present candidates to the Personnel Committee or the Board of Directors for consideration. The estimated cost of this would be \$75,000 - \$100,000.
2. Direct the CEO to take advantage of her industry contacts and conduct a nationwide search with a goal of presenting a final candidate or candidates to the Personnel Committee or the full Board of Directors for consideration.

The Personnel Committee's recommendation to the full Board of Directors was:

1. Direct the CEO to conduct a search and present the final candidates to the Personnel Committee or to the full Board of Directors.
2. If a viable candidate is not identified by June 2022, contract with an executive recruiting firm that specializes in the transit industry.
3. Approve a \$30,000 budget for the CEO to recruit a new CEO.

The full Board of Directors approved the plan. Additionally, the Board of Directors agreed that a several-month overlap between the current CEO and the new CEO to ensure a smooth transition would be desirable.

Recruitment Process

The Chief Executive Officer and the Chief Operating Officer worked together to identify potential candidates for consideration by ECCTA's Personnel Committee. The Personnel Committee members are: then-Chair Ken Gray, Director Monica Wilson, Director Shanelle Scales-Preston, and Director Federal Glover.

The CEO and COO conducted an extensive search by contacting industry contacts, advertising in industry publications, and personally meeting with potential applicants.

The CEO and COO:

- screened all applications,
- conducted background checks,
- interviewed eight viable candidates.

Two final candidates were presented to the Personnel Committee. After interviewing both candidates, the Personnel Committee voted to present one final candidate to the Board of Directors for their consideration. After interviewing the final candidate, the Board of Directors directed the attorney and Chief Executive Officer to work with the final candidate to bring a contract back to the Board of Directors for approval at the July meeting.

The CEO and the attorney negotiated a contract with the final candidate that is being presented to the full Board of Directors for consideration on July 27, 2022.

Considerations

- The agenda for the July 27, 2022 includes an item for approval of the proposed contract for the final candidate for the Chief Executive Officer for ECCTA. If the contract is approved, the candidate will become ECCTA's Chief Executive Officer on Tuesday, September 7th, 2022.
- When the CEO announced her retirement, Steve Ponte, the Chief Operating Officer, announced that he had also planned to retire so moved his retirement date to match the CEO retirement date to minimize the disruption the change in agency leadership would have on the employees and the organization.
- The current organizational chart has one Chief Executive officer and one Chief Operating Officer. To allow for the desired transition period, two temporary positions must be added to the organization chart: CEO Transition Officer and COO Transition Officer.
- The CEO Transition Officer position will be held by current CEO Jeanne Krieg from September 7, 2022 through February 3, 2023. There will be no change to salary or benefits.
- The COO Transition Officer position will be held by current COO Steve Ponte. There will be no change to salary or benefits. The effective date will depend on when the new CEO hires a new Chief Operating Officer. The end date will be February 3, 2023.
- The agency saved upwards of \$100,000 by directing Jeanne Krieg and Steve Ponte to conduct the executive search.
- ECCTA does not have a policy in place to recognize retiring employees. If the board wishes to recognize Steve Ponte and/or Jeanne Krieg, here are some options

to consider. The approved FY2022-2023 budget includes enough funds for any of these options:

Calculation	Jeanne (32 years)	Steve (27 years)
1% of the annual salary x years of service	\$76,860	\$48,096
½% of the annual salary x years of service	\$38,430	\$24,048
\$1000 per year of service	\$32,000	\$27,000
A set amount determined by the Board of Directors	tbd	tbd

NOTE: ECCTA does not have a defined benefit retirement plan. A retirement recognition would not result in “pension spiking” or effect any retirement benefits (defined contribution plan) in any way.

Requested Action

#1 Approve the proposed temporary organizational chart that will be effective 9/7/2022 – 2/3/2023.

#2 Authorize a retirement recognition for Chief Operating Officer Steve Ponte and Chief Executive Officer Jeanne Krieg to be presented upon their retirements in February 2023.

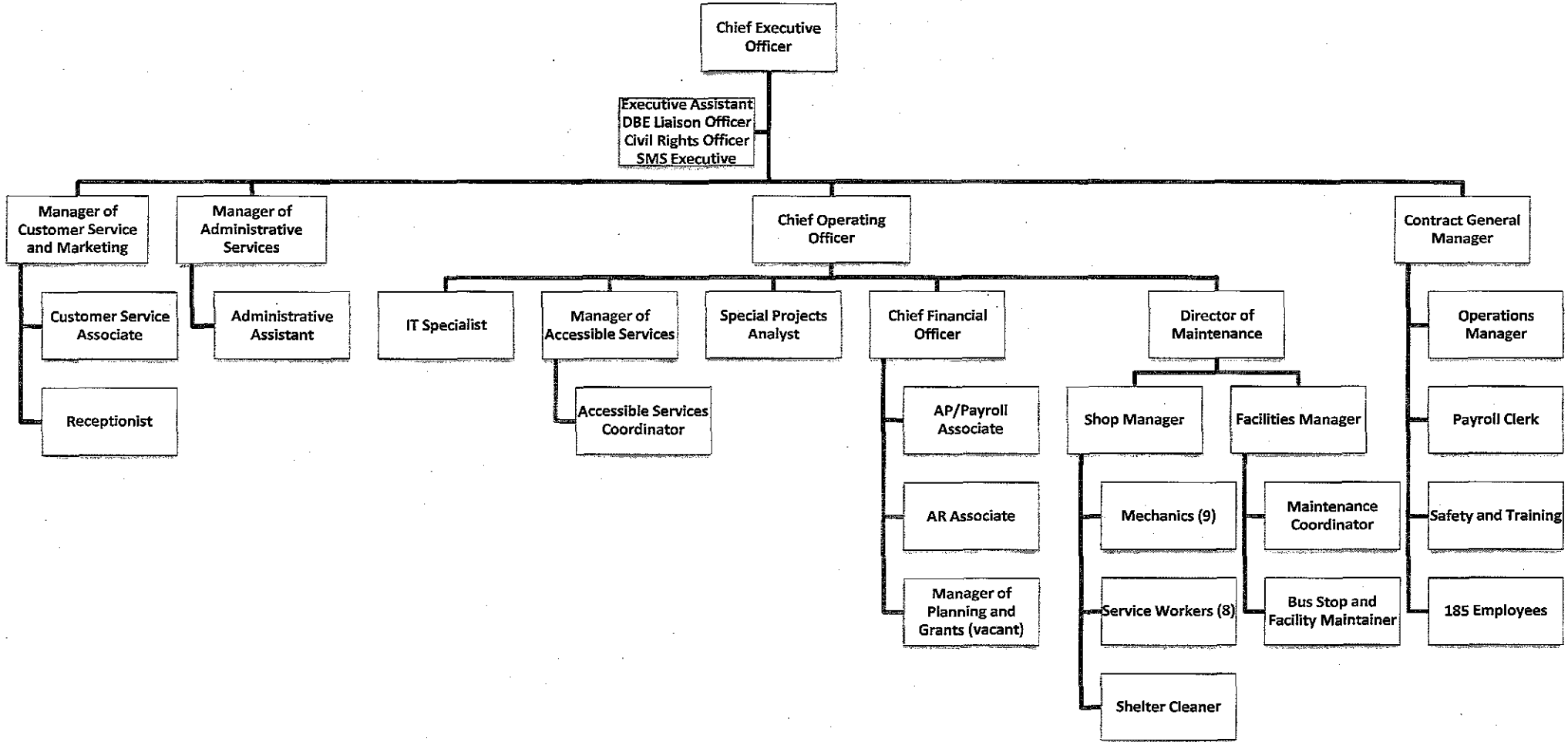
Attached:

- Current Organizational Chart
- Proposed Temporary Organizational Chart

Tri Delta Transit Organizational Chart

Revised 6/2022

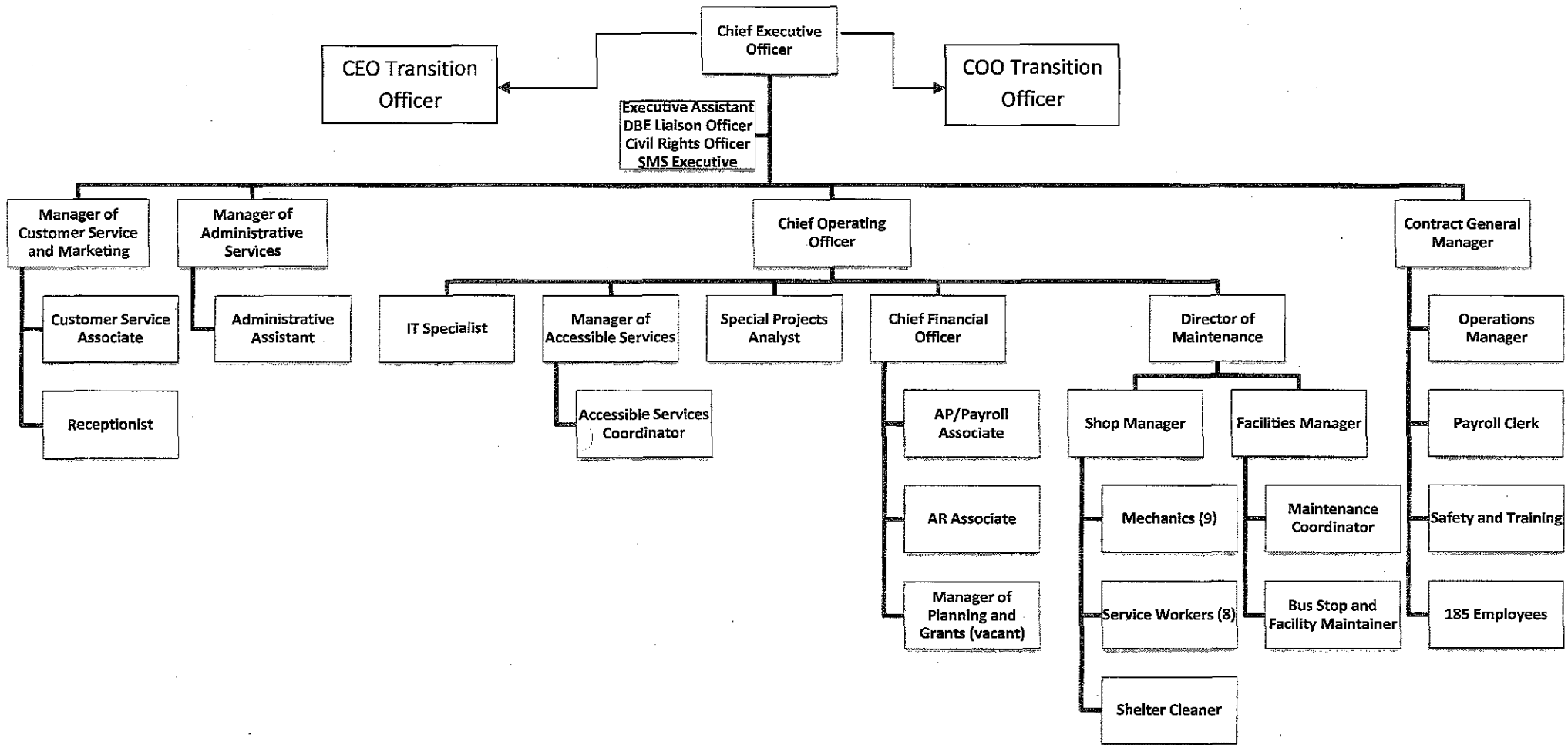
*Current
Organizational Chart*



Tri Delta Transit Temporary Organizational Chart

Effective 9/7/2022 – 2/3/2023

Proposed Temporary Organizational Chart



TAB 8

Agenda Item #7f

ACTION ITEM: Cancel August Meeting

Board of Directors Meeting

Wednesday July 27, 2022

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

Staff Report to ECCTA Board of Directors

Meeting Date: July 27, 2022

Agenda Item: August 2022 ECCTA Board of Directors Meeting -- 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

Staff projections indicate there will be no pressing agenda items for the August 24, 2022 meeting of the ECCTA Board of Directors.

Requested Action

Affirm Chair Anissa Williams' cancellation of the August 24, 2022 meeting of the ECCTA Board of Directors.

TAB 9


Agenda Item #9b

**ACTION ITEM: Employment Agreement for ECCTA's Chief
Executive Officer**

Board of Directors Meeting

Wednesday July 27, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors**Meeting Date:** July 27, 2022**Agenda Item:** Employment Agreement for Chief Executive Officer, effective September 7, 2022 -- Agenda Item #9b**Lead Staff:** Jeanne Krieg, Chief Executive Officer **Background**

In late 2021, the Chief Executive Officer announced her plan to retire in February 2023. The Board of Directors voted to direct the CEO to conduct the recruitment for her replacement. After screening and interviewing candidates, two final candidates were presented to the Personnel Committee for consideration. After interviewing both, the Personnel Committee voted to present Rashidi Barnes as their recommendation for the new ECCTA CEO. The Board of Directors directed the attorney and Chief Executive Officer to work with Mr. Barnes to develop a contract to be presented for approval at the July meeting.

The CEO and the attorney negotiated a contract with Mr. Barnes using the current CEO contract as a template. A salary survey for like-sized agencies was conducted with the following results:

Agency	Salary	Notes
Monterey	\$280,000	Long-time CEO
Santa Cruz	\$250,000	CEO started 4/25/22
County Connection	\$236,000	CEO started 1/1/2022
WestCAT	\$226,000	Long-time CEO – recently replaced. New CEO salary has not been published
SamTrans (Director of Operations)	\$234,000	

Requested Action

Approve the proposed employment agreement for Rashidi Barnes effective September 7, 2022.

Attached:

- Proposed Employment Agreement

Agenda Item #9b
*Eastern Contra Costa Transit Authority
 Board of Directors Meeting
 July 27, 2022*

**Employment Agreement
between
Eastern Contra Costa Transit Authority
and
Rashidi J. Barnes**

This Employment Agreement ("Agreement") is effective as of September 7, 2022 and is the Employment Agreement between the Eastern Contra Costa Transit Authority (ECCTA) a public entity created and existing under the Joint Powers Exercise Act, California Government Code Section 6500, *et. seq.*, whose principal place of business is 801 Wilbur Avenue, Antioch, California and RASHIDI BARNES (BARNES) a California resident whose address is 6012 Dudman Ave, Garden Grove, California.

RECITALS

- A. ECCTA desires to employ the services of BARNES as the Chief Executive Officer as provided by the Joint Powers Agreement; and
- B. ECCTA desires to employ BARNES as an at-will employee and to establish certain conditions of employment and to set working conditions of BARNES; and
- C. BARNES desires to serve as the Chief Executive Officer of ECCTA.

NOW, THEREFORE in consideration of the above recitals and of the mutual promises and conditions in the Agreement, ECCTA and BARNES agree as follows:

Section 1 – Employment.

ECCTA shall employ BARNES as Chief Executive Officer, or in such other capacity or capacities, as ECCTA's Board of Directors ("Board") may from time to time prescribe, and BARNES shall accept such appointment with ECCTA.

Section 2 – Duties.

In his capacity of Chief Executive Officer, BARNES shall do and perform all services, acts or other things necessary or advisable to manage and conduct the affairs of ECCTA, including hiring and firing all employees, subject at all times to policies set by the ECCTA Board of Directors, and to the consent of the Board of Directors when required by such policies or by the terms of this Agreement.

Section 3 – Term.

- A. This Agreement shall become effective on September 7, 2022 (Effective Date), and shall remain in effect until it is terminated in accordance with the provisions as described herein.
- B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of ECCTA to terminate the service of BARNES at any time, with cause or a mutual agreement or without cause subject only to the provisions of Sections 13, 14, and 16 of this Agreement.

- C. Nothing in the Agreement shall prevent, limit or otherwise interfere with the right of BARNES to resign at any time from his position as Chief Executive Officer subject only to the provisions set forth in Sections 15, 17, and 18 of this Agreement.

Section 4 – Devotion of Time.

BARNES shall devote his full energies, interests, abilities, and productive time to the performance of this Agreement during his employment. BARNES shall not engage in any other business, duties or pursuits or directly or indirectly render any services of a business, commercial or professional nature to any other person or organization for compensation or otherwise, without the prior written consent of the ECCTA Board of Directors. However, BARNES may expend a reasonable amount of time on charitable or professional activities, if such activities do not materially interfere with the services required under this Agreement.

Section 5 – Conflict of Interest.

BARNES shall not directly or indirectly acquire, hold or retain any interest in any business competing with or similar in nature to the activities of ECCTA and shall not directly or indirectly acquire, hold or retain any interest in any business that does business with ECCTA.

Section 6 – Principal Office.

Unless the parties agree otherwise in writing, during the term of this Agreement, BARNES shall perform the services required under this Agreement at ECCTA's offices located at 801 Wilbur Avenue, Antioch, California; provided, however that ECCTA may from time to time require BARNES to travel temporarily to other locations on ECCTA business.

Section 7 – Compensation.

ECCTA shall compensate BARNES for his services as Chief Executive Officer of ECCTA by paying an annual salary base of \$236,000.00, payable in installments at the same time as other ECCTA employees are paid. A performance review will be made by the Board of Directors annually and ECCTA agrees to modify said base salary and/or other benefits of BARNES in such amounts and to such extent as the Board of Directors may determine is desirable.

BARNES salary shall be subject to an annual cost of living increase. However, if non-bargaining unit staff do not receive a cost-of-living increase, BARNES shall not receive a cost-of-living increase.

ECCTA shall not at any time during the term of this Agreement reduce the salary, compensation, or other financial benefits of BARNES, except to the extent of any across-the-board reduction for all of the members of ECCTA's Leadership Team, or with consent of the Employee.

Section 8 – Automobile.

ECCTA shall pay BARNES an automobile allowance of Six Hundred Seventy Five Dollars (\$675) per month.

Section 9 – Expenses.

ECCTA recognizes that BARNES' stature as a visible member of the community and his memberships and active participation in community-based organizations contribute to his effectiveness as the Chief Executive Officer of ECCTA. The expenses associated with such activities as well as other expenses necessarily incurred in the performance of his services as Chief Executive

Officer shall be reimbursable. Such expenses are subject to review as qualifying expenses and approval by the Chief Financial Officer, which shall not unreasonably be denied.

Section 10 – Paid Time Off and Holidays.

BARNES' Effective Date of hire is September 7, 2022. He is entitled to receive Paid Time Off (PTO) and holiday benefits generally available to ECCTA's other employees as outlined in the ECCTA employee manual. In recognition of BARNES' long-term experience in the transit industry, his PTO accrual rate will begin at the 10-year level and will increase to the 15-year level once he reaches 5 years of employment with ECCTA and to the 20-year level at 10 years of employment with ECCTA.

Section 11 – Hours of Work.

It is recognized that BARNES must devote time outside the normal office hours to the business of ECCTA. BARNES shall be entitled to Administrative leave of forty (40) hours each year. This is in addition to any PTO accruals that BARNES earns.

Section 12 – Other Benefits.

- A. General Benefits. BARNES shall receive other benefits generally available to ECCTA's other employees as outlined in the ECCTA employee manual including but not limited to life insurance, disability insurance, medical insurance, dental insurance, jury duty pay, and bereavement pay applied to other ECCTA employees. However, due to BARNES contractual relationship with ECCTA Board of Directors, BARNES is not subject to the probationary period for PTO, Life insurance, Long-term, medical, dental and vision benefits.
- B. Contribution to retirement account. BARNES shall receive from ECCTA a 13% of his base salary contribution to his 401A Plan as long as BARNES contributes at least 6% of his base salary to his 457 Plan. Additionally, ECCTA will match BARNES' contribution with a contribution to his 401A Plan.
- C. Modifications to Fringe Benefits. As long as BARNES is employed by ECCTA, any modification to fringe benefits including but not limited to PTO, holidays, life insurance, disability insurance, medical insurance, dental insurance, retirement plan, jury duty pay, and bereavement pay applied to other ECCTA employees shall also apply to BARNES.
- D. Health/Athletic Club Contribution. ECCTA shall reimburse BARNES up to One Hundred dollars (\$100) per month toward BARNES monthly membership at a health/athletic club located in Contra Costa County. BARNES is responsible for paying all costs for participating family members.
- E. Temporary Housing Allowance. BARNES shall be entitled to a temporary housing allowance reimbursement in a total amount not to exceed \$8,800, payable in an amount not to exceed \$2,200 per month, up to a maximum of four (4) months, subject to all applicable taxes, to reimburse for costs actually incurred for temporary housing. This amount indicated represents the total amount due to BARNES for reimbursement of temporary housing costs associated with relocation to the Contra Costa area. Acceptable costs associated with temporary housing include hotel/motel lodging or furnished apartment lease costs. Reasonable costs associated with temporary housing do not include travel or commuting costs between Contra Costa County and BARNES' home. Payments under this section shall cease at the end of four (4) months after the lease or housing agreement is signed, as long as the lease or housing agreement is executed within 90 days of Effective Date, even if the total amount paid to Employee is less than the total authorized amount of \$8,800. All expenses sought to be reimbursed under this Section must be documented and submitted to ECCTA's Chief Financial Officer for approval as qualifying expenses, which shall not unreasonably be denied.

- F. Lump Sum Relocation Allowance. BARNES shall be provided with a one-time, lump sum relocation allowance not to exceed \$15,000, subject to all applicable taxes, as reimbursement for costs actually incurred for moving the BARNES household goods and one (1) automobile from Garden Grove, CA to Contra Costa County. This payment will be included in BARNES first payroll check after submittal of the BARNES' request for reimbursement, provided that documentation of the relocation expenses has been submitted to ECCTA's Chief Financial Officer for approval as a qualifying expense consistent with this Agreement. BARNES is solely responsible for the arrangement of logistics and expenses. This payment also includes costs associated with travel and lodging for BARNES immediate family for purpose of looking for a home in Contra Costa County, and any other travel costs incurred by BARNES in looking for a home or relocating. All expenses must be documented and submitted to ECCTA's Chief Financial Officer for approval as qualifying expenses for this relocation allowance to be paid.
- G. Events requiring Lump Sum and Temporary Housing allowance reimbursement by BARNES. If BARNES voluntarily resigns or is terminated for reasons other than layoff, disability separation, or other good cause as determined by the Board of Directors in its sole reasonable discretion, within one year of the Effective Date, BARNES shall reimburse ECCTA for a pro rata share of both the lump sum relocation allowance and temporary housing allowance based on the number of months employed as a fraction of twelve.

Section 13 – At Will Termination.

ECCTA may terminate this Agreement without cause, after mutual agreement, on not less than forty-five (45) days written notice to BARNES.

Section 14 – Termination for Cause.

ECCTA may terminate this Agreement any time with at least thirty (30) days' notice if BARNES commits any material breach of this Agreement, any material act of dishonesty, discloses confidential information, is guilty of gross carelessness or misconduct, or unjustifiably neglects his duties under this Agreement or acts in any way that has a direct, substantial and adverse effect on ECCTA's reputation.

Section 15 – Termination Upon Retirement.

This Agreement will be terminated by BARNES' voluntary retirement upon six (6) months' prior written notice of the retirement to be given by BARNES to ECCTA.

Section 16 – Termination Upon Disability.

If BARNES is permanently disabled or otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of six successive weeks beyond any accrued PTO, ECCTA shall have the option to terminate this Agreement.

Section 17 – Termination Upon Merger Caused by MTC.

If the governing structure of ECCTA materially changes and such changes are caused by any funding, governance decision, mandates, requirements and/or regulations ("Merger Activity") made by Metropolitan Transportation Commission ("MTC") which result in BARNES no longer being employed as the Chief Executive Officer of ECCTA, BARNES may exercise an option to terminate this Agreement. To exercise such option, BARNES shall notify the ECCTA Board of Directors in writing within thirty (30) days of being notified of the loss of his job as Chief Executive Officer of ECCTA.

Section 18 – Resignation.

BARNES may terminate this Agreement by giving ECCTA two (2) months' prior written notice of resignation.

Section 19 – Suspension.

ECCTA may suspend BARNES with full pay and benefits at any time during the term of this Agreement.

Section 20 – Severance Pay.

- A. If ECCTA terminates this Agreement pursuant to the provisions of Sections 13 or 17, the effective date of termination for calculating the unexpired term of the contract shall be the date of the notice required by the aforementioned provisions, extended by eight (8) months plus one month for each year of BARNES' employment with ECCTA not to exceed twelve (12) months.
- B. If ECCTA terminates this agreement pursuant to the provisions of sections 13 or 17, ECCTA shall provide a minimum severance payment in the amount of BARNES' current salary multiplied by the number of months on his unexpired contract. This severance shall be paid in monthly payments in accordance with ECCTA's payroll schedule unless otherwise agreed by ECCTA and BARNES.
- C. If ECCTA terminates this agreement pursuant to the provisions of sections 13 or 17, ECCTA shall also compensate BARNES for all accrued and unused PTO and administrative leave up to the limit applicable to non-bargaining unit ECCTA employees, and any other benefits, if any, that a non-bargaining unit ECCTA employee would be entitled to upon termination. ECCTA shall provide medical and dental insurance, life insurance benefits and retirement benefits then in effect for the number of months that severance accrued by BARNES, not to exceed twelve (12) months, or until BARNES finds other employment, whichever occurs first.
- D. If BARNES exercises his options under Section 17, the unexpired term shall be deemed to be 18 months, and BARNES shall only be entitled to a lump sum payment of his monthly salary multiplied by eighteen (18) months.
- E. All payments made under this section shall be subject to applicable payroll taxes and withholdings. Such severance pay and benefits shall not be due and payable if BARNES is terminated for cause pursuant to Section 14, retires pursuant to Section 15, or resigns pursuant to Section 18 of this Agreement; however BARNES shall be entitled to payment of final wages and all accrued and unused PTO and administrative leave up to the limit applicable to non-bargaining unit ECCTA employees, and any other benefits, if any, that a non-bargaining unit ECCTA employee would be entitled to upon termination

Section 21 – Reassignment.

If BARNES gives notice of this Agreement under Section 17 or 18, or it becomes known that this Agreement shall otherwise terminate in accordance with its provisions, ECCTA may, in its sole discretion and subject to other obligations under this Agreement, relieve BARNES of his duties under this Agreement and assign BARNES other reasonable duties and responsibilities to be performed until the termination becomes effective. There shall be no changes in BARNES' compensation as a result of such reassignment.

Section 22 - Confidentiality.

During the course of employment or at any other time, BARNES agrees not to disclose, communicate, use to the detriment of ECCTA or for the benefit of any other person (including BARNES) or misuse in any way any confidential information or data concerning ECCTA. BARNES

acknowledges and agrees that all such confidential information received by BARNES will be received in confidence and as a fiduciary of ECCTA.

Section 23 - Abuse of Office.

If ECCTA provides (i) paid leave salary to BARNES pending an investigation, (ii) funds for the legal criminal defense of BARNES, or (iii) severance pay to BARNES in accordance with section 20 hereof, then in the event BARNES is convicted of a crime involving an abuse of his office or position as defined in California Government Code Section 53243.4, all such sums paid by ECCTA to BARNES or for BARNES' benefit shall be fully reimbursed to ECCTA by BARNES.

Section 24 – Integration.

This Agreement contains the entire agreement between ECCTA and BARNES and supersedes all prior oral and written agreements, understandings, commitments and practices between parties whether or not fully performed by BARNES before the date of the Agreement. No Amendments to this Agreement can be made except in writing signed by both parties.

Section 25 – Governing Law.

The formation, construction and performance of this Agreement shall be construed in accordance with the laws of the State of California.

Section 26 – Notices.

Any notice to ECCTA required or permitted under this Agreement shall be given in writing to ECCTA, either by personal service or by Registered or Certified mail, postage prepaid, addressed to:

Eastern Contra Costa Transit Authority
801 Wilbur Avenue
Antioch, CA 94509
ATTN.: Chair, Board of Directors

Any such notice to BARNES shall be given in a like manner, and if mailed, shall be addressed to BARNES at his home address shown in ECCTA's files. For the purposes of compliance with any time limit in the Agreement, a notice shall be deemed to have been duly given (a) on the date of service, if served personally on the party to whom notice is to be given, or (b) on the third business day after mailing, if mailed to the party to whom the notice is to be given in the manner provided in this section.

Section 27 – Severability.

If any provision in this Agreement is held invalid or unenforceable, the remainder of the Agreement shall nevertheless remain in full force and effect. If any provision is held invalid or unenforceable with regard to particular circumstances, it shall nevertheless remain in full force in all other circumstances.

Section 28 – Effect of Waiver.

The failure of either party to insist on strict compliance of any of the terms and conditions of this Agreement by the other party shall not be deemed a waiver of that term or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right and power for all or any other times.

Executed by the parties as of _____, 2022.

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Date

Anissa Williams, Chair
Board of Directors

Date

Rashidi J. BARNES

APPROVED AS TO LEGAL FORM AND CONTENT:

Eli Flushman, ECCTA General Counsel