



# Board of Directors Meeting Agenda

## Wednesday, February 28, 2024

**Meeting Time:**  
4:00 pm

**Location:**  
Eastern Contra Costa Transit Authority Boardroom  
801 Wilbur Avenue, Antioch



### BOARD OF DIRECTORS:

#### CITY OF ANTIOCH

Lamar Hernandez-Thorpe, Chair  
Monica Wilson

#### CITY OF BRENTWOOD

Joel Bryant  
Tony Oerlemans

#### CITY OF OAKLEY

Shannon Shaw  
Anissa Williams

#### CITY OF PITTSBURG

Dionne Adams  
Shanelle Scales-Preston

#### CONTRA COSTA COUNTY

Diane Burgis  
Federal Glover, Vice-Chair

#### MEMBER-AT-LARGE

Merl Craft

**Board of Directors Meeting Agenda**  
**Wednesday February 28, 2024**  
Available Online: <https://trideltatransit.com/board.aspx>

1. **CALL TO ORDER** Chair Lamar Hernandez-Thorpe
  - 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 the last page of this agenda.

4. **CHAIR'S REPORT** Chair Lamar Hernandez-Thorpe

5. **CONSENT CALENDAR (ACTION ITEM):**

(see attachment: tab #1)

- a. Minutes of the Board of Directors meeting of January 24, 2024
- b. Financial Report
- c. Marketing and Customer Service Activities Report  
**Requested Action:** Approve items 5a, 5b, and 5c

6. **CEO'S REPORT** Rashidi Barnes

7. **ACTION ITEMS and DISCUSSION ITEMS**

- a. **ACTION ITEM:** Drug and Alcohol Program Revision  
*(see attachment: tab #2)*

**Requested Action:** Adopt Resolution #240228A, authorizing the changes to ECCTA's Drug and Alcohol Program as a result of the December FTA Drug and Alcohol Program audit.

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**b. ACTION ITEM: Vehicle Disposal**

*(see attachment: tab #3)*

**Requested Action:** Adopt Resolution #240228B authorizing the disposal of eight 2009 40-foot Gillig buses using a two-pronged approach. JPA members will have the first opportunity to bid on the vehicles for \$5 each until March 19, 2024. The remaining vehicles will be sold at a public auction following March 19, 2024.

**c. ACTION ITEM: 2024 Summer Youth Pass Program**

*(see attachment: tab #4)*

**Requested Action:** Authorize staff to enter into an agreement with 511 Contra Costa enabling Tri Delta Transit to market and sell the \$60 unlimited-ride 2024 summer youth pass to passengers ages 5-17 for \$30 each.

**d. ACTION ITEM: Regional Measure 3 Allocation Requests**

*(see attachment: tab #5)*

**Requested Action:** Adopt Resolution #240228D authorizing the CEO to submit two allocation requests to MTC for RM 3 funds.

**e. ACTION ITEM Comprehensive Operational Analysis**

*(see attachment: tab #6)*

**Requested Action:** Adopt Resolution #240228E authorizing the CEO to enter into a contract for a comprehensive operational analysis with Nelson/Nygaard in the amount not to exceed \$397,000.

**8. BOARD OF DIRECTOR'S 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: March 27, 2024, at 4:00 p.m., 801 Wilbur Avenue, Antioch, CA 94509.

**Board of Directors Meeting Agenda**  
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**PUBLIC COMMENT GUIDELINES:**

- Public comments can be submitted via e-mail to [CEO@trideltatransit.org](mailto: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.
- Persons requesting to address the ECCTA Board of Directors in person 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 (ADA) 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 February 28, 2024

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

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

MINUTES

January 24, 2024

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

**ROLL CALL / CALL TO ORDER**

BOARD MEMBERS

PRESENT: Dionne Adams (Pittsburg); Joel Bryant (Brentwood); Merl Craft (Member-at-Large); Federal Glover (Contra Costa County); Tony Oerlemans (Brentwood); Kevin Romick (Contra Costa County); Shanelle Scales-Preston (Pittsburg)\*; Shannon Shaw (Oakley); Anissa Williams (Oakley); Lamar Thorpe (Antioch/Chair)

\*arrived after roll

ABSENT: Monica Wilson (Antioch)

STAFF PRESENT: Rashidi Barnes, Chief Executive Officer (CEO)  
Toan Tran, Chief Operating Officer (COO)  
Eli Flushman, General Counsel  
Agustin Diaz, Chief Financial Officer (CFO)  
Rosanna Dominguez, Executive Assistant  
Joe Chappelle, Manager of Administrative Services  
Tania Babcock, Compliance Manger  
Leeann Lorono, Manager of Customer Service and Marketing  
DeAnna Perry, Manager of Accessible Services  
Sam Tolley, Director of Maintenance

OTHERS

PRESENT: Myeisha Williams, TransDev Assistant General Manager  
Lori Sprinkle, TransDev Office Manager  
Debra Steidle, Paratransit Coordinator  
Vincent Manuel, Supervisor Glover's Office  
Nena Manuel, Supervisor Glover's Office  
Donna Jeanne Gohen, Member of the Public

**PLEDGE OF ALLEGIANCE**

Chair Thorpe led the Pledge of Allegiance.

**PUBLIC COMMENT**

No public comment

## **CHAIR'S REPORT**

Chair Thorpe gave comment on the US Conference of Mayors that he attended for the first time. The majority of his focus was on infrastructure and transportation.

## **CONSENT CALENDAR**

On motion by Director Williams, seconded by Director Glover, ECCTA Board members adopted the Consent Calendar below, which was carried by the following vote:

- A. Minutes of the Board of Directors meeting of December 13, 2023
- B. Financial Report
- C. Marketing and Customer Service Activities Report

AYES: Adams, Bryant, Craft, Glover, Oerlemans, Romick, Scales-Preston, Shaw, Williams, Thorpe  
NOES: None  
ABSTAIN: None  
ABSENT: Wilson

## **CHIEF EXECUTIVE OFFICER'S REPORT**

### A. Operations Report

Chief Executive Officer Rashidi Barnes reported on SB397, although this bill was pulled it would require a consolidation of bay area transit agencies. Together the east Contra Costa County public transit agencies will be looking to hire a lobbyist to advocate against legislation that may require consolidation or not properly represent the best interests of our local small transit operators.

Mr. Barnes highlighted that a regional measure is being considered and approval has been given from Senator Weiner to carry the bill to the 2026 ballot. Mr. Barnes reviewed the research being done and platforms where conversations around this regional measure have occurred.

Mr. Barnes gave an update on the Clipper Start program, starting in January 2024 the discount for the program will increase to 50%. He encouraged all directors to promote this discount program.

Mr. Barnes reported on the APTA 2024 conferences available to board members for this upcoming year.

Mr. Barnes gave a reminder about the Form 700 filing that every board member should have been given.

Chief Operating Officer Toan Tran reported on the mid-fiscal year 2024 service performance update. This report is based on the following metrics, safety, courtesy, reliability, ridership/productivity, and cost effectiveness. Comparisons were given from FY19, FY23 and FY24. Next steps to improve these metrics will be to work with Transdev on safety and productivity as well as the completion of the comprehensive operational analysis.

## **ACTION ITEM AND DISCUSSION ITEMS**

### A. Title VI Program

Compliance Manager Tania Babcock presented ECCTA's Title VI program, requirements, and the communication that is done of this program to the public. A language analysis was performed, and Vietnamese was added as a new language group. Ms. Babcock informed the board of how language options are available for the public both in buses as well as in the administrative office. To meet our service standards we will be using the comprehensive operation analysis to improve and meet the on-time performance requirements.

On motion by Director Glover, seconded by Director Craft, ECCTA Board members adopted resolution #240124A approving ECCTA's 2024-2026 Title VI Program and authorizing staff to submit the program to the FTA, which was carried by the following vote:

AYES: Adams, Bryant, Craft, Glover, Oerlemans, Romick, Scales-Preston, Shaw, Williams, Thorpe  
NOES: None  
ABSTAIN: None  
ABSENT: Wilson

### B. Independent Auditors Report

Chief Financial Officer Agustin Diaz reported that each year ECCTA is required to have an external financial auditor performance. Ashley Green of Brown Armstrong Accountancy Corporation presented the full audit report and findings. Two recommendations for this current year involve Information Technology, and Capitalization Policy. This audit was a clean audit, with no modifications and any recommendations have been implemented.

On motion by Director Adams, seconded by Director Glover, resolution #240124B accepting the Independent Auditor's Report for the year ended June 30, 2023, which was carried by the following vote:

AYES: Adams, Bryant, Craft, Glover, Oerlemans, Romick, Scales-Preston, Shaw, Williams, Thorpe  
NOES: None  
ABSTAIN: None  
ABSENT: Wilson

## **BOARD OF DIRECTORS COMMENT**

The following Board of Directors commented:

Director Oerlemans

Director Shaw

Director Craft

Director Bryant

Director Williams  
Director Scales-Preston  
Chair Thorpe

**ADJOURNMENT**

The meeting of the Eastern Contra Costa Transit Authority adjourned at 4:51 p.m. until February 28, 2024, at 4:00 p.m. in the ECCTA Administrative Facility, 801 Wilbur Ave Antioch, California.

Respectfully submitted,

Rosanna Dominguez

Executive Assistant

**TRI DELTA TRANSIT**  
**Income Statement - Comparison to Annual Budget**

As of January 31, 2024  
*(unaudited)*

	YTD Actual			YTD Budget			YTD Variance <i>(favorable/(unfavorable))</i>			FY24 Full Year Budget				YTD % of Fiscal Year Budget		
	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	
<b>OPERATING REVENUES</b>																
Passenger Fares	\$ 1,003,152	\$ 693,119	\$ 310,033	\$ 1,054,839	\$ 573,516	\$ 481,323	\$ (51,687)	\$ 119,603	\$ (171,290)	\$ 1,813,298	\$ 984,639	\$ 828,659	55%	70%	37%	
Other Revenue	\$ 349,455	\$ 110,833	\$ 238,622	\$ 293,912	\$ 110,831	\$ 183,081	\$ 55,543	\$ 2	\$ 55,541	\$ 490,741	\$ 190,000	\$ 300,741	71%	58%	79%	
Other Income	\$ 1,352,607	\$ 803,952	\$ 548,655	\$ 1,348,751	\$ 684,347	\$ 664,404	\$ 3,856	\$ 119,605	\$ (115,749)	\$ 2,304,039	\$ 1,174,639	\$ 1,129,400	59%	68%	49%	
<b>Total Operating Revenues:</b>	\$ 1,712,109	\$ -	\$ 1,712,109	\$ 998,729	\$ -	\$ 998,729	\$ 713,380	\$ -	\$ 713,380	\$ 1,712,109	\$ -	\$ 1,712,109	100%		100%	
<b>NON-OPERATING REVENUES</b>																
Federal Funds	\$ 11,074,961	\$ 9,319,264	\$ 1,755,697	\$ 15,291,035	\$ 12,189,435	\$ 3,101,600	\$ (4,216,074)	\$ (2,870,171)	\$ (1,345,903)	\$ 25,968,665	\$ 20,589,362	\$ 5,379,303	43%	45%	33%	
State Funds	\$ 1,337,429	\$ 502,962	\$ 834,467	\$ 1,607,249	\$ 697,431	\$ 909,818	\$ (269,820)	\$ (194,469)	\$ (75,351)	\$ 2,755,287	\$ 1,195,596	\$ 1,559,691	49%	42%	54%	
Local Funds	\$ -	\$ -	\$ -	\$ 1,477,049	\$ 1,477,049	\$ -	\$ (1,477,049)	\$ (1,477,049)	\$ -	\$ 2,532,085	\$ 2,532,085	\$ -	n/a		n/a	
Inter-Operator Agreements	\$ 71,481	\$ 14,279	\$ 57,202	\$ 34,996	\$ 29,165	\$ 5,831	\$ 36,485	\$ (14,886)	\$ 51,371	\$ 60,000	\$ 50,000	\$ 10,000	119%	29%	572%	
Interest & Other Misc Income	\$ 14,195,980	\$ 9,836,505	\$ 4,359,475	\$ 19,409,058	\$ 14,393,080	\$ 5,015,978	\$ (5,213,078)	\$ (4,556,575)	\$ (656,503)	\$ 33,028,146	\$ 24,367,043	\$ 8,661,103	43%	40%	50%	
<b>Total Non-operating Revenues:</b>	\$ 15,548,587	\$ 10,640,457	\$ 4,908,130	\$ 20,757,809	\$ 15,077,427	\$ 5,680,382	\$ (5,209,222)	\$ (4,436,970)	\$ (772,252)	\$ 35,332,185	\$ 25,541,682	\$ 9,790,503				
<b>Total Revenues:</b>	\$ 12,037,801	\$ 7,742,611	\$ 4,295,190	\$ 12,022,692	\$ 7,783,376	\$ 4,239,316	\$ (15,109)	\$ 40,765	\$ (55,874)	\$ 20,459,235	\$ 13,145,945	\$ 7,313,290	59%	59%	59%	
<b>OPERATING EXPENSES</b>																
Purchased Transportation	\$ 2,750,176	\$ 2,180,224	\$ 569,952	\$ 3,160,545	\$ 2,584,245	\$ 606,300	\$ 410,369	\$ 374,021	\$ 36,348	\$ 5,338,844	\$ 4,296,981	\$ 1,041,863	52%	51%	55%	
Materials and Supplies	\$ 3,278,514	\$ 2,836,584	\$ 441,930	\$ 3,725,361	\$ 3,278,324	\$ 447,037	\$ 446,847	\$ 441,740	\$ 5,107	\$ 6,386,332	\$ 5,619,980	\$ 766,352	51%	50%	58%	
Salaries & Benefits	\$ 848,452	\$ 616,298	\$ 232,154	\$ 700,491	\$ 512,567	\$ 187,924	\$ (147,961)	\$ (103,731)	\$ (44,230)	\$ 1,230,818	\$ 899,350	\$ 331,468	69%	69%	70%	
Services	\$ 234,065	\$ 191,915	\$ 42,150	\$ 293,241	\$ 253,829	\$ 39,412	\$ 59,176	\$ 61,914	\$ (2,738)	\$ 459,753	\$ 396,145	\$ 63,608	51%	48%	66%	
Other	\$ 806,972	\$ 664,617	\$ 142,355	\$ 673,743	\$ 540,806	\$ 132,937	\$ (133,229)	\$ (123,811)	\$ (9,418)	\$ 1,154,991	\$ 927,097	\$ 227,894	70%	72%	62%	
Casualty and liability insurance	\$ 185,471	\$ 154,953	\$ 30,518	\$ 166,666	\$ 142,624	\$ 24,042	\$ (18,805)	\$ (12,329)	\$ (6,476)	\$ 282,334	\$ 240,787	\$ 41,547	66%	64%	73%	
Utilities	\$ 15,542	\$ 11,633	\$ 3,909	\$ 15,070	\$ 11,656	\$ 3,414	\$ (472)	\$ 23	\$ (495)	\$ 19,878	\$ 15,397	\$ 4,481	78%	76%	87%	
Taxes	\$ 20,156,993	\$ 14,398,835	\$ 5,758,158	\$ 20,757,809	\$ 15,077,427	\$ 5,680,382	\$ 600,816	\$ 678,592	\$ (77,776)	\$ 35,332,185	\$ 25,541,682	\$ 9,790,503	57%	56%	59%	
<b>Total Operating Expenses:</b>	\$ (4,608,406)	\$ (3,758,378)	\$ (850,028)	\$ -	\$ 0	\$ -	\$ 4,608,406	\$ 3,758,378	\$ 850,028	\$ -	\$ 0	\$ -				
<b>EXCESS REV/(EXP)</b>																

Agenda Item #5b  
Eastern Contra Costa Transit Authority  
Board of Directors Meeting  
February 28, 2024

# Staff Report to ECCTA Board of Directors

**Meeting Date:** February 28, 2024

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

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

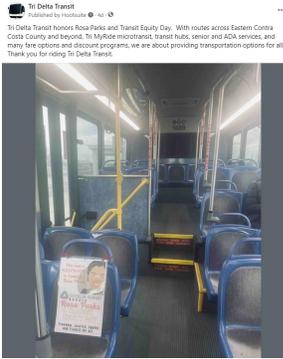
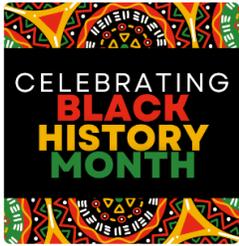
**Approved:** Rashidi Barnes, Chief Executive Officer

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. Here are some projects Marketing has been working on.

 <p><b>HAVEN'T HEARD ABOUT CLIPPER START? FIND OUT ABOUT IT TODAY!!!!</b></p> <p><b>Need help paying for transit?</b> As of January 1, 2024 Tri Delta Transit is increasing the Clipper Start discount to <b>50% off</b> so is BART &amp; ALL Bay Area Transit!</p> <p><b>¿Necesita ayuda para pagar el transporte público?</b> A partir del 1 de Enero del 2024 Tri Delta Transit aumenta el descuento de Clipper START al <b>50%</b> Así como también los autobuses, ferry y trenes del Área de la Bahía!</p> <p>See if you qualify <b>CLIPPER START</b> &gt;&gt;&gt; clipperstartcard.com</p> <p>See if you qualify <b>CLIPPER START</b> &gt;&gt;&gt; clipperstartcard.com</p> <p><small>*Where Clipper START is accepted</small></p> <p><small>*Donde se acepta Clipper START</small></p> <p><small>If information is needed in another language, please call 1-925-754-4040. Si necesita información en español, llame al 1-925-754-4040. 如需需要其他語言的信息，請電 1-925-754-4040. 如需其他語言的信息，請電 1-925-754-4040. 如需其他語言的信息，請電 1-925-754-4040.</small></p>	<h2>February Marketing Campaign</h2> <p>With Clipper START reporting a rising number of enrollees in this important program, Marketing is continuing to promote Clipper START in the Monthly Grapevine ad campaign.</p> <p>Clipper START has provided bus tail graphics that we hope to have up soon on some fixed-route buses.</p>
 <p><b>IN OBSERVANCE OF PRESIDENTS DAY</b></p> <p><b>MONDAY, FEBRUARY 19TH</b></p> <p>TRI DELTA TRANSIT WILL BE OPERATING WEEKEND/HOLIDAY SERVICE</p> <p>Routes 380, 381, 388, 389, 391 and 395 will operate. Paratransit and Tri MyRide services will be limited.</p> <p>★ The administrative office will be closed. ★</p> <p>Tri Delta Transit is proud to operate in the Bay Area in eastern Contra Costa County. With so many public transportation options, it's a great place to be. Thank you for riding Tri Delta Transit, which supports the communities we serve.</p> 	<h2>February Notifications to the Public</h2> <ol style="list-style-type: none"> <li>1. Presidents' Day holiday service on Monday, February 19<sup>th</sup></li> <li>2. Go 49ers! Showing our pride for our Bay Area team. All fixed route buses had a special head sign message. Hoping for the best outcome!</li> </ol>

*Agenda Item #5c  
Eastern Contra Costa Transit Authority  
Board of Directors Meeting  
February 28, 2024*

**Tri Delta Transit** @TriDelt... • Just now  
 Since many of the amazing accomplishments in history are well known, we wanted to celebrate our own. Tri Delta Transit is honored to have incredible top executives and board members who shared with us their inspiration and life lessons.



**TRI DELTA TRANSIT**  
 honors *Rosa Parks*  
 & **TRANSIT EQUITY DAY**  
 Observed **FEBRUARY 5th**

**FREEDOM, JUSTICE,  
 EQUITY & TRANSIT  
 FOR ALL.**

*The first seat on board route,  
 The city's role  
 and para-transit buses  
 will be  
 RESERVED  
 in honor of Rosa Parks*



**Tri Delta Transit**  
 Just now

Happy Lunar New Year from Tri Delta Transit!  
 The celebration of spring and the beginning of a new year on the lunisolar calendar is very special and significant holiday. We wish all who are celebrating that your wishes come true and that the new year brings you abundance and prosperity.

Learn about the history and cultures here:  
<https://www.history.com/topics/holidays/chinese-new-year>



## Notable Recognition

The following are recognized in history in February. Tri Delta Transit honors and celebrates each one.

- Rosa Parks' Birthday
- Transit Equity Day
- Black History Month
- Lunar New Year

**Tri Delta Transit**  
 Published by Hootsuite • February 2 at 2:31 PM •

Tri Delta Transit is proud to be providing transportation to the City of Antioch, CA Government's Unhoused Resident Services Resource Fair at the Nick Rodriguez Community Center until 4:30 pm today. Mayor Lamar A. Thorpe was present to lend a hand and talk to the community and service providers present. Personnel and transportation investing in our community. Thank you to all who work so hard to provide these critical services.



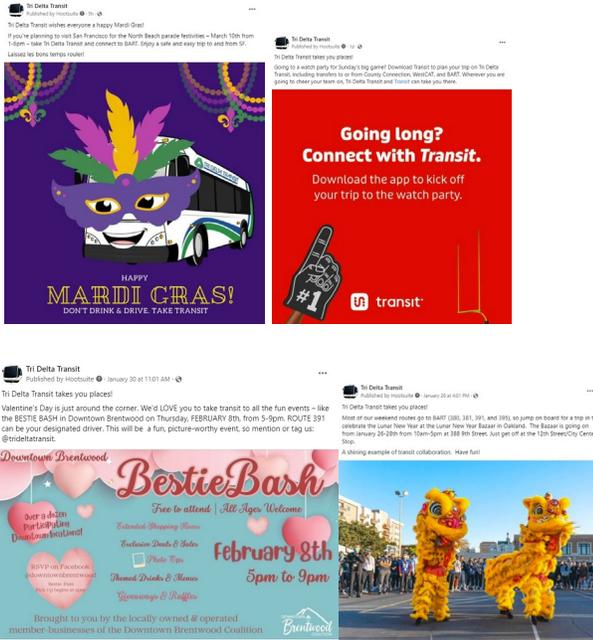
## Providing Critical Services

Tri Delta Transit was asked by the City of Antioch to provide much needed transportation services from three Antioch locations to the Unhoused Resident Services Resource Fair at the Nick Rodriguez Community Center.

We were happy to provide the service to the fair, which over 50 people attended on a very cold day.

Congratulations and thank you to the City of Antioch for hosting the fair and making this critical and important outreach available to this community.

## Ongoing Projects:



## Transit Takes You Places

Riders were encouraged to take public transportation to get to and from events safely. Tri Delta Transit takes you to most major points of interest in eastern Contra Costa County like these:

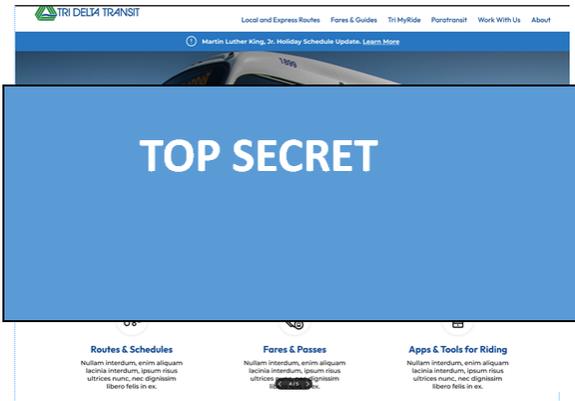
- Game watch parties
- Marti Gras celebrations
- Black History Month events
- Lunar New Year celebrations
- Valentine's celebrations

If you have an event that a Tri Delta Transit route goes near or to, send it to [comments@eccta.org](mailto:comments@eccta.org), and we will let riders know.

## Website Reimagined

The website redesign is moving along. The “look/style” of the website has been decided upon and page building has begun. Marketing is busy moving all the current pages and graphics over to the builder program so that they can be migrated when the page development is complete.

We can't wait to show you!



*Agenda Item #5c  
Eastern Contra Costa Transit Authority  
Board of Directors Meeting  
February 28, 2024*

## SOCIAL MEDIA ANALYTICS

Following please find a brief summary of metrics for the Tri Delta Transit social media accounts.

MAIN ACCOUNTS	MONTHS			
Followers	SEPTEMBER 2023	OCTOBER 2023	DECEMBER 2023	JANUARY 2024
Facebook	1.3k	1.3k	1.3k	1.3k
Instagram	985	987	989	988
X (Twitter)	1,032	1,038	1,042	1,047
LinkedIn	406	414	504	

ALERT ACCOUNTS	MONTHS			
Followers	SEPTEMBER 2023	OCTOBER 2023	DECEMBER 2023	JANUARY 2024
Facebook	40	42	46	49
Instagram	79	79	80	78
X (Twitter)	12	13	15	15

\*Instagram back

X (TWITTER)	MONTHS			
	SEPTEMBER 2023	OCTOBER 2023	DECEMBER 2023	JANUARY 2024
Impressions	10.9k	4,464	4,528	3,675
Engagement*	2 new followers	7 new followers	Not shown	*
Retweets*	N/A	9	12	*
Likes - New*	N/A	31	15	*

- X is reportedly working on their analytics page.

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  
February 28, 2024*

# **TAB 2**

Agenda Item #7a

ACTION ITEM: Drug and Alcohol Program Revision

## **Board of Directors Meeting**

Wednesday February 28, 2024

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

## Staff Report to ECCTA Board of Directors

**Meeting Date:** February 28, 2024  
**Agenda Item:** Drug and Alcohol Program Revision – Agenda Item #7a  
**Lead Staff:** Joe Chappelle, Manager of Administrative Services  
**Approved:** Rashidi Barnes, Chief Executive Officer 

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### Background

The Federal Transit Administration (FTA) regularly audits the drug and alcohol programs of their grantees to ensure that the programs are compliant with Department of Transportation and FTA regulations (49 CFR part 40 and 49 CFR part 655, respectively). Due to a backlog, the last FTA audit of ECCTA's Drug and Alcohol Program was in 2008.

### Discussion

At the start of October last year, ECCTA was notified that the FTA would be performing a one-day, on-site audit of its Drug and Alcohol Program. The audit took place on December 4, 2023. The findings were minor, dealing with slight adjustments to the language of the Drug and Alcohol Program to ensure the Program remained in compliance with DOT and FTA regulations. A copy of the Program was included in your packet.

### Financial Impact

None.

### Requested Action

Approve Resolution 240228A, authorizing the changes to ECCTA's Drug and Alcohol Program as a result of the December 2023 FTA Drug and Alcohol Program audit.



# TRI DELTA TRANSIT

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

## **RESOLUTION #240228A** **Drug and Alcohol Program Revisions**

**Resolution #240228A authorizes the changes to ECCTA’s Drug and Alcohol Program.**

**WHEREAS**, the Federal Transit Administration (FTA) regularly audits the drug and alcohol programs of its grantees; and

**WHEREAS**, ECCTA’s most recent audit was on December 4, 2023; and

**WHEREAS**, the audit findings consisted of language changes to ECCTA’s Drug and Alcohol Program;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #240228A authorizing the changes to ECCTA’s Drug and Alcohol Program to ensure continued compliance with Department of Transportation and FTA drug and alcohol regulations, 49 CFR parts 40 and 655.

**PASSED AND ADOPTED THIS** 28<sup>th</sup> day of February 2024, by the following votes:

### **EASTERN CONTRA COSTA TRANSIT AUTHORITY**

\_\_\_\_\_  
Lamar Hernandez-Thorpe, Chair

\_\_\_\_\_  
Rashidi Barnes, Chief Executive Officer

**AYES:** \_\_\_\_\_

**NOES:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**ABSTENTIONS:** \_\_\_\_\_

# EASTERN CONTRA COSTA TRANSIT AUTHORITY

## DRUG AND ALCOHOL ABUSE POLICY

This policy sets forth the ECCTA policy on alcohol and drug abuse including the drug and alcohol testing programs. The policy is based on the requirements set forth in the FTA regulations 49 CFR Part 655 and 49 CFR Part 40.

NOTE: Requirements and/or disciplinary actions established by ECCTA are entered in **bold-faced type** in this section only and are not meant to convey any additional significance. All other text contained in this section are requirements and/or actions mandated by the FTA.

The ECCTA Board of Directors has approved this policy on February 23, 2000 and subsequent amendments/revisions are noted in Attachment F of the Drug/Alcohol Abuse Policy.

### A Zero Tolerance Policy

ECCTA supports a policy of a drug-free workforce. To implement the policy, ECCTA has instituted a program of drug abuse education for employees, drug and alcohol testing for all Maintenance Department employees and applicants for employment, a statement of prohibited behavior(s), corrective action related to positive tests or a refusal to test, and resources for employee assistance and rehabilitation.

ECCTA requires contractors repairing, rebuilding, or overhauling an ECCTA vehicle, service agents and the collection site to comply with DOT 49 CFR Part 40; 49 CFR Part 655 drug and alcohol regulations. The Drug and Alcohol Program Manager will audit contractors, service agents and the collection site annually.

The ECCTA Drug and Alcohol Program Manager is the Manager of Administrative Services and can be contacted by calling 925-323-2308.

ECCTA recognizes that if employees use illegal drugs and/or misuse alcohol, it poses a significant risk to public safety, as well as to the employee's health and well being. Drug use includes marijuana, amphetamines, opioids, phencyclidine and cocaine as well as any substance which causes the presence of these drugs or drug metabolites such as hemp-related products, coca leaves or any substance not approved for medical use by the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. ECCTA cooperates fully with local, state, and federal authorities in matters pertaining to the use, possession, or sale of controlled substances by anyone on ECCTA premises.

### PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect ECCTA employees, customers, and the public from the safety and health risks posed by the misuse of alcohol and use of prohibited drugs. This policy is intended to comply with all applicable federal, state and local legislation and regulations governing workplace anti-drug use and alcohol misuse. They include DOT 49 CFR Part 40; 49 CFR Part 655. This policy incorporates the requirements of these regulations for safety-sensitive employees.

Reporting to work in an impaired or unfit condition because of the use or consumption of controlled substances or alcohol is strictly prohibited. Any employee who uses, possesses, or is involved in the sale or purchase of any prohibited drugs, while on ECCTA premises, conducting

ECCTA business, or operating ECCTA equipment is considered to be in violation of ECCTA policy.

If any conflict occurs between state and local laws and any requirement of the above-mentioned Federal regulations, the Federal regulations prevail. However, Federal regulations do not preempt provisions of State criminal laws that impose sanctions for reckless conduct attributed to prohibited drug use or alcohol misuse, whether the provisions apply specifically to transportation employees, employers, or the public in general.

## **EDUCATION AND TRAINING**

The education and ongoing awareness component of this policy will include display of posters, distribution to all employees and representatives of employee organizations of the drug and alcohol policy and other informational materials, and periodic information seminars. Each employee will be required to sign an acknowledgment form.

As required by FTA regulations, ECCTA will provide a minimum of 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environments, and on the signs and symptoms that may indicate prohibited drug use.

All supervisory personnel or ECCTA officials who are in a position to determine employee fitness for duty will receive an initial 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. Periodic retraining will also be required of supervisory personnel.

## **COVERED EMPLOYEES**

As a condition of employment, safety-sensitive employees are required to submit to drug and alcohol testing as allowed by law. Those safety-sensitive positions (refer to Attachment A) shall be tested in accordance with 49 CFR Part 655. All Maintenance Department positions are considered safety-sensitive positions (refer to Attachment A for an explanation as to why). A refusal to submit to a test as directed will be considered a refusal **and the Maintenance Department employee will be subject to immediate termination.**

As defined by the FTA, safety-sensitive employees include those who perform, or may be called upon to perform, the following safety-sensitive functions:

1. Operating a revenue service vehicle, even when the vehicle is not in revenue service;
2. Operating a non-revenue service vehicle when required to be operated by a CDL holder;
3. Controlling dispatch or movement of a revenue service vehicle;
4. Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service; and
5. Carrying a firearm for security purposes.

All Maintenance Department employees meet either function number 1 or function number 4 and are thus considered safety-sensitive.

## **PRESCRIPTION OR OVER-THE-COUNTER MEDICATION**

Please note there are risks associated with the use of certain Rx/OTC medications. The use of Rx/OTC medications is not prohibited.

MROs will not verify a drug test as negative based upon information that a physician recommended that the employee use “medical marijuana.” Marijuana remains a drug listed in Schedule I of the Controlled Substances Act. It remains unacceptable for any safety-sensitive employee subject to drug testing under the DOT’s drug testing regulations to use marijuana.

CBD use is not a legitimate medical explanation for a laboratory-confirmed marijuana positive result. Therefore, MROs will verify a drug test confirmed at the appropriate cutoffs as positive, even if an employee claims they only used a CBD product. Such a result will be considered a positive test for marijuana.

**When taking an Rx/OTC medication, safety-sensitive employees have the following responsibilities:**

- **To notify their medical provider or licensed pharmacist of the safety-sensitive nature of their job duties.**
- **To discuss the potential side effects of any Rx/OTC drugs with the prescribing physician, including any adverse impact on the safe performance of safety-sensitive job duties. The employee is encouraged to consider and or discuss with the physician alternative treatments that do not have performance altering side effects and that do not compromise the quality or effectiveness of treatment.**
- **In the event that any side effects are experienced from the use of an Rx/OTC medication, which have the potential to affect the performance of safety-sensitive job duties, the employee MUST inform their supervisor immediately.**
- **The employee is required to provide to their supervisor an Rx/OTC Reporting form (Attachment B) for each medication taken. It must be signed by the prescribing physician if the report includes Rx medications.**

**However, before beginning a work shift, all ECCTA employees must report to their supervisor the use of substances that may potentially impair performance or increase the probability of accident, injury, or damage to property. It is the employee’s responsibility to advise their supervisor about Rx/OTC medications taken. It is also the employee’s responsibility to obtain and provide documentation to the employee’s supervisor from a certified medical professional confirming the employee’s fitness to safely perform their job responsibilities.**

**A verified positive drug test result whether for illegal substances, illegal use of prescriptions, or misuse of prescriptions will result in immediate termination. A prescription is considered valid only if it is in writing and indicates the employee’s name, date, the name of the substance, quantity or amount to be taken, and the period of authorization. It is a violation of this policy to use any controlled substance in a manner that is inconsistent with the prescription.**

## **TYPES OF TESTING**

### Pre-Employment Testing

An applicant will be required to take a pre-employment drug test within five days after receiving an initial offer of employment. A verified negative drug test result must be received before any applicant receives a final offer of employment. A pre-employment drug test must also be performed and a negative result received for an employee who

transfers from a non-safety sensitive position to a safety-sensitive position prior to the employee assuming their new position.

If the applicant previously worked for any DOT-covered employer in the past two years, ECCTA also will conduct a pre-employment drug and alcohol background check from the previous employers. ECCTA will also inquire in writing if the applicant has previously failed or refused a DOT pre-employment drug and/or alcohol test. If there was any previous violation, the Maintenance Department employee must provide ECCTA proof of having successfully completed a SAP-recommended referral, evaluation and treatment plan. See Attachment C.

If a pre-employment test is canceled by the MRO, the individual will be required to undergo another test and successfully pass the test with a verified negative result before performing safety-sensitive duties. If an applicant tests positive for drug(s) or alcohol or refuses to submit to a test when required, ECCTA shall advise the individual of the resources available for evaluating and resolving problems associated with prohibited drug use and alcohol misuse and document such referral. They shall be given the name, address and phone number of a local SAP.

When a covered employee or applicant has not performed a safety sensitive function or an employee's employment status has changed (temporary layoff, leave of absence, lost time Worker's Compensation claim, etc.) for 90 or more consecutive calendar days regardless of the reason, and the employee has not been in the employer's random selection pool during that time, ECCTA shall ensure that the employee takes a pre-employment drug test with a verified negative result prior to resuming safety-sensitive functions.

In cases of temporary leave less than 90 days (such as vacation, sick leave, jury duty, etc.) when the employee has not been taken out of the random pool, a DOT pre-employment test is not required prior to returning to a safety sensitive position.

*Note: The Return-to-Duty testing category should not be used under these testing circumstances. The pre-employment category is to be used.*

#### Reasonable Suspicion Testing

ECCTA shall conduct a drug and/or alcohol test when ECCTA has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse.

- ECCTA's determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. A supervisor or other ECCTA official(s) who is trained in detecting the signs and symptoms of drug use and alcohol misuse must make the required observations.
- Alcohol testing is authorized under this section only if the observations required by the above paragraph of this section are made during, just preceding, or just after the period of the workday that the covered employee is required to be in compliance with this part. ECCTA may direct a covered employee to undergo reasonable suspicion testing for alcohol only while the employee is performing

safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions.

- If an alcohol test required by this section is not administered within two hours following the determination under this section, ECCTA shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered, if an alcohol test required by this section is not administered within eight hours following the determination of this section, ECCTA shall cease attempts to administer an alcohol test and state in the record the reasons for not administering the test.
- All safety-sensitive ECCTA employees are subject to reasonable suspicion testing for drugs and/or alcohol. Whenever a trained supervisor or other ECCTA official has reason to believe that a safety-sensitive employee has misused alcohol or a prohibited drug, reasonable suspicion testing will be conducted. The identifying supervisor's observations will be documented and such documentation shall be kept in the employee's confidential drug and alcohol testing file. **Employees directed to submit to reasonable suspicion testing shall be escorted and driven by a supervisor to the collection site. The employee shall not be permitted to return to duty until a negative test has been confirmed. A safety-sensitive employee who produces a negative result shall be promptly returned to their regular work and be made whole for any lost wages.**
- ECCTA will only direct a covered employee to undergo reasonable suspicion alcohol testing while the employee is performing, is just about to perform, or has just ceased performing safety-sensitive functions.

For all reasonable suspicion tests, ECCTA uses a Reasonable Suspicion Decision Maker form (Attachment D), to make a decision to test or not to test.

### Post-Accident Testing

Any safety-sensitive employee operating an ECCTA owned vehicle involved in an accident shall be required to submit to drug and alcohol test(s) as soon as practicable after the accident.

FTA required thresholds for post-accident testing:

- Fatality. In the event of a fatality, any surviving covered employee operating a mass transit vehicle at the time of an accident will be required to submit to tests for alcohol and prohibited drugs as soon as practicable. ECCTA also will test any other employees whose performance could have contributed to the accident, as determined by ECCTA using the best information available at the time of the decision.
- Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident.
- One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle(s) to be transported away from the scene by a tow truck or other motor vehicle.

In the event of a non-fatal accident that otherwise meets the FTA required post-accident testing threshold, the decision to administer or not administer a post-accident test shall be based on ECCTA's determination of whether or not the covered employee was a contributing factor to the accident, using the best information available at the time of the accident. ECCTA also will test any other employee whose performance could have contributed to the accident, as determined by ECCTA using the best information available at the time of the decision.

ECCTA uses the Post Accident Substance Abuse Testing Decision Maker form (Attachment E) to make a decision to test or not to test and to document the file.

Covered employees are prohibited from using alcohol for eight hours following any accident or until the required post-accident test is administered, whichever comes first. Every effort will be made to conduct post-accident drug and alcohol tests within two hours following an accident. Covered employees involved in accidents must remain readily available for testing, including notifying ECCTA of their location if they leave the scene of the accident before testing, and will be considered to have refused to submit to testing if they fail to do so.

This requirement will not require the delay of necessary medical attention for injured people following an accident or prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or obtain necessary emergency medical care.

In the event an alcohol test is not administered within two hours following an accident, ECCTA will prepare and maintain a record stating the reasons why the test was not promptly administered. If an alcohol test is not administered within eight hours within eight hours following an accident, ECCTA will make no further effort to administer an alcohol test and document the reasons why the test was not administered within eight hours. In the event a drug test is not administered within 32 hours following an accident, ECCTA will cease its attempts to administer any further testing.

**ECCTA's policy is such that following a post-accident test: the Maintenance Department employee is not allowed to perform any safety-sensitive function until ECCTA has received negative results. So long as they are not subject to any disciplinary action related to the accident, any employee whose drug test and/or alcohol test produces a negative result shall be promptly returned to their regular work and be made whole for any lost wages, unless the employee is suspended for any additional purposes concurrent with the waiting of the test results.**

#### Random Drug and Alcohol Testing

ECCTA will conduct random drug and alcohol tests at a minimum annual percentage of covered employees as required by the FTA. The random testing rates are subject to change on an annual basis, depending on the industry-wide positive rate determined by the FTA from the annual Management Information System reports submitted by ECCTA. ECCTA does not have discretion and/or influence concerning the selection process.

The random selection process will be completely objective and anonymous and will use a scientifically valid method such as a random number table or a computer based random number generator matched with the employee's social security numbers, payroll identification numbers, or other comparable identifying numbers. This method ensures each safety-sensitive employee the same fair and equal chance of selection for testing. Safety-sensitive employees may be randomly tested for prohibited drug use anytime while on duty. The testing will be unannounced and unpredictable.

ECCTA will ensure that testing will be reasonably spread throughout the course of the year, all days of the week and hours of the day when safety-sensitive duties are being performed.

Random lists are only valid for the quarter indicated on the list and expire on the last day of each quarter. No safety-sensitive employee can be tested after the random selections period has expired.

Therefore, ECCTA must make every effort to test all safety-sensitive employees selected during the quarter in which they are selected. If a safety-sensitive employee is unavailable for testing due to an approved leave (i.e. vacation, leave of absence, illness), ECCTA must test that employee when they return as long as it is within the random selection period. All safety-sensitive employees selected for random testing are required to be tested during the random selection period. For missed tests, a legitimate reason must be documented and kept on file with the random selection list.

Employees are required to immediately proceed to the designated collection site testing facility following notification of selection.

Safety-sensitive employees will only be required to submit to random alcohol tests if they are performing a safety-sensitive function, about to perform a safety-sensitive function, or have just ceased performing a safety-sensitive function.

Failure to submit to a test, failure to comply with the instructions of the testing facility staff or leaving the facility prior to the completion of the test shall be treated as a "refusal-to-test", which is treated as a failed test.

**Failure to submit to or complete the test as outlined above will subject the safety-sensitive employee to immediate suspension and disciplinary action up to and including termination.**

Refusal to Submit/Test

Any covered employee who refuses to submit to an alcohol and/or drug test will be prohibited from performing or continuing to perform a safety-sensitive function and be subject to discipline. “Refusal to Submit” to an alcohol and/or drug test is a violation of ECCTA’s policy and carries the same consequences as a positive test result. “Refusal to Submit” includes the following:

- Failure to appear for any test (except a pre-employment) at the collection site in the time allotted.
- Failure to remain at the test site until the testing process is completed, except in pre-employment situations where leaving before the testing process begins is not deemed to be a test refusal.
- Failure to provide a specimen collection when it is required by DOT Part 40.
- Failure to permit the observation or monitoring or specimen collection when it is required.
- Failure to provide a sufficient amount of specimen without a valid medical explanation.
- Failure to cooperate with any part of the testing process (e.g. refusing to empty pockets when so directed by the collector or behaving in a confrontational way that disrupts the collection process).
- For an observed collection, failure to follow the observer’s instructions to raise clothing above the waist, lower clothing and underpants, and to turn around to permit observer to determine if individual is wearing any type of prosthetic device that could be used to interfere with the collection process.
- Failure or refusal to take a second test that ECCTA, the MRO, or the collector has directed the safety-sensitive employee to take.
- Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process.
- Admitting adulteration or substitution of the specimen to the collector or the MRO.
- Failure to sign the certification at Step 2 of the Alcohol Testing Form.
- If the MRO reports a verified adulterated or substituted test result.
- Failure to undergo a medical evaluation, by the MRO or DER for drug and alcohol testing.
- Leaving the scene of the accident without just cause prior to submitting to post-accident test.

## **DRUG AND ALCOHOL TESTING PROCEDURES**

ECCTA will conduct all DOT drug and alcohol testing in accordance with 49 CFR Part 40, as amended. To test for prohibited drugs, an initial screening test using an immunoassay technique will be performed at a DHHS-certified laboratory.

If the specimen is positive for one or more of the drugs tested, a confirmation test will be performed. If the test is confirmed positive, the MRO will conduct a verification process, which includes giving the safety-sensitive employee an opportunity to provide a valid medical explanation for the positive test result.

ECCTA will require the safety-sensitive employee to immediately provide another specimen collection under direct observation if the creatinine concentration of a negative-dilute specimen was greater than or equal to 2mg/dL but less than or equal to 5mg/dL. If the result of the second test is again negative-dilute, ECCTA will accept the result as negative.

If the laboratory reports to the MRO an “Invalid Result” or “Rejected for Testing” (because of a fatal or uncorrectable flaw), a recollection may be required by the MRO, and depending on the circumstances, the recollection may be directly observed. Urine is collected at a collection site and is sent to a DHHS certified laboratory for testing. The safety-sensitive employee must produce at least 45 mL of urine, or is considered a “shy bladder”. If the safety-sensitive employee cannot produce the required quantity of urine (“shy bladder”), the collection site will offer the safety-sensitive employee the opportunity to consume 40oz. of water within a three hour time frame in order to produce the required 45 mL of urine. The safety-sensitive employee may not exit the premises of the testing facility during this time. If the safety-sensitive employee leaves the testing facility, the test will be considered a refusal subjecting the employee to **immediate termination.**

In the event of a “shy bladder,” the safety-sensitive employee must undergo a medical evaluation. ECCTA will refer the safety-sensitive employee to a physician acceptable to the MRO and the safety-sensitive employee will be required to provide evidence of a medical condition hindering the production of urine. The safety-sensitive employee has five days to get a medical evaluation once a shy bladder occurs. **If the medical evaluation proves that there is a valid medical condition, the safety-sensitive employee shall be reimbursed and returned to duty with full pay or placed back into the recruiting process.**

To test for alcohol, the safety-sensitive employee shall be required to provide a breath sample using an EBT device on the National Highway Traffic Safety Administration conforming products list and operated by a trained BAT.

If the initial test result is 0.02 or higher, the safety-sensitive employee will be directed to take a confirmation test. In the event of a “shy lung”, where the safety-sensitive employee is unable to provide a sufficient breath sample for testing, ECCTA will refer the safety-sensitive employee to a physician of our choice for medical examination within five days to determine if there is a valid medical condition that makes it unable for the safety-sensitive employee to provide a sufficient amount of breath.

If the physician finds:

- That a medical condition has, or with a high degree of probability could have, precluded the employee from providing a sufficient amount of breath, then the test is cancelled.  
Each time a safety-sensitive employee of ECCTA is selected for testing, they must make

a valid attempt to provide a breath sample. All previous testing scenarios do not apply and any previous letters that have been kept on file regarding a medical condition are no longer valid.

- That there is not an adequate basis for determining that a medical condition has, or with a high degree of probability could have precluded the safety-sensitive employee from providing a sufficient amount of breath, then the safety-sensitive employee will be considered to have refused the test.

If there is a dilute test result, unless the creatinine concentration of a negative-dilute specimen was greater than or equal to 2mg/dL but less than or equal to 5mg/dL, ECCTA will accept the test result and there will be no re-test.

Consumption of these substances is prohibited at all times:

- Marijuana
- Cocaine
- Opioids
- Amphetamines
- Phencyclidine

ECCTA will test for alcohol in the following circumstances:

- Post accident
- Reasonable suspicion
- Random

The following uses of alcohol are prohibited under this policy:

- **Reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater.**
- Reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
- Using alcohol while performing safety-sensitive functions.
- Using alcohol within four hours prior to performing a safety-sensitive function.
- Maintenance Department employees are prohibited from using alcohol during their specified on-call hours. However, any on-call Maintenance Department employee who has used alcohol during their on call hours will be given the opportunity to acknowledge such use and/or their inability to perform a safety-sensitive function at the time they are called to report to duty.

If an on-call Maintenance Department employee acknowledges the use of alcohol, but claims to be able to perform their safety-sensitive function, they will be required to submit to an alcohol test.

- Eight hours following an accident or until after the test is completed.

Under DOTs 49 CFR Part 40, directly observed collections are permissible only under one of the following circumstances:

- Creatinine between 2mg/dL but less than or equal to 5 mg/dL as verified by the MRO

- If the temperature on the original specimen was out of range
- If the collector observes employee conduct that clearly indicates an attempt to tamper with a specimen
- If the original specimen appeared to have been tampered with
- If the laboratory reported to the MRO that a specimen is invalid and there was no adequate medical explanation for the result
- If the MRO reported that the original positive, adulterated, or substituted test result had to be canceled because the split specimen testing could not be performed
- The test is a follow-up test or a return to duty test

The observer shall be the same gender as the safety-sensitive employee, but need not be the collector. The observer is responsible for ensuring that the specimen goes from the safety-sensitive employee's body into the collection container. If the safety-sensitive employee declines to allow a directly observed collection when required or permitted under this policy, it is considered a refusal to test.

After notification by the MRO of a verified positive drug test or refusal to test because of adulteration or substitution, the safety-sensitive employee has 72 hours to request a test of the split specimen.

If more than 72 hours have passed, but the safety-sensitive employee can present information that demonstrates to the satisfaction of the MRO that extenuating circumstances unavoidably prevented the safety-sensitive employee from making a timely request, the split specimen may be tested. **The safety-sensitive employee will be suspended without pay or removed from the hiring process until the result of the split sample test is received from the MRO. Should the result of the second test be positive, the safety-sensitive employee shall be required to reimburse ECCTA for the cost of the second test.**

**Applicants are directly responsible for the cost of split sample testing under this provision, if they choose to exercise it. The safety-sensitive employee shall be returned to duty with full pay if the second test invalidates the original test or if the test was canceled.**

## CONSEQUENCES/DISCIPLINE

In addition to the immediate removal from safety-sensitive functions required by FTA regulations, ECCTA will take the following disciplinary action against any individual who violates this policy:

- An individual who tests positive on a pre-employment or pre-duty test for a prohibited drug will not be hired for a covered function position. A referral to a SAP will be provided.
- Any covered employee who has a verified positive drug or confirmed alcohol test result with an alcohol concentration of 0.04 or greater, or who refuses to submit to a drug or alcohol test under this part, will be removed immediately from his or her safety-sensitive function and be evaluated by a SAP. **The consequence of verified positive drug or confirmed alcohol test is immediate termination under ECCTA's policy.**
- Under DOT/FTA regulations, if a safety-sensitive employee's alcohol test result is 0.02 or above, but less than 0.04, the employee will be immediately removed from safety-sensitive functions until eight hours have passed, or until the start of their next work shift,

whichever is latest. **However, under ECCTA's policy, the consequence of a confirmed alcohol test result of 0.02 or greater is immediate termination.**

## **REFERRAL, EVALUATION AND TREATMENT**

If a safety-sensitive employee or applicant tests positive for drug(s) or alcohol or refuses to submit to a test when required, ECCTA shall refer the employee to a local SAP, advise the individual of the resources available for evaluating and resolving problems associated with prohibited drug use and alcohol misuse, and document such referral. They shall be given the name, address and phone number of a SAP that is acceptable to ECCTA and a list of community hotline numbers if available.

**An employee who voluntarily (not in response to an ECCTA request to take a drug or alcohol test, or the positive result of a drug or alcohol test) admits to management that they have a substance abuse or alcohol problem, and who wishes to voluntarily submit to a Rehabilitation Program, shall be placed on unpaid medical leave. The employee will be responsible for any and all cost associated with the treatment evaluation and recommendation(s), unless otherwise required by applicable federal or state law.**

**Any voluntary requests for treatment must be made prior to any pending drug/alcohol test or disciplinary related action.**

- **An appropriate leave of absence may be granted for treatment and rehabilitation.**
- **The employee may be permitted to take accrued PTO or administrative leave to participate in an EAP treatment program. If the employee has insufficient accrued leave, the employee shall be placed on leave without pay until the treatment professional has determined that the employee has successfully completed the required treatment program and releases them to return to safety-sensitive duties.**
- **Any leave taken, either paid or unpaid, shall be considered leave taken under the Family and Medical Leave Act.**
- **Payment for treatment will be coordinated through the employee's health insurance provider. Employees who do not have health insurance coverage are responsible for the entire cost of any recommended treatment or rehabilitation services.**
- **The employee must present evidence of having enrolled in and successfully completed, at their own expense, a rehabilitation program approved by ECCTA.**
- **The employee must sign ECCTA's Post-Rehabilitation Return to Work Agreement. (Attachment G)**

**An employee placed on unpaid leave as provided in this section must satisfy the provisions of the items above not later than 12 weeks from the commencement of this leave. An employee failing to do so shall be deemed to have abandoned their job. Any employee who is returned to work as provided in this section of the policy and who fails to comply with any of the terms of the Post-Rehabilitation Return to Work Agreement will be discharged. Employees will not be disciplined for requesting treatment, but will be expected to observe job performance standards and work rules as they apply to every employee. Any decision to seek help will not interfere with an employee's eligibility for promotional opportunities. Confidentially of information will be maintained at all times.**

# **TAB 3**

Agenda Item #7b

**ACTION ITEM: Vehicle Disposal**

## **Board of Directors Meeting**

**Wednesday February 28, 2024**

**ECCTA Boardroom**

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

## Staff Report to ECCTA Board of Directors

**Meeting Date:** February 28, 2024  
**Agenda Item:** Vehicle Disposal – Agenda Item #7b  
**Lead Staff:** Joe Chappelle, Manager of Administrative Services  
**Approved:** Rashidi Barnes, Chief Executive Officer 

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### Background

ECCTA has eight 40-foot buses that are fully depreciated and have met their useful life. Because these vehicles were federally funded, they have to be operated for a minimum of 12 years or 500,000 miles before they can be retired. These vehicles were deployed in 2008 and have an average odometer mileage of 508,000. Historically, auctions have been held to dispose of vehicles.

Below are some recent vehicle auction activities:

- October 31, 2018: Board approval was received for the disposal of five driver relief vehicles and miscellaneous equipment and supplies.
- January 30, 2019: Board approval was received to amend the October 31 resolution to allow JPA member's first choice of the vehicles to be disposed of for a price of \$5.
- March 27, 2019: Board approval was received to add two cutaway buses alongside the five driver relief vehicles.
- April 2019: the auction was held.
- December 11, 2019: Board approval was received for the disposal of six Medvans. JPA members were provided the opportunity to purchase any vehicle for \$5,000.
- March/April 2020: COVID-19 pandemic shutdown; disposal was postponed.
- October 28, 2020: Board approval was received to add four cutaways to the disposal. JPA members were given the opportunity to purchase any cutaway vehicle for \$5.
- May 2021: the auction was held.

ECCTA typically receives less than \$5,000 for each vehicle when going through an auction. As outlined above, JPA members have been provided the opportunity to purchase vehicles before they were put up for public auction. The City of Pittsburg has created a training center for their police department and has expressed interest in purchasing one of the buses planned for auction for their new training center. While

**Agenda Item #7b**  
*Eastern Contra Costa Transit Authority  
Board of Directors Meeting  
February 28, 2024*

ECCTA is supportive of this request, the request has required Board approval in the past and such an approval would extend to all JPA members, not just the City of Pittsburgh.

## Discussion

ECCTA would like to allow JPA members the opportunity to purchase the vehicle at \$5 each and request a response be provided by March 19, 2024. If a member purchases a vehicle, the following provisions will be required:

- All members will be given the opportunity to purchase one vehicle on a “first come” basis. After all members have been given the opportunity to opt-out, a member can buy as many of the vehicles as desired.
- Payment shall be made in the form of a cashier’s check made payable to ECCTA.
- The sale of each vehicle is on an “as-is” basis. The buyer is responsible for moving the vehicle(s) off ECCTA’s property within seven business days of purchase award.
- Purchaser(s) shall take all steps necessary in order to transfer title and registration.
- Purchaser(s) shall be responsible for paying any and all sales/uses taxes which may be required by the Department of Motor Vehicles.

The remaining vehicles will be sold at a public auction, following March 19, 2024, conducted by ECCTA following similar provisions as above. A description of the vehicles follow:

<b>Bus No.</b>	<b>Year</b>	<b>Make</b>	<b>Mileage</b>
0992	2009	Gillig	523,749
0993	2009	Gillig	528,702
0994	2009	Gillig	531,790
0995	2009	Gillig	565,642
0996	2009	Gillig	558,444
0997	2009	Gillig	535,846
0998	2009	Gillig	460,921
0999	2009	Gillig	366,132

## Financial Impact

Financial impact will depend on the outcome of the auction.

## Requested Action

Adopt Resolution #240228B authorizing the disposal of eight 2009 40-foot Gillig buses using a two-pronged approach. JPA members will have the first opportunity to bid on the vehicles for \$5 each until March 19, 2024. The remaining vehicles will be sold at a public auction following March 19, 2024.



# TRI DELTA TRANSIT

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

## **RESOLUTION #240228B** **AUCTION DISPOSAL OF EIGHT 2009 GILLIG BUSES**

**Resolution #240228B authorizing the disposal of eight 2009 40-foot Gillig buses using a two-pronged approach, first offering the buses to JPA members and selling the remaining at public auction.**

**WHEREAS**, ECCTA has eight 40-foot buses that are fully depreciated and have met the end of their useful life; and

**WHEREAS**, because these vehicles were federally funded, they have to be operated for a minimum of 12 years or 500,000 before they can be retired, these vehicles were deployed in 2008 and have an average odometer mileage of 508,000, and thus are ready for retirement; and

**WHEREAS**, historically auctions have been held to dispose of vehicles, ECCTA typically receives less than \$5,000 for each vehicle when going through an auction,

**WHEREAS**, in previous years ECCTA has offered retired buses to JPA members at a cost of \$5, and then selling the remaining retired buses at auction,

**WHEREAS**, staff recommends providing JPA members the opportunity to purchase a retired vehicle at \$ 5 each on a first come first serve basis, and after all JPA members have had the opportunity to purchase such retired busses, a JPA member may then purchase additional retired busses, and the remaining inventory of retired buses would then be sold at public auction;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #240228B authorizing the disposal of eight 2009 40-foot Gillig buses using a two-pronged approach, where JPA members will have until March 19, 2024 to bid on the vehicles for \$5 each with the remaining inventory being be sold at public auction following March 19, 2024. In conducting the two-pronged approach, the following procedures will apply:

- All members will be given the opportunity to purchase one vehicle on a “first come” basis. After all members have been given the opportunity to purchase a retired bus or opt out of such a purchase, a JPA member can buy any remaining retired vehicles.
- Payment from a JPA member for the purchase of a retired bus shall be made in the form of a cashier’s check made payable to ECCTA.



# TRI DELTA TRANSIT

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

- The sale of each retired vehicle is on an “as-is” basis. The buyer is responsible for moving the retired vehicle(s) off ECCTA’s property within seven business days of purchase award.
- Purchaser(s) shall take all steps necessary in order to transfer title and registration.
- Purchaser(s) shall be responsible for paying any and all sales/uses taxes which may be required by the Department of Motor Vehicles. The remaining vehicles will be sold at a public auction conducted by ECCTA following the procedures for public auction, including that purchases are on an “as-is” basis, purchaser(s) will be responsible for transferring title and registration, as well as paying all applicable taxes.

**PASSED AND ADOPTED THIS 28<sup>th</sup> day of February 2024, by the following votes:**

## **EASTERN CONTRA COSTA TRANSIT AUTHORITY**

\_\_\_\_\_  
Lamar Hernandez-Thorpe, Chair

\_\_\_\_\_  
Rashidi Barnes, Chief Executive Officer

**AYES:** \_\_\_\_\_  
**NOES:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_  
**ABSTENTIONS:** \_\_\_\_\_

# **TAB 4**

Agenda Item #7c

ACTION ITEM: 2024 Summer Youth Pass Program

## **Board of Directors Meeting**

Wednesday February 28, 2024

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

## Staff Report to ECCTA Board of Directors

**Meeting Date:** February 28, 2024  
**Agenda Item:** 2024 Summer Youth Pass Program – Agenda Item #7c  
**Lead Staff:** Leeann Lorono, Manager of Customer Service and Marketing  
**Approved:** Rashidi Barnes, Chief Executive Officer 

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### Background

The Summer Youth Pass program is a summer youth ride program in partnership with 511 Contra Costa. The program provides the general public the opportunity to purchase a discounted three-month unlimited ride pass for riding during June 1<sup>st</sup> – August 31<sup>st</sup>. For Tri Delta Transit, passes are good on fixed route and express buses, but not valid on paratransit or Tri MyRide. This year's pass is valid June 1, 2024 – August 31, 2024.

Below please find a brief outline of the program:

- 2008 through 2019: Unlimited-ride Tri Delta Transit summer youth passes were sold to passengers aged 5-17.
- 2014: Tri Delta Transit staff expanded the program with a goal to turn the summer youth pass into a county-wide program. While County Connection opted to not participate at that time, WestCAT agreed to join with Tri Delta Transit to offer an unlimited-ride summer youth pass to passengers 5-17 for \$50 in 2014, 2015, 2016, 2017, 2018, and 2019.
- In 2019: County Connection joined the program.
- In 2020 and 2021, the program was suspended due to the pandemic.
- 2022 saw the restart of the program with WestCAT and County Connection joining Tri Delta Transit to offer the pass for \$30.
- In 2023, Tri Delta Transit sold 131 passes, which was the highest amount sold by the participating agencies.

## **Discussion**

511 Contra Costa has again offered to partner with Tri Delta Transit, County Connection, and WestCAT to offer a summer youth ride pass. 511 Contra Costa will:

- Provide a \$30 subsidy for each pass sold among all three agencies up to a maximum of 800 passes total.
- Set up the online store. Agencies can also sell at their administrative office.
- Conduct outreach through schools, social media, and through the 511 Contra Costa website and e-newsletter.

Transit agencies will:

- Assist in marketing and promotions on social media, at events, and with fliers on fixed-route buses.
- Agencies will process applications and sell passes at administration until notified otherwise by 511 Contra Costa.

## **Financial Impact**

None.

## **Requested Action**

Authorize staff to enter into an agreement with 511 Contra Costa enabling Tri Delta Transit to market and sell the \$60 unlimited-ride 2024 summer youth pass to passengers ages 5-17 for \$30 each.

# **TAB 5**

Agenda Item #7d

ACTION ITEM: Regional Measure 3 Allocation Requests

## **Board of Directors Meeting**

Wednesday February 28, 2024

ECCTA Boardroom  
801 Wilbur Avenue, Antioch, CA 94509

## Staff Report to ECCTA Board of Directors

**Meeting Date:** February 28, 2024

**Agenda Item:** Regional Measure 3 Allocation Requests – Agenda Item #7d

**Lead Staff:** Toan Tran, Chief Operating Officer

**Approved:** Rashidi Barnes, Chief Executive Officer



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### Background

Regional Measure 3 (RM3) raised tolls on the Bay Area’s state-owned bridges starting in 2019. Following the dismissal of legal challenges in January 2023, the Metropolitan Transportation Commission (MTC) began allocating funds to eligible projects identified in the RM3 Expenditure Plan, which included \$20 million for transit improvements in Contra Costa County with project selection being delegated to the Contra Costa Transportation Authority (CCTA).

### Discussion

Staff is proposing to submit two allocation requests totaling \$6.7 million in RM3 funds for the construction of the hydrogen fueling station (\$3.5 million) and the purchase of twenty-five (25) 40-foot hydrogen fuel cell buses (\$3.2 million). The requested funds would provide a local match to a federal grant, and funds cannot be expended until MTC approval of the allocation request, which will be considered at the May Commission meeting and contingent upon approval by the Boards of both Tri Delta Transit and CCTA.

### Financial Impact

The total anticipated cost for the hydrogen fueling station is roughly \$10 million with \$3.5 million from RM 3 and the remaining from federal fund (\$4 million) and state fund (\$2.5 million). The total cost for 25 hydrogen fuel cell buses is approximately \$32.8 million with the bulk from federal fund (\$26.2 million) and the remaining from RM 3 (\$3.2 million) and TDA (\$3.4 million).

### Requested Action

Adopt Resolution #240228D authorizing the CEO to submit two allocation requests to MTC for RM 3 funds.

**Agenda Item #7d**  
*Eastern Contra Costa Transit Authority  
Board of Directors Meeting  
February 28, 2024*

## **Attachments**

Attachment 1 – Initial Project Report for Hydrogen Fueling Station

Attachment 2 – Initial Project Report for Bus Replacements



# TRI DELTA TRANSIT

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

## **RESOLUTION #240228D** **Regional Measure 3 Allocation Requests**

**Resolution #240228D authorizes the CEO to submit two allocation requests to MTC for RM3 funds.**

**WHEREAS**, MTC began allocating funds acquired through Regional Measure 3 in January 2023 to eligible projects identified in the RM3 Expenditure Plan which included \$20 million for Transit improvements in Contra Costa County with project selection being delegated to Contra Costa Transportation Authority; and

**WHEREAS**, ECCTA staff is proposing the submission of two allocation requests that total \$6.7 million in RM3 funds, construction of the hydrogen fueling station (\$3.5 mil) and the purchase of #25 40-foot hydrogen cell buses (\$3.2 mil); and

**WHEREAS**, the requested funds would provide a local match to a federal grant and funds cannot be expended until MTC approves the request;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #240228D authorizing the CEO to submit two allocation requests to MTC for RM 3 funds.

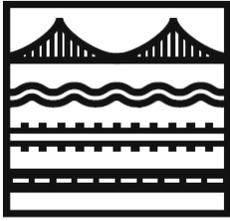
**PASSED AND ADOPTED THIS 28<sup>th</sup> day of February 2024**, by the following votes:

### **EASTERN CONTRA COSTA TRANSIT AUTHORITY**

\_\_\_\_\_  
Lamar Hernandez-Thorpe, Chair

\_\_\_\_\_  
Rashidi Barnes, Chief Executive Officer

**AYES:** \_\_\_\_\_  
**NOES:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_  
**ABSTENTIONS:** \_\_\_\_\_



# Regional Measure 3

## Initial Project Report

### *Project/Subproject Details*

#### Basic Project Information

Project Number	26
Project Title	North Bay Transit Improvements
RM3 Funding Amount	\$100,000,000

#### Subproject Information

Subproject Number	
Subproject Title	ECCTA Hydrogen Fueling Station
RM3 Funding Amount	\$3,500,000

#### I. Overall Subproject Information

##### a. Project Sponsor / Co-sponsor(s) / Implementing Agency

Eastern Contra Costa Transit Authority (Tri Delta Transit)

##### b. Detailed Project Description *(include definition of deliverable segment if different from overall project/subproject)*

Local match funds for the construction of a hydrogen fueling station that will have the capacity to fuel up to 35 hydrogen fuel cell buses.

##### c. Impediments to Project Completion

From past experience with other large capital project, one main potential impediment to the completion of the project could be a prolonged timeline by PG&E. In recent years completion of projects from bus electrification to the introduction of new substations has become problematic and extended the project time line. Since a hydrogen fueling station in Contra Costa County is a new concept, the involvement and permitting/approvals required by the County Fire Department may also impact the timeline.



## Regional Measure 3 Initial Project Report

- d. Risk Management** (*describe risk management process for project budget and schedule, levels of contingency and how they were determined, and risk assessment tools used*)

Our COO will lead the construction project with the help of our Facilities and Maintenance managers. Our CFO will also play a pivotal role in helping to manage the budget and track expenditures. Because ECCTA owns the land that the facility will be constructed on and has studied this project for 24 months, we believe that budgetary risks are low. However, as a byproduct of the pandemic, some technical heavy-duty components may have a longer than expected lead time.

- e. Operability** (*describe entities responsible for operating and maintaining project once completed/implemented*)

ECCTA purchased transportation contractor, Transdev, will operate the replacement vehicles and they will be maintained by ECCTA maintenance staff.

- f. Project Graphic(s)** (*include below or attach*)

N/A

## II. Project Phase Description and Status

- a. Environmental/Planning**

Does NEPA apply? Yes  No

NEPA does not apply because the construction of the hydrogen fueling station is located within the confines of ECCTA's existing maintenance facility

- b. Design**

Preliminary drawings have been attached to this IPR

- c. Right-of-Way Activities / Acquisition**

N/A

- d. Construction / Vehicle Acquisition / Operating**

Once entered into contract it should take 18 months for construction of the hydrogen fueling station. Per ECCTA's CARB approved Zero Emission Plan, 40-foot Hydrogen buses will begin to be purchased starting in 2026. ECCTA is in constant contact with the large bus manufactures and anticipate that the 40-foot hydrogen bus market will expanding in 2026 allowing for more competition and the reduction in vehicle cost. We anticipate the same for the production of hydrogen.



### III. Project Schedule

Phase-Milestone	Planned	
	Start Date	Completion Date
Environmental Studies, Preliminary Eng. (ENV / PE / PA&ED)		
Final Design - Plans, Specs. & Estimates (PS&E)		
Right-of-Way Activities /Acquisition (R/W)		
Construction (Begin – Open for Use) / Acquisition (CON)	8/1/2024	1/31/2026

### IV. Project Budget

#### Capital

Project Budget	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	
Design - Plans, Specifications and Estimates (PS&E)	
Right-of-Way Activities /Acquisition (R/W)	
Construction / Rolling Stock Acquisition (CON)	\$10,000
Total Project Budget (in thousands)	\$10,000

Deliverable Segment Budget (if different from Project budget)	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	
Design - Plans, Specifications and Estimates (PS&E)	
Right-of-Way Activities /Acquisition (R/W)	
Construction / Rolling Stock Acquisition (CON)	
Total Project Budget (in thousands)	



<b>Operating</b>	<b>Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)</b>
Annual Operating Budget	

## V. Project Funding

*Please provide a detailed funding plan in the Excel portion of the IPR. Use this section for additional detail or narrative as needed and to describe plans for any "To Be Determined" funding sources, including phase and year needed.*

## VI. Contact/Preparation Information

### **Contact for Project Sponsor**

Name:

Title:

Phone: 925-754-6622

Email:

Mailing Address: 801 Wilbur Avenue, Antioch, CA 94509

### **Person Preparing Initial Project Report (if different from above)**

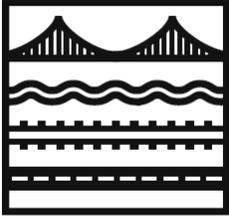
Name:

Title:

Phone:

Email:

Mailing Address:



# Regional Measure 3

## Initial Project Report

### *Project/Subproject Details*

#### Basic Project Information

Project Number	26
Project Title	North Bay Transit Improvements
RM3 Funding Amount	\$100,000,000

#### Subproject Information

Subproject Number	
Subproject Title	ECCTA Bus Replacement
RM3 Funding Amount	\$3,170,000

#### I. Overall Subproject Information

##### a. Project Sponsor / Co-sponsor(s) / Implementing Agency

Eastern Contra Costa Transit Authority (Tri Delta Transit)

##### b. Detailed Project Description *(include definition of deliverable segment if different from overall project/subproject)*

Local match funds for replacement of 25 40-ft diesel buses with hydrogen fuel cell electric buses.

##### c. Impediments to Project Completion

N/A

##### d. Risk Management *(describe risk management process for project budget and schedule, levels of contingency and how they were determined, and risk assessment tools used)*

N/A



## Regional Measure 3 Initial Project Report

- e. **Operability** (*describe entities responsible for operating and maintaining project once completed/implemented*)

ECCTA purchased transportation contractor, Transdev, will operate the replacement vehicles and they will be maintained by ECCTA maintenance staff

- f. **Project Graphic(s)** (*include below or attach*)

N/A

## II. Project Phase Description and Status

- a. **Environmental/Planning**

Does NEPA apply? Yes  No

N/A

- b. **Design**

N/A

- c. **Right-of-Way Activities / Acquisition**

N/A

- d. **Construction / Vehicle Acquisition / Operating**

Once entered into contract it should take 12 months for replacement vehicles to be delivered.

## III. Project Schedule

Phase-Milestone	Planned	
	Start Date	Completion Date
Environmental Studies, Preliminary Eng. (ENV / PE / PA&ED)		
Final Design - Plans, Specs. & Estimates (PS&E)		
Right-of-Way Activities /Acquisition (R/W)		
Construction (Begin – Open for Use) / Acquisition (CON)	9/1/2025	8/31/2026



## IV. Project Budget

### Capital

<b>Project Budget</b>	<b>Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)</b>
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	
Design - Plans, Specifications and Estimates (PS&E)	
Right-of-Way Activities /Acquisition (R/W)	
Construction / Rolling Stock Acquisition (CON)	\$32,800
<b>Total Project Budget (in thousands)</b>	<b>\$32,800</b>

<b>Deliverable Segment Budget</b> (if different from Project budget)	<b>Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)</b>
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	
Design - Plans, Specifications and Estimates (PS&E)	
Right-of-Way Activities /Acquisition (R/W)	
Construction / Rolling Stock Acquisition (CON)	
<b>Total Project Budget (in thousands)</b>	

<b>Operating</b>	<b>Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)</b>
Annual Operating Budget	

## V. Project Funding

*Please provide a detailed funding plan in the Excel portion of the IPR. Use this section for additional detail or narrative as needed and to describe plans for any "To Be Determined" funding sources, including phase and year needed.*



## VI. Contact/Preparation Information

### **Contact for Project Sponsor**

Name: Toan Tran

Title: Chief Operating Officer

Phone: 925-754-6622

Email: ttran@eccta.org

Mailing Address: Eastern Contra Costa Transit Authority  
801 Wilbur Avenue  
Antioch, CA 94509

### **Person Preparing Initial Project Report (if different from above)**

Name:

Title:

Phone:

Email:

Mailing Address:

# **TAB 6**

Agenda Item #7e

**ACTION ITEM: Comprehensive Operational Analysis**

## **Board of Directors Meeting**

**Wednesday February 28, 2024**

**ECCTA Boardroom**

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

## Staff Report to ECCTA Board of Directors

**Meeting Date:** February 28, 2024

**Agenda Item:** Comprehensive Operational Analysis – Agenda Item #7e

**Lead Staff:** Toan Tran, Chief Operating Officer

**Approved:** Rashidi Barnes, Chief Executive Officer



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### Background

Similar to many transit agencies around the county, Tri Delta Transit (TDT) reduced service shortly after the start of the pandemic in 2020. Numerous strategies and initiatives have been implemented to no avail. Service levels for fixed route and Tri MyRide are at an all-time high and yet ridership is only at 65 percent of pre-COVID. Additionally, productivity for the current year is 7.3 passengers per hour compared to 12.9 passengers per hour in 2019. It's clear that people's travel patterns have changed; so, a comprehensive operational analysis (COA) is needed to help re-design the system to better align what TDT supplies, in terms of mobility options, to the demand from our residents.

This scope of work of the COA covers all aspects of planning, scheduling, outreach, development, and implementation of a new redesigned public transportation mobility network in response to the ever-changing landscape and travel patterns in eastern Contra Costa County. The new system will also consider several local projects, including the creation of smart mobility hubs, deployment of autonomous vehicles, expansion of the Tri MyRide micro-transit service, introduction of a new Amtrak station in Oakley, and a future regional ferry service to Antioch or Pittsburg.

The consultant will be responsible for developing and assisting with the implementation of a new mobility network redesigned to allow for more efficient and effective movement of people in and out of eastern Contra Costa County. The new mobility network should harmonize with Contra Costa Transportation Authority's (CCTA) Integrated Transit Plan, the Countywide Transportation and Mobility Hub Plans as well as the Metropolitan Transportation Commission's various regional plans to capture current and future ridership in a region that has seen explosive growth over the

last three decades. The new mobility network will have a cohesive mix of fixed-route, micro-mobility, and shared services, like micro-transit, to meet the changing travel requirements of our riders.

## **Discussion**

A request for proposal was issued on November 22, 2023, with proposals due on January 8, 2024. The project would consist of eight tasks to be performed over the course of 12 to 18 months. These tasks include:

1. Project management
2. Existing conditions analysis
3. Outreach and engagement
4. Draft service alternatives
  - a. Board presentation
5. Service and fare equity analyses
6. Feedback on redesigned mobility network (phase 2 outreach)
7. Final Report
  - a. Board presentation
8. Final Outreach

ECCTA received three responsive proposals from:

- Transportation Management & Design (TMD)
- Nelson/Nygaard
- Innovate Mobility

An evaluation committee consisting of TDT staff, CCTA staff, and Contra Costa County staff was formed to evaluate and score the proposals. Based on the scores from the technical proposals, two proposers, Nelson/Nygaard and TMD, were invited to an in-person interview that was held on January 31.

Although both firms are more than qualified to conduct the COA, Nelson/Nygaard demonstrated proven results, particularly with similar projects in the Bay Area. For that and many other reasons, the evaluation committee determined that Nelson/Nygaard was the most qualified firm, offering the best quality for the best value possible.

## **Financial Impact**

This project is included in the FY 2023-24 approved budget with \$300,000 from TDA and \$100,000 from federal fund.

## **Requested Action**

Adopt Resolution #240228E authorizing the CEO to enter into a contract for a comprehensive operational analysis with Nelson/Nygaard in the amount not to exceed \$397,000.



# TRI DELTA TRANSIT

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

## **RESOLUTION #240228E** **Comprehensive Operational Analysis**

**Resolution #240228E authorizes the CEO to enter into a contract for a comprehensive operational analysis with Nelson/Nygaard in the amount not to exceed \$397,000.**

**WHEREAS**, a comprehensive operational analysis (COA) is needed to help re-design the system to better align what TDT supplies, in terms of mobility options, to the demand from our residents; and

**WHEREAS**, this scope of work of the COA covers all aspects of planning, scheduling, outreach, development, and implementation of a new redesigned public transportation mobility network in response to the ever-changing landscape and travel patterns of eastern Contra Costa County; and

**WHEREAS**, a request for proposal was issued on November 22, 2023, with proposals due January 8, 2024. Nelson Nygaard demonstrated proven results, particularly with similar projects in the Bay Area;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #240228E authorizing the CEO to enter into a contract for a comprehensive operational analysis with Nelson/Nygaard in the amount not to exceed \$397,000.

**PASSED AND ADOPTED THIS** 28<sup>th</sup> day of February 2024, by the following votes:

### **EASTERN CONTRA COSTA TRANSIT AUTHORITY**

\_\_\_\_\_  
Lamar Hernandez-Thorpe, Chair

\_\_\_\_\_  
Rashidi Barnes, Chief Executive Officer

**AYES:** \_\_\_\_\_

**NOES:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**ABSTENTIONS:** \_\_\_\_\_