



TRI DELTA TRANSIT

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

Board of Directors Meeting Agenda

Wednesday September 28, 2022

4:00pm

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Available online: www.trideltatransit.com

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

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

Click to join Zoom Meeting:

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

OR

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

- from a phone

Dial: 1 669 900 6833 US

Meeting ID: 994 2099 9810

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



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Please see the last page of this agenda for:

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

1. **Call to Order:** Chair Anissa Williams
 - a. Roll Call

2. **Pledge of Allegiance**

3. **Public Comment**

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

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

5. **Consent Calendar (ACTION ITEM):** Minutes, Financial Report, and Marketing Activities Report (*see attachment: tab #1*)
 - a. Minutes of the Board of Directors meeting of July 27, 2022
 - b. Financial Report
 - c. Marketing and Customer Service Activities Report

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

6. **CEO's Report:** Rashidi Barnes
 - a. **Operations Report** (*see attachment: tab #2*)

Board of Directors:

City of Antioch
Lamar Thorpe **
Monica Wilson

City of Brentwood
Joel Bryant
Barbara Guise

City of Oakley
Sue Higgins
Anissa Williams *

City of Pittsburg
Merl Craft
Shanelle Scales-Preston

Contra Costa County
Diane Burgis
Federal Glover

Member-at-Large
Ken Gray

* Chair: FY 2022-23

** Vice-chair: FY 2022-23

**Board of Directors Meeting Agenda
Wednesday September 28, 2022**

7. ACTION and DISCUSSION ITEMS

- a. **ACTION ITEM:** 2022 Amended and Restated Clipper MOU
(see attachment: tab #3)
Requested Action: Adopt Resolution #220928A authorizing ECCTA's CEO to sign the 2022 Amended and Restated Clipper Memorandum of Understanding.
- b. **ACTION ITEM:** Oakley Park & Ride Budget
(see attachment: tab #4)
Requested Action: Adopt Resolution #220928B authorizing an additional \$700,000 to be allocated to the Oakley Park & Ride lot project.
- c. **ACTION ITEM:** Stormwater Operations and Maintenance Agreement for Oakley Park & Ride Lot
(see attachment: tab #5)
Requested Action: Adopt Resolution #220928C authorizing ECCTA's CEO to sign the Covenant Running with the Land, Stormwater Management Facilities Operation and Maintenance Agreement, and Right of Entry with the City of Oakley.
- d. **ACTION ITEM:** Safety Plan
(see attachment: tab #6)
Requested Action: Adopt Resolution #220928D accepting ECCTA's 2022 Safety Plan.
- e. **ACTION ITEM:** Director-at-Large Appointment
(see attachment: tab #7)
Requested Action: Choose the desired action to fill the Director-at-Large position for the term January 1, 2023 through December 31, 2024.
- f. **ACTION ITEM:** Meeting Format
(see attachment: tab #8)
Requested Action: Opt to conduct all ECCTA Board of Directors meetings exclusively in-person beginning with the October 26th, 2022 board meeting.

8. Board of Directors Comments

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

9. Adjourn

Next Meeting: October 26, 2022 at 4:00pm, 801 Wilbur Avenue, Antioch, CA 94509.

Public Comment Guidelines:

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

Agenda, staff report, and document availability:

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

Americans with Disabilities Act Information:

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available in the ECCTA parking lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the CEO's Office at (925) 754-6622 or fax (925) 757-2530. Notification no fewer than 48 hours prior to the meeting will enable Tri Delta Transit to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II} Please help us accommodate individuals with EI-MSD and refrain from wearing scented products to this meeting. Please turn off any electronic paging device or cell phone.

Limited English Proficiency (LEP):

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

Anticipated action by the Board of Directors:

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

TAB 1

Agenda Item #5

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

Board of Directors Meeting

Wednesday September 28, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

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

MINUTES

July 27, 2022

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

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

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

ROLL CALL / CALL TO ORDER

BOARDMEMBERS

PRESENT: Joel Bryant (Brentwood); Diane Burgis* (Contra Costa County); Merl Craft (Pittsburg); Federal Glover (Contra Costa County); Ken Gray (Director-at Large); Barbara Guise (Brentwood); Sue Higgins (Oakley); Shanelle Scales-Preston (Pittsburg); Lamar Thorpe (Antioch/Vice Chair); Monica Wilson (Antioch); and Anissa Williams (Oakley/Chair)

*Arrived after Roll Call

ABSENT: None

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

OTHERS

PRESENT: Yvette McNeese, First Transit General Manager
Myeisha Williams, First Transit Assistant General Manager

Kurtis Johnson, First Transit Paratransit Coordinator
Lori Sprinkle, First Transit Office Manager
Michael Daugelli, Alternate
Rashidi Barnes
Vincent Manuel
Judy Barrientos
Jason

PLEDGE OF ALLEGIANCE

Chair Williams led the Pledge of Allegiance.

PUBLIC COMMENT

Michael Daugelli thanked Mayor Thorpe for touring Delta Learning Center. Mr. Daugelli volunteers at Delta Learning Center and uses Tri MyRide and paratransit. There is a bus stop in front of the center and across the street, and Mr. Daugelli encourages the use of public transit to the center.

CHAIR'S REPORT

Chair Williams shared that Tri Delta Transit is creating a 45th Anniversary Cookbook and encouraged Board members to participate by submitting a recipe for the cookbook.

CONSENT CALENDAR

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

- A. Minutes of the Board of Directors meeting of June 22, 2022
- B. Financial Report
- C. Marketing and Customer Service Activities Report

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

NOES: None

ABSTAIN: Craft

ABSENT: None

CHIEF EXECUTIVE OFFICER'S REPORT

A. Operations Report

Chief Executive Officer Jeanne Krieg reported that ridership continues to grow slowly. Ridership is expected to increase at a faster pace after return to full service on September 12th.

Ms. Krieg stated that in addition to the Summer Youth Pass, 511 Contra Costa is sponsoring the Pass2Class program that provides two free 20-ride passes for up to two students per household.

Ms. Krieg acknowledged that Special Projects Analyst Uriel Diaz and Service Worker Rohit Bhan were honored as the Safety Employees of the year.

As an update on projects, the painting of the front of the facility is complete and the new board room chairs arrived. We are waiting for PGandE to hook up power for the Oakley Park and Ride. A kick-off meeting was held for the hydrogen fueling station and consultants are reviewing the facility plans. We are waiting on PGandE for a transformer plan.

Ms. Krieg stated that hiring new drivers is a priority for return to full service. First Transit is still offering sign-on bonuses, free paid training is provided, and current employees can earn a referral bonus. 28 additional drivers are needed and there are 13 in the training process.

ACTION AND DISCUSSION ITEMS

A. Facility Parking Lot Resurfacing

Manager of Administrative Services Joe Chappelle discussed IFB 2022-04 for the resealing and resurfacing of ECCTA's front parking lot.

Director Craft asked if the vendor was a Contra Costa County vendor. Mr. Chappelle confirmed that Sunrise Grading & Paving was based out of Brentwood.

On motion by Director Glover, seconded by Director Thorpe, ECCTA Board members adopted Resolution 220727A authorizing the CEO to enter into a contract for the resealing and resurfacing of ECCTA's front parking lot with Sunrise Grading & Paving for an amount not to exceed \$29,975 which includes a 10% contingency, carried by the following Roll Call vote:

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

NOES: None
ABSTAIN: None
ABSENT: None

B. Facility Flooring

Manager of Administrative Services Joe Chappelle discussed IFB 2022-03 for the removal, disposal, and replacement of carpeting.

Director Guise asked why no other vendors bid. Ms. Krieg responded that vendors provided various reasons why they did not bid including not having time, not having workers and not being able to get materials.

On motion by Director Burgis, seconded by Director Bryant, ECCTA Board members adopted Resolution 220727B authorizing the CEO to enter into a contract for the removal, disposal, and replacement of carpeting in various ECCTA facility areas with Creative Floor Covering Sales and Supplies for an amount not to exceed \$139,549 which includes a 10% contingency, carried by the following Roll Call vote:

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

C. Interior Painting

Manager of Administrative Services Joe Chappelle discussed that ECCTA received \$175,000 from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) to use on things such as operations, personnel wages and salaries, and routine maintenance projects. One routine maintenance project would be to repaint several areas of the facility. IFB 2022-06 was for the interior painting of several areas inside ECCTA's main facility.

Director Craft asked if the vendor was a Contra Costa County vendor as she would like to keep moneys in the areas of service for Contra Costa County. Mr. Chappelle responded that the vendor's contact address was in Oakland.

Regarding Director Craft's question, Director Glover thanked Director Craft for asking the question and Director Burgis asked if that information could be included in the staff report in the future. Ms. Krieg responded that the information would be included.

On motion by Director Thorpe, seconded by Director Gray, ECCTA Board members adopted Resolution 220727C authorizing the CEO to enter into a contract for the interior painting of several areas inside ECCTA's main facility with Pro Group Painting for an amount not to exceed \$15,620 which includes a 10% contingency, carried by the following Roll Call vote:

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

D. Revised Budget

Chief Financial Officer Agustin Diaz discussed a necessary revision to the Fiscal Year 2022-2023 operating budget due to ongoing negotiations between the Metropolitan Transportation Commission, Bay Area Rapid Transit and four East Bay transit operators. ECCTA is only allowed to claim 50% of funds made available by the BART Feeder Bus program. ECCTA's revised operating budget is approximately one million less than the former approved operating budget.

ECCTA's revised, fully-funded FY2022-2023 operating budget is \$31,497,685.
ECCTA's fully-funded FY2022-2023 capital budget will remain the same at \$5,200,000.

The Board discussed various options for staff to proceed, including sending a joint letter from the East Bay transit operators to BART. Ms. Krieg responded that she would pursue various options and work with the operators.

On motion by Director Glover, seconded by Director Higgins, ECCTA Board members adopted Resolution 220727D approving the revised FY2022-2023 ECCTA operating and capital budget with the direction to proceed with the options discussed, carried by the following Roll Call vote:

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

E. Key Personnel Retirement

Chief Executive Officer Jeanne Krieg discussed that in late 2021, she announced her plan to retire in February 2023, after 32 years of service to Tri Delta Transit.

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

Ms. Krieg shared the following information:

- If the contract for the final candidate for the CEO contract is approved, the candidate will become ECCTA's CEO on September 7, 2022.
- The current organizational chart has one CEO and one COO. To allow for the desired transition period, two temporary positions must be added to the organization chart: CEO Transition Officer and COO Transition Officer.
- The CEO Transition Officer position will be held by current CEO Jeanne Krieg from September 7, 2022 through February 3, 2023. There will be no change to salary or benefits.
- The COO Transition Officer position will be held by current COO Steve Ponte. There will be no change to salary or benefits. The effective date will depend on when the new CEO hires a new COO. The end date will be February 3, 2023.
- ECCTA does not have a policy in place to recognize retiring employees. If the Board wished to recognize Mr. Ponte and/or Ms. Krieg, some options were presented for consideration. The approved FY 2022-2023 budget included enough funds for any of the options.

Director Thorpe and Director Glover recommended the Personnel Committee discuss the retirement recognition and present a recommendation to the full Board of Directors.

On motion by Director Thorpe, seconded by Director Glover, ECCTA Board members amended the motions:

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

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

Motion #1 and #2 were combined to "approve the proposed temporary organizational chart that will be effective 9/7/2022-2/3/2023" and the following words were added "along with direction for the Personnel Committee to come back to the Board with a recommendation for" a retirement recognition for Chief Operating Officer Steve Ponte and Chief Executive Officer Jeanne Krieg to be presented upon their retirements in

February 2023, carried by the following Roll Call vote:

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

F. Cancel August Meeting

Chief Executive Officer Jeanne Krieg discussed that the Board Chair has the authority to cancel or reschedule any Tri Delta Transit board meeting. As much notice as possible is given so Board members can plan accordingly.

Ms. Krieg stated there are no pressing agenda items for the August 24, 2022 meeting of the ECCTA Board of Directors.

On motion by Director Higgins, seconded by Director Gray, ECCTA Board members affirmed Chair Anissa Williams' cancellation of the August 24, 2022 meeting of the ECCTA Board of Directors, carried by the following Roll Call vote:

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

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

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

RECONVENE TO OPEN SESSION

After the closed session, the Board reconvened to open session to report actions taken during the closed session. General Counsel Eli Flushman reported the Board met in closed session for Item 9a to consider appointment of a candidate for Chief Executive Officer for Tri Delta Transit.

The Board voted 11 to 0 to appoint Rashidi Barnes as the next CEO of the Eastern Contra Costa Transit Authority.

9b. Employment Agreement for Chief Executive Officer, effective September 7, 2022

Chief Executive Officer Jeanne Krieg discussed the proposed employment agreement for the new Chief Executive Officer Rashidi Barnes, effective September 7, 2022.

On motion by Director Thorpe, seconded by Director Glover, ECCTA Board members approved the proposed employment agreement for Rashidi Barnes, effective September 7, 2022, carried by the following Roll Call vote:

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

BOARD OF DIRECTORS COMMENTS

Director Bryant announced that with the leadership and direction of Supervisor Burgis and partnership with Mayor Thorpe, the connection of the Sand Creek Road from Brentwood to Deer Valley Road was approved and financed. This will benefit our communities and make things safer, faster to medical help, and a quicker trip.

Director Guise stated it was a very sad meeting because Ms. Krieg is a great loss to the agency as she has been very important to Tri Delta Transit.

Director Gray acknowledged this would be Ms. Krieg's last meeting and thanked Ms. Krieg and Mr. Ponte for their service.

Director Glover shared that the agency had always been a clean run agency with the ability to deliver great service to the customer as well as take care of the fiduciary responsibility of the agency. He thanked Ms. Krieg and Mr. Ponte for their leadership and for their service.

Director Wilson shared she was excited to hear about the Sand Creek Road to Deer Valley Road opening and thanked Ms. Krieg and Mr. Ponte for the work that they do. She looked forward to continuing to work with them through February.

Director Craft shared it had been amazing working with Ms. Krieg and Mr. Ponte and thanked them for the outstanding job they do. They will be missed, but she looked forward to working with them through February. Director Craft added that Pittsburg had the Jazz, Blues and Funk Festival August 20 and 21. Ride Antioch BART and exit at the Pittsburg Station.

Director Burgis acknowledged Ms. Krieg's professionalism and kindness, that we have been

so lucky to have Ms. Krieg's leadership. Director Burgis also thanked Mr. Ponte for everything he had done. She shared it had been a wonderful personal experience and thanked both Ms. Krieg and Mr. Ponte.

Director Scales-Preston acknowledged Ms. Krieg's leadership and shared her appreciation for Ms. Krieg and Mr. Ponte. She thanked them both for their service and for everything they had done for the agency.

Chair Williams shared her appreciation for Ms. Krieg and Mr. Ponte and thanked them for sharing their knowledge with her and for helping her to develop a passion for public transit.

ADJOURNMENT

The meeting of the Eastern Contra Costa Transit Authority adjourned at 5:13 P.M. to September 28, 2022 at 4:00 P.M. in the ECCTA Administration Facility, 801 Wilbur Avenue, Antioch, California.

Respectfully submitted,

Tania Babcock
Executive Assistant

TRI DELTA TRANSIT
Income Statement - Comparison to Annual Budget
As of August 31, 2022
(unaudited)

	YTD Actual			YTD Budget			YTD Variance <i>favorable/(unfavorable)</i>			FY23 Full Year Budget			YTD % of Fiscal Year Budget		
	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR
OPERATING REVENUES															
Passenger Fares	\$ 333,524	\$ 212,246	\$ 121,278	\$ 252,660	\$ 152,378	\$ 100,282	\$ 80,864	\$ 59,868	\$ 20,996	\$ 1,739,509	\$ 993,177	\$ 746,332	19%	21%	16%
Other Income	\$ 214,730	\$ 180,000	\$ 34,730	\$ 67,626	\$ 34,000	\$ 33,626	\$ 147,104	\$ 146,000	\$ 1,104	\$ 375,276	\$ 170,000	\$ 205,276	57%	106%	17%
<i>Total Operating Revenues:</i>	\$ 548,254	\$ 392,246	\$ 156,008	\$ 320,286	\$ 186,378	\$ 133,908	\$ 227,968	\$ 205,868	\$ 22,100	\$ 2,114,785	\$ 1,163,177	\$ 951,608	26%	34%	16%
OPERATING EXPENSES															
Purchased Transportation	\$ 2,807,305	\$ 1,966,684	\$ 840,621	\$ 2,633,880	\$ 1,759,926	\$ 873,754	\$ (173,625)	\$ (206,758)	\$ 33,133	\$ 18,473,766	\$ 12,170,311	\$ 6,303,455	15%	16%	13%
Materials and Supplies	\$ 856,288	\$ 703,792	\$ 152,496	\$ 632,678	\$ 498,539	\$ 134,139	\$ (223,610)	\$ (205,253)	\$ (18,357)	\$ 4,525,155	\$ 3,539,656	\$ 985,499	19%	20%	15%
Salaries & Benefits	\$ 949,893	\$ 859,338	\$ 90,555	\$ 1,024,752	\$ 924,654	\$ 100,098	\$ 74,859	\$ 65,316	\$ 9,543	\$ 6,148,512	\$ 5,547,924	\$ 600,588	15%	15%	15%
Services	\$ 163,905	\$ 127,520	\$ 36,385	\$ 178,092	\$ 135,085	\$ 43,007	\$ 14,187	\$ 7,565	\$ 6,622	\$ 1,036,006	\$ 804,950	\$ 231,056	16%	16%	16%
Other	\$ 69,445	\$ 61,224	\$ 8,221	\$ 91,689	\$ 81,909	\$ 9,780	\$ 22,244	\$ 20,685	\$ 1,559	\$ 401,444	\$ 347,420	\$ 54,024	17%	18%	15%
Casualty and liability insurance	\$ 144,577	\$ 125,831	\$ 18,746	\$ 111,666	\$ 98,760	\$ 12,906	\$ (32,911)	\$ (27,071)	\$ (5,840)	\$ 670,003	\$ 592,566	\$ 77,437	22%	21%	24%
Utilities	\$ 35,392	\$ 30,679	\$ 4,713	\$ 37,515	\$ 33,099	\$ 4,416	\$ 2,123	\$ 2,420	\$ (297)	\$ 219,781	\$ 194,424	\$ 25,357	16%	16%	19%
Taxes	\$ 4,315	\$ 3,378	\$ 937	\$ 5,199	\$ 4,159	\$ 1,040	\$ 884	\$ 781	\$ 103	\$ 23,018	\$ 18,604	\$ 4,414	19%	18%	21%
<i>Total Operating Expenses:</i>	\$ 5,031,120	\$ 3,878,446	\$ 1,152,674	\$ 4,715,271	\$ 3,536,131	\$ 1,179,140	\$ (315,849)	\$ (342,315)	\$ 26,466	\$ 31,497,585	\$ 23,215,855	\$ 8,281,830	16%	17%	14%
NON-OPERATING REV															
Federal Funds	\$ 4,336,008	\$ 2,312,135	\$ 2,023,873	\$ 726,862	\$ 421,932	\$ 304,930	\$ 3,609,146	\$ 1,890,203	\$ 1,718,943	\$ 4,361,172	\$ 2,531,592	\$ 1,829,580	99%		111%
State Funds	\$ -	\$ -	\$ -	\$ 3,083,327	\$ 2,545,759	\$ 537,568	\$ (3,083,327)	\$ (2,545,759)	\$ (537,568)	\$ 21,512,953	\$ 17,228,711	\$ 4,284,242			
Local Funds	\$ -	\$ -	\$ -	\$ 349,046	\$ 146,646	\$ 202,400	\$ (349,046)	\$ (146,646)	\$ (202,400)	\$ 2,094,279	\$ 879,879	\$ 1,214,400			
Inter-Operator Agreements	\$ -	\$ -	\$ -	\$ 234,082	\$ 234,082	\$ -	\$ (234,082)	\$ (234,082)	\$ -	\$ 1,404,496	\$ 1,404,496	\$ -			n/a
Interest & Other Misc Income	\$ 2,096	\$ 1,844	\$ 252	\$ 1,668	\$ 1,334	\$ 334	\$ 428	\$ 510	\$ (82)	\$ 10,000	\$ 8,000	\$ 2,000	21%	23%	13%
<i>Total Non-operating Revenues:</i>	\$ 4,338,104	\$ 2,313,979	\$ 2,024,125	\$ 4,394,985	\$ 3,349,753	\$ 1,045,232	\$ (56,881)	\$ (1,035,774)	\$ 978,893	\$ 29,362,900	\$ 22,052,678	\$ 7,330,222	15%	10%	26%
EXCESS REV/(EXP)	\$ (144,762)	\$ (1,172,221)	\$ 1,027,459	\$ -	\$ -	\$ -	\$ (144,762)	\$ (1,172,221)	\$ 1,027,459	\$ -	\$ -	\$ -			


Agenda Item #5b
Eastern Contra Costa Transit Authority
Board of Directors Meeting
September 28, 2022

Staff Report to ECCTA Board of Directors


Meeting Date: September 28, 2022

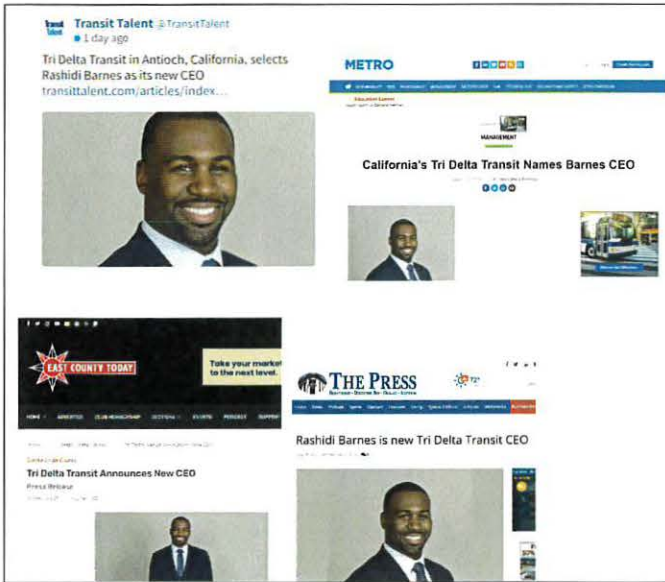
Agenda Item: Marketing/Communications Activities – Agenda Item #5c

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 in the community. Here are some projects Marketing has been working on.

	<p>August Marketing Campaign</p> <p>Marketing focused the August campaign on the great customer service Tri Delta Transit provides. Throughout the month, ads ran with a summary of our services and social media focused on each service at a time.</p>
	<p>Pass2Class with 511 Contra Costa</p> <p>The Pass2Class program, whereby a student could receive two 20-ride passes to ride public transportation to and from school, was a huge success in eastern Contra Costa County. 511 Contra Costa issued 2,200 passes to 1,100 students.</p>



Welcome New CEO Rashidi Barnes

Tri Delta Transit is excited to welcome our fourth CEO, Rashidi Barnes.

Press announcements were covered on our website and social media, as well as EastCountyToday.net, The Press, Transit news, Mass Transit, Transit Intelligence, Transit Talent, and Metro Express.

The announcement was published in CALACT's September issue.

September Marketing Campaign

Tri Delta Transit listened to the community and transformed. After more than a year of surveys and feedback from our riders, Tri Delta Transit took many of the requests and applied them to the current service.

On Monday, September 12, 2022, a new schedule was implemented that included:

- A return to full service
- More express routes
- Weekday routes are now scheduled to run on the weekends, thereby covering a greater service area
- Route service now runs through the new Oakley Park & Ride
- Tri MyRide service areas were expanded in Pittsburg/Bay Point area and Oakley was added to form the Antioch/Oakley service area.

Marketing published notifications on social media, our website, sent out a press release, changed all bus signage, farebox signs and updated materials relating to any changes made.



Oakley Park & Ride Grand Opening & Ribbon Cutting Ceremony – September 14, 2022.

Tri Delta Transit was proud to celebrate the grand opening of the beautiful Oakley Park & Ride with a ribbon cutting ceremony. The Oakley Park & Ride is an example of some of the outstanding and progressive work that was completed during the pandemic and serves as an eco-friendly transit hub giving people an alternative to driving.

Ongoing projects:

TRI DELTA TRANSIT ADA Paratransit Passenger Guide

Eligibility and Registration

Eligibility is determined on a case-by-case basis in accordance with the Americans with Disabilities Act (ADA). ADA paratransit services are available to those who are unable to use or access fixed route transportation because of a disability.



To request an eligibility application:

- Visit our website at www.trideltatransit.com
- Visit Tri Delta Transit's administrative office at 801 Wilbur Avenue in Antioch.
- Call 1-925-754-6622 to get an application by mail.

Processing the Application

Once the application is received, the Accessible Services Department might:

- Contact you by phone or mail for more information.
- Ask you to come to Tri Delta Transit for a personal interview or functional evaluation.

You will be notified by mail of your eligibility status within 21 days of receipt of your completed application. A completed application is the full application with the medical verification portion completed by your medical provider.

If you are certified as ADA eligible, you can travel on Tri Delta Transit's ADA paratransit service.



WEEKDAY - ADA Paratransit Service Area



Accessible Services Materials

Marketing continues to work on updating Accessible Services materials. Materials are now being translated into Spanish to complete the project.

Current status:

- Senior Paratransit Application – complete
- Senior Paratransit Rider's Guide – Spanish in progress
- ADA Paratransit Application – Spanish in progress
- ADA Paratransit Rider's Guide – Spanish in progress
- Easy Book brochure – complete
- Paratransit ADA and Senior Service Area maps – complete



Website Redesign

Marketing has revised the RFP scope of work for the website update to make it possible for more creative liberty with designing the optimal website for Tri Delta Transit.

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
 September 28, 2022

TAB 2

Agenda Item #6a
CEO's Report

Board of Directors Meeting

Wednesday September 28, 2022

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



Chief Executive Officer's Report

September 2022

Service Change - 9/12

For the first time Tri Delta Transit restored its service to pre-pandemic levels. Not only were service hours increased, but increased service in the midday, in Brentwood for example, was added. Express service is now provided from the Brentwood Park and Ride to the Oakley Park and Ride to Antioch BART. Tri MyRide service zones were also extended to provide access to all of Bay Point, the Pittsburg Health Center, Kaiser, and Sutter Delta medical center in Antioch.



CCTA - RFP and contract for the East County Dynamic Personal Micro Transit (DPMT) project

CCTA is working with its legal counsel to finalize the draft RFP and contract for the East County Dynamic Personal Micro Transit (DPMT) project scheduled to be released later this month. CCTA Board of Directors will vote on the release of the RFP during their September board meeting. CCTA staff anticipates having the final draft available, pending board approval, for Tri Delta staff and legal review.

Oakley Park and Ride Ribbon Cutting

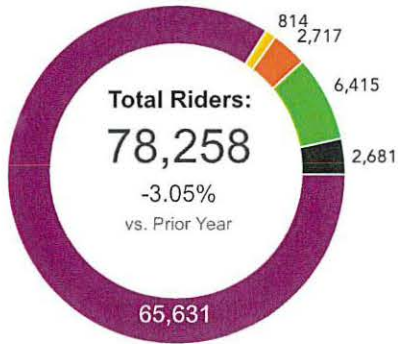
On September 14th, Tri Delta Transit had the grand opening and ribbon cutting ceremony for the Oakley Park and Ride. The 2.5-acre lot has 164 parking stalls and is the closest park and ride to Antioch BART, finally giving local riders an alternative to driving their personal vehicles. The lot also serves as an eco-friendly transit hub which includes a FREE car charging station, solar bus shelters, and a new accessible bike lane on Main Street.





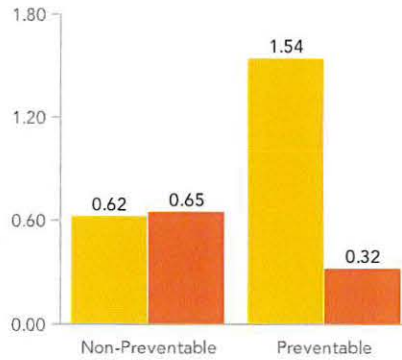
Performance Summary

Ridership



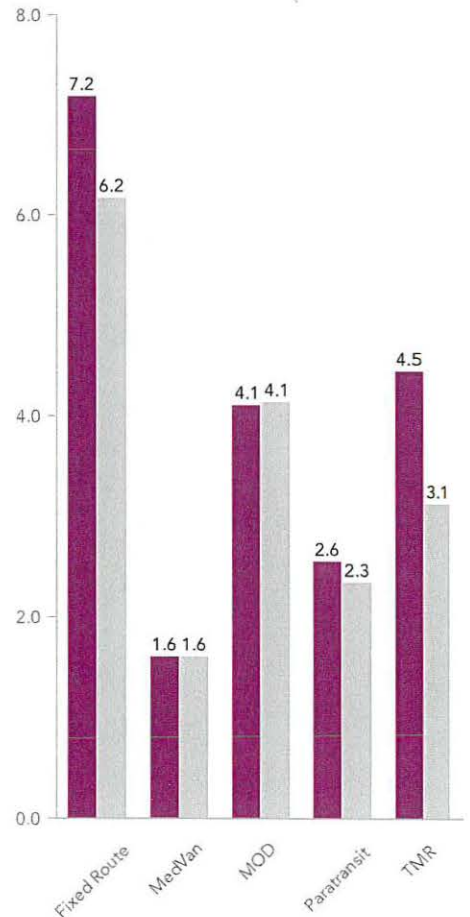
- Fixed Route
- MedVan
- MOD
- Paratransit
- TMR

Accidents / 100K Miles



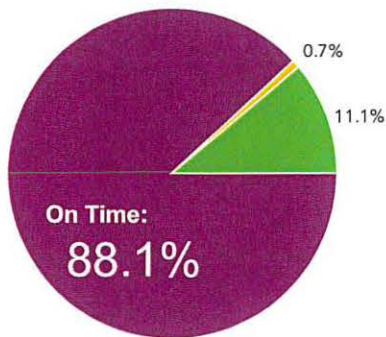
- This Year
- Last Year

Passengers Per Revenue Hour



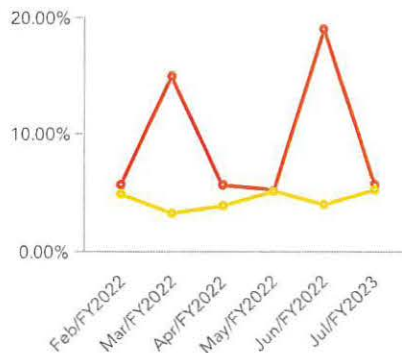
- This Year
- Last Year

On Time Performance



- On Time
- Early
- Late

Cost Recovery Ratio



- Demand Response
- Fixed Route

Safety Performance

Preventable Accident Report

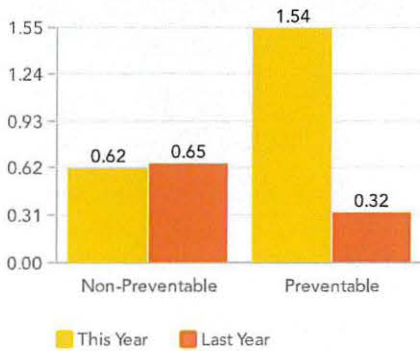
	Accidents	Per 100,000 Miles
Feb/FY2022	2	0.66
Mar/FY2022	1	0.39
Apr/FY2022	2	0.67
May/FY2022	2	0.80
Jun/FY2022	3	1.18
YTD 2022	1	0.32
YTD 2023	5	1.54
YTD Change	4	381.25%

Preventable Accidents Per 100,000 Miles

Last Six Months - System Wide

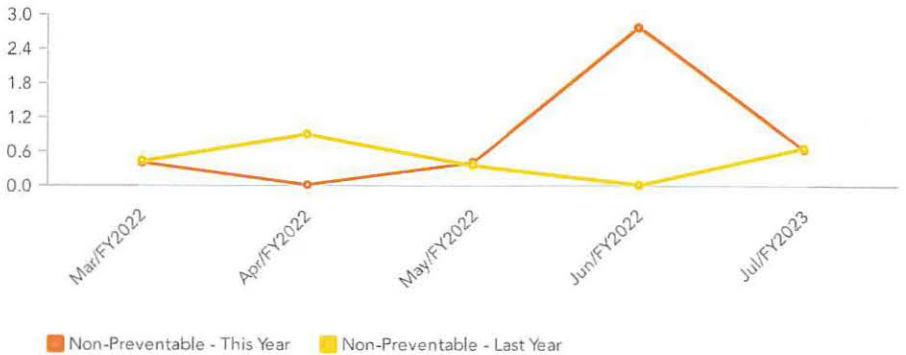


Year To Date - System Wide Accidents Per 100,000 Miles



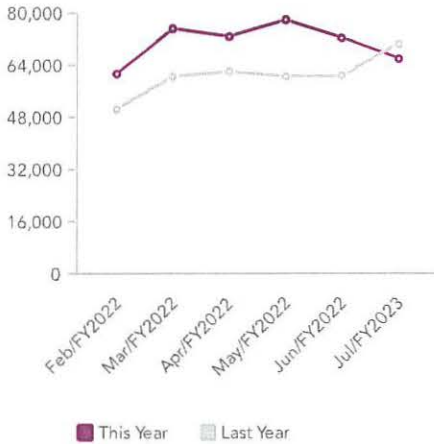
Non-Preventable Accidents Per 100,000 Miles

Last Six Months - System Wide

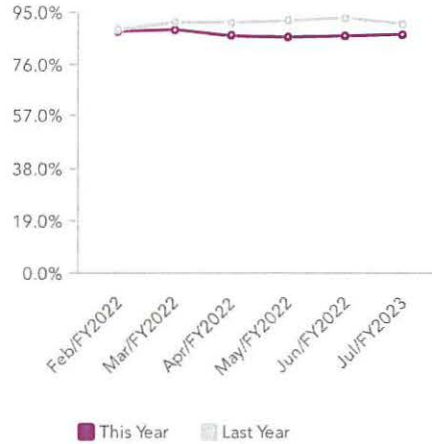


Fixed Route Performance

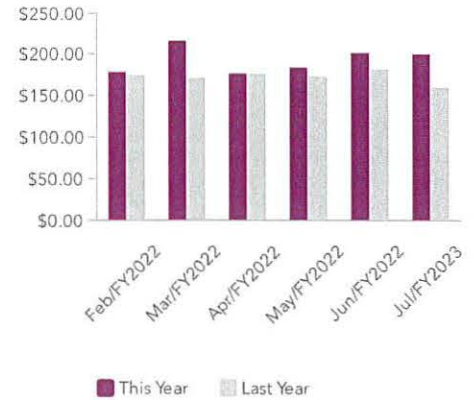
Total Ridership



On Time Performance



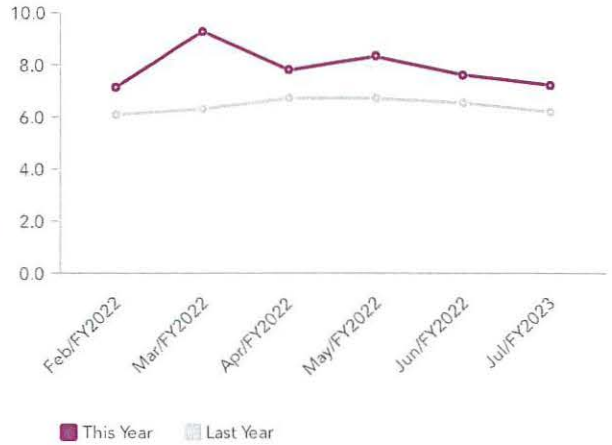
Operating Cost Per Revenue Hour



YTD Report - Fixed Route

Metric	This Year	Prior Year	% Change
Customer % of Trips On Time	86.68	90.50	-4.2%
Service Average Miles Between Roadcalls	150,895.90	17,358.02	+769.3%
Complaints Per 100k Riders	25.90	38.46	-32.7%
Ridership Per Rev. Hour	7.19	6.18	+16.3%
Financial Operating Costs Per Rev. Hour	199.66	159.66	+25.1%
Ridership Ridership	65,631.00	70,207.00	-6.5%

Passengers Per Revenue Hour



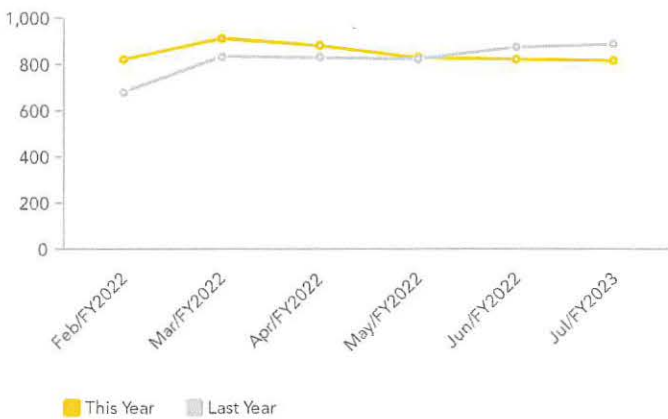
MedVan, Paratransit, and MOD Performance

YTD Report

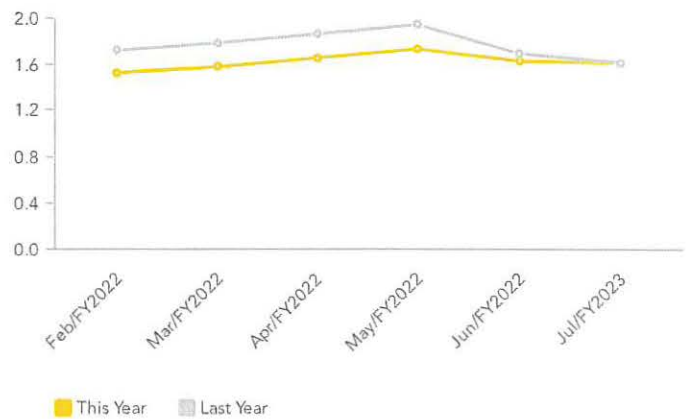
MedVan

	Metric	This Year	Prior Year	% Change
Customer Service	% of Trips On Time	93.51	98.88	-5.4%
	Complaints Per 100k Riders	122.85	112.87	+8.8%
	Ridership Per Rev. Hour	1.61	1.61	
Financial	Operating Costs Per Rev. Hour	127.10	141.71	-10.3%
Ridership	Ridership	814.00	886.00	-8.1%

Total Ridership



Passengers Per Revenue Hour



YTD Report

Paratransit

	Metric	This Year	Prior Year	% Change
Customer Service	% of Trips On Time	94.28	95.70	-1.5%
	Complaints Per 100k Riders	187.06	161.87	+15.6%
	Ridership Per Rev. Hour	2.55	2.34	+9.0%
Financial	Operating Costs Per Rev. Hour	144.65	116.60	+24.1%
Ridership	Ridership	6,415.00	5,560.00	+15.4%

Total Ridership



Passengers Per Revenue Hour



YTD Report

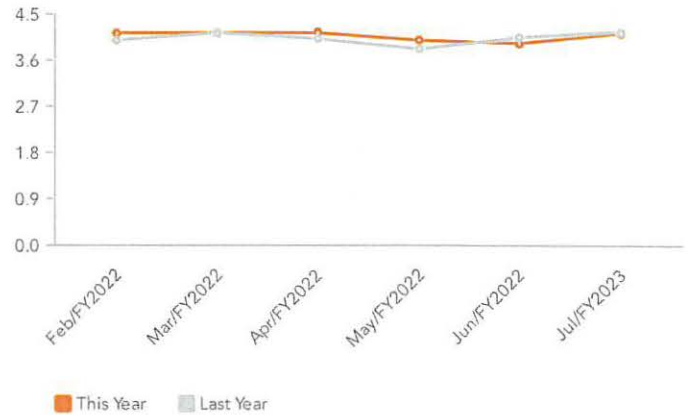
MOD

	Metric	This Year	Prior Year	% Change
Customer	Complaints Per 100k Riders	0.00	45.85	-100.0%
Service	Ridership Per Rev. Hour	4.11	4.14	-0.7%
Financial	Operating Costs Per Rev. Hour	99.28	118.77	-16.4%
Ridership	Ridership	2,717.00	2,181.00	+24.6%

Total Ridership



Passengers Per Revenue Hour

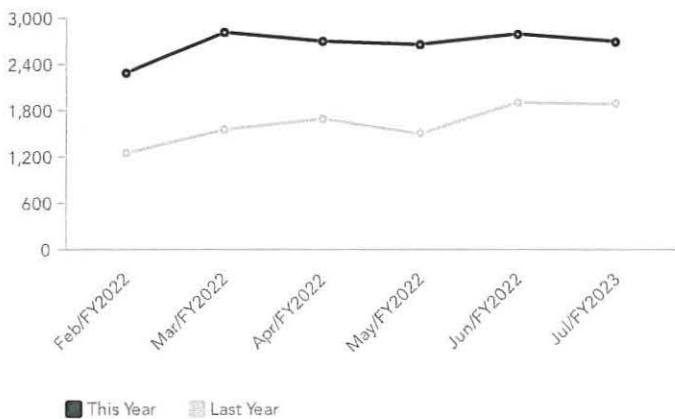


YTD Report

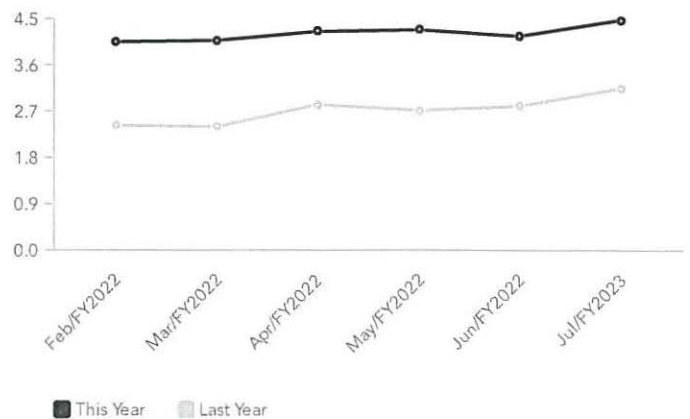
TMR

	Metric	This Year	Prior Year	% Change
Customer	Complaints Per 100k Riders	37.30	0.00	
Service	Ridership Per Rev. Hour	4.46	3.13	+42.5%
Financial	Operating Costs Per Rev. Hour	123.90	113.19	+9.5%
Ridership	Ridership	2,681.00	1,886.00	+42.2%

Total Ridership



Passengers Per Revenue Hour



TAB 3

Agenda Item #7a

ACTION ITEM: 2022 Amended and Restated Clipper MOU

Resolution #220928A

Board of Directors Meeting

Wednesday September 28, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: September 28, 2022

Agenda Item: 2022 Amended and Restated Clipper Memorandum of Understanding
Agenda Item #7a

Lead Staff: Steve Ponte, Chief Operating Officer

Approved: Rashidi Barnes, Chief Executive Officer

Background

Clipper Supplemental Agreements were approved by the ECCTA Board of Directors in September 2014, February 2016, April 2017, and October 2020. These agreements covered the initial startup, operating, and maintenance costs associated with implementing the Clipper fare system in the San Francisco Bay Area. A 2022 Amended and Restated Clipper MOU was developed by MTC staff to reflect changes that have been made to the system. These changes reflect the “Next Generation Clipper” and include:

- changes to operating rules and financing for the Clipper operations for all Bay Area operators
- change to the structure of Clipper card management to reflect the current operating environment

The changes have been approved by staff at all transit agencies in the nine Bay Area counties.

Staff Request

Adopt Resolution #220928A authorizing ECCTA’s CEO to sign the 2022 Amended and Restated Clipper Memorandum of Understanding.

See Appendix A: 2022 Amended
and Restated Clipper
Memorandum of Understanding



TRI DELTA TRANSIT

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

Resolution #220928A

RESOLUTION AGREEING TO TERMS OF THE 2022 AMENDENED AND RESTATED CLIPPER MEMORANDUM OF UNDERSTANDING

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

WHEREAS, the Metropolitan Transportation Commission (MTC) has entered into the Next Generation Clipper Contract with Cubic Transportation Systems, Inc. on September 26, 2018 to operate and maintain Clipper; and

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

WHEREAS, Eastern Contra Costa Transit Authority (ECCTA) wishes to continue to participate in the Clipper program and understands that agreement to abide by the terms and conditions of the 2022 Clipper Amended and Restated MOU is a condition of such participation.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #220928A authorizing the CEO to sign the 2022 Amended and Restated Clipper Memorandum of Understanding, agreeing to be bound by the terms and conditions of the MOU, a copy of which is attached to the Agreement and incorporated in full.

PASSED AND ADOPTED THIS 28th day of September 2022, by the following votes:

Anissa Williams, Chair

Rashidi Barnes, Chief Executive Officer

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

TAB 4

Agenda Item #7b
ACTION ITEM: Oakley Park & Ride Budget


Resolution #220928B

Board of Directors Meeting

Wednesday September 28, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: September 28, 2022
Agenda Item: Oakley Park & Ride Budget – Agenda Item #7b
Lead Staff: Steve Ponte, Chief Operating Officer
Approved: Rashidi Barnes, Chief Executive Officer 

Background

- On November 19, 2008, the Board of Directors directed staff to proceed with a purchase agreement for property in Oakley. The purchase was funded with federal earmarks. The purchase price was \$880,000. The purchase was completed on January 28, 2009.
- On September 23, 2009, the Board of Directors approved a contract with the Architectural and Engineering consulting firm, Mark Thomas & Company, Inc., for the development of plans and specifications for the construction of an Oakley Park and Ride lot. The engineer's estimate was \$3,603,300.
- Potential funding became available in 2019 but required an updated engineer's estimate. The estimate at that time was \$6,624,100.
- \$6.8 million was granted to Tri Delta Transit to build the Oakley Park & Ride lot in mid-2020.
- December 15, 2020: IFB 2020-05 for the construction of the Oakley Park and Ride was mailed to 22 firms, publicly advertised, and posted on ECCTA's website.
- On March 24, 2021, the Board of Directors awarded the contract to the lowest responsible bidder: Ghilotti Brothers, Inc. for \$4,388,471 which includes a 10% contingency.
- Construction began in April 2021 and is nearing completion.
- On June 22, 2022 the Board of Directors approved an additional \$300,000 for unforeseen costs associated with the construction. These costs included extra work (outside the original approved contract) required by the City of Oakley, Diablo Water District, Ironhouse Sanitary District, and PGandE. That work included:
 - Building a turnout for a sewer clean-out.
 - Moving an access hole to the sewer.
 - Installing additional water lines and special valves.
 - Making changes to the re-striping plan.
 - Making changes to the bio-retention ponds.
 - Adding 70' of fencing along the sidewalk.

- Extra landscaping work required by the water district.
- Additional shoulder work required by the City of Oakley.
- An erosion control wall determined to be necessary by ECCTA staff.
- Additional lighting and circuits
- Extra costs associated with PGandE work.
- Differential costs for the asphalt.
- There was concrete treated base (CTB) unexpectedly under the asphalt pavement. When CalTrans built the original asphalt roadway, they used concrete added to the base rock which was not on the plans (asphalt roads are built with a rock base with no concrete added.) This required jackhammering and removal/disposal of over 540 tons of the material. When the CTB was removed, a base rock had to be installed prior to the roadway being asphalted requiring an unplanned-for 160 tons of new base rock.

Additionally, some unknowns were discovered during construction:

- Two improperly abandoned storm drains crossing under Main Street that had to be properly abandoned.
- An improperly abandoned sewer line crossing under Main Street that had to be properly abandoned.
- An unmapped sewer line that had to be relocated.

After the June 22, 2022 meeting, it was brought to staff's attention that PGandE decided to require scoping of all utilities under Cypress Road and Main Street prior to boring as well as after boring for getting power to the Park & Ride lot. When the scoping was completed, PG&E would not approve the project because there were pressurized sewer lines so PG&E will not allow the bore to proceed meaning the Park & Ride lot, including the lighting and irrigation system will not have power.

Another plan was developed and ECCTA is in the process of getting that plan approved by PG&E and the city of Oakley. This means costs will be incurred including:

- Additional electric boxes
- Additional costs for the scoping of the lines for PG&E approval
- A&E work to design the new electrical power hook up
- Generator to power the lights at the park and ride while waiting for PG&E power
- Additional worker costs associated with lack of power at the site
- Additional costs to bore and connect the power to the site from the original plans

There are funds available for this additional work in the original FTA grant.

Requested Action

Adopt Resolution #220928B authorizing an additional \$700,000 to be allocated to the Oakley Park & Ride lot project.



TRI DELTA TRANSIT

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

RESOLUTION #220928B

Resolution #220928B authorizes an additional \$300,000 to be allocated to the Oakley Park & Ride lot project.

WHEREAS, the ECCTA Board of Directors adopted Resolution #210324A authorizing the CEO to enter into a contract for the construction of a park & ride lot in Oakley, California with Ghilotti Brothers, Inc. for \$4,388,471 which included a 10% contingency; and

WHEREAS, the engineer’s estimate was \$6,624,100; and

WHEREAS, \$6.8million was granted to ECCTA to build the Park & Ride lot; and

WHEREAS, several unknowns were discovered during construction, additions were required, and PG&E would not approve the final electric power plan causing delays; and

WHEREAS, PG&E required a new power plan resulting in additional costs; and

WHEREAS, additional requirements were added to the project by the Diablo Water District, Ironhouse Sanitation District, and PGandE.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #220928B authorizing an additional \$700,000 to be allocated to the Oakley Park & Ride lot construction.

PASSED AND ADOPTED THIS 28th day of September 2022, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Anissa Williams, Chair

Rashidi Barnes, Chief Executive Officer

AYES: _____

NOES: _____

ABSENT: _____

ABSTENTIONS: _____

TAB 5

Agenda Item #7c

**ACTION ITEM: Stormwater Operations and Maintenance Agreement
for Oakley Park & Ride**

Resolution #220928C

Board of Directors Meeting

Wednesday September 28, 2022

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

Staff Report to ECCTA Board of Directors

Meeting Date: September 28, 2022

Agenda Item: Stormwater Management Operations and Maintenance Agreement
Agenda Item #7c

Lead Staff: Steve Ponte, Chief Operating Officer

Approved: Rashidi Barnes, Chief Executive Officer 

Background

The stormwater discharge for the Oakley Park and Ride is required to be covered by NPDES (National Pollutant Discharge Elimination System) permit #CAS612088. The permit monitors the operations, maintenance and stormwater discharge from the park and ride location. Contained within the park and ride are stormwater facilities (bioretention/bioswales). The purpose of these facilities will allow the stormwater to run off from pavement/cement areas into specially designed areas that allow for the water to be held in these areas so the water can percolate through the soil and into the ground.

Considerations

ECCTA does not have a NPDES permit and is not eligible to get a permit and must operate under the city of Oakley's permit. This agreement is for ECCTA to operate and maintain the stormwater facilities under the Stormwater Control Operations and Maintenance Plan submitted to the city of Oakley. The purpose of the agreement is to memorialize the conditions on which areas will be maintained, how they will be maintained, when they will be inspected, and which party is responsible.

Requested Action

Adopt Resolution #220928C authorizing ECCTA's CEO to sign the Covenant Running with the Land, Stormwater Management Facilities Operation and Maintenance Agreement, and Right of Entry with the City of Oakley.

See Appendix B: Stormwater
Management Operations and
Maintenance Agreement



TRI DELTA TRANSIT

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

Resolution #220928C

RESOLUTION AGREEING TO THE COVENANT RUNNING WITH THE LAND, STORMWATER MANAGEMENT FACILITIES OPERATION AND MAINTENANCE AGREEMENT, AND RIGHT OF ENTRY WITH THE CITY OF OAKLEY

WHEREAS, the Oakley Park and Ride must be permitted by National Pollutant Discharge Elimination System (NPDES); and

WHEREAS, the City of Oakley maintains the NPDES permit #CAS612008; and

WHEREAS, ECCTA has submitted a Stormwater Control Operations and Maintenance Plan that was approved by the City of Oakley; and

WHEREAS, this agreement memorializes each party's responsibility for the operations and maintenance of the stormwater facilities inside the Oakley park and ride lot.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #220928C authorizing ECCTA's CEO to sign the Covenant running with the Land, Stormwater Management Facilities Operation and Maintenance Agreement, and Right of Entry, agreeing to be bound by the terms and conditions of the Agreement, a copy of which is attached to the Agreement and incorporated in full.

PASSED AND ADOPTED THIS 28th day of September 2022, by the following votes:

Anissa Williams, Chair

Rashidi Barnes, Chief Executive Officer

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

TAB 6

Agenda Item #7d
ACTION ITEM: Safety Plan


Resolution #220928D

Board of Directors Meeting

Wednesday September 28, 2022

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: September 28, 2022
Agenda Item: ECCTA Safety Plan- Agenda Item #7d
Lead Staff: Tania Babcock, SMS Executive/Executive Assistant
Approved: Rashidi Barnes, Chief Executive Officer 

Background

On July 19, 2018, the Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Final Rule (49 CFR Part 673), which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS).

The PTASP rule became effective on July 19, 2019. Transit operators were originally required to certify they have a safety plan in place meeting the requirements of the rule by July 20, 2020, but due to the COVID-19 pandemic, FTA extended the compliance deadline to July 20, 2021.

On November 15, 2021 President Biden signed into law the Bipartisan Infrastructure Law which amends FTA's safety program at 49 U.S.C. § 5329(d) by adding to the PTASP requirements. These changes include the requirement that certain transit agencies establish a Safety Committee compliant with 49 U.S.C. § 5329(d)(5). Furthermore, transit agencies with an existing Agency Safety Plan are required to address strategies to minimize exposure to infectious diseases, consistent with Centers for Disease Control and Prevention or State health authority guidelines; establish a risk reduction program; and provide de-escalation training for maintenance personnel, operations personnel, and personnel directly responsible for safety.

ECCTA developed its initial Agency Safety Plan in 2019. The plan must be reviewed, updated as needed, and certified annually. At the annual review, ECCTA made updates to the plan to meet the requirements of the Bipartisan Infrastructure Law.

ECCTA's Safety Committee is compliant with 49 U.S.C. § 5329(d)(5). The Bipartisan Infrastructure Law requires ECCTA's Safety Committee to approve the Agency Safety Plan prior to approval by the Board of Directors. ECCTA's Safety Committee approved the Agency Safety Plan on August 10, 2022.

ECCTA is required to communicate the Safety Management Policy Statement throughout the organization and to the Board of Directors. The Safety Management Policy Statement is the SMS component that frames the fundamentals upon which ECCTA operates its SMS:

ECCTA's Safety Management Policy Statement

Safety is ECCTA's first priority. ECCTA is committed to implementing, developing, and improving strategies, management systems, and processes to ensure that all our activities uphold the highest level of safety performance and meet required safety standards.

We will develop and embed a safety culture in all our activities that recognize the importance and value of effective safety management and acknowledges at all times that safety is paramount.

We will clearly explain for all staff their accountabilities and responsibilities for the development and operation of the Safety Management System.

For passengers and employees, we will minimize the safety risk associated with transit service to as low as reasonably practicable and we will work to comply with and, wherever possible, exceed legislative and regulatory requirements and standards. We also will work to ensure that all employees are provided with adequate and appropriate safety information and training, are competent in safety matters, and are only allocated tasks commensurate with their skills.

We have established safety performance targets to help us measure the overall effectiveness of our processes. We will review our adherence to our Safety Plan annually to identify how well we met our safety performance targets.

Requested Action

Approve Resolution #220928D accepting ECCTA's 2022 Safety Plan.

See Appendix C: Proposed ECCTA Safety Plan



TRI DELTA TRANSIT

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

RESOLUTION #220928D EASTERN CONTRA COSTA TRANSIT AUTHORITY (TRI DELTA TRANSIT) SAFETY PLAN

Resolution #220928D accepts Eastern Contra Costa Transit Authority’s 2022 Safety Plan.

WHEREAS, in accordance with the Federal Transit Administration’s Public Transportation Agency Safety Plan (PTASP) Final Rule (49 CFR Part 673), which became effective on July 19, 2019; and

WHEREAS, the PTASP compliance deadline was extended from July 20, 2020 to July 20, 2021 due to the COVID-19 pandemic; and

WHEREAS, on November 15, 2021 President Biden signed into law the Bipartisan Infrastructure Law which amends FTA’s safety program at 49 U.S.C. § 5329(d) by adding to the PTASP requirements; and

WHEREAS, the PTASP rule applies to all operators of public transportation systems that are recipients and sub-recipients of federal financial assistance under the Urbanized Area Formula Program (49 USC § 5307); and

WHEREAS, Eastern Contra Costa Transit Authority (ECCTA) is a recipient of federal financial assistance under the Urbanized Area Formula Program (49 USC § 5307); and

WHEREAS, ECCTA developed its initial Agency Safety Plan in 2019 and is required to review, update as needed, and certify the Agency Safety Plan annually; and

WHEREAS, at the annual review, ECCTA made updates to the plan to meet the requirements of the Bipartisan Infrastructure Law; and

WHEREAS, ECCTA’s Safety Committee is compliant with 49 U.S.C. § 5329(d)(5) and approved ECCTA’s 2022 Safety Plan on August 10, 2022, prior to approval by the Board of Directors; and

WHEREAS, ECCTA communicated the Safety Management Policy Statement to the Board of Directors and throughout the agency.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Eastern Contra Costa Transit Authority to adopt Resolution #220928D accepting ECCTA’s 2022 Safety Plan.

PASSED AND ADOPTED THIS 28th day of September 2022, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Anissa Williams, Chair

Rashidi Barnes, Chief Executive Officer

AYES: _____
NOES: _____

ABSENT: _____
ABSTENTIONS: _____



TRI DELTA TRANSIT

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

Certification Letter

Eastern Contra Costa Transit Authority (Tri Delta Transit) Public Transit Agency Safety Plan (PTASP) CERTIFICATION

Eastern Contra Costa Transit Authority (ECCTA) complies with all sections of the Federal Transit Administration's (FTA) 49 C.F.R Part 673. The agency complies with section 673.21 by establishing and implementing a Safety Management System (SMS). The SMS is appropriately scaled to the size, scope, and complexity of our transit system and includes the following elements:

- Safety Management Policy as described in 673.23
- Safety Risk Management as described in 673.25
- Safety Assurance as described in 673.27
- Safety Promotion as described in 673.29

As defined by 673.23, ECCTA identifies the Chief Executive Officer as the Accountable Executive responsible for ensuring that SMS is effectively implemented throughout the agency and the Chief Executive Officer designates the Executive Assistant as the SMS Executive.

Anissa Williams, Chair

Date

Rashidi Barnes, Chief Executive Officer

Date

TAB 7

Agenda Item #7e

ACTION ITEM: Director-at-Large Appointment

Board of Directors Meeting

Wednesday September 28, 2022

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: September 28, 2022

Agenda Item: Board of Directors Director-at-Large Appointment
Agenda Item #7e

Lead Staff: Rashidi Barnes, Chief Executive Officer



Background

The provisions of the bylaws that govern ECCTA pertaining to the Director-at-Large position state:

- The ECCTA Board of Directors is made up of 11 members. Ten board members are appointed by the member jurisdictions of the JPA that formed ECCTA: two each from Antioch, Brentwood, Oakley, Pittsburg, and Contra Costa County. Those ten individuals appoint a Director-at-Large to serve as the 11th board member.
- Each Director is appointed to a two-year term.
- There is no limit to the number of terms a Director may serve.

History of the Director-at-Large position

- October 7, 1976 – December 31, 1986: Delma Webb (resident of Brentwood)
- January 1, 1987 – December 31, 1988: Roger Moore (resident of Brentwood)
- January 1, 1988 – December 31, 2013: Joe Tovar (resident of Oakley)
- January 1, 2014 – present: Ken Gray (resident of Antioch)
 - In mid-2013, Joe Tovar announced his intention to resign halfway into his last two-year term as ECCTA's Director-at-Large. ECCTA's Board of Directors conducted a process to select an individual to serve the remainder of the Director-at-Large term that ended December 31, 2014. Seventeen applications were submitted and, after screening and interviewing, Ken Gray was selected on December 13, 2013 to complete the remaining year of Joe Tovar's term.
 - On September 24, 2014, the ECCTA Board of Directors appointed Ken Gray to a full two-year term which ended December 31, 2016.
 - On August 31, 2016, the ECCTA Board of Directors appointed Ken Gray to a two-year term which ended December 31, 2018.

- On August 22, 2018, the ECCTA Board of Directors appointed Ken Gary to a two-year term which ended December 31, 2020.
- On August 26, 2020, the ECCTA Board of Directors appointed Ken Gray to a two-year term which ends December 31, 2022.

Considerations

Ken Gray has expressed a desire to continue to serve as the Director-at-Large board member on the ECCTA Board of Directors.

The Board of Directors has three options:

1. Appoint Ken Gray to a two-year term as the Director-at-Large for the term January 1, 2023 through December 31, 2024.
2. Appoint some other individual for the term January 1, 2023 through December 31, 2024.
3. Appoint a subcommittee of the Board of Directors to accept applications, interview applicants, and make a recommendation to the full Board of Directors for a Director-at-Large for the term January 1, 2023 through December 31, 2024.

Requested Action

Choose the desired action to fill the Director-at-Large position for the term January 1, 2023 through December 31, 2024.

TAB 8

Agenda Item #7f
ACTION ITEM: Meeting Format

Board of Directors Meeting

Wednesday September 28, 2022

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

Staff Report to ECCTA Board of Directors

Meeting Date: September 28, 2022

Agenda Item: Meeting Format
Agenda Item #7f

Lead Staff: Rashidi Barnes, Chief Executive Officer

Background

In March 2020, amid rising concern surrounding the spread of COVID-19 throughout communities in the State of California, Governor Gavin Newsom declared a State of Emergency and issued a series of Executive Orders (EO). These EOs allowed for modifications of the teleconferencing requirements to the Ralph M. Brown Act and were terminated on September 30, 2021. The declared State of Emergency was extended through March 31, 2022. On September 16, 2021, the Governor signed Assembly Bill 361 (AB361), with an effective date of October 1, 2021, to provide local agencies with the ability to meet remotely during proclaimed state emergencies under modified Brown Act requirements. It allows public agencies to continue conducting remote teleconferencing meetings in accordance with the Brown Act provision exemptions pursuant to AB361 by adopting a resolution consistent with the terms of California Government Code, Section 54953, Subdivision (e), Paragraph (1), Subparagraph (B).

The ECCTA Board of Directors met:

March 2020 – November 2021	All meetings were conducted remotely via Zoom
December 2021	In-person meeting
January 2022	Full board did not meet Personnel committee met via Zoom
February 2022 – September 2022	Hybrid: board members, members of the public, and staff could attend in person or via Zoom (August meeting was canceled)

Considerations

- On September 15, 2022, the World Health Organization stated that the end of the COVID-19 pandemic is approaching.
- The number of board members attending the Tri Delta Transit board meetings in person has steadily increased since the start of offering a hybrid meeting in February 2022. Seven board members attended the July board meeting in person.
- Many public agencies are returning to meeting in-person.
- In-person meetings allow for more in-depth discussions.
- In-person meetings can't be disrupted by accidentally muted mics, bad internet connection, or accidentally talking over one another.

Requested Action

Opt to conduct all ECCTA Board of Directors meetings exclusively in-person beginning with the October 26th, 2022 board meeting.