

County Connection

2477 Arnold Industrial Way Concord, CA 94520-5326 (925) 676-7500 countyconnection.com

BOARD OF DIRECTORS MEETING AGENDA

**Thursday, December 16, 2021
9:00 a.m.**

**DUE TO COVID-19, THIS MEETING WILL BE CONDUCTED VIA TELECONFERENCE ONLY
(NO PHYSICAL LOCATION) PURSUANT TO ASSEMBLY BILL 361
(GOVERNMENT CODE SECTION 54953)
MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON.**

Committee Directors, staff and the public may participate remotely by calling:

Join Zoom Meeting

<https://us02web.zoom.us/j/86243217510>

Meeting ID: 862 4321 7510

One tap mobile

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Public comment may be submitted via email to: hill@cccta.org. Please indicate in your email the agenda item to which your comment applies. Comments submitted before the meeting will be provided to the Board of Directors before the meeting. Comments submitted after the meeting is called to order will be included in correspondence that will be provided to the full Board.

Should Zoom not be operational, please check online at: www.countyconnection.com for any updates or further instruction.

The County Connection Board of Directors may take action on each item on the agenda. The action may consist of the recommended action, a related action or no action. Staff recommendations are subject to action and/or change by the Board of Directors.

1. Call to Order/Pledge of Allegiance
2. Roll Call/Confirm Quorum
3. Public Communication
4. Consent Calendar
 - a) Approval of Minutes of Regular Meeting of November 18, 2021*
 - b) Update CalTip Appointments*
Resolution No. 2022-016*
(The A & F Committee recommends that the Board approve Resolution No.

Clayton • Concord • Contra Costa County • Danville • Lafayette • Martinez
Moraga • Orinda • Pleasant Hill • San Ramon • Walnut Creek

CENTRAL CONTRA COSTA TRANSIT AUTHORITY

2022-016, adding the position of Director of Human Resources as the third alternate.)

- c) Approve Designation of Treasure and Auditor, and Changes in Authorized Signatories for Union Bank*
Corrected- Resolution No. 2022-014*
- d) Approve Resolution Declaring that the Proclaimed State of Emergency for the COVID-19 Pandemic Continues to Impact the Ability for the Board of Directors and its Committees to Meet Safely in Person, and Directing that Virtual Board and Committee Meetings Continue*
Resolution No. 2022-018*

5. Report of Chair

- a) Proclamation of Appreciation in Honor of Rick Ramacier
Resolution No. 2022-017**

6. Report of General Manager

- a) Introduction of County Connection's new Director of Maintenance Marcel Longmire
- b) State of the condition of County Connection upon the departure of the General Manager
(The General Manager will provide a brief report on where we've been in the last year and where he sees County Connection being in the next year or two.)

7. Report of Standing Committee

- a) Administration & Finance Committee
 - 1) Preliminary Review of Potential Impacts of PEPR-13(c) conflict to County Connection*
(The General Manager will give the board an update on the renewed focus by the Federal Department of Labor on this issue and how it may affect County Connection's federal funding.)
- b) Marketing, Planning & Legislative Committee
 - 1) Meeting with Mt. Diablo Unified School District and Transportation Authorities- Information Only *
(Staff will report on a meeting that was held with various stakeholders regarding transportation of students within the Mt. Diablo Unified School District.)
 - 2) PEPR & Federal Section 13(c) – Information Only *
(Staff will provide an update on the status of potential US Department of Labor action to hold California Transit Federal grants)
- c) Operations & Scheduling Committee
 - 1) Release of Request for Proposal for County Connection and LAVTA Joint Paratransit Procurement*
(The O&S Committee requests the Board of Directors direct staff to proceed with the release of an RFP for a joint paratransit procurement with Livermore Amador Valley Transportation Authority, pending approval from the LAVTA Board of Directors which is scheduled for January 10th, 2022.)

8. Report from the Advisory Committee

- a) Appointment of Jim Yu to Advisory Committee Representing Town of Moraga
Board Communication

9. Adjournment

*Enclosure

**It will be available at the time of the Board meeting.

General Information

Possible Action: The Board may act upon any item listed on the agenda.

Public Comment: If you wish to address the Board, please follow the directions at the top of the agenda. If you have anything that you wish distributed to the Board and included for the official record, please include it in your email. Comments that require a response may be deferred for staff reply.

Consent Items: All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board Member or a member of the public prior to when the Board votes on the motion to adopt.

Availability of Public Records: All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available for public inspection at 2477 Arnold Industrial Way, Concord, California, at the same time that the public records are distributed or made available to the legislative body. The agenda and enclosures for this meeting are posted also on our website at www.countyconnection.com.

Accessible Public Meetings: Upon request, County Connection will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be sent to the Assistant to the General Manager, Lathina Hill, at 2477 Arnold Industrial Way, Concord, CA 94520 or hill@cccta.org. Requests made by mail must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

Currently Scheduled Board and Committee Meetings

Board of Directors:	Thursday, January 16, 9:00 a.m., via teleconference
Administration & Finance:	Wednesday, December 8, 8:30 a.m., via teleconference
Advisory Committee:	TBA.
Marketing, Planning & Legislative:	Thursday, January 6, 8:30 a.m., via teleconference.
Operations & Scheduling:	Friday, January 7, 8:15 a.m. via teleconference

The above meeting schedules are subject to change and may be conducted as teleconference meetings. Please check the County Connection Website (www.countyconnection.com) or contact County Connection staff at 925/676-1976 to verify date, time and location prior to attending a meeting. This agenda is posted on County Connection's Website (www.countyconnection.com) and at the County Connection Administrative Offices, 2477 Arnold Industrial Way, Concord, California

County Connection

2477 Arnold Industrial Way Concord, CA 94520-5326 (925) 676-7500 countyconnection.com

CCCTA BOARD OF DIRECTORS

MINUTES OF THE REGULAR MEETING

November 18, 2021

CALL TO ORDER/ROLL CALL/CONFIRM QUORUM

Chair Dave Hudson called the regular meeting of the Board of Directors to order at 9:00 a.m. Board Members present were Directors Andersen, Haydon, Hoffmeister, Noack, Schroder, Storer, Tatzin, Wilk and Worth. Director Sos was absent.

Staff: Ramacier, Chun, Churchill, Glenn, Hill, Horta, Kamara, Longmire, Martinez, McCarthy, Mitchell, Reeb and Rettig

PUBLIC COMMENT:

Marjorie McWee introduced herself as the newly elected Chair of the County Connection Advisory Committee. She explained the need for strategic collaboration between the Advisory Committee and Board is now more important than ever. Staying mindful of the riders and their present-day transit needs is as important as budgeting and program planning. Although the Advisory Committee's membership has dwindled as it faces inertia, we are working to figuring out how to recruit new members who are active users from across the county. At our last meeting, I was elected as the Committee's chair. Our first priority is to fill the seats at the table and then form a working body. In the meantime, we plan to begin collaborating with the Board. In due time, the Committee hopes to raise a number of strategic topics to help inform the Board's future planning. We look forward to being on future agendas and linking arms with you.

CONSENT CALENDAR

MOTION: Director Haydon moved approval of the Consent Calendar, consisting of the following items: (a) Approval of Minutes of Regular Meeting of October 21, 2021; (b) Resolution No. 2022-014 Approve Designation of Treasurer and Auditor, and Changes in Authorized Signatories for Union Bank, (c) Resolution No. 2022-015, Finding that the Proclaimed State of Emergency for the COVID-19 Pandemic Continues to Impact the Ability for the Board and its Committees to Meet Safely in Person, and Directing that Virtual Board and Committee Meetings Continue. Director Andersen seconded the motion, and it received the following vote of approval:

Aye:	Directors Andersen, Haydon, Hoffmeister, Hudson, Noack, Schroder, Storer, Tatzin, Wilk and Worth
No:	None
Abstain:	None
Absent:	Director Sos

REPORT OF CHAIR:

Chair Dave Hudson reported that the APTA Expo was well attended and the main focuses were Diversity, Equity and Autonomous Vehicles.

REPORT OF GENERAL MANAGER:

Presentation of the Bay Area Fare Coordination and Integration Study: Draft Business Case Study

Mike Eastman and Bill Bacon made a presentation of the Bay Area Fare Coordination and Integration Study: Draft Business Case Study. According to the study, fare policy is one among several factors that have constrained the growth of transit ridership in recent years. Current fare policies are informed by funding and governance models that incentivize locally-focused fares without providing a coherent set of policies to set fares that support ridership growth.

As a result, fare coordination and integration has a role to play in restoring transit ridership, supporting recovery from the COVID-19 pandemic, and delivering the transportation system the Bay Area needs for its coming decades of growth.

The purpose of the Transit Fare Policy Vision Statement is to allow the Fare Integration Task Force to articulate a policy direction it supports in principle and to provide direction to transit agency and MTC staff about how to prioritize upcoming work, including returning to the Task Force with specific actions related to the proposed pilot all-transit agency employer/institutional pass.

In collaboratively advancing these improvements for the benefit of the Bay Area's transit customers, we also recognize the continued economic challenges facing the region, and the transit industry in particular. The Task Force recommends that transit operator and MTC staff work to advance these policies, while also acknowledging that successful delivery will require the pursuit of complementary and necessary objectives.

Implementation will not require the transfer of locally sourced funds between transit agencies. Prior to implementation of any of the Transit Fare Policy Initiatives, new funding sources will be sought to offset adverse transit agency revenue impacts resulting from implementation. Implementation of any of the Transit Fare Policy Initiatives will require approval by the appropriate transit agency governing body. Implementation of any of the Transit Fare Policy Initiatives will not result in a reduction of transit agency operating service levels.

Introduction of County Connection's new Chief Financial Officer, Amber Johnson

Rick Ramacier introduced Amber Johnson to the Board and all welcomed her to County Connection.

Update on PEPRA and Section 13(c)

Rick Ramacier stated that this item has been getting a lot of media attention. The US Department of Labor is indicating that they may begin holding up California federal transit grants later this month based on their current position that PEPRA (the 2013 state law that implemented public pension reform) violates the bargaining rights of unions under Section 13(c) of the federal transportation authorization.

The most immediate risk is to County Connection's FY22 ARP funds. Staff, at the request of the Federal Transit Administration (FTA) and MTC have applied for these funds recently. However, we have yet to begin the FY23 budgeting work on how we would use these funds. Thus, a hold up of these funds could be endured for some yet to be determined time. However, there is a federal deadline as to when these funds must be spent. To cover any significant delay in receiving our ARP funds, we can use funding from TDA reserves. We will continue to report back with any news that we receive.

Update on the Enactment of H.R.3684, Infrastructure Investment and Jobs Act (IIJA) (bipartisan infrastructure bill)

Rick Ramacier explained that this bill authorizes funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Update on H.R.5376, the Build Back Better Act (BBB Act) budget reconciliation bill

Rick Ramacier said that in the coming months a more thorough report will be coming from the MP&L committee. But as of right now, this bill will account for over 1 trillion dollars, that nearly doubles the Federal Government funds that will go to transit.

Status of Employee Vaccinations at County Connection

Rick Ramacier stated that County Connection has not made vaccinations mandatory as of yet, we are waiting for more direction from the government. As of right now, we are at 82% of employees that are vaccinated and we have not had any positive COVID-19 tests since the summer.

REPORT OF STANDING COMMITTEES

Marketing, Planning & Legislative Committee

Pass2Class Update-Information Only

Ruby Horta explained that the Pass2Class Program is funded by 511 Contra Costa as part of their efforts to reduce traffic congestion and air pollution by reducing the number of cars being driven to school. Pass2Class offers free transportation, for a limited period, on AC Transit, WestCAT, TriDelta and County Connection to Contra Costa students, encouraging the use of public transit to and from school. The application was available from July 15th through October 15th offering each household up to two (2) passes. The County Connection pass is valid through October 31st and 511 Contra Costa reimburses County Connection \$1.60 per trip. The pass is valid on all County Connection fixed route services.

Some of our local routes logged more Pass2Class trips than many of the 600 series. In the San Ramon area, Route 35 which is the main local route, carried more youth pass holders than Route 635, the comparable school route. The 600 series routes serving the Walnut Creek area were among the top 5 routes that carried youth pass holders in August 2021. Route 601 carried the most Pass2Class users out of all the routes. Route 606 serving the Lamorinda area, ranked 2nd in Pass2Class usage in the month of August 2021. The Concord-Pleasant Hill schools are relatively well-served by local fixed service and is evident in how the pass has been used. Local routes 10, 15, 18 and school route 611 were among the top 10 routes that carried pass holders in August 2021. These local routes attracted more Pass2Class users than the school routes serving the area combined. The local routes provide access to other destinations often frequented by students, like libraries, shopping centers and eateries. Since we offered free fares on all County Connection service during the month of September, the next Pass2Class report will include October data and can guide future promotions and target areas for incentive programs targeting students in the various communities we serve.

September Free Rides Promotion-Information Only

Melody Reeb explained that in May 2021, the Board approved a promotion offering free rides on all County Connection routes and paratransit services for the month of September. This promotion was part of the regional "All Aboard Bay Area Transit" marketing effort that was aimed at encouraging transit use by providing fare discounts as an incentive. Free rides were also being offered on Tri Delta Transit, WestCAT, and Wheels, and

BART provided a 50% discount on all Clipper fares. This coordinated effort to make transit more accessible aligned with the goals of the Blue-Ribbon Transit Recovery Task Force and the principles adopted by the Metropolitan Transportation Commission for the distribution of federal stimulus funds.

The multi-agency September promotions provided an opportunity for expanded collaboration on the marketing efforts. In addition to marketing the free fares promotion through the County Connection website, social media platforms, and on buses, staff worked with one of BART's marketing contractors Zero Company to run digital ads helping extend the reach of the campaign, particularly since those who are not currently using transit are less likely to be interacting with the communication channels that are more typically used. Because Zero Company has worked on previous BART campaigns, they were able to leverage their prior experience and target some of the same audiences for County Connection's campaign. Ads were run in both English and Spanish from mid-August through September through programmatic advertising, as well as Google, Facebook, and Twitter. A dedicated webpage was created with information on the September free rides promotion, as well as several other fare promotions.

There was a nearly immediate boost in ridership once the free fares promotion began on September 1st. Over the first full week of the promotion, ridership increased about 8% despite the Labor Day holiday. By the end of the month, weekday ridership was averaging about 7,200 daily riders, an increase of about 15% compared to just before the promotion started, and weekend ridership was up 32%. However, most of these ridership gains were lost when fare collection resumed in October, and ridership levels have since returned to those at the end of August. It should be noted that the significant drop in weekend ridership shown at the end of the chart can likely be attributed to severe weather.

Operations & Scheduling Committee

Ridership and Operations Update-Information Only

Ruby Horta explained that staff has been providing monthly ridership updates, and periodically focusing on different aspects of our riding public. As of September 2021, County Connection ridership is about 50% of pre-COVID levels. However, the types of services and, as a result, the composition of that ridership has changed slightly.

Ridership on local service, as a proportion of overall ridership, has remained consistent. However, as would be expected, given the shift to remote work for many office workers, riders on our express services only make up about 3% of total ridership compared to 8%, pre-COVID. On the opposite end, our school routes are operating at pre-pandemic levels and those riders have returned to transit at a higher rate. Our special services have been temporarily discontinued, except for the Alamo Creek shuttle, but riders on that service have not returned at significant levels.

Although our missed trip trend has increased over the last several months, largely due to operator availability and school service resuming, our ridership continues to recover. This demonstrates our operations department's commitment to deploy available operators where our riders need it most.

One-Seat Ride Extension and Resolution No. 2022-013

Rashida Kamara stated that in November 2020, the Board of Directors approved a six-month pilot to provide a One-Seat Regional Ride program (Program) for paratransit passengers wishing to travel across multiple transit agency service areas. Participating in the program is Eastern Contra Costa Transit Authority (Tri-Delta Transit), Western Contra Costa Transit Authority (WestCAT), Livermore-Amador Valley Transit Authority (Wheels Bus) and Central Contra Costa Transit Authority (County Connection LINK). The pilot program aims to streamline current regional ride practices by eliminating required transfers for trips that cross multiple transit service areas.

With the Program, passengers can have a one-seat ride for the entire duration of their trip. The Program has been in development for quite some time, but amid COVID-19 concerns, the implementation date was accelerated to help minimize interactions between passengers, drivers, and vehicles.

The pilot was then extended in April 2021, because the participating agencies experienced challenges, such as billing algorithms, data management and mapping trips crossing multiple service areas and providing test trips for East Bay Paratransit.

After one year, while it is clear that from the rider's perspective the Program has been successful, the participating agencies are still collecting and analyzing data on the Program, including all the pricing ramifications to determine the best way to make the Program permanent.

The projected cost for a one-year extension is approximately \$170,00, and one of the components of staffs' request for the extension is to determine how to equitably divide the cost among the participating agencies.

Public Comment: Matt Bush spoke as a Walnut Creek resident. He views the fare integration as one of the most important things that Bay Area transit agencies can do to improve rider experiences, and to move towards a “de-Balkanization” of our many separate agencies. Riders shouldn’t have to care who operates a service, they should just be able to use them all easily and seamlessly. I am pleased that this seems to already have strong support.

MOTION: Director Hudson moved approval of Resolution No. 2022-013, the extension of the One Seat Regional Ride program through November 30, 2022, Director Storer seconded the motion, and it received the following vote of approval:

Aye: Directors Andersen, Haydon, Hoffmeister, Hudson, Noack, Schroder, Storer, Tatzin, Wilk and Worth
No: None
Abstain: None
Absent: Director Sos

Paratransit Executive Summary Report August 2021

Rashida Kamara explained that as of August 2021, the effects of COVID-19 continue to have a profound effect on the overall performance of our Paratransit service. In March 2020, after the Governor's shelter in place order, Paratransit service dropped to 25% of normal levels. As a result, resources were used to serve the community in other ways by delivering meals to seniors, lunch boxes to students, performing emergency services for the county health department and taking passengers to get vaccines. Paratransit continues to be our core service.

The SilverRide Program with Choice in Aging has not yet resumed, because Choice in Aging has not reached full capacity at their facilities. Staff continues to meet with them on a weekly basis as they diligently engage in their reopening plan, and we stand ready to resume this project when they reopen to full capacity.

BOARD COMMUNICATION: None

CLOSED SESSION:

Conference with Legal Counsel-Existing Litigation (54956.9) Case 3:21-cv-01312AGT

The Board of Directors went into closed at 10:53 a.m.

OPEN SESSION:

The Board of Directors came into open session at 11:24 a.m. and no reportable action was taken.

ADJOURNMENT: Chair Hudson adjourned the regular Board meeting at 11:25 am.
Minutes prepared by



Lathina Hill
Assistant to the General Manager

Date: December 8, 2021

To: Board of Directors

Date: December 07, 2021

From: Bill Churchill, Assistant General Manager of Admin.

SUBJECT: UPDATE CalTIP APPOINTMENTS

Summary of Issues:

California Transit System Joint Powers Authority (CalTIP) provides our general liability insurance and requires us to submit through a resolution the positions that will serve as representatives to the CalTIP Board. Following the significant staff reorganization that occurred in 2017, the Director of Human Resources has been given the responsibility of managing the Claims/Risk component related to CalTip. With these new responsibilities it has become clear the Director of Human resources may at times be needed to represent County Connection at CalTip functions.

The table below shows the current positions and the proposed revision:

<i>Current Positions at CalTIP Board</i>	<i>Revised Positions for CalTIP Board</i>
General Manager, Primary	General Manager, Primary
Director of Finance, First Alternate	Chief Finance Officer, First Alternate
Director of Transportation, Second Alternate	Assistant General Manager of Administration; Second Alternate
	Director of Human Resources; Third Alternate

Recommendation:

The A&F Committee requests the Board of Directors approve resolution 2022-016, adding the Director of Human Resources as the Third Alternate to serve on the CalTip Board of Directors.

Financial Implications:

None

Attachment:

Resolution 2022-016

RESOLUTION NO. 2022-016

**BOARD OF DIRECTORS
CENTRAL CONTRA COSTA TRANSIT AUTHORITY STATE OF CALIFORNIA**

* * *

**ADDING CENTRAL CONTRA COSTA TRANSIT AUTHORITY REPRESENTATIVE
TO THE CALIFORNIA TRANSIT SYSTEM JOINT POWERS AUTHORITY (CalTIP)**

WHEREAS, the County of Contra Costa and the Cities of Clayton, Concord, the Town of Danville, Lafayette, Martinez, the Town of Moraga, Orinda, Pleasant Hill, San Ramon and Walnut Creek (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("CCCTA"), a joint exercise of powers agency created under California Government Code Section 6500 *et seq.*, for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions;

WHEREAS, since fiscal year 1987, the California Transit System Joint Powers Authority ("CalTIP") has administered CCCTA's general liability insurance coverage needs;

WHEREAS, each member of CalTIP designates a representative to the CalTIP Board of Directors;

WHEREAS, the following is the slate of existing representatives serving on the CalTIP Board of Directors: the General Manager as Director; the Chief Finance Officer as First Alternate, and the Assistant General Manager of Administration as Second Alternate; and

WHEREAS, it is necessary to update CCCTA's designated representatives to the CalTIP Board of Directors to include the Director of Human Resources as the Third Alternate.

NOW, THEREFORE, BE IT RESOLVED that the Central Contra Costa Transit Authority Board of Directors hereby appoints, effective immediately, the Director of Human Resources as the Third Alternate to serve as a representative on the CalTIP Board of Directors, joining the General Manager as Director, the Chief Finance Officer as First Alternate, and the Assistant General Manager Administration as Second Alternate.

Regularly passed and adopted this 16th day of December, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dave Hudson Chair, Board of Directors

ATTEST:

Lathina Hill, Clerk to the Board

RESOLUTION NO. 2022-014

**BOARD OF DIRECTORS, CENTRAL CONTRA COSTA TRANSIT AUTHORITY
STATE OF CALIFORNIA**

* * *

**APPROVING DESIGNATION OF TREASURER AND AUDITOR,
AND CHANGES IN AUTHORIZED SIGNATORIES FOR UNION BANK**

WHEREAS, the County of Contra Costa and the Cities of Clayton, Concord, the Town of Danville, Lafayette, Martinez, the Town of Moraga, Orinda, Pleasant Hill, San Ramon and Walnut Creek (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("Authority"), a joint exercise of powers agency created under California Government Code Section 6500 *et seq.*, for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions;

WHEREAS, currently Erick Cheung, the previous Chief Financial Officer ("CFO"), and Karol McCarty, the Senior Manager of Accounting, are authorized signers for checks and wire transfers for Union Bank, Wells Fargo Bank and LAIF accounts;

WHEREAS, other signers currently are the General Manager (Rick Ramacier), the Assistant General Manager-Administration (Bill Churchill), Chief Operating Officer (Scott Mitchell), and the Director of Planning (Ruby Horta);

WHEREAS, Erick Cheung resigned several months ago and his replacement, Amber Johnson, has been hired as the new CFO for the Authority;

WHEREAS, the functions of the Authority's Treasurer and Auditor are set forth in the joint exercise of powers agreement ("JPA"), and have been performed by Erick Cheung;

WHEREAS, effective January 1, 2022, Bill Churchill will assume the role of General Manager, and Ruby Horta will assume the role of Assistant General Manager-Administration;

WHEREAS, it is recommended that the Board designate Amber Johnson as the Authority's Auditor & Treasurer pursuant to the joint powers agreement that established CCCTA;

WHEREAS, it is also recommended that the authorized bank signatories be as follows: Amber Johnson (CFO), Karol McCarty (Senior Manager of Accounting), Bill Churchill (General Manager, effective January 1, 2022), Scott Mitchell (Chief Operating Officer), and Ruby Horta (Assistant General Manager-Administration, effective January 1, 2022) as signers on all Union Bank accounts and authorized transfer agents of LAIF and Wells Fargo accounts.

NOW, THEREFORE, BE IT RESOLVED that the Central Contra Costa Transit Authority Board of Directors:

1. Authorizes and designates Amber Johnson as Treasurer and Auditor of the Authority.
2. Authorizes and requires two of the following five staff personnel holding the designated positions of General Manager, Chief Financial Officer, Chief Operating Officer, Senior Manager of Accounting, and Assistant General Manager-Administration, respectively, to sign checks on Union Bank accounts as well as authorization to request LAIF transfers: Bill Churchill, Amber Johnson, Scott Mitchell, Karol McCarty, and Ruby Horta.

Regularly passed and adopted this 16th day of December 2021, by the following vote.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

Dave Hudson., Chair, Board of Directors

Lathina Hill, Clerk to the Board

INTER OFFICE MEMO

To: Board of Directors

Date: December 16, 2021

From: Rick Ramacier
General Manager

SUBJECT: Declaring that the Board and Its Committee Meetings Will Continue to be Held via Teleconference

SUMMARY OF ISSUES:

Due to the ongoing COVID-19 pandemic, the General Manager and Legal Counsel recommend the Board adopt its third resolution under Assembly Bill 361 (AB 361) (1) making findings that the proclaimed COVID-19 pandemic State of Emergency continues to impact the ability of the Central Contra Costa Transit Authority (CCCTA) Board of Directors (Board) and its committees to meet safely in person, and (2) allowing for CCCTA to use the modified teleconferencing requirements under California Government Code Section 54953 for Board and committee meetings for the next 30 days.

On September 16, 2021, Governor Newsom signed into law AB 361 amending Government Code Section 54953 to allow local agencies to use teleconferencing for public meetings without requiring teleconference locations to be included on published agendas or accessible to the public, and without requiring a quorum of the members of the legislative body of the agency to participate from locations within the boundaries of the agency's jurisdiction, during proclaimed states of emergencies.

Local agency determinations to meet using the modified teleconferencing rules under AB 361 must be reviewed every 30 days following the first teleconferenced meeting held pursuant to this law, which as an urgency statute, came into effect on October 1. The legislative body must reconsider the circumstances of the state of emergency and find that they directly impact the ability to meet safely in person. The Governor's State of Emergency related to the COVID-19 pandemic remains active and the Contra Costa County Health Officer, the California Department of Public Health, and the Department of Industrial Relations have imposed or recommended measures to promote social distancing. Compliance with these measures directly impacts the ability of the public to meet safely in person, and CCCTA cannot ensure social distancing recommendations are met in circumstances of in-person public meetings. Furthermore, there is a continuing threat of COVID-19 to the community, and Board and committee meetings have characteristics that give rise to risks to health and safety of meeting participants. Consequently, it is recommended that CCCTA continue to use remote teleconferencing for public meetings as permitted under AB 361 and to reconsider its determination (and make the necessary findings) every 30 days.

On October 21, 2021, the Board adopted its first resolution under AB 361 documenting the findings described above. The Board also was advised to consider similar actions monthly thereafter until conditions change and remote meetings are no longer necessary and appropriate. The proposed action would enable CCCTA's Board and committees to continue to meet remotely for the next 30 days.

FINANCIAL IMPLICATIONS: There is no impact on the budget.

ACTION REQUESTED: Adopt resolution declaring that the proclaimed state of emergency for the COVID-19 pandemic continues to impact the ability of the Board of Directors and its committees to meet safely in person, and directing that virtual Board and committee meetings continue.

RESOLUTION NO. 2022-018

**BOARD OF DIRECTORS CENTRAL CONTRA COSTA TRANSIT AUTHORITY
STATE OF CALIFORNIA**

* * *

**FINDING THAT THE PROCLAIMED STATE OF EMERGENCY FOR THE COVID-19
PANDEMIC CONTINUES TO IMPACT THE ABILITY FOR THE BOARD OF DIRECTORS AND ITS
COMMITTEES TO MEET SAFELY IN PERSON, AND DIRECTING THAT VIRTUAL BOARD AND
COMMITTEE MEETINGS CONTINUE**

WHEREAS, the County of Contra Costa, the Cities of Clayton, Concord, Lafayette, Martinez, Orinda, Pleasant Hill, San Ramon and Walnut Creek, and the Towns of Danville and Moraga (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("CCCTA"), a joint exercise of powers agency created under California Government Code Section 6500 *et seq.*, for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions ("Service Area");

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to exist in California as a result of the threat of the COVID-19 pandemic, which declaration remains in effect;

WHEREAS, the Contra Costa County Board of Supervisors subsequently declared a local emergency related to COVID-19, which declaration also remains in effect;

WHEREAS, on March 17 and June 11, 2020, the Governor issued Executive Orders N-29-20 and N-08-21, respectively, suspending certain provisions of the Ralph M. Brown Act related to teleconferencing through September 30, 2021 to facilitate legislative bodies conducting public meetings remotely to help protect against the spread of COVID-19 and to protect the health and safety of the public;

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill (AB) 361 into law, amending Government Code Section 54953, effective immediately, to allow legislative bodies to continue to meet remotely under less restrictive requirements during a proclaimed State of Emergency provided that (1) state or local officials have imposed or recommended measures to promote social distancing, or (2) the legislative bodies determine that meeting in person would present imminent risks to the health or safety of attendees, and (3) the legislative bodies make such findings at least every thirty days during the term of the declared state of emergency;

WHEREAS, on October 21, 2021, pursuant to Resolution 2022-012, and on November 18, 2021, pursuant to Resolution 2022-015, the CCCTA Board of Directors (Board) made the requisite findings to allow teleconferencing under AB 361 for 30 days;

WHEREAS, the Board has reviewed its previous findings and again concludes that there is a continuing threat of COVID-19 to the community, and that Board and committee meetings have characteristics that continue to give rise to risks to health and safety of meeting participants;

WHEREAS, to help protect against the spread of COVID-19 and its variants, and to protect the health and safety of the public, the Board desires to take the actions necessary to continue to hold its Board and committee meetings remotely as authorized by AB 361.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Central Contra Costa Transit Authority has reconsidered the circumstances of the COVID-19 State of Emergency, and finds and determines that the state of emergency continues to directly impact its ability to meet safely in person;

BE IT FURTHER RESOLVED, that the Board of Directors directs the General Manager/CEO and Clerk to the Board to continue to agendize public meetings of the Board, and all CCCTA committees that are subject to the Brown Act, only as online teleconference meetings;

BE IT FURTHER RESOLVED, that CCCTA will comply with the requirements of Government Code Section 54953(e)(2) when holding Board and committee meetings pursuant to this Resolution; and

BE IT FURTHER RESOLVED, that this Resolution will be in effect for the maximum period of time permitted under AB 361 (30 days), and the Board will reconsider the findings in this Resolution each month and may subsequently reaffirm these findings, pursuant to its consent calendar.

Regularly passed and adopted this 16th day of December, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dave Hudson, Chair, Board of Directors

ATTEST: _____
Lathina Hill, Clerk to the Board

RESOLUTION NO. 2022-017

**BOARD OF DIRECTORS, CENTRAL CONTRA COSTA TRANSIT AUTHORITY
STATE OF CALIFORNIA**

* * *

**PROCLAMATION OF APPRECIATION IN HONOR OF
RICK RAMACIER
FOR HIS OUTSTANDING SERVICE TO THE
CENTRAL CONTRA COSTA TRANSIT AUTHORITY**

WHEREAS, Rick Ramacier has served with distinction for over 32 years with the Central Contra Costa Transit Authority (CCCTA), culminating in his service as General Manager for the past 23 years; and

WHEREAS, as the Accessible Services Manager from 1992-1994, Mr. Ramacier helped establish and develop a high quality paratransit service for CCCTA's service area to meet the transportation needs of the most vulnerable;

WHEREAS, as Director of Service Planning from 1994-1998, Mr. Ramacier shaped both the fixed route service and paratransit service to maximize the quality of life for the communities served by CCCTA, and developed key relationships with the Metropolitan Transportation Commission and the Contra Costa Transit Authority to ensure appropriate funding to maintain and grow CCCTA's public transit system; and

WHEREAS, as the General Manager since 1998, Mr. Ramacier has worked tirelessly and effectively to build a professional, diverse, and inclusive culture at CCCTA; and

WHEREAS, Mr. Ramacier established a strong working relationship with a diverse workforce including the ATU Local 1605, Machinists Lodge No. 1173, Teamsters No. 856 and the administrative employees to create a working environment with high employee morale, and a strong work ethic that values each member of CCCTA's staff and the communities that CCCTA serves; and

WHEREAS, Rick's outstanding leadership skills enhanced a collaborative and cohesive Board of Directors decision-making approach to provide vital transit services which enabled CCCTA to serve the residents, from students to seniors in the Cities and Unincorporated Communities in Central and Southwest Contra Costa; and

WHEREAS, throughout his years of service Mr. Ramacier has led CCCTA to make major improvements in the quality of its public transit services, including the conversion to a hybrid electric fleet, the introduction of an innovative all electric bus service, the coordination of regional paratransit services in

Contra Costa County and playing a leadership role in developing the successful Measure J expenditure plan, approved by the voters, which increased transit services throughout Contra Costa; and

WHEREAS, the public of all ages has benefitted from Rick's youthful decision to abandon a successful music career as the drummer in a band headed to heights to enter public service, and to devote much of his leisure time as an admired and dedicated CYO Basketball coach and the Athletic Director for Christ the King Church; and

WHEREAS, Rick has been a prominent public transit leader for the Bay Area, the State of California and the Nation, serving as Chair of the Metropolitan Transportation Commission's Bay Area Partnership Board, Chair of the Clipper Executive Board, Association Board Member and Chair of the Legislative Committee of the California Transit Association, Chair of the Board of Directors of the California Association For Coordinated Transportation and Chair of the Accessibility Committee of the American Public Transportation Association; and

WHEREAS, during the COVID Crisis, under Rick's leadership and support, CCCTA, Tri Delta, LAVTA and WestCat developed and implemented an innovative one seat paratransit service to provide safe and efficient services for our communities' riders relying on these vital transit service; and

WHEREAS, Rick was a key member of the Bay Area Blue Ribbon Transit Recovery Taskforce, displaying diplomatic skills that would rival the most senior international diplomat, working with Transit Operators, Labor, and Elected Officials, which resulted in the Taskforce adopting vital rider and worker covid safety protocols, as well as crafting a future pathway for transit recovery in the Bay Area; and

WHEREAS, Mr. Ramacier has announced his retirement after many years of valued leadership in the Bay Area transit community, during which he has earned the sincere admiration and deep respect of staff and policy officials;

WHEREAS, as Mr. Ramacier retires, he leaves CCCTA in a solid financial position, stable labor relations, and its bus and paratransit services poised to regain ridership and ready to take on the next generation of growth and mobility options;

WHEREAS, Mr. Ramacier leaves the leadership of CCCTA in the capable hands of those he has thoughtfully mentored and guided through the years to assume management positions within the agency; and

WHEREAS, Mr. Ramacier has served County Connection with great dedication, insight, and vision, and has contributed his considerable talents to tackle the complex public transportation issues of the Bay Area with innovation and creativity, all with a deep commitment to fairness and the best interests of the public.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Central Contra Costa Transit Authority does hereby express its heartfelt gratitude and deepest appreciation to Rick Ramacier for his astute leadership and dedicated service to County Connection; and

BE IT FURTHER RESOLVED that the Board of Directors of the Central Contra Costa Transit Authority offers its wholehearted best wishes for good health, fulfillment and well deserved happiness to Rick Ramacier as he embarks on his next adventures.

Unanimously adopted this 16th day of December 2021.

Dave Hudson, Chair, Board of Directors

ATTEST:

Lathina Hill, Clerk to the Board

To: Board of Directors

Date: December 8, 2021

From: Rick Ramacier, General Manager

SUBJECT: How the PEPRA – 13(c) Dispute Could Impact County Connection

Background

As reported to the Board of Directors in November, the USDOL is indicating that they may begin holding up California federal transit grants later this month based on their current belief that PEPRA violates the bargain rights of unions under Section 13(c) of the federal transportation authorization. PEPRA is the 2013 state law that implemented public pension reform.

While staff is just starting to ascertain how this could impact County Connection, we can say a few preliminary things in terms of some of possible financial boundaries of this issue.

Near Term County Connection Federal Grants at Stake

Should the USDOL begin holding up grants later this month, the process to end that hold will likely take at least two years as it did the last time this happened in 2014 or so. Thus, we can project that the following federal grants for County Connection could get held should USDOL proceed as anticipated:

- FY22 ARP funds (Covid 19 relief money meant to keep transit employed during the pandemic) in the amount of \$10.4 million.
- FY22 ADA paratransit operating support - about \$1.4 million.
- FY23 ADA paratransit operating support – about \$1.4 million.
- FY23 Bus procurement 40 buses (some likely to be hydrogen fuel cell) to replace 13 year-old diesel buses in the amount of \$28.9 million.

The total potential loss of federal funding with these four items is about \$42 million.

Potential Responses and Consequences to Federal Grant Losses or Delays

At this time, we can identify in general ways County Connection how could respond to lost federal grants. First, we should keep in mind that of the four grants listed above, one is a major capital grant and the other three would support our operating budget.

The most immediate risk is to our FY22 ARP funds. Staff, at the request of the Federal Transit Administration (FTA) and MTC have applied for these funds recently. However, we have yet to begin the FY23 budgeting work on how we would use these funds. Thus, a hold up of these funds could be endured for some yet to be determined time. However, there is a federal deadline as to when these funds must be spent. To cover any significant delay in receiving our ARP funds, we can use funding from TDA reserves.

We are line to receive FY22 and FY23 grants that can be used to help pay the cost of our paratransit operating and maintenance contract, because this is competitively bid. Between the two grants, we are set to receive about \$3 million in such support, provided USDOL does not hold them up. This would represent about 20% of our paratransit operating budget revenue in each of FY22 and FY23. Again, this could be covered by TDA reserves in the short term.

Perhaps the biggest project at risk in the immediate timeframe is our 40 bus replacement project. This project is projected to cost \$36 million and change. We are due to receive \$29 million in federal grants. If we do not receive this funding or if it delayed beyond six months or so, the project will be in great jeopardy. We do not have anywhere near enough reserve funding to cover this potential federal funding loss.

If we do not replace these 40 buses soon, they will become very unreliable and overly expensive to maintain. They are also older diesel technology buses. Furthermore, staff is contemplating asking the Board to consider a purchase of up to 20 Hydrogen Fuel Cell (HFC) buses as part of this project when it comes to the Board sometime next year. If these buses cannot be replaced, we will fall behind on our effort to comply with the state mandate to move to Zero Emission Based (ZEB) buses, and eventually our fleet total will greatly shrink. This will force massive service cuts as we won't have the vehicles to provide the related service.

Without this particular grant, we will likely not be able to successfully compete for matching funds from the state. In this year's state budget and in the one likely to be proposed for FY23 in January, there is quite a lot of one time only money in those budgets to help California transit operators pay for the buses and the charging equipment. These funds will be competitively awarded in most cases. County Connection is well poised to compete for those funds – if we have our federal shares in hand!

While staff will have a more precise figure for you in January, we can estimate that our TDA reserves sit at about \$29 million. We hope to have a new financial forecast for you in January as well. However, if we were to use all that reserve to cover federal funding losses, we would likely be cutting service by the end of calendar 2022. Particularly, using reserves to fund the 40 bus replacement project is highly unrealistic if we are to maintain any kind of reserve. Furthermore, the loss of the ARP funds would likely lead to major service cuts sometime in FY24. But, more to come on this in January.

Action Requested

No action is requested. Staff will make brief verbal presentation on this at the December board meeting.

To: Board of Directors

Date: December 08, 2021

From: Bill Churchill, Assistant General Manager of Administration

Reviewed by:

SUBJECT: Mayors Meeting with MDUSD & Transportation Authorities

Background:

County Connection staff was invited to a meeting on November 3rd with the Mayors of Clayton, Concord, Pleasant Hill, Pittsburg and Walnut Creek. Also, in attendance was Mr. Haile from Contra Costa Transportation Authority (CCTA) and Dr. Clark the Superintendent from the Mount Diablo Unified School District (MDUSD). The purpose of the meeting was to explore potential traffic congestion mitigation solutions to offset the profound bottlenecks that occur around many MDUSD schools at bell times.

Assistance from Transit Agencies:

Mr. Haile provided an overview the CCTA's Safe Routes to School Program and how some of the concepts within their program can reduce congestions around some schools at bell times. Mr. Haile offered to meet with MDUSD staff to help identify schools that could benefit from the program and walk through some of the various concepts that could be easily implemented.

County Connection staff pointed out that unlike the relationships with many other school districts within the service area and there has not been any significant sharing of information between the District and Authority staffs in a couple of decades. Since County Connection staff does not have a clear picture of where students originate and the schools they attend, it has been challenging to design the routes to maximize student transit use. Dr. Clark agreed that improving the staff's relationship of the two entities and the sharing of data could have a direct impact on transporting more students in buses and as a result reducing congestion. Dr. Clark committed to assigning a transportation coordinator from MDUSD to begin meeting with County Connection staff as well as provide origin and destination data to look for opportunities to improve public transportation for students.

Staff will provide updates to the board as a more robust relationship with MDUSD begins to take shape and as potential ways to improve public transportation for students becomes more clear.

Financial Implications:

None.

Recommendation:

None, for information only.

Action Requested:

None, for information only.

INTER OFFICE MEMO

To: Board of Directors

Date: December 8, 2021

From: Rick Ramacier
General Manager

Subject: PEPRA & Federal Section 13(c)

Background

Since the state enacted PERS based pension reform in 2013 (PEPRA), the Amalgamated Transit Union International (ATU) has argued that this reform interferes with their rights to bargain for wages and benefits under federal Section 13(c) of the federal transportation authorizations.

In short review, the USDOL originally agreed with the ATU contention and began to hold up California transit operators federal grant applications. Subsequently, a federal court agreed with Sacramento RT (Sac RT) and Monterey-Salinas Transit (MST) – enjoined by Caltrans – that the USDOL had erred in agreeing that PEPRA - on its face - violates the rights of unions like ATU under Section 13(c).

Thus, eventually the USDOL decided not to hold up anymore California transit federal grant applications. However, in 2019, the ATU International filed a new lawsuit against USDOL arguing that only Sac RT and MST had “won” the original lawsuit and therefore USDOL is wrong in not holding up other California transit operator federal grant applications with respect to PEPRA and Section 13(c).

That new lawsuit was schedule to begin hearing in early 2021. However, in January of this past year, USDOL wrote the court asking for a time out, if you will, as they had come to decide that they were wrong and that they should be holding up California grants because of the alleged conflict between PEPRA and Section 13(c). This was communicated in a letter from USDOL to FTA Region 9 (Region 9 oversees California) on October 28, 2021.

Subsequent to that, Governor Newsom sent a letter to President Biden’s Chief of Staff, the Sectary of Transportation and the Secretary of Labor expressing his strong opposition to this apparent shift in thinking from USDOL as well as his outright opposition and concern that USDOL might deny California up to \$12 billion in federal public transit funding. Senators Diane Feinstein and Alex Padilla wrote a similar letter to the same people. Both letters state their strong belief that USDOL is wrong in its new interpretation of PEPRA and how it may or may not impact Section 13(c) rights.

As of this writing, no California grants have been held up by the USDOL due to this issue. There are a few procedural items going to Court between now and late December relative to the lawsuit filed by the ATU International in 2019. Staff will be able to provide with in progress report to you at the Board meeting on December 16, 2021.

Action Requested

Staff recommends that County Connection begin to inform our federal and state delegations of the reemergence of these issues as well as the pontental impacts to us.

To: Board of Directors

Date: December 9, 2021

From: Rashida Kamara, Director of ADA and Specialize Services

Reviewed by: *WC.*

SUBJECT: Release of Request for Proposal for County Connection and LAVTA Joint Paratransit Procurement

Background:

In April of 2021, County Connection, in collaboration with Livermore Amador Valley Transportation (LAVTA), initiated a pilot project to provide paratransit services for both transit agencies using a single contractor. The purpose of the pilot was to explore the potential of streamlining services across a larger region with the goal of reducing expenses and improving customer service. In order to ensure the goals of the pilot were met, a special ad hoc committee made up of board members of both transit agencies was formed. The next ad hoc Committee meeting is scheduled to take place on December 6th, when staff anticipates they will review the success of the pilot by evaluating service quality, cost savings, and rider satisfaction.

If County Connection chooses not to move forward with a joint paratransit procurement it is important to note the current ADA Paratransit contract with Transdev expires on June 30th, 2022 and has two 1-year options that could be exercised.

Current Staff Evaluation:

Staff from both agencies meet weekly to discuss the efficacy of the program using metrics such as on time performance, customer satisfaction, and shared resources. Despite low ridership numbers due to COVID-19, metrics performed under this pilot have either met or exceed the standard performance criteria for both authorities. Staff from both authorities have learned to successfully collaborate in resolving challenges and effectively hold the contractor to a high standard of service. As a result, staff from both authorities agree that they will recommend moving forward with a joint paratransit procurement.

Proposed RFP/Contract Timeline for Joint ADA Paratransit Services

- | | |
|--|------------------------------------|
| 1) December 3, O&S Meeting | Present RFP Highlights |
| 2) December 6, Ad Hoc Committee | Determine Joint RFP |
| 3) December 16, CCCTA Board Meeting | Board Authorizes Release Joint RFP |
| 4) January 10, LAVTA Board Meeting | Board Authorizes Release Joint RFP |
| 5) January – February 2022 | RFP available to proposers |
| 6) March 2022 | Bid Evaluation |
| 7) April 2022, O&S Meeting | Staff recommendation of Bid Award |
| 8) April 2022, CCCTA Board Meeting | Board Meeting Approval |
| 9) May 2022 – June 30 th , 2022 | Potential Contractor Transition |
| 10) July 1 st , 2022 | Winning Contractor Starts Service |

Recommendation:

The O&S Committee requests the Board of Directors approve the request to release an RFP for a joint paratransit procurement with Livermore Amador Valley Transportation Authority, pending approval from the LAVTA Board of Directors which is scheduled for January 10th, 2022.

Action:

- Approve
- Decline to approve
- Provide further direction

Financial Implications:

None at this time. Staff will bring a recommendation to the Board for contract award and will provide financial information at that time.

To: Board of Directors

Date: 12/9/2021

From: Rashida Kamara, Director of ADA Services

Reviewed by:

SUBJECT: Appointment to Advisory Committee Representing Town of Moraga

Background:

On November 15, 2021, the Town of Moraga appointed Jim Yu to serve on the County Connection's Advisory Committee as the primary member representing Town of Moraga. This appointment will expire on November 9, 2023.

Financial Implications:

None

Recommendation:

Approve the appointment of Jim Yu as the representative for the Town of Moraga on County Connection's Advisory Committee.

Attachments:

- A. Town of Moraga recommendation for appointment of Jim Yu approval



Town of Moraga

TOWN CLERK

November 15, 2021

Valerie Volk
Administrative Assistant
County Connection
2477 Arnold Industrial Way
Concord, CA 94520

Dear Valerie:

This letter is to inform you that on Wednesday evening, November 10, 2021, the Town of Moraga Town Council re-appointed Jim Yu to the County Connection Citizens Advisory Committee, to serve a two-year term of office until November 9, 2023.

Enclosed is a copy of his County Connection Advisory Committee Member Application. His contact information is as follows:

Jim Yu
1428 Camino Peral
Moraga, CA 94556
Work Phone: 925-472-6633
Cell Phone: 510-381-0380

We did let him know that you would be contacting him with information about the Board process for approval and the Advisory Committee meetings.

We are confident that Mr. Yu's knowledge and experience will be an asset to the County Connection Citizens Advisory Committee.

Sincerely,

Marty C. McInturf
Town Clerk