



# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

## Master Minute Order

<b>Report ID:</b>	18-211h	<b>Status:</b>	Approved
<b>Type:</b>	Regular - Planning		
<b>Meeting Body:</b>	Board of Directors - Regular Meeting 08/10/2022	<b>Final Action:</b>	08/10/2022
<b>Sponsors:</b>			
<b>Attachments:</b>	STAFF REPORT, Att.1.Local Jurisdiction Responses, Att.2.Contract Scenarios and Costs, Att.3.Transit Shelter Update Presentation		

### Agenda Title:

Receive an update on transit shelter contracting scenarios, associated cost estimates, and local jurisdiction contributions and consider approving the following:

- Contracting transit shelter maintenance with a third-party contractor and retaining ownership of shelters, with potential funding from local jurisdictions.
- Issuance of a solicitation for shelter maintenance services.

### Legislative Action & Summary

<b>Acting Body:</b>	<b>Date:</b>	<b>Action:</b>	<b>Result:</b>
Board of Directors - Regular Meeting	08/10/2022	Approved	Pass

### Action Text:

MOTION TO AMEND BY SUBSTITUTION: PEEPLES/YOUNG to authorize issuance of solicitations for shelter maintenance, advertising, and installations/relocations outlined in Option C (Attachment 2); and direct staff to report back on the liability obligations and on the discussions with the underlying jurisdictions about shelter ownership. The motion carried by the following vote:

Ayes: 7      President ORTIZ, Vice President YOUNG, Director BECKLES, Director WALSH, Director McCALLEY, Director SHAW, Director PEEPLES

### Notes:

Transportation Planner Carissa Lee presented the staff report. There were no public comments offered.

### Board Discussion:

Vice President Young asked about the benefits of owning the shelters. General Counsel Jill Sprague and Ms. Lee explained that the riders' feedback about the shelters would be streamlined and AC Transit would have control over advertising, design, installation, or removal of shelters. General Counsel Sprague explained that the downside of owning the shelters would be liability which included property damage or personal injury associated with the shelters. To Vice President's question about whether the District would administer a single or individual agreement with jurisdictions, General Manager Hursh advised that funding for shelters is going to be limited to what the underlying

jurisdictions are willing to pay and may not be approved by some cities, adding that AC Transit may need to reserve the option to remove the shelters from the cities that don't provide funding. General Manager Hursh clarified that the scenarios do not include the shelters within the City of Oakland because those are entirely within Oakland's control. Vice President Young further commented on the removal of shelters and that Alameda county was not interested in providing shelters at all.

Director Ortiz posed questions about the reimbursement option and how the District would negotiate the reimbursement rates. General Manager Hursh explained that staff will keep the Board apprised of the reimbursement details at the appropriate time and clarified that today's ask is that the Board allow AC Transit to handle the shelters upon separation from Clear Channel, who no longer wishes to own the shelters. President Ortiz was interested in looking at the shelter design in more detail in the future to modernize the amenities.

Director Peeples raised questions about the costs of maintaining the shelters internally and made a point that although everyone is in favor of having shelters, the funding for maintaining them is limited. Director Peeples also asked about responsibilities in dealing with the unhoused population as the community will expect AC Transit to handle the issues. Director Peeples added that social services would be the appropriate approach to deal with the unhoused population in bus shelters but was concerned about the costs. To Director Peeples' question about a potential increase in the insurance policy, staff explained that the increase would be negligible.

To Director Shaw's question about who would make the decision about shelters on behalf of the unincorporated areas in Alameda County, to which staff explained that they are in contact with the Alameda County Administrator's Office. Director Shaw suspected that the Alameda County Board of Supervisors would not be pleased with the option to remove shelters from the unincorporated areas. Director Shaw indicated that her preferred option would be that the cities take ownership of the shelters, but saw that as the least possible scenario and favored Option C detailed in the staff report because it would allow staff to focus on maintenance, advertising, and installation independently. Director Shaw added that in the event the cities were not interested in shelters, AC Transit would need to be consistent with the maintenance practices.

Director Walsh commented in support of option C and was hopeful that the cities would be willing to participate in costs. Director Walsh also commented that in-house advertising could potentially offset the costs.

Director McCalley commented that he would support Option C and commented on the strategy to negotiate the cost-share with cities.

Staff clarified that they would report back to the Board on what aspects of liability shelter ownership would bring upon the District.

Director Young made a motion to approve the issuance of a solicitation for shelter maintenance services. President Ortiz seconded, and the Board's discussion ensued. Director Peeples made an amendment motion as follows:



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