

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 10/13/2021

Staff Report No. 21-460

TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager
SUBJECT: Letter Regarding Events Held in Banned States

ACTION ITEM

RECOMMENDED ACTION(S):

Consider whether to authorize a member of the Board to sign a letter expressing AC Transit's Concerns regarding events held in banned states. [Requested by Director Walsh - 8/11/21]

STRATEGIC IMPORTANCE:

Goal - Strong Public and Policymaker Support
Initiative - Financial Efficiency and Revenue Maximization

Participation in conferences and events is one way to build strong public and policymaker support. Proactive communications regarding cancellations and policy changes that effect participation in these events is an important action to maintain positive relations and strong public and policymaker support.

BUDGETARY/FISCAL IMPACT:

Submitting a letter expressing AC Transit's concerns regarding events held in banned states has no direct impact on the budget.

BACKGROUND/RATIONALE:

At the August 11, 2021 Board meeting, Board Director Walsh requested that there be a joint effort with other transit agencies to send a letter to the American Public Transportation Association (APTA), Florida Convention Bureau, and Florida Governor's Office, voicing a protest of participation in events that are in states with travel bans due to their discriminatory laws. Additionally, Director Walsh requested that efforts be made to have other Bay Area transit agencies sign-onto the letter. Staff has reached out to several Bay Area public transit agencies to determine if there is interest in sending a joint letter. At the time of writing this report, no transit agencies have confirmed, although some have expressed interest.

On June 29, 2021, the State of California added five states to the list of places where state-funded travel is banned because of laws that discriminate against members of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) community. The most recent travel bans apply to the following five states: Florida, Arkansas, Montana, North Dakota, and West Virginia. The 12 other states on the list since 2016 are: Texas, Alabama, Idaho, Iowa, Oklahoma, South Carolina, South Dakota, Kentucky, North Carolina, Kansas, Mississippi, and

Tennessee.

The five states newly added to the list have introduced bills in their legislatures this year that block access to health care and allow discrimination of the LGBTQ+ community, including prevention of transgender women and girls from participating in school sports consistent with their gender identity.

AC Transit is proud to support the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) community, including AC Transit's own LGBTQ+ employees and their families. Additionally, the District is committed to providing a work environment free from all forms of unlawful employment discrimination, including sexual and other forms of harassment while fostering an organizational culture of inclusiveness with a diverse workforce. Support of external events and organizations is one of the many ways in which the District demonstrates its core values, support of its staff, and commitment to equity. Another way is through its policies, and in this example, a conscious decision by the Board more than five years ago to align with the State's position to ban spending public funds in States that have introduced legislation that discriminates against LGBTQ+ individuals and communities.

ADVANTAGES/DISADVANTAGES:

Communications with our partners, community and policymakers is important in establishing and maintaining positive relations and support. Sending a letter offering explanation of the District's cancellation of the participation of the upcoming APTA Conference in Florida is an important step that is consistent with goals and objectives to build and maintain strong public and policymaker support.

ALTERNATIVES ANALYSIS:

One alternative is to remain silent and not send a letter explaining the District's policy to not participate in conferences/events held in banned States. This action is not advised as silence or lack of transparency has the counter-effect to the District's goal of building positive public and policymaker relations.

Another alternative is for the District to be the only signatory on the letter if other transit agencies do not wish to sign on.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Staff Report No. 21-348 - Waiver of Board Policy 155 - Travel, Meeting and Miscellaneous Expense Reimbursement for Directors and Officers
Board Policy 155 - Travel and Meeting Expense Reimbursements for Directors and Board Officers

ATTACHMENTS:

1. Draft letter

Prepared by:

Diann Castleberry, External Affairs Representative

Approved/Reviewed by:

Claudia Burgos, Director of Legislative Affairs & Community Relations

Beverly Greene, Executive Director of External Affairs, Marketing & Communications

Jill A. Sprague, General Counsel