



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

Master Minute Order

File Number: 19-230a

Report ID: 19-230a

Type: Regular - Board
Administrative Matters

Status: Continued

**Agenda
Section:**

Meeting Body: Board of Directors -
Regular Meeting

Report Created: 07/24/2019

Final Action: 08/07/2019

Recommended Action: Consider adoption of Resolution No. 19-022 authorizing the General Manager to transfer ownership of three surplus transit buses to Those Angels, Inc. pursuant to Board Policy 461. *[Continued from the July 24, 2019, Board meeting.]*

Meeting Date: 08/07/2019

Agenda Number: 6.F.

Sponsors:

Enactment Date:

Attachments: STAFF REPORT, Att.1. Reso 19-022 Bus Donation,
Att.2. Charter Bus Project, Att.3. Supplemental
Documents (15)

Enactment Number:

Hearing Date:

Effective Date:

History of Legislative File

Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Board of Directors - Regular Meeting	08/07/2019	Denied				Pass
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Action Text: MOTION: PEEPLES/SHAW to adopt Resolution No. 19-022 authorizing the General Manager to transfer ownership of three surplus transit buses to Those Angels, Inc. pursuant to Board Policy 461 with the following amendments: 1) that Those Angels, Inc. accomplish the transfer to Haiti within six months, and if not, the buses will go to auction; and 2) Section 1 of the resolution to include language that the buses will be used for school service. The motion failed by the following vote:

Notes: ***General Counsel Denise Standridge announced that Director Williams recused himself due to a conflict of interest on Item 6.F. because he is an Ambassador for Those Angels, Inc. Director Williams left the dais at 5:38 p.m.***

Ms. Standridge presented the staff report, advising the Board that several supplemental documents were provided by Those Angels, Inc. including a budget, the Statement of Information filed with the State of California, and letters from the labor council and a school district in support of the charity. She added that Those Angels, Inc. was too small for Charity Navigator and too young for Charity Watch.

She further advised that Mr. Joseph was present to address questions from the Board.

Vice President Ortiz commented that while the charity seemed to be doing a good thing, she remained concerned about several issues, including how the buses would be used once donated and the budget. Vice President Ortiz argued that even if the charity were funded, more than 50% of the expenditures were for administrative costs, which in her experience was high. Mr. Joseph sought to clarify the mission and vision of Those Angels, saying that the charity would follow any criteria specified by the District on how the buses are to be used if donated. He added that Those Angels had received donated buses prior to receiving its 501(c)(3) status, but had not received any since. He added that he was a volunteer with the organization and did not earn a salary even though he was the organization's founder. He further informed that Board that the figures included in the budget were projections, not actuals and were meant to inform the Board of what the charity's intentions were if it were to receive funding.

Director Peebles agreed with the charity's mission, but continued to question the type of bus being requested for donation and what Those Angels would do with them. Mr. Joseph advised that the buses would be used to take children on long trips, adding that Those Angels would use the buses under whatever conditions the District specified.

Director Young asked if transport of the buses to Haiti had been arranged. Mr. Joseph advised that he had a three point plan to get the buses to Haiti, which included making an application to the U.S. Air Force to transport the buses; utilizing contacts via the San Francisco Labor Council with shipping companies; and working with union partners to raise the funds to ship the buses.

Director Shaw asked how long Those Angels would have to ship the buses. Ms. Standridge advised that six months would be given to ship the buses and if they were not shipped by that time, they would be sold at auction and she would amend the resolution to include this.

Director Young suggested that Those Angels purchase the buses at auction which would eliminate concerns about how the buses would be used.

Director Peebles advised that he was willing to move in favor of the donation contingent on two amendments to the resolution: 1) that Those Angels, Inc. accomplish the transfer to Haiti within six months, and if not, the buses will go to auction; and 2) Section 1 of the resolution be amended to include language that the buses be used for school service.

Following the defeat of the motion (below), Director Young suggested that staff investigate the possibility of a direct negotiation with the school in Haiti for purchase of the buses. Ms. Standridge advised that staff can come back to the

Board following further discussions with Mr. Joseph regarding sale of the buses to a school in Haiti.

Ayes: 3 Director Shaw, Director Peeples, Director Young
Nays: 1 Director Harper
Abstained: 2 Vice President Ortiz, President Wallace
Recused: 1 Director Williams
