

Attachment 1: Local Jurisdiction Responses

Background: On May 19, May 24, and June 27, District staff facilitated coordination meetings with local jurisdictions to discuss transit shelter maintenance and ownership. Jurisdictions that were asked to decide on the following three options:

- Option 1: Remove the transit shelters in their jurisdictions, which are under the jurisdiction’s permits/easements.
- Option 2: Take on ownership and maintenance of the shelters in their jurisdiction.
- Option 3: Reimbursing AC Transit to administer all future maintenance contracts. This would require a new funding agreement(s).

Staff also discussed ownership with local jurisdiction staff. Since Local Jurisdictions currently issue permits to Clear Channel Outdoor to operate transit shelters in their right-of-way, ownership would default to the local jurisdictions at the end of the Amendment No. 9, unless the jurisdictions transfer ownership.

On September 14, 2022, District staff met with the local jurisdictions and received status updates on local jurisdiction monetary contributions. A summary of these options can be found in Table 1 and a more detailed breakdown per jurisdiction can be found below.

Table 1: Local Jurisdiction Preferred Options for Transit Shelter Maintenance and Ownership

Jurisdiction	Option 1: Remove Shelters	Option 2: Take maintenance in-house	Option 3: Reimburse AC Transit	Ownership
Alameda County (Unincorporated)	Pending Response			
Albany			X	Transfer ownership to ACT
Berkeley			X	Pending Response
El Cerrito			X	Transfer ownership to ACT
Fremont			X	Transfer ownership to ACT
Hayward			X	Pending Response
Newark		X		Retain Ownership
Richmond	Pending Response			
San Leandro	Pending Response			
San Pablo			X	Transfer ownership to ACT

Below is a list of responses that District staff have received as **November 11, 2022**. Please note that this does not include the City of Oakland (110 shelters), the City of Emeryville (6 shelters), the City of Alameda (80 shelters), or the City of Piedmont which have their own Transit Shelter contracts.

County of Alameda – Unincorporated

Option Chosen - None:

- County of Alameda Public Works Administration (ACPWA) staff stated that they do not have the resources to take over the ownership or to help pay for the maintenance of these shelters. Therefore, options 2 and 3 are not feasible. Regarding option 1, The County states that shelters were installed to serve transit riders, the shelters are not owned by the County, and therefore staff defer to AC Transit to determine what to do with the shelters.
- Prefer ACT retain ownership of shelters.

Permitting: AC Transit would work with ACPWA staff to draft a new agreement allowing for permitting in the right-of-way.

City of Albany

Preferred Option – 2 OR 3 depending:

- Cannot commit to an option or ask their City Council for funding without knowing the actual program cost per jurisdiction. Hoping that the RFPs will clarify this.
- If costs for reimbursing AC Transit prove to be too high, then Albany will consider running their own in-house program.
- Need 2 – 3 months lead time to go to City Council.
- Prefer to have cost sharing with AC Transit
- Prefer ACT retain ownership of shelters.

Permitting: AC Transit would work with staff to draft a new agreement allowing for permitting in the right-of-way.

City of Berkeley

Preferred Option – 3:

- Cannot commit to an option or ask their City Council for funding without knowing the actual program cost per jurisdiction. Hoping that the RFPs will clarify this.
- Prefer ACT retain ownership of shelters.

Permitting: AC Transit would work with staff to draft a new agreement allowing for permitting in the right-of-way.

City of El Cerrito

Preferred Option – 3:

- Cannot commit to an option or ask their City Council for funding without knowing the actual program cost per jurisdiction. Hoping that the RFPs will clarify this.
- Prefer to have cost sharing with AC Transit
- Depending on when the District can share RFP cost information, they may be able to propose a mid-year budget adjustment to cover maintenance Spring 2023 or normal budget process, effective July 1, 2023.
- Prefer ACT retain ownership of shelters.

Permitting: If ACT owns the shelters, no permits would be required to install in the ROW. AC Transit would work with staff to draft a new agreement allowing for permitting in the right-of-way.

City of Fremont

Preferred Option – 3:

- Cannot commit to an option or ask their City Council for funding without knowing the actual program cost per jurisdiction. Hoping that the RFPs will clarify this.
- Prefer ACT retain ownership of shelters.
- Prefer to have cost sharing with AC Transit.

Permitting: Standard encroachment permit process.

City of Hayward

Preferred Option – 3:

- Cannot commit to an option or ask their City Council for funding without knowing the actual program cost per jurisdiction. Hoping that the RFPs will clarify this.
- Prefer ACT retain ownership of shelters.
- Prefer to have cost sharing with AC Transit.

Permitting: Standard encroachment permit process.

City of Newark

Preferred Option – 2:

- Very likely choose to take on maintenance of 13 transit shelters in-house. Still confirming with staff and then City Council.

City of Richmond

Still waiting for a response.

City of San Leandro

Still waiting for a response.

City of San Pablo:

Preferred Option -- 3:

- Cannot commit to an option or ask their City Council for funding without knowing the actual program cost per jurisdiction. Hoping that the RFPs will clarify this.
- Prefer to have cost sharing with AC Transit. If costs are prohibitive, the City may take on maintenance of shelters in-house.
- Prefer ACT retain ownership of shelters.

Permitting: If ACT owns the shelters, will work with District to streamline the permitting process. AC Transit would work with staff to draft a new agreement allowing for permitting in the right-of-way.