

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

MEETING DATE: 6/28/2023

Staff Report No. 23-324

TO: AC Transit Board of Directors  
FROM: Linda A. Nemeroff, Board Administrative Officer/District Secretary  
SUBJECT: Amendments to Board Policy 437

### ACTION ITEM

**AGENDA PLANNING REQUEST:**

**RECOMMENDED ACTION(S):**

Consider options for amending Board Policy 437 - Vehicle Parking at District Facilities with respect to Board members. [Requested by Director Walsh - 5/22/22]

Staff Contact:  
Linda A. Nemeroff, Board Administrative Officer/District Secretary

**STRATEGIC IMPORTANCE:**

There is no strategic importance associated with this report.

**BUDGETARY/FISCAL IMPACT:**

Because parking charges would be deducted from Board members' travel budgets, there is no budgetary or fiscal impact associated with this report. If the Board were to implement a \$75/month parking charge, Board members' travel budgets would be reduced by \$900 per fiscal year (or 10%). A \$50 parking charge would result in a \$600 reduction per fiscal year.

**BACKGROUND/RATIONALE:**

This report is provided in response to an Agenda Planning Request to revise Board Policy 437 to establish a parking charge for Board members.

For background, in 2019, Board Policy 437 was amended to read as follows:

**"Section IV.B. - Parking Rates (General Office Facility Only**

*a. In accordance with Transit District Law, the Board cannot adjust their compensation to offset parking expenses, but instead must provide for reimbursement to members of the Board for expenses incurred in the conduct of District business. Therefore, parking charges shall be waived for members of the Board."*

Prior to this amendment, the policy in place for many years provided for a waiver of the parking charges for members of the Board, except for those Directors who parked on the premises on a regular basis, i.e., at least

one-half of the work days the facility is open during any month. The parking charge at the time was \$50.

In 2019, the rationale for waiving parking charges for Board members was based on the fact that 1) Board members rarely parked at the District more than half of the month; and 2) the difficulty of monitoring when Board members' parked on the premises. In addition, because Board members are not considered employees of the District, they are entitled to reimbursement of any expenses they incur in conjunction with their official duties as Board members, including mileage and parking charges.

In developing the options being presented in this report, staff reached out to other agencies about their parking policies for Board members. The results are provided in the table below:

BART	Receive parking passes
SamTrans	Free onsite
EBMUD	Free on site
Golden Gate	Free onsite
VTA	No response

In addition to any other options Board members wish to suggest, staff offers the following for the Board's consideration:

**Option 1.** Each Board member pays \$75/month to park. The same as employees. The charges will be withheld from Board members' annual allotment of travel funds for the entire 12-month period at the beginning of the fiscal year.

**Option 2.** Each Board member pays \$50/month to park. Parking charges are reduced because Board members do not park on a full-time basis. The charges will be withheld from Board members' annual allotment of travel funds for the entire 12-month period at the beginning of the fiscal year.

**Option 3.** Parking charges are exempt for zero emission vehicles.

**Option 4.** Make no changes.

In addition, staff has prepared draft policy amendments based on Options 1, 2 and 3. No changes would be made to the policy if the Board takes no action or approves Option 4.

**ADVANTAGES/DISADVANTAGES:**

Options 1 and 2 would require Board members to pay to park at the General Office building like employees, which could incentivize the use of public transit. However, Board members may continue to drive and instead utilize lower cost parking options on city streets or private parking lots and receive reimbursement for the costs. The disadvantage of Options 1 and 2 is that it may disincentivize in-person attendance at Board meetings and may result in damage or loss of personal property and/or District property if a Board member opts to park on the street or private lot rather than pay to park in the General Office garage. Options 1 and 2 would also reduce the amount of money Board members receive to attend to District business. Options 3 and

4 would preserve travel funds for District business, but would not incentivize the use of public transit, albeit Option 3 would reduce carbon emissions but would not necessarily reduce congestion on the roads.

**ALTERNATIVES ANALYSIS:**

Staff considered making parking charges exempt for carpools, but felt this was not a viable option as Board members travel from various areas of the District to attend Board meetings. The remainder of staff's alternatives are outlined in the staff report.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

Board Policy 437 was last amended in 2019.

Board Policy 438 - Vehicle Use Policy

**ATTACHMENTS:**

1. Draft amendments to Board Policy 437

**Prepared by:**

Linda Nemeroff, Board Administrative Officer/District Secretary

**Approved/Reviewed by:**

Linda A. Nemeroff, Board Administrative Officer/District Secretary

Jill A. Sprague, General Counsel/Chief Legal Officer