

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 10/9/2019

Staff Report No. 19-258

TO: AC Transit Board of Directors

FROM: Denise C. Standridge, General Counsel

SUBJECT: Adoption of Board Policy 475 - Requests for Use of Rolling Stock

ACTION ITEM

RECOMMENDED ACTION(S):

Consider adopting Board Policy No. 475 - Requests for Use of Rolling Stock. [Requested by President Wallace on 6/12/19.]

BUDGETARY/FISCAL IMPACT:

There is no fiscal impact associated with this Board Policy.

BACKGROUND/RATIONALE:

From time to time, the District receives requests to have rolling stock available for display and/or transportation. Requests can be made by public/funding agencies, Board Members, or other third parties. Currently, there is no policy regulating the processing of these requests. However, Operations does keep track of any service provided to make sure the District remains in compliance with the Federal Transit Administration's (FTA) Charter Service Regulations: 49 Code of Federal Regulations (CFR) Part 604, which protects private charter operators from unauthorized competition by recipients of Federal financial assistance under the Federal Transit Laws.

Staff has discussed how best to manage rolling stock requests and suggests that the policy should allow the General Manager to have the discretion to approve or deny any requests made by public/funding agencies. In addition, the General Manager is authorized to grant or deny requests submitted under urgent, unanticipated special circumstances with the concurrence of the Board President and General Counsel. This provision is not applicable to requests that are covered elsewhere in this policy or in situations where a request was not submitted according to the timelines described in the policy.

Any requests made by a member of the Board of Directors, or requests made by an organization other than a public/funding agency will be presented to the Board of Directors for approval.

Requests will be evaluated based on multiple criteria, including FTA compliance, impact on District operations, cost, public and/or District benefit, frequency of prior requests, and risk analysis.

Attached is a proposed policy for the Board's review and direction.

ADVANTAGES/DISADVANTAGES:

The advantage to adopting this policy is that there is a clear policy and procedure on how to process rolling stock requests.

There are no disadvantages to adopting this policy.

ALTERNATIVES ANALYSIS:

The alternative is to not adopt a policy. This is not recommended as there are inconsistencies in how bus requests are processed.

PRIOR RELEVANT BOARD ACTION/POLICIES:

None

ATTACHMENTS:

1. Proposed Board Policy No. 475

Approved by:

Salvador Llamas, Chief Operating Officer
Michael A. Hursh, General Manager

Prepared by:

Denise C. Standridge, General Counsel