

---

**AC TRANSIT DISTRICT**  
**Board of Directors**  
Executive Summary

**GC/GM Memo No. 09-178b**

Meeting Date: November 18, 2009

**Committees:**

Planning Committee   
External Affairs Committee   
Rider Complaint Committee   
**Board of Directors**

Finance and Audit Committee   
Operations Committee   
Paratransit Committee   
**Financing Corporation**

---

**SUBJECT:** Consider Receiving Report on District Vehicles and Update on the Draft Administrative Regulation Implementing Board Policy 422

**RECOMMENDED ACTION:**

Information Only     Briefing Item     Recommended Motion

**Receive Report, subject to direction.**

---

**Fiscal Impact:** It is estimated that fuel and maintenance savings could run between \$100,000 to \$150,000 per year. It is anticipated that there will be a potential reduction in future capital costs since there would be a need for fewer cars, but the amount of savings is not presently known. It is also unknown to what extent, if any, there may be a potential increase in IRS mileage reimbursement costs due to the use of personal cars on District business.

**Background/Discussion:**

At the Board's October 28, 2009 meeting the Board adopted Board Policy No. 422 (Vehicle Use Policy), but continued to the meeting of November 18 receipt of a report on a reduction in the number of assigned vehicles and a report on a draft Administrative Regulation.

**Recommendation regarding District Take Home Vehicles**

As reported to the Board on October 28, 2009 in GM Memo 09-178a, there are currently 86 District vehicles, 39 are taken home on a regular basis. The justification for the 39 vehicles has been informal in the past, but has generally been based on three factors:

- a perceived or real need for the person to be available on a 24-hour basis, and in some cases to report for District-related business at any time of day with a District vehicle (e.g., to the scene of an accident); or
- a perceived or real need to use the District vehicle to reach various worksites at any time of day on a regular basis.
- managers (primarily Executive Staff members) who receive that benefit because of a written contract with the Board (i.e., District Secretary and General Manager), or verbal agreement with the prior General Manager as part of their employment contract;

In October, staff developed a one-page questionnaire that was sent to 30 employees with 24-hour vehicles, (the nine managers described in the last bullet above were not included in the survey). A copy of the survey is shown in Attachment 1. Employees were asked specific questions about how many times they were required to respond to their worksite after hours, stop at a location other than their main work site to and from work, or respond to an emergency situation, as well as what specific tools or equipment they carry in their District vehicle that are required when they report to an emergency or travel to and from the District.

Based on those responses, staff is recommending that of those 30 employees surveyed, only 9 staff retain vehicles to take home (shown in Attachment 2), and that 21 of them cease to take vehicles home (Attachment 3).

The justification for the 9 staff proposed to retain their vehicles fall into 4 categories:

- position requires incumbent to start/end day at different locations (2 labor representatives, and director of maintenance)
- position requires incumbent to respond to incidents on the road in recognizable district vehicle (2 senior supervisors, media manager and senior claims adjuster/investigator)
- position requires incumbent to respond to emergencies at all district facilities (facilities maintenance manager)
- special project with fuel cell vehicle (special projects manager)

For the remaining 21 positions, staff is recommending that staff continue to have access to District vehicles at their worksite (General Office or divisions) for use during the day, and to drive home on limited occasions when warranted. A limited number of District vehicles will be available at the divisions where there is adequate parking, and will be available through the Superintendent's offices to be used during the day, when necessary.

Staff is recommending that there be a pool car program at the GO that will be managed online, with vehicles parked in a specified area for use by employees who reserve a vehicle. Since the District will have adequate vehicles, it makes more sense financially to maintain our own pool car program than to join an outside program such as City Car Share. With the new online program, the District would have records of vehicle usage that can be used to estimate costs in the future of either replacing District vehicles when they reach the end of their useful life, or joining an external program. At this point, however, since pool cars now are managed by each department, and no record is kept of how often they are used, or how many miles are driven, it is difficult to determine whether it would be cost effective in the future to maintain our own vehicles or not. The new on-line program would also maintain a log of when people are taking the vehicles home, and would be reviewed regularly to ensure that employees are indeed using them when company business requires them to have a vehicle at the beginning or end of the day.

Staff estimates that it will take 60-90 days to set up an effective District pool car program, and also to set up a process whereby anyone allowed to use a District car will have his/her records checked through the DMV, similar to what is now required for District bus operators. When those steps are completed, staff that currently take a vehicle home, but are not recommended to take a vehicle home in the future, will be notified of the date by which they must cease to take their vehicle home. In the meantime, a record keeping log has been created (Attachment 4) which will be provided to these employees for use during this period to comply with Board Policy 422. (This log or a similar one meeting IRS requirements, also will be used for District vehicles in the future.)

Regarding the nine executive managers described above, who currently have vehicles based on prior written or verbal agreements, staff is not making a recommendation about whether or not they should retain their cars in the future, and is leaving that up for discussion. The original policy left to the General Manager the assignment of cars, except for the two Board Officers whose employment contracts specifically provide for the use of a District vehicle. Since the cars to Executive Staff were assigned by the General Manager, the Interim General Manager could make a different decision on who is assigned or not assigned a car. The assignment of cars to Executive Staff is not included in the authorized benefits periodically designated by the Board when the General Manager seeks salary and benefit improvements for Executive Staff. There is no legal obligation to provide cars to Executive Staff and whether they should be replaced with a car allowance is a decision that can be made when the Board adopts a resolution identifying the benefits to be provided to Executive Staff or direction can be provided now.

#### Draft Administrative Regulation – AR 422

The staff has complied administrative regulations from a number of agencies and is still in the process of creating one for the District. However, any administrative regulation will include in it the criteria identified for the General Manager authorizing the assignment of a vehicle, as identified in the preceding discussion.

#### **Prior Relevant Board Actions/Policies:**

Revised Policy No. 422 on October 28, 2009

#### **Attachments:**

- Att. 1 – Survey Sent to Employees with 24 Hour Vehicle Assignment
- Att. 2 – Proposed Positions with 24-hour Vehicle Assignment
- Att. 3 – Summary of Proposed Positions No Longer Assigned 24 Hour Vehicles
- Att. 4 – District Vehicle Mileage Log

GC/GM Memo No. 09-178b  
Meeting Date: November 18, 2009  
Page 4 of 4

**Approved by:** Mary King, Interim General Manager  
**Prepared by:** Kenneth C. Scheidig, General Counsel  
Kathleen Kelly, Chief Transportation Officer  
**Date Prepared:** November 12, 2009

### JUSTIFICATION FOR USE OF DISTRICT VEHICLE

As an AC Transit employee assigned a District vehicle that is used for your commute, please provide the following information:

1(a) How many times in the last month were you required to come to your work site at other than your normal working hours? What was the reason for returning?

\_\_\_\_\_

1(b) Approximately how many times in the past six (6) months? If you recall, please identify the reasons for returning to work.

\_\_\_\_\_

2(a) How many times in the last month did your work require that you stop at a work site other than your main work site on your way to or from work? What was the reason for this/these stops?

\_\_\_\_\_

2(b) Approximately how many times in the past six (6) months? If you recall, please identify the reasons for these stops.

\_\_\_\_\_

3(a) How many times were you required to attend an emergency situation on behalf of the District in the last month? What was the emergency?

\_\_\_\_\_

3(b) Approximately how many times in the last six (6) months? If you recall, please identify the emergencies.

\_\_\_\_\_

4 Are there any other situations that regularly require the use of a District vehicle on your way to or from work? Please be specific.

\_\_\_\_\_

To the best of my knowledge, the answers I have provided to the questions above are complete and accurate.

Employee Name: \_\_\_\_\_ (please print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Employee's Supervisor: \_\_\_\_\_ (please print)

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

**PROPOSED POSITIONS WITH 24-HOUR VEHICLE ASSIGNMENT**

<b>Position Title</b>	<b>No. of Positions</b>	<b>Name</b>	<b>Justification</b>
<b>POSITION REQUIRES INCUMBENT TO START / END DAY AT DIFFERENT FACILITIES</b>			
<b>Labor Representatives</b>	2	Dangerfield, Angela Keller, Llew	Labor Reps hold hearings at all divisions and routinely start and/or end their day at a location other than the General Office
<b>Director of Maintenance</b>	1	Bithell, Bob	<i>need description</i>
<b>POSITION REQUIRES INCUMBENT TO RESPOND TO INCIDENTS ON THE ROAD IN RECOGNIZABLE DISTRICT VEHICLES</b>			
<b>Sr. Transportation Supervisor</b>	2	Dibble, Russ Washington, Cheryl	The Sr. Transportation Supervisor is on 24-hour duty. In the event of any type of emergency on the road, they provide support for Transportation Supervisors.
<b>Media Affairs Manager</b>	1	Johnson, Clarence	The Media Affairs Manager is on 24-hour duty. The position responds to accidents on the road.
<b>Sr. Claims Adjuster/Investigator (Legal and Risk Management Departments)</b>	1	Popoff, Jean-Paul	The Sr. Claims Adjuster/Investigator is on 24-hour duty and responds to all accidents involving District vehicles. Special accident investigation and field interviewing equipment is kept in the vehicle at all times.
<b>POSITION REQUIRES INCUMBENT TO RESPOND TO EMERGENCIES AT ALL DISTRICT FACILITIES</b>			
<b>Facilities Maintenance Manager</b>	1	Wrzesinski, Richard	The Facilities Maintenance Manager is on 24-hour duty and reports to emergencies and/or emergency repair situations at all District facilities. Specific equipment (tools & supplies) is carried in the vehicle. The position also requires incumbent to routinely begin or end their shift at different divisions.
<b>SPECIAL PROJECT -- FUEL CELL VEHICLE</b>			
<b>Special Project Manager</b>	1	Byrne, Doug	The Special Project Manager drives a Hyundai vehicle which is part of the District's hydrogen program. The agreement with Hyundai requires driving the vehicles as much as possible and to provide feedback to Hyundai concerning vehicle related issues and related repairs. Driving the vehicles home facilitates the accumulation of mileage and problems that have developed as miles and hours accumulate. This project is grant-funded.

**SUMMARY OF PROPOSED POSITIONS NO LONGER ASSIGNED 24-HOUR VEHICLES**

<b>Position</b>	<b>No. of Positions</b>
Transportation Superintendents	4
Director of Transportation	1
Assistant Superintendent/Accident Review	1
Maintenance Superintendents	5
Director of Service Supervision	1
Central Dispatch Superintendent	1
Chief of Protective Services	1
Safety Specialist	1
Director of Information Technology	1
Manager Special Projects, CMF	1
Manager Special Projects, CMF	1
Environmental Engineer	1
Sr. Human Resources Administrator	1
Facilities Maintenance Manager	1
	21

