To: Board of Directors  
From: Director Alice Creason  
RE: Board of Directors use of AC Transit parking spaces  
February 27, 2002

This memo discusses Board Policies No. 418 Vehicle Parking and Policy No. 168 Use of District Resources.

The Vehicle Parking Policy No. 418 states that "...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 business. [Emphasis added.] Therefore, parking charges shall be waived for members of the Board.” Employees pay $50 per space per month. This policy was adopted in 1990 and amended in 1994.

Policy No. 168, Resources, Use of District Resources states, “It is the policy of the AC Transit Board of Directors that all District Employees, Officers, and Directors are prohibited from using District resources for non-District related business.” [Emphasis added.] This policy was adopted in 1988.

It is publicly known that the unlicensed vehicle of a member of the Board of Directors has been stored for over two years in a parking space at 1600 Franklin Street, Oakland. Hence, the following questions are presented to clarify District Policies and any pertinent laws.

1. Is it acceptable for Board members to store private/non District related property on District property?

2. If a Board member does not currently drive a car, do they have a right to use a parking space at the general headquarters for their personal use, such as for a storage container, storage of an unlicensed vehicle, etc.?

3. If a Board member does drive a car, is the member permitted to park a car in the designated parking spaces at AC Transit headquarters when they are not conducting District related business?

This matter has gone to the Executive Committee on two occasions and is referred back to the Board following no action on the issue by the Executive Committee.
AC Transit  Policy No. 418

BOARD POLICY

Category: Operations

VEHICLE PARKING - ADMINISTRATIVE OFFICE FACILITY

PURPOSE:

In accordance with Public Utilities Code Section 24885, the purpose of this policy is to establish the rental rates and charges that shall be in effect for use of spaces in the Administrative Office Facility parking structure and to establish an overall policy for use of said facility.

THE TRIP REDUCTION PROGRAM (TRP)

Regulation 13, Rule 1, Trip Reduction Requirements for large employers was adopted by the Board of Directors of the Bay Area Air Quality Management District (BAAQMD) on December 16, 1992.

One of its requirements is a Trip Reduction Program to reduce the use of the single occupant vehicle (SOV) for employee commute trips and to promote commute alternatives such as ridesharing, public transit, bicycling or telecommuting.

POLICY:

1. RATES:

   Employee parking at the Administrative Office Facility Parking Structure shall be priced at market rates. Parking rates shall be $50 per space per month but can be changed to reflect market rates.

2. EXEMPTIONS: PARKING OF DISTRICT-OWNED VEHICLES:

   A. Additionally, 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.

   Adopted: 10/10/90

Amendments(s): 02/15/94
B. As part of the District's Trip Reduction Program, car pool and van pool parkers will also have parking charges waived.

3. **ANNUAL REVIEW:**

The Board shall review parking charges on an annual basis and adjust said charges as needed to be comparable with the market rate in the vicinity.

4. **TRANSPORTATION ALLOWANCE FUND:**

All revenues for parking charges shall be allocated to an Employee Transportation Allowance Fund. Funds may be used for implementation of the District's Trip Reduction Program and for other programs as the Board may from time to time approve.

5. **IMPLEMENTATION:**

The General Manager shall issue any and all necessary Administrative Regulations to implement this Board policy including the assigning of parking and designation of a vehicle coordinator to oversee this Policy and subsequent Administrative regulations.

Said Administrative Regulation shall specify the number of visitor spaces, carpool and/or vanpool spaces, permanently assigned District vehicle parking spaces, and permanently assigned employee parking spaces. For all remaining parking spaces, if more employees wish to pay for spaces in the Administrative facility than parking supply allows, parking privileges shall be distributed by lottery in a form determined appropriate by the General Manager. Such lottery system shall encourage the rotating of assignments for parking spaces.

**VEHICLE PARKING - ADMINISTRATIVE OFFICE FACILITY**

**BOARD POLICY NO. 418**

Adopted: 10/10/90

Amendments(s): 02/15/94