SUBJECT:
Livermore Amador Valley Transit Authority's (LAVTA) Service to Sun Microsystems, Newark

RECOMMENDED ACTION:

☐ Information Only  ☒ Briefing Item  ☐ Recommended Motion

Fiscal Impact:
None.

Background/Discussion:
In April of 2003, LAVTA began providing Express Bus Service to Sun Microsystems in Newark. On April 11, 2003, AC Transit counsel wrote LAVTA expressing concern over the new service traveling into District 2 without AC Transit's knowledge or prior consent of its Board of Directors. In LAVTA's response letter, dated April 14, 2003, LAVTA General

BOARD ACTION: Approved as Recommended [X] Other [ ]
Approved with Modification(s) [ ]

MOTION: PEEPLES/WALLACE to receive Item and approve as presented (7-0-0-0).

Ayes: Director Peeples, Vice President Wallace, Directors Harper, Jaquez, Bischofberger, Kaplan, President Piras - 7
Noes: None - 0
Abstain: None - 0
Absent: None - 0

The above order was passed and adopted on September 17, 2003.

Rose Martinez, District Secretary
By ____________________________
GM Memo No. 03-253  
Subject: Livermore Amador Valley Transit Authority's (LAVTA) Service to Sun Microsystems, Newark  
Date: September 3, 2003

Manager, Virendra K. Sood, made a formal request for permission to provide the service and agreed to the following:

- LAVTA would not provide local service in Newark by not performing local pick-ups or drop-offs in District 2;
- LAVTA would not utilize any AC Transit property, including benches, shelters or other amenities;
- LAVTA would only drop Tri-Valley residents in the Sun Microsystems Newark campus vicinity and then return to the Tri-Valley in the evening. LAVTA's vehicle would be either parked at the Sun Microsystems facility during the day, or return to LAVTA out of service; and
- This service would be capped at 3 daily round trips.

On June 3rd, 2003, AC Transit District Secretary Rose Martinez wrote General Manager Sood to formally inform LAVTA that AC Transit's Board of Directors approved their request to provide service from Livermore to Newark with the qualifications outlined above. The Board of Directors also requested that AC Transit staff report on the status of this new line within three months of this approval.

On August 1st, 2003, LAVTA discontinued the new service due to extremely low ridership.

Prior Relevant Board Actions/Policies:
GM Memo #03-152 - Letter to Rick Fernandez from LAVTA General Manager Virendra K. Sood

Attachments:
1. GM Memo #03-152 - Letter to Rick Fernandez from LAVTA General Manager Virendra K. Sood
2. Letter dated June 3rd, 2003, from the AC Transit District Secretary to LAVTA General Manager, Virendra K. Sood

Approved by: Rick Fernandez, General Manager
Prepared by: Christina Verdin, Associate Transportation Planner
Date Prepared: August 28, 2003
April 14, 2003

Mr. Rick Fernandez
General Manager
Alameda-Contra Costa Transit District
1600 Franklin Street
Oakland, CA 94612

Re: LAVTA’s Service to Sun Microsystems, Newark, Pursuant to TCRP

Dear Mr. Fernandez:

Thank you for the correspondence dated April 11, 2003 for AC Transit Counsel Ken Scheidig, Esq. to LAVTA’s Counsel Keith Fraser, Esq. in which AC Transit expressed concern regarding LAVTA’s Prime Time service to Newark, CA, which is in the AC Transit service area. Please allow me to extend a sincere apology for any problems or issues which may have arisen from LAVTA’s assumption of AC Transit’s complicity with the beginning of this service.

LAVTA was successful in obtaining funding for express busses through the Traffic Congestion Relief Program (TCRP) to begin providing residents of the Tri-Valley a seamless service to Sun Microsystems campuses in other bay area locations. We were, and are proud to join our regional partner, AC Transit, in the assumption of this regional express service and in no way are trying to subrogate any authority away from your auspicious agency.

Please consider this letter as a formal request for permission to provide express bus service to the Sun Microsystems campus in Newark with the following qualifications:

1. LAVTA will NOT provide local service in the Newark area (i.e. no local pick ups or drop offs in the AC Transit service area);
2. LAVTA will NOT utilize any AC Transit property, including benches, shelters or other amenities relative to this service;
3. LAVTA will only drop Tri-Valley residents in the Sun Microsystems Newark campus vicinity and then return back to the Tri-Valley in the evening. The vehicle will be either parked at the Sun Microsystems facility during the day, or return to LAVTA out of service.
4. This service will be capped at 3 daily round trips. There is currently only one occurring.
Again, thank you for your consideration in this request and please accept our apologies for any problems the assumption of this service may have caused your agency. If you have any questions or need further clarification, please do not hesitate to contact us immediately.

Sincerely,

Virendra (Vic) K. Sood
General Manager

CC: Kenneth C. Scheidig, AC Transit Counsel
    Keith Fraser, LAVTA Counsel
    Francis Chin, MTC
    Ann Fiecher, MTC
    File
May 30, 2003

Virendra (Vic) K. Sood
Livermore Amador Valley Transit Authority
1362 Rutan Court, Suite 100
Livermore, CA94550

Subject: LAVTA's Service to Sun Microsystems, Newark.

Dear Mr. Sood:

On May 15, 2003, the AC Transit Board of Directors considered your request for permission to provide express bus service to the Sun Microsystems campus in Newark.

This letter is to formally inform you that the Board approved your request with the qualifications outlined in your letter dated April 14, 2003, as follows:

1. LAVTA will NOT provide local service in the Newark area (i.e. no local pick ups or drop offs in the AC Transit service area).
2. LAVTA will NOT utilize any AC Transit property, including benches, shelters or other amenities relative to this service.
3. LAVTA will only drop Tri-Valley residents in the Sun Microsystems Newark campus vicinity and then return back to the Tri-Valley in the evening. The vehicle will be either parked at the Sun Microsystems facility during the day, or return to LAVTA out of service.
4. This service will be capped at 3 daily round trips. There is currently only one occurring.

If you have any question concerning the above, please contact me.

Sincerely,

Rose Martinez
District Secretary

cc: AC Transit Board of Directors
Rick Fernandez, General Manager
Kenneth C. Scheidig, General Counsel
May 30, 2003

Virendra (Vic) K. Sood  
Livermore Amador Valley Transit Authority  
1362 Rutan Court, Suite 100  
Livermore, CA94550

Subject: LAVTA's Service to Sun Microsystems, Newark.

Dear Mr. Sood:

On May 15, 2003, the AC Transit Board of Directors considered your request for permission to provide express bus service to the Sun Microsystems campus in Newark.

This letter is to formally inform you that the Board approved your request with the qualifications outlined in your letter dated April 14, 2003, as follows:

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4. This service will be capped at 3 daily round trips. There is currently only one occurring.

If you have any question concerning the above, please contact me.

Sincerely,

Rose Martinez
District Secretary

cc: AC Transit Board of Directors  
Rick Fernandez, General Manager  
Kenneth C. Scheidig, General Counsel