



## **ALAMEDA-CONTRA COSTA TRANSIT DISTRICT**

### **AGENDA**

#### **Board of Directors - Regular Meeting**

(Closed Session 4:15 PM for Agenda Items 8A-8D)

VIRTUAL MEETING

Phone (669) 900 6833

Webinar ID: 984 8717 5063

[Zoom link https://actransit.zoom.us/j/98487175063](https://actransit.zoom.us/j/98487175063)

**Wednesday, January 26, 2022 at 5:00 PM**

#### **MEMBERS OF THE BOARD OF DIRECTORS**

**ELSA ORTIZ, PRESIDENT (WARD 3)**

**JOEL YOUNG, VICE PRESIDENT (AT-LARGE)**

**JOVANKA BECKLES (WARD 1)**

**JEAN WALSH (WARD 2)**

**MARK WILLIAMS (WARD 4)**

**DIANE SHAW (WARD 5)**

**H. E. CHRISTIAN PEEPLES (AT-LARGE)**

#### **BOARD OFFICERS**

**MICHAEL A. HURSH, GENERAL MANAGER**

**JILL A. SPRAGUE, GENERAL COUNSEL**

**LINDA A. NEMEROFF, DISTRICT SECRETARY**

**Advisory for Virtual Public Meetings**

Due to the COVID-19 pandemic and pursuant to the Brown Act, the Board of Directors of the Alameda-Contra Costa Transit District and all advisory, oversight, and inter-agency liaison committees are authorized to hold remote teleconference meetings and no locations for the public are required to be provided or noticed in the meeting agenda. The public can access the meeting via a call-in option or an internet-based service option as listed below and the agenda for this remote meeting provides an opportunity for members of the public to directly address the body in real time. No action shall be taken during a disruption that would prevent members of the public from offering public comments using the call-in or internet-based option. Remote meetings shall be reconsidered every thirty days.

**Public Participation and Public Comments**

To access the Board of Directors meeting by video conference click or paste this Zoom link into your browser: <https://actransit.zoom.us/j/98487175063>. To make a live public comment, use the "raise your hand" feature in Zoom to indicate that you wish to speak on an item. You will be muted upon joining the meeting and unmuted by the meeting host when it is your turn to speak. The comment time is limited to 2 minutes per speaker.

To dial into the meeting from your telephone, call: (669) 900 6833 Webinar ID: 984 8717 5063. The telephone number and Webinar ID may change from meeting to meeting.

If you dialed in and wish to speak on an agenda item, dial \*9 (star nine) to "raise your hand" when the agenda item is called. When you are called to speak by the last 4 digits of your phone number or by name, the host will unmute you. If you decide not to speak, you may dial \*9 to "lower your hand".

**Written Public Comments**

To send a written comment directly to the Board BEFORE the meeting starts, please click on <https://actransit.legistar.com/Calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that eComment submissions close at 4:30 p.m. prior to the start of the meeting.

Written comments can also be emailed to [myvoice@actransit.org](mailto:myvoice@actransit.org). Please indicate the agenda item number in the subject of the email. Email submissions must be received by 3:00 p.m. prior to the start of the meeting.

For the members of the public who only wish to listen to the Board of Directors meeting (and not provide comment), a live audio stream (no video) is available online at: <https://actransit.legistar.com/Calendar.aspx> [Under the "Audio" column, Click on the "In Progress" link. This can only be done while streaming.]

Note: AC Transit does not provide technical support to users accessing the meeting by telephone/Zoom.

**1. CALL TO ORDER****2. ROLL CALL****3. PRESENTATION**

3.A. Update on State Legislative Activities. [22-013](#)

Presenter: Steve Wallauch, Platinum Advisors

**4. PUBLIC COMMENT**

Any person may directly address the Board at this time on any item of interest to the public that is within the subject matter and jurisdiction of the Board. Boardmembers may briefly respond to statements or questions from the public, ask questions for clarification, refer a matter to staff, request staff to report back at a subsequent meeting, or direct staff to place the matter on a future agenda. However, under the Brown Act, the Board cannot engage in discussion or take action on any item not listed on the agenda. Public Comment on a specific agenda item will be invited at the time the item is being considered. Two (2) minutes are allowed for each item.”

**5. MODIFICATIONS TO THE AGENDA****6. CONSENT CALENDAR (AND CALL FOR PUBLIC COMMENT ON CONSENT ITEMS)**

6.A. Consider receiving the Monthly Report on Investments for November 2021. [22-037](#)

Staff Contact: Chris Andrichak, 891-4855

6.B. Consider the adoption of Resolution No. 22-004 approving the new classification of Project Manager I and the revised classifications of Project Coordinator, Project Manager II and Senior Project Manager. [22-004](#)

Staff Contact: Sebron Flenaugh III, 891-5467

6.C. Consider authorizing the issuance of a Request For Proposals (RFP) for temporary personnel placement services to supplement the current District workforce. [22-040](#)

Staff Contact: Sebron Flenaugh III, 891-5467

6.D. Consider receiving the Monthly Legislative Report. [22-027](#)

Staff Contact: Beverly Greene, 891-7255

**7. REGULAR CALENDAR**

**Finance and Audit Items - Chair Shaw**

- 7.A. Consider receiving the FY 21-22 Mid-Year Budget Review and adopt Resolution No. 22-002 amending the FY 21-22 Annual Operating and Capital Budget. [21-140e](#)  
Staff Contact: Chris Andrichak, 891-4855

#### Planning Items - Chair Peeples

- 7.B. Consider receiving a report on planning for future Supplementary Service needs. [Requested by Director Shaw 7/28/21]. [22-011](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.C. Consider approving updated methodology for prioritizing lines for service recovery, including both local and Transbay service. [Requested by Director Walsh 11/10/2021] [22-009](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448

#### Operations Items - Chair Beckles

- 7.D. Consider receiving the Department of Innovation and Technology's Major Projects and IT Strategic Plan Annual Report. [22-002](#)  
Staff Contact: Ahsan Baig, 891-5490

#### Board Administrative Matters - President Ortiz

- 7.E. Consider approving the formation of an AC Transit/City of Oakland Inter-Agency Liaison Committee (ILC). [22-006](#)  
Staff Contact: Linda Nemeroff, 891-7284
- 7.F. Announcement of appointments to the AC Transit/City of Oakland Inter-agency Liaison Committee. [22-006a](#)  
Presenter: President Ortiz
- 7.G. Announcement of Chair and Liaison Committee assignments for Calendar Year 2022. [22-003](#)  
Presenter: President Ortiz

#### 8. CLOSED SESSION/REPORT OUT

The items for consideration are listed below and will be reported on by the General Counsel as necessary at the end of the meeting.

**8.A. Conference with Legal Counsel – Existing Litigation**

(Government Code Section 54956.9 (a))

Alneda Smith; Claim No. ACCT-007449; WCAB Nos: ADJ 7174528 & ADJ 8204598  
Davena Durham; Claim No. ACCT-009909; WCAB No. ADJ 10164975

**8.B. Conference with Legal Counsel – Potential Litigation (Two Cases)**

(Government Code Section 54956.9(b))

**8.C. Conference with Labor Negotiators**

(Government Code Section 54957.6):

Agency Designated Representative:

- General Manager Michael Hursh;

- Labor and Employee Relations Representative;

Employee Organizations: ATU Local 192, AFSCME Local 3916, IBEW Local 1245,  
Unrepresented Employees

**8.D. Public Employee Performance Evaluation**

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

**9. AGENDA PLANNING**

Directors are limited to two agenda planning requests per meeting. Each item requested shall have the concurrence of at least one other Director.

9.A. Review of Agenda Planning Pending List.

[22-065a](#)

**10. GENERAL MANAGER'S REPORT**

10.A. General Manager's Report for January 26, 2022.

[22-041a](#)

**11. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

**12. ADJOURNMENT**

Next Meeting: February 9, 2022 at 5:00 p.m.

## MEETING DISCLOSURES

**Public Comment:** For subjects not listed on this agenda, the public will be invited to speak under the "PUBLIC COMMENTS" section of the regular meeting agenda. For specific agenda item(s), speakers will be invited to address the Board at the time the item is being considered. All speakers, including anyone using simultaneous translation equipment, are allowed two (2) minutes to present comments. Speakers using a translator will receive twice the allotted time. Individuals wishing to present more detailed information are encouraged to submit comments in writing. Written comments are included in the record for meeting(s), and as such, are available for public inspection and may be posted to the District's website.

**Electronic Devices:** All electronic devices such as cell phones, smartphones, tablets and similar-sounding devices, shall be placed on mute, vibrate or silent mode during Board meetings pursuant to District Ordinance No. 12.

**Order of Agenda Items:** The Board may discuss any item listed on this agenda and in any order.

**Availability of Agenda Related Materials:** Written agenda related materials for all open session regular meetings are available to the public 72 hours prior to the meeting or at the time the materials are distributed to a majority of the Board. Written materials presented at a meeting by staff or a member of the Board will be available to the public at that time, or after the meeting if supplied by an outside party. Agenda related materials are available on the District's website or by contacting the District Secretary's Office.

**Wheelchair Access and Assistive Listening Devices:** Due to existing shelter-in-place orders related to the spread of the Coronavirus, in-person public meetings are prohibited. Meetings can be accessed by telephone or Zoom video conference. A live audio stream of the meeting and an archive of past meetings can be accessed via the District's website at <https://actransit.legistar.com/Calendar.aspx>. Please see page 1 of the agenda for further details.

**Alternative Formats/Interpreters:** Written materials in appropriate alternative formats or disability related modification/accommodation must be made three business days in advance of the meeting to help ensure availability. Subject to availability, sign language and foreign language interpreters will be provided upon request with 72-hour notice. Please direct requests for disability related modification or accommodation and/or interpreter services to Linda A. Nemeroff, District Secretary, 1600 Franklin Street, Oakland, California, 94612 or call (510) 891-7201. To access a recording of the current agenda by telephone, dial (510) 891-7200. District Ordinance No. 13 prohibits non-service animals at District facilities unless specifically authorized by law. To accommodate individuals with severe allergies and environmental illnesses, meeting participants should refrain from wearing scented products to the meeting.