



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

AGENDA

Board of Directors - Regular Meeting

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, October 27, 2021 at 5:00 PM

Closed Session 4:30 PM (Items 8A-8D)

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 numbers listed 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. 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. Consider receiving a presentation on the prospects for return-to-work and the economic recovery of downtown San Francisco. [Requested by Director Peeples - 9/8/2021] [21-451](#)

Presenter: Ted Egan, Ph.D., Chief Economist
Office of the Controller
City and County of San Francisco

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 approving the minutes of the annual Joint Meeting between the AC Transit Board of Directors and the Retirement Board held on October 6, 2021. [21-510](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.B. Consider receiving the minutes of the East Bay Bus Rapid Transit Policy Steering Committee’s final meeting of October 1, 2021. [21-490](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.C. Consider receiving Retirement Board minutes of September 15, 2021. [21-492](#)

Staff Contact: Hugo Wildmann, 891-4889

- 6.D. Consider receiving the Monthly Report on Investments for August 2021. [21-514](#)

Staff Contact: Chris Andrichak, 891-4855

- 6.E. Consider receiving the Bi-Monthly budget update for the period of July 2021 through August 2021 of FY 2021-22. [21-489](#)

Staff Contact: Chris Andrichak, 891-4855

- 6.F. Consider authorizing issuance of a solicitation for the purchase of driver compartment protective barriers. [21-398](#)
Staff Contact: Chris Andrichak, 891-4855
- 6.G. Consider receiving a briefing on the Next Generation Clipper (C2) Program. [21-425](#)
Staff Contact: Ahsan Baig, 891-5490
- 6.H. Consider authorizing the General Manager to provide free bus rides on New Year's Eve between the hours of 8:00 p.m. on December 31 until 5:00 a.m. on January 1 for the next two years. [21-459](#)
Staff Contact: Beverly Greene, 891-7255
- 6.I. Consider receiving the Monthly Legislative Report. [21-496](#)
Staff Contact: Beverly Greene, 891-7255
- 6.J. Consider receiving a report on findings from the customer satisfaction survey literature review. [Requested by Director Peeples -5/28/08] [21-234b](#)
Staff Contact: Beverly Greene, 891-7255
- 6.K. Consider authorizing the release of a Request for Proposal (RFP) for the East Bay Paratransit Consortium (EBPC) Broker and Provider Services for Americans with Disabilities Act (ADA) mandated paratransit services. [21-471](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 6.L. Consider authorizing the release of a solicitation for the Employee Assistance and Substance Abuse Programs. [21-485](#)
Staff Contact: Sebron Flenaugh III, 891-5467
- 6.M. Consider approving the Public Outreach Plan for the Redistricting Project. [21-029a](#)
Staff Contact: Linda Nemeroff, 891-7284
Beverly Greene, 891-7255
- 6.N. Consider approving the dissolution of the East Bay Bus Rapid Transit Policy Steering Committee. [21-486](#)
Staff Contact: Linda Nemeroff, 891-7284

7. REGULAR CALENDAR

Planning Items - Chair Peeples

- 7.A. Receive a report on the various contracting scenarios and associated cost estimates for the District's Joint Powers Agreement Transit Shelter Program; and [18-211f](#)
- 1) Consider the following scenarios, excluding Scenario A (the current contract structure):
- Scenario B: implement two separate contracts: one contract for cleaning and one contract for advertising, repairs, installations, and relocations;
 - Scenario C: implement three separate contracts: one contract for cleaning, one contract for advertising revenue, and one contract for repairs, installations, and relocations;
 - Scenario D: bring cleaning in-house and implement two separate contracts: one contract for advertising revenue and one contract for installations and relocations; or
 - Scenario E: bring cleaning, installation, and repairs in-house and implement one contract for advertising revenue.
- 2) Authorize the issuance of solicitation(s) associated with the selected scenario chosen by the Board.
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.B. Consider receiving an update on the Blue Ribbon Transit Recovery Task Force and the Transit Transformation Action Plan. [Requested by Director Shaw - 8/11/2021] [21-456](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.C. Consider receiving a report on the performance of the All-door Boarding Pilot on Lines 6 and 51B as well as the final results of the bus operator and customer surveys conducted in the spring and summer. [21-462](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.D. Consider receiving a status report on Tempo (Line 1T) project closeout, operational performance, maintenance activities, and the fares collected as a percentage of the ridership, including the method of payment used. [Requested by Director Shaw - 9/22/21 and Director Walsh - 6/9/21] [21-480](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448

Operations Items - Chair Beckles

- 7.E. Consider receiving a report on the strategies to compete with other transit agencies in hiring bus operators, the efforts in place to retain and engage the current bus operator workforce, and address operator unavailability. [21-506](#)
- Staff Contact: Sebron Flenaugh III, 891-5467

External Affairs Items - Chair Williams

- 7.F. Consider receiving a report on the Draft 2022 Federal and State Legislative Advocacy Programs. [21-387](#)
- Staff Contact: Beverly Greene, 891-7255
- 7.G. Consider review of Board Policy 140 - Candidates' Statement of Qualifications Cost with no recommended amendments. [21-487](#)
- Staff Contact: Linda Nemeroff, 891-7284

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))

- Delgado-Salto v. Niebla, AC Transit, et al.; ACSC Case No. RG19012610 Claim No. 18-AL00233
- Winford v. AC Transit Claim No.: ACCT-009593; 05/27/2013-05/27/2014; WCAB Case No. ADJ9830841

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 Manager Nathaniel Kramer;
- 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 the Agenda Planning Pending List.

[21-018r](#)

10. GENERAL MANAGER'S REPORT

10.A. General Manager's Report for October 27, 2021.

[21-020r](#)

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

12. ADJOURNMENT

Next Meeting: November 10, 2021 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.