



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

AGENDA

Board of Directors - Regular Meeting

HYBRID MEETING

AC Transit General Offices
2nd Floor Board Room - 1600 Franklin Street, Oakland, California

Phone (669) 900 6833 Webinar ID: 984 8717 5063

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

Wednesday, February 22, 2023 at 5:00 PM

MEMBERS OF THE BOARD OF DIRECTORS

JOEL YOUNG, PRESIDENT (AT-LARGE)

DIANE SHAW, VICE PRESIDENT (WARD 5)

JOVANKA BECKLES (WARD 1)

JEAN WALSH (WARD 2)

SARAH SYED (WARD 3)

MURPHY MCCALLEY (WARD 4)

H. E. CHRISTIAN PEEPLES (AT-LARGE)

BOARD OFFICERS

MICHAEL A. HURSH, GENERAL MANAGER/CHIEF EXECUTIVE OFFICER

JILL A. SPRAGUE, GENERAL COUNSEL/CHIEF LEGAL OFFICER

LINDA A. NEMEROFF, BOARD ADMINISTRATIVE OFFICER/DISTRICT SECRETARY

Advisory for Virtual Public Meetings

Due to COVID-19, this meeting will be conducted as a hybrid teleconference and in-person meeting pursuant to Government Code Section 54953. Members of the public, and staff members whose presence is not specifically requested, are encouraged to participate remotely.

Covid-19 Protocols for In-Person Attendance:

1. Visitors experiencing the following symptoms of COVID-19 may not enter the meeting location: • Cough • Chills • Sore Throat • Shortness of Breath • Muscle Pain • Loss of Taste or Smell • Fever
2. Visitors must use the hands-free temperature scanners upon entry. An alert will sound and entrance will be prohibited if a temperature is measured at 100.4 or above.
3. Visitors must show proof of Covid-19 vaccination and masks will be required for all visitors.

Live Public Comment

Live public comment will be accepted during the meeting in person, through Zoom, or the teleconference number listed on the cover page. Participants using Zoom should use the "raise your hand" feature to indicate they wish to speak on an item. The meeting host will call on each speaker when it is their turn to speak. Use the unmute option when you are recognized to speak. For participants calling in, dial *9 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, dial *6 to unmute yourself. If you decide not to speak, you may dial *9 to "lower your hand".

Written Public Comment

Written comment can be submitted directly to the Board BEFORE the meeting starts. Click on <https://actransit.legistar.com/Calendar.aspx> and then 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/video stream is available online at: <https://actransit.legistar.com/Calendar.aspx> [Under the "Audio/Video" column, Click on the "In Progress" link. This can only be done during the live broadcast of the meeting.]

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 the adoption of Resolution No. 23-012 honoring the lifetime and legacy of beloved accessibility advocate and community leader Janet Abelson. [23-152](#)

Presenter:
Director Beckles

- 3.B. Presentation on the Transportation Cooperative Research Program (TCRP) Report - Practitioner's Guide to Bus Operator Workforce Management. [Requested by Director Peeples - 12/14/2022] [23-125](#)

Presenter:
Robert Puentes, President and CEO, Eno Center for Transportation

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 Board of Directors minutes of February 8, 2023. [23-097](#)

Staff Contact:
Linda Nemeroff, Board Administrative Officer/District Secretary

- 6.B. Consider approving Board of Directors Special Meeting minutes of February 10, 2023. [23-176](#)

Staff Contact:
Linda Nemeroff, Board Administrative Officer/District Secretary

- 6.C. Consider approving amendments to the Preamble to the Board Policy & Administrative Regulation Manual, including the retitling of the document to Board Policy 100 - Introduction to the Board Policy & Administrative Regulation Manual and Periodic Review Schedule. [23-157](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 6.D. Consider receiving the FY 2022-23 Second Quarter Travel and Meeting Expense Report for Directors and Board Officers. [23-116](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 6.E. Consider receiving the FY 2022-23 First Quarter Employee and Non-Employee Out-of-State Travel Report. [23-174](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 6.F. Consider receiving the Monthly Reports on Investments for November and December 2022. [23-150](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 6.G. Consider receiving the Semi-annual Report on the Status of Active Contracts and Spending Amounts over \$250,000. [23-119](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 6.H. Consider authorizing the release of Request For Proposals (RFP) for a five-year contract for banking services. [23-143](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 6.I. Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements with the United States Department of Transportation (USDOT) for Fiscal Year (FY) 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program. [23-132](#)
- Staff Contact:
Chris Andrichak, Chief Financial Officer
- 6.J. Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements with the Federal Transit Administration (FTA) for Fiscal Year (FY) 2023 Areas of Persistent Poverty Program. [23-134](#)
- Staff Contact:
Chris Andrichak, Chief Financial Officer
- 6.K. Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements with the California Department of Transportation (Caltrans) for Fiscal Year (FY) 2023 Climate Adaptation Planning Grant Program. [23-144](#)
- Staff Contact:
Chris Andrichak, Chief Financial Officer
- 6.L. Consider adoption of Resolution No. 23-011 amending and approving the addition of two positions funded by the Metropolitan Transportation Committee (MTC) to the FY 2022-23 Annual Operating Budget. [22-158e](#)
- Staff Contact:
Chris Andrichak, Chief Financial Officer
- 6.M. Consider adoption of Resolution No. 23-003 authorizing the General Manager or his designee to file and execute applications and funding agreements with the Metropolitan Transportation Commission (MTC) for AC Transit's Fruitvale Corridor project. [23-006](#)
- Staff Contact:
Chris Andrichak, Chief Financial Officer

- 6.N. Consider receiving the Quarterly Report on the District's involvement in external planning processes. [23-142](#)
- Staff Contact:
Ramakrishna Pochiraju, Executive Director of Planning & Engineering
- 6.O. Consider adoption of Resolution No. 23-013 approving the repeal of Board Policy 410 - Bus Rapid Transit Construction Careers Policy and Resolution Nos. 13-027 and 17-040. [23-172](#)
- Staff Contact:
Ramakrishna Pochiraju, Executive Director of Planning & Engineering
- 6.P. Consider approving the disposal of a vehicle by sale or by other means most advantageous to the District. [23-145](#)
- Staff Contact:
Salvador Llamas, Chief Operating Officer
- 6.Q. Consider authorizing General Counsel to attend the American Public Transportation Association (APTA) Legal Affairs Seminar, April 2 - 4, 2023, in Portland, Oregon. [23-148](#)
- Staff Contact:
Jill A. Sprague, General Counsel/Chief Legal Officer

7. REGULAR CALENDAR

External Affairs Items - Chair Peeples

- 7.A. Consider receiving the Monthly Legislative Report and approving legislative positions, if necessary. [23-130](#)
- Staff Contact:
Beverly Greene, Executive Director of External Affairs, Marketing & Communications

Planning Items - Chair Syed

- 7.B. Consider approving the award of a transit shelter advertising contract to Intersection Media, LLC for a base period of two (2) years with three (3) one-year options for a minimum annual guarantee of \$4.3 million in total advertising revenue for the five year period. [18-211j](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

- 7.C. Consideration of the following actions regarding Transit Shelters: [18-211k](#)
- Authorize the General Manager to take the necessary steps to acquire ownership of 276 existing transit shelters from Clear Channel Outdoor (CCO).
 - Approve contract award to Graffiti Protective Coatings, Inc. for a two-year base period with three one-year options for transit shelter maintenance services in the amount of \$844,560 per year.
 - Authorize the General Manager to include an option in the new contract with Graffiti Protective Coatings, Inc. to add maintenance of 46 Tempo Platforms in the amount of \$443,350 per year after the current contract expires in August 2023.

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Operations Items - Chair Shaw

- 7.D. Consider receiving the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the Second Quarter of Fiscal Year 22-23. [23-094](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

- 7.E. Consider receiving the Quarterly Protective Services Report for AC Transit during the Second Quarter of Fiscal Year 2022-23. [23-096](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

- 7.F. Consider approving award of a facility security services contract to American Guard Services (AGS) with an initial base period of five (5) years with two (2) twenty-four (24) month options to extend the contract, up to a cumulative maximum term of nine (9) years. [22-367a](#)

Staff Contact:
Salvador Llamas, Chief Operating Officer

Board Administrative Matters - President Young

- 7.G. Consider approving the draft agenda for the Board of Directors/Board Officers Retreat scheduled for March 29, 2023. [23-158](#)

Staff Contact:
Linda A. Nemeroff, Board Administrative Officer/District Secretary

8. AGENDA PLANNING

Directors are limited to two agenda planning requests per meeting. Each item requested shall have the concurrence of three Directors, including the requestor.

- 8.A. Review of Agenda Planning Pending List and Agenda Planning Request Forms. [23-028c](#)
 - Agenda Planning Request - Director Beckles

Staff Contact:
Linda Nemeroff, Board Administrative Officer/District Secretary

9. GENERAL MANAGER’S REPORT

- 9.A. General Manager’s Report for February 22, 2023. [23-029c](#)

10. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

11. ADJOURNMENT

Next Meeting: March 8, 2023 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 COMMENT" item on 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 from the District Secretary's Office, 1600 Franklin Street, Oakland, California or on the District's website.

Accessible Public Meetings: Meetings of the Board of Directors are accessible to individuals in wheelchairs. The Board Room is equipped with Assistive Listening Devices for individuals with a hearing impairment. Written materials in appropriate alternative formats, disability-related modification/accommodations must be made three business days in advance of the meeting or hearing 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. AC Transit's General Offices are accessible by various bus lines serving the intersection of 17th Street and Broadway. For trip planning visit www.actransit.org or call 511 (and say, "AC Transit"). The nearest accessible BART station is the 19th Street Station in Oakland.

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.