



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Board of Directors - Regular Meeting

VIRTUAL MEETING

Zoom link <https://actransit.zoom.us/j/93327540621>

Dial in phone number (669) 900 6833 Webinar ID: 933 2754 0621

Wednesday, October 28, 2020 at 5:00 PM

Phone (669) 900 6833

Webinar ID: 962 1123 0621

See Agenda for Instructions

MEMBERS OF THE BOARD OF DIRECTORS

JOE WALLACE, PRESIDENT (WARD 1)

ELSA ORTIZ, VICE PRESIDENT (WARD 3)

GREG HARPER (WARD 2)

MARK WILLIAMS (WARD 4)

DIANE SHAW (WARD 5)

H. E. CHRISTIAN PEEPLES (AT-LARGE)

JOEL YOUNG (AT-LARGE)

BOARD OFFICERS

MICHAEL A. HURSH, GENERAL MANAGER

JILL A. SPRAGUE, GENERAL COUNSEL

LINDA A. NEMEROFF, DISTRICT SECRETARY

1. CALL TO ORDER

The Alameda-Contra Costa Transit District Board of Directors held a regular virtual meeting on Wednesday, October 28, 2020.

Members of the Board participated via video conference from off-site locations in accordance with the statewide shelter in place order issued on March 16, 2020.

At 4:31 p.m., the Board of Directors convened in Closed Session to discuss Items 7.A. - 7.C. as listed on the agenda. All Board members were present. Closed Session concluded at 4:38 p.m.

President Wallace called the Board of Directors meeting to order at 5:00 p.m.

2. ROLL CALL

Present: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

3. PUBLIC COMMENT

Claude Joseph with Those Angeles, Inc. gave an update on the status of buses donated by the District, noting that the buses were driven the Miami by Teamsters where they would be shipped to Haiti. He added that the Teamsters drove the buses to the east coast. He added that he would continue to provide updates to the Board.

4. MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda.

5. CONSENT CALENDAR

MOTION: SHAW/HARPER to receive, approve or adopt the items on the Consent Calendar as indicated. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

5.A. Consider approving Board of Directors minutes of October 14, 2020. [20-426](#)

MOTION: SHAW/HARPER to approve the Board of Directors minutes of October 14, 2020. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

5.B. Consider approving Board of Directors minutes of July 8, 2020. [20-430](#)

MOTION: SHAW/HARPER to approve the Board of Directors minutes of July 8, 2020. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

5.C. Consider receiving Retirement Board meeting minutes of September 17, 2020. [20-404](#)

MOTION: SHAW/HARPER to receive the Retirement Board meeting minutes of September 17, 2020. The motion carried by the following vote:

- Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young
- 5.D.** Consider receiving the Monthly report on Investments for August 2020. [20-369](#)
- MOTION: SHAW/HARPER to receive the Monthly report on Investments for August 2020. The motion carried by the following vote:
- Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young
- 5.E.** Consider review of Board Policy 349 - Investment Policy with no recommended amendments. [20-406](#)
- MOTION: SHAW/HARPER to receive review of Board Policy 349 - Investment Policy with no recommended amendments. The motion carried by the following vote:
- Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young
- 5.F.** Consider review of Board Policy 462 - Fixed Assets, with no recommended amendments. [20-415](#)
- MOTION: SHAW/HARPER to receive review of Board Policy 462 - Fixed Assets, with no recommended amendments. The motion carried by the following vote:
- Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young
- 5.G.** Consider review of Board Policy 461 - Disposition of District Owned Surplus Equipment, Supplies, and Other Tangible District Property, with no recommended amendments. [20-359](#)
- MOTION: SHAW/HARPER to receive review of Board Policy 461 - Disposition of District Owned Surplus Equipment, Supplies, and Other Tangible District Property, with no recommended amendments. The motion carried by the following vote:
- Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young
- 5.H.** Consider adoption of Resolution No. 20-053 authorizing the General Manager or his designee to submit allocation requests and execute any documents necessary for Lifeline Cycle Six Program Funds and repeal Resolution 20-039. [20-313a](#)
- MOTION: SHAW/HARPER to adopt Resolution No. 20-053 authorizing the General Manager or his designee to submit allocation requests and execute any documents necessary for Lifeline Cycle Six Program Funds and repeal Resolution 20-039. The motion carried by the following vote:
- Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young
- 5.I.** Consider authorizing the General Manager or his designee, to execute a funding agreement with the Alameda County Transportation Commission (ACTC) for the Dumbarton Innovative Deployments to Enhance Arterials (IDEA) Project. [20-405](#)
- MOTION: SHAW/HARPER to authorize the General Manager or his designee, to execute

a funding agreement with the Alameda County Transportation Commission (ACTC) for the Dumbarton Innovative Deployments to Enhance Arterials (IDEA) Project. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

- 5.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 the FY2020 Research Demonstration Grant Program for the Real-Time Passenger Load Initiative Research Project. [20-395](#)

MOTION: SHAW/HARPER to authorize the General Manager or his designee to file and execute grant applications and funding agreements with the Federal Transit Administration (FTA) for the FY2020 Research Demonstration Grant Program for the Real-Time Passenger Load Initiative Research Project. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

- 5.K.** Consider authorizing the General Manager to award a five-year contract to Brannon Tire for the District's Tire Mileage and Leasing Program. [20-203a](#)

MOTION: SHAW/HARPER to authorize the General Manager to award a five-year contract to Brannon Tire for the District's Tire Mileage and Leasing Program. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

- 5.L.** Consider authorizing the issuance of an Invitation For Bid (IFB) for the construction of a new roof on the Emeryville Division Maintenance Building. [20-418](#)

MOTION: SHAW/HARPER to authorize the issuance of an Invitation For Bid (IFB) for the construction of a new roof on the Emeryville Division Maintenance Building. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

- 5.M.** Consider authorizing the issuance of a Request For Proposals (RFP) for Employee Benefits Broker Services. [20-408](#)

MOTION: SHAW/HARPER to authorize the issuance of a Request For Proposals (RFP) for Employee Benefits Broker Services. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

6. REGULAR CALENDAR

External Affairs Items - Chair Ortiz

- 6.A.** Consider receiving a report on the Draft 2021 Federal and State [20-412](#)

Legislative Advocacy Programs.

External Affairs Representative Steven Jones presented the staff report and gave a high-level overview of the Draft State and Federal Advocacy Programs.

Director Williams asked if there had been any discussion of another Faster Bay Area regional measure, to which Mr. Jones reported that he was not aware of any discussion of a possible measure.

MOTION: WILLIAMS/WALLACE to receive a report on the Draft 2021 Federal and State Legislative Advocacy Programs. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

- 6.B.** Consider receiving the monthly legislative report and approval of legislative positions. [20-410](#)

Director of Legislative Affairs and Community Relations Claudia Burgos presented the report and advised that there staff was not seeking any action from the Board related to legislative positions.

Vice President Ortiz asked if efforts by the state to build towards an integrated statewide rail and transit network to provide seamless, affordable multimodal travel options included buses. Ms. Burgos believed that it did include buses and staff was discussing it internally in relation to the Zero Emission Bus Program.

MOTION: WILLIAMS/SHAW to receive the monthly legislative report. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

- 6.C.** Consider approving amendments to Board Policy 421 - Customer Contact Policy. [20-310](#)

Customer Services Manager Margaret Tseng presented the staff report.

Director Shaw suggested reducing the response time from ten business days to five business days, believing that ten was too long. In addition, Director Shaw asked how data was tracked internally and used to make any operational changes that may be needed as a result of a complaint. Ms. Tseng advised that she would prefer to discuss a change n the response time internally and get back to the Board. She added that complaint data was shared via reports with numerous staff across all departments.

President Wallace requested an easier way to send complaints via email and voicemail to customer service. General Manager Michael Hursh advised that staff would see what could be done and would follow-up.

Vice President Ortiz asked about the implementation of a postcard as an initial

response to customers who submit complaints to the District via U.S. Mail, saying this was requested by the Board 14 years ago. Executive Director of External Affairs, Marketing & Communications Beverly Greene advised that the postcard was being used until 2011, but was stopped when responsibility for the Customer Service Department was moved under another department. Staff planned to reinstitute the postcard. Ms. Tseng added that a note can be added to the complaint database that a postcard had been mailed.

Director Peeples believed there should be a 24-48 hour turnaround time to provide an initial acknowledgment when a complaint is submitted. Ms. Tseng advised that there is an immediate acknowledgement when a complaint is submitted online or through the call center.

Public Comment:

Jean Walsh commented that basic questions about Clipper, BART and bus stops should have a standard answer for the customer rather than referring customers to other agencies for a response.

MOTION: WALLACE/ORTIZ to approve amendments to Board Policy 421 - Customer Contact Policy with an additional amendment to reduce the response time from 10 business days to 5 business days. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

Finance and Audit Items - Chair Peeples

- 6.D.** Consider receiving the bi-monthly budget update for the period of July through August of FY 2020-21. [20-411](#)

Acting Deputy Chief Financial Officer Chris Andrichak presented the staff report highlighting the first several months of budget performance. Mr. Andrichak explained that the surplus of \$21 million is due to the intake of the \$84 million of CARES Act funds, adding that so far the budget performance is positive, and the year's outlook seems promising.

Director Shaw commented that she didn't expect the salaries to be under budget and asked how the overtime relates to that. Mr. Andrichak advised that the Salaries and Wages number is at budget. He explained that fringe benefits and salaries are below budget, possibly due to unfilled vacancies, but are canceled out by the increased overtime expenses.

MOTION: WILLIAMS/SHAW to receive the bi-monthly budget update for the period of July through August of FY 2020-21. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

Operations Items - Chair Young

- 6.E.** Consider approving the award of a five-year contract with two (2) one-year options to Athens Administrators for Workers' Compensation Third Party Administrator (TPA) Services, Managed Care Program, Claims Reporting/Intake System and Occupational Safety and Health Administration (OSHA) reporting. [20-207a](#)

There was no presentation of the staff report.

MOTION: ORTIZ/WALLACE to award a five-year contract with two (2) one-year options to Athens Administrators for Workers' Compensation Third Party Administrator (TPA) Services, Managed Care Program, Claims Reporting/Intake System and Occupational Safety and Health Administration (OSHA) reporting. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

- 6.F.** Consider receiving an overview of the Department of Innovation and Technology's IT Strategic Plan for 2020-2022. [20-122](#)

Chief Information Officer Ahsan Baig presented the staff report.

To Director Williams's question about staff's transition to work-from-home and the virtual work environment, Mr. Baig responded that IT has been working with employees to provide the tools and support to make their work possible.

Vice President Ortiz praised the department's efforts on internal support but was concerned about the inaccuracy of bus arrival apps and asked that prediction accuracy be reliable. Mr. Baig advised that arrival prediction is a widespread problem that transit agencies face and committed to improving reliability.

Director Harper understood the general principles but asked for more specificity about the department's initiatives. He also requested a detailed report on IT's current projects, specifically what has been accomplished, what the timelines are, and how the projects are prioritized. Director Shaw asked that IT's strategic plan be coordinated with that of other departments.

Director Shaw asked if there are any plans to use the Zoom meeting platform to engage with riders. Mr. Baig responded that IT works closely with the Marketing and Community Relations divisions and plan to use Zoom for future community engagement activities.

President Wallace praised the help desk staff for how they handled the technical problems he experienced.

MOTION: WALLACE/PEEPLES to receive an overview of the Department of Innovation and Technology's IT Strategic Plan for 2020-2022. The motion carried by the following vote:

Ayes: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

7. CLOSED SESSION/REPORT OUT

There was nothing to report out of closed session.

7.A. Conference with Legal Counsel – Potential Litigation

(Government Code Section 54956.9(b)) (Ten Cases)

7.B. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representative:

- General Manager Michael Hursh;

- Acting Executive Director of Human Resources Nathaniel Kramer;

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

Unrepresented Employees

7.C. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

8. AGENDA PLANNING

8.A. Review Agenda Planning Pending List for October 28, 2020. [20-010r](#)

Director Harper requested a follow-up report on the specific goals, objectives and progress associated with the IT Strategic Plan. (President Wallace concurred).

9. GENERAL MANAGER'S REPORT

9.A. General Manager's Report for October 28, 2020. [20-008r](#)

The report was presented for information only.

10. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

Members of the Board commented on meetings and events attended since the last Board meeting.

11. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 6:15 p.m. The next meeting of the Board is scheduled for Thursday, November 12, 2020 at 5:00 p.m.

Respectfully submitted,

/s/

Linda A. Nemeroff

District Secretary