



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

AGENDA

Board of Directors - Regular Meeting

AC Transit General Offices
2nd Floor Board Room
1600 Franklin Street, Oakland, CA 94612

Wednesday, January 22, 2020 at 5:00 PM
Closed Session - 4:00 PM (Items 8A-8D)

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

DENISE C. STANDRIDGE, GENERAL COUNSEL

LINDA A. NEMEROFF, DISTRICT SECRETARY

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

- 3.A. Update on State Legislative Activities. [20-071](#)

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. Three (3) minutes are allowed for each item."

5. MODIFICATIONS TO THE AGENDA**6. CONSENT CALENDAR**

- 6.A. Consider approving Board of Directors minutes of January 8, 2020. [20-006](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.B. Consider authorizing Director Peebles to attend the ZEBRA Infrastructure OEM Roundtable on February 19-20, 2020, in Seattle, Washington. [20-072](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.C. Consider receiving the Monthly Report on Investments for November, 2019. [20-044](#)

Staff Contact: Claudia Allen, 891-5465

- 6.D. Consider receiving the monthly legislative report. [20-014](#)

Staff Contact: Beverly Greene, 891-7255

7. REGULAR CALENDAR**External Affairs Items - Chair Ortiz**

- 7.A. Consider approving the District's Federal and State Legislative Advocacy Programs for 2020. [20-011](#)

Staff Contact: Beverly Greene, 891-7255

- 7.B. Consideration of recommendations regarding proposed amendments to Transit District Law. [20-048](#)
Staff Contact: Denise Standridge, 891-4833
- 7.C. Consider approving an amendment to Board Policy 702 - Conflicts of Interest and Standards for Ethical Conduct [20-059](#)
Staff Contact: Denise Standridge, 891-4833

Planning Items - Chair Peeples

- 7.D. Consider receiving a report on the evaluation of the in-service double deckers with a recommendation to purchase more when funds become available. [20-012](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.E. Consider adopting the AC Transit Clean Corridors Plan 2020, which updates the original Clean Corridors Plan, to coordinate the rollout of zero-emission buses to equity goals while considering vehicle range. [20-017](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.F. Consider approving amendments to Board Policy 546 - Standards for Operation of Supplementary Service. [20-016](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.G. Consider adoption of Resolution 20-010 supporting a Bus-only lane on the Bay Bridge. [Requested by Vice President Ortiz] [20-074](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448

Operations Items - Chair Shaw

- 7.H. Consider the adoption of Ordinance No. 17 Fare Evasion Citation and Adjudication Process for the Alameda-Contra Costa Transit District. [19-208c](#)
Staff Contact: Salvador Llamas, 891-7215
- 7.I. Consider adoption of Resolution 20-002 approving the new classification of Drug and Alcohol Compliance Representative and the revised classification of Payroll Administrator. [20-004](#)
Staff Contact: Nathaniel Kramer, 891-5426
- 7.J. Consider receiving status update on the recruitment and hiring effort for bus operators and mechanics. [Requested by Director Shaw - 11/13/19] [20-018](#)
Staff Contact: Nathaniel Kramer, 891-5426

- 7.K. Consider receiving a report on wheel chair ramp/lift maintenance, operator pre-checks and how lift issues are managed including an analysis of the September 2019 road calls. [Requested by Director Shaw - 10/9/19] [20-037](#)
Staff Contact: Salvador Llamas, 891-7215
- 7.L. Consider adopting Board Policy 211 - Lactation Accommodation Policy. [20-060](#)
Staff Contact: Denise Standridge, 891-4833

Board Administrative Matters:

- 7.M. Consider adopting Resolution No. 20-008 honoring the legacy and achievements of Art Shanks, co-founder of Oakland's Cypress Mandela Training Center. [Requested by Director Williams - 1/8/20] [20-064](#)
Staff Contact: Denise Standridge, 891-4833
- 7.N. Announcement of Chair and Liaison Committee assignments for Calendar Year 2020. [20-058](#)
Presenter: President Wallace

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))

- Lehman, et al. v. Transbay Joint Powers Authority, et al., SFCSC Case No. CGC-16-553758
- Ying, et al. v. Transbay Joint Powers Authority, et al., SFCSC Case No. CGC-17-559210
- Turgeon, et al. v. Transbay Joint Powers Authority, et al., SFCSC Case No. CGC-18-564417

8.B. Conference with Legal Counsel – Potential Litigation

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

8.C. 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

8.D. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

9. AGENDA PLANNING

9.A. Review of Agenda Planning Pending List. [20-010a](#)

10. GENERAL MANAGER'S REPORT

10.A. General Manager's Report for January 22, 2020. [20-008a](#)

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

12. ADJOURNMENT

Next Meeting: February 12, 2020 at 5:00 p.m.

MEETING DISCLOSURES

Public Comment: Members of the public wishing to present comments should complete a Speaker's Form and submit it to the District Secretary at the meeting. 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 three (3) 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.

Live Audio Streaming of Board Meetings: To access live audio streaming and an archive of previously recorded meetings, please visit the District's website at www.actransit.org and click on "Public Meetings". For technological reasons, recordings of meetings held outside of the Board Room cannot be streamed to the web.

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.

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.

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.

Free Public WiFi Access: Free public WiFi is available to all users with their own devices during meetings in the Board Room. Please consult information posted in the Board Room regarding access.