



**BOARD OF DIRECTORS
ALAMEDA-CONTRA COSTA TRANSIT DISTRICT**

AGENDA

Regular Meeting of the Board of Directors

AC Transit General Offices
2nd Floor Board Room
1600 Franklin Street, Oakland, CA 94612
Wednesday, January 23, 2019 at 5:00 PM

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

To access live and archived audio of Board of Directors meetings as well as agendas, staff reports, and the schedule of future meetings please visit www.actransit.org and click on "Board Meetings". Dial (510) 891-7200 to access agendas by telephone. For questions, contact the District Secretary's Office at (510) 891-7201.

MEETING PROCEDURES

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 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 (cell phones, pagers 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.

Agenda Planning: The Agenda Planning portion of the agenda is designed to assist the Board and staff in the preparation of future Board agendas. Each item requested shall have the concurrence of at least one other Director in order to place a proposed agenda item on a future agenda.

LIVE AUDIO STREAMING OF BOARD MEETINGS

Live audio streaming and an archive of previously recorded meetings is available on the District's website at www.actransit.org. 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.

AC Transit's General Offices are generally served by bus lines 6, 12, 18, 33, 51A, 72, 72M and the Broadway Shuttle. The nearest accessible bus service is provided at the intersection of Broadway and 17th Street in Oakland. The nearest accessible BART station is the 19th Street Station in Oakland.

District Ordinance No. 13 prohibits bringing non-service animals to District facilities unless specifically authorized by federal or state 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 to the system.

TELECONFERENCE:**Director H. E. Christian Peeples, 1440 168th Avenue, Room 29b, San Leandro, CA****1. ROLL CALL****2. PRESENTATION**

2.A. Update on state legislative activities.

[19-031](#)

Presenter: Steve Wallauch, Platinum Advisors

3. PUBLIC COMMENT

Any person may directly address the Board at this time on any items of interest to the public that is within the subject matter and jurisdiction of the Board. Speakers wishing to address a specific agenda item will be invited to address the Board at the time the item is being considered. Two (2) minutes are allowed for each item.

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

5.A. Consider approving Board of Directors minutes of December 12, 2018.

[19-036](#)

Staff Contact: Linda Nemeroff, 891-7284

5.B. Consider approving Board of Directors minutes of January 9, 2019.

[19-037](#)

Staff Contact: Linda Nemeroff, 891-7284

5.C. Consider receiving Retirement Board Minutes of December 13, 2018.

[19-027](#)

Staff Contact: Hugo Wildmann, 891-4889

5.D. Consider receiving report on the Board Policies scheduled for review and/or amendment during Calendar Year 2019.

[19-028](#)

Staff Contact: Linda Nemeroff, 891-7284

5.E. Consider approving the District's Federal and State Legislative Advocacy Programs for 2019.

[19-001a](#)

Staff Contact: Beverly Greene, 891-7255

6. REGULAR CALENDAR**External Affairs Items - Chair Wallace**

- 6.A. Consider receiving the Monthly Legislative Report and approval of legislative positions. [19-032](#)

Staff Contact: Beverly Greene, 891-7255

Finance and Audit Items - Chair Harper

- 6.B. Consider receiving the FY 2018-19 Mid-Year Budget Review and adopt Resolution No. 19-001 amending the FY 2018-19 Annual Operating and Capital Budget. [18-049e](#)

Staff Contact: Claudia Allen, 891-5465

- 6.C. Consider approving contract award for utility auditing consulting services to Eric Ryan Corporation (ERC) for up to \$619,200 with three one-year options for the review and audit of utility expenses by service providers, specifically to recoup refunds from billing errors and to recommend cost-savings measures through opportunities to lower utility rates and improve energy consumption efficiencies. [17-192a](#)

Staff Contact: Claudia Allen, 891-5465

Planning Items - Chair Peoples

- 6.D. Consider approving a modification to the release of a solicitation for On-Call Architectural and Engineering (A&E) services approved on October 10, 2018, to include a three-year offering period and a five-year period of performance. [18-230a](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

- 6.E. Consider receiving the monthly construction progress report on the East Bay Bus Rapid Transit (BRT) Project for the month of December 2018. [19-030](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

- 6.F. Consider adopting the AC Transit Bus Parklet Design Manual. [19-034](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

- 6.G. Consider approving a series of service changes for the June 2019 sign-up that would normalize service levels to match the number of available operators. [19-024](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

Operations Items - Chair Williams

- 6.H. Consider authorizing the General Manager to exercise a one-year contract option with TK Services for certified air conditioning inspections on District buses. [19-033](#)

Staff Contact: Salvador Llamas, 891-7215

- 6.I. Consider approving the award of a Sourcewell (formerly National Joint Powers Alliance) contract to CDW-g, in the amount of \$536,000.00 for the equipment, installation, and construction services necessary to install Card Reader Access, Door Hardware, High Definition Cameras, and infrastructure at Division 6 (D6) and the Training and Education Center in Hayward. [18-214a](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

Board Administrative Matters - President Wallace

- 6.J. Announcement of Chair and Liaison Committee assignments for Calendar Year 2019. [19-029](#)

- 6.K. Consider re-setting the spring Board retreat on May 29, 2019.
(Verbal)

Staff Contact: Linda Nemeroff, 891-7284

7. 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.

7A. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9 (a))

Sims v. AC Transit, et. al., CCCSC Case No. C17-00044

7B. Conference with Legal Counsel – Potential Litigation

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

7C. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representative: General Manager

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

Unrepresented Employees

7D. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

8. AGENDA PLANNING

8.A. Agenda Planning Pending List.

[19-020a](#)

9. GENERAL MANAGER'S REPORT

10. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

11. ADJOURNMENT

Next Meeting: February 13, 2019 at 5:00 p.m.