



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, September 11, 2019 at 5:00 PM

Closed Session - 3:30 PM (Items 8A-8D)

Public Hearing: EasyPass Pricing - 6:00 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

The Public Hearing on proposed EasyPass pricing will commence at 6:00 p.m. The remaining items on the agenda will be discussed at the start of the Board meeting at 5:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC HEARING - 6:00 p.m.

- 3.A. Hold Public Hearing to receive public comment regarding adjustments to the AC Transit EasyPass program pricing matrices for FY 2021-2029 [19-262a](#)

Staff Contact: Beverly Greene, 891-7255

4. 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.

5. MODIFICATIONS TO THE AGENDA

6. CONSENT CALENDAR

- 6.A. Consider approving Board of Directors minutes of July 24, 2019. [19-267](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.B. Consider approving minutes of the special Board of Directors meeting held at 2 p.m. on August 7, 2019. [19-301](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.C. Consider approving minutes of the special Board of Directors meeting held at 5 p.m. on August 7, 2019. [19-268](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.D. Consider receiving Retirement Board minutes of June 20, 2019 and July 25, 2019. [19-290](#)

Staff Contact: Hugo Wildmann, 891-4889

- 6.E. Consider authorizing the General Manager to exercise the remaining one-year contract option with Brannon Tire, Inc. for the Tire Mileage and Leasing Program. [18-243a](#)

Staff Contact: Salvador Llamas, 891-7215

- 6.F. Consider receiving the FY 2018-19 Fourth Quarter Employee and [19-274](#)

Non-Employee Out-of-State Travel Report.

Staff Contact: Claudia Allen, 891-5465

- 6.G. Consider receiving report on proposed modifications to the scope of the East Bay Bus Rapid Transit (BRT) Project; the adoption of Resolution No. 19-030 approving modifications to the Locally Preferred Alternative as described in the Environmental Impact Report (EIR); and authorize the General Manager to file an amendment to the Notice of Determination (NOD) with the Alameda County Clerk-Recorder's Office and the California State Clearinghouse to complete the environmental review process. [12-083d](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

7. REGULAR CALENDAR

External Affairs Items - Chair Ortiz

- 7.A. Consider receiving a report on the status of BRT livery design and sponsorships. [19-296](#)

Staff Contact: Beverly Greene, 891-7255

- 7.B. Consider approving contract award to InPrintz, Inc. for Tempo Bus Rapid Transit livery production and installation. [18-313a](#)

Staff Contact: Beverly Greene, 891-7255

Planning Items - Chair Peoples

- 7.C. Consider approving the award of a firm fixed price construction contract to Stronger Building Services in the amount of \$1,875,000 for the replacement of the roof and mechanical equipment at the District's Training and Education Center (TEC) in Hayward. [19-105d](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

- 7.D. Consider the adoption of Resolution No. 19-028, approving proposed service changes for FY 2019/20 considered at the Public Hearing held on August 7, 2019, which include: [19-171b](#)

- the elimination of Line 1 and replacement with BRT, truncation of Line 801 and replacement with BRT;
- service on new streets for Lines 14 and 47, as well as service changes to Lines 71, 376, 60, and 96, and associated service on new streets;
- adoption of the Title VI Service Equity Analysis; and
- authorization to file a notice of exemption, as well as
- authorize the General Manager to negotiate and execute

agreements with the Alameda Transportation Management Association for enhanced service for Line 96 in Alameda Point and with California State University, East Bay for expanded service on Line 60 in Hayward.

Staff Contact: Ramakrishna Pochiraju, 891-5448

- 7.E. Consider receiving the monthly progress and operational readiness report on the East Bay Bus Rapid Transit (BRT) project. [19-286](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

Operations Items - Chair Shaw

- 7.F. Consider approving the award of a firm fixed price construction contract to McNabb Construction, Inc. of Lafayette, in the amount of \$419,863, for IFB No. 2019-1461 for the construction of a new operator restroom at the bus turn-around at the intersection of Castro Street and Tewksbury Avenue in Point Richmond. [19-210a](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

- 7.G. Consider receiving the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the Fourth Quarter FY 2019. [19-238](#)

Staff Contact: Salvador Llamas, 891-7215

- 7.H. Consider awarding a contract to Motor Coach Industries (MCI) for the purchase of up to fifty (50) forty-five-foot (45') diesel buses with independent options for Joint Procurement Members, Omniride (Woodbridge, VA), Metropolitan Council (Saint Paul, MN), and Roaring Fork Transportation Authority (Aspen, CO), and to proceed with an initial purchase of up to thirty-six (36) buses. [18-082a](#)

Staff Contact: Salvador Llamas, 891-7215

- 7.I. Consider adoption of Resolution No. 19-031 authorizing the General Manager or his designee to file and execute applications and funding agreements with the Bay Area Air Quality Management District (BAAQMD) Vehicle Trip Reduction Grant program to support operation of the on-demand shuttle service, AC Transit Flex. [19-295](#)

Staff Contact: Claudia Allen, 891-5465

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

- Tanya Coleman v. AC Transit, WCAB Case Nos. ADJ5748313, ADJ7371575, ADJ369351, ADJ7369378, ADJ7369411, ADJ739215; AC Transit Claim Nos. 11163, 10788, 011301, 006385, 007593, 007852

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. Agenda Planning Pending List.

[19-020o](#)

10. GENERAL MANAGER'S REPORT

10.A. General Manager's Report for September 11, 2019.

[19-085](#)

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

12. ADJOURNMENT

Next Meeting: September 25, 2019 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 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.

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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.