



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

AGENDA

Board of Directors - Regular Meeting

VIRTUAL MEETING

The members of the Board will participate from remote locations.

See page 2 of the agenda for public participation instructions.

Wednesday, June 10, 2020 at 5:00 PM

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

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

COVID-19 Advisory for Public Meetings

Due to the Statewide Stay at Home Order and the Alameda County Shelter in Place Order, and pursuant to the Executive Order issued by Governor Gavin Newsom (Executive Order N-29-20), the Board of Directors will hold a virtual meeting. In person participation is prohibited.

Public Participation at Virtual Meetings

Members of the public who only wish to listen to the Board of Directors meeting (and not provide comment), are strongly encouraged to listen to the live stream online at: <https://actransit.legistar.com/Calendar.aspx> [Under the "Audio" column, Click on the "In Progress" link. This can only be done while streaming.]

Ways to Provide Public Comment

In Writing By:

eComment. To send your comment directly to the Board BEFORE the meeting starts, please click on <https://actransit.legistar.com/Calendar.aspx> and 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.

Email 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.

By Teleconference / Zoom:

To listen to the meeting by phone, call the numbers below at the noticed meeting time. If accessing the meeting by Zoom, please click or paste the link provided below into your browser.

If you dialed in and intend to speak on an agenda item, dial *9 (star nine) to "raise your hand" when the agenda item is called. If using Zoom, use the "raise your hand" feature to indicate that you wish to speak on an item. When you are called to speak by the last 4 digits of your phone number or by name, the host will unmute you. The comment time is limited to 3 minutes per speaker. If you decide not to speak, you may dial *9 or click "lower your hand" in Zoom. The telephone numbers listed below may change from meeting to meeting.

By Telephone: (669) 900-6833 or (253) 215-8782 Webinar ID: 926 4720 3238
Or iPhone one-tap: +16699006833,,92647203238#

To access via Zoom click or paste this link into your browser:
<https://actransit.zoom.us/j/92647203238>

Note: 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. May Revise and Legislative Update. [20-228](#)

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 Receiving the FY 2019-20 Third Quarter Travel and Meeting Expense Report for Directors and Board Officers. [20-191](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.B. Consider authorizing Director Peebles to attend the Transportation Research Board's (TRB) 100th Annual Meeting on January 24-28, 2021 in Washington, D.C. [20-231](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.C. Consider receiving report on Annual Statement of Economic Interest filings. [20-152](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.D. Consider authorizing issuance of an Invitation For Bid (IFB) for construction associated with the Rapid Corridors Project for improvements along San Pablo Avenue and Grand/West Grand Avenues. [20-236](#)

Staff Contact: Ramakrishna Pochiraju, 891-5448

- 6.E. Consider authorizing the General Manager to issue an Invitation For Bid (IFB) for construction associated with the Dumbarton Bridge Corridor Transit Travel Time Improvement Project. [20-237](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 6.F. Consider ratifying the General Manager's authorization of an agreement with the Bay Area Rapid Transit District (BART) to provide bus bridge services in response to the scheduled track maintenance and BART station closures in 2020. [20-238](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 6.G. Consider approving amendments to Board Policy 465 - Procurement Policy in order to maintain compliance with Federal Transit Administration regulations and external auditing requirements. [20-192a](#)
Staff Contact: Claudia Allen, 891-5465

7. REGULAR CALENDAR

External Affairs Items - Chair Ortiz

- 7.A. Receive polling results and provide direction to staff regarding placing a general obligation bond on the November 3, 2020 ballot. [20-227](#)
Staff Contact: Beverly Greene, 891-7255

Finance and Audit Items - Chair Peebles

- 7.B. Consider authorizing the General Manager or his designee to execute standard agreements and related documents in substantially similar form under the State of California's Affordable Housing and Sustainable Communities Program (AHSC) as a joint applicant and joint grantee with Bridge Housing Corporation (BRIDGE) and the Berkeley Food and Housing Project (BFHP) in connection with the project located at 2012 Berkeley Way in Berkeley, California, and authorize the purchase of one zero emission bus with project grant funds. [18-316b](#)
Staff Contact: Claudia Allen, 891-5465
- 7.C. Consider adoption of Resolution No. 20-030 authorizing the General Manager to execute a funding agreement with the California Department of Transportation (Caltrans) for \$1 million from Assembly Bill 74 to support Oakland Unified School District (OUSD) supplementary service. [20-135](#)
Staff Contact: Claudia Allen, 891-5465

- 7.D. Consider receiving a report on the possible effects of “free” fares on AC Transit and a review of how it is implemented at other agencies. [20-134](#)
Staff Contact: Claudia Allen, 891-5465

Planning Items - Chair Shaw

- 7.E. Consider receiving an informational report on the BRT Program budget, O.C. Jones Sons, Inc. contract change orders, and authorizing the General Manager to amend the O.C. Jones and Sons, Inc. contract as-needed up to 30% of the Board-approved contract value for the East Bay Bus Rapid Transit (BRT) Project Infrastructure and Station Platforms. [15-210e](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448

Operations Items - Chair Young

- 7.F. Consider adopting Resolution 20-029 approving the AC Transit Zero-Emissions Bus (ZEB) Rollout Plan. [20-224](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.G. Consider authorizing the General Manager, or his designee, to (a) execute documents through the State of Virginia and the State of California Consortium Contracts to purchase twenty (20) forty-foot Gillig battery electric buses and twenty (20) forty-foot New Flyer fuel cell buses; and (b) to execute contracts directly with Gillig Inc. and New Flyer of America for the purchase of said buses. [19-340b](#)
Staff Contact: Salvador Llamas, 891-7215
- 7.H. Consider authorizing the General Manager to enter into contracts and approve renewal rates for Kaiser Permanente, Health Net, Vision Service Plan, MetLife Dental and Standard Life Insurance. [20-209](#)
Staff Contact: Nathaniel Kramer, 891-5426
- 7.I. Introduce and waive the first reading of Ordinance No. 18, an ordinance establishing an automated enforcement system to enforce parking violations occurring in transit-only traffic lanes through the use of forward-facing bus cameras, and establishing civil penalties for parking violations. [20-219](#)
Staff Contact: Jill Sprague, 891-4816

- 7.J. Consider receiving a report summarizing the creation of and modifications to Classification Specifications during 2019 and adoption of Resolution No. 20-018 abolishing ten classifications and repealing Resolution Nos. 17-042, 2053, and 12-040. [20-081](#)

Staff Contact: Nathaniel Kramer, 891-5426

- 7.K. Consider adoption of Resolution 20-026 approving the new classification of Deputy Chief Financial Officer and the revised classifications of Chief Financial Officer, Program Manager, Program Administrator, Senior Program Specialist, Program Specialist, and Assistant Program Specialist. [20-200](#)

Staff Contact: Nathaniel Kramer, 891-5426

- 7.L. Consider receiving an update on critical Department of Innovation and Technology projects. [20-121](#)

Staff Contact: Ahsan Baig, 891-5490

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))

8.B. Conference with Legal Counsel – Potential Litigation

(Government Code Section 54956.9(b)) (Five 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

8.E. Conference with Real Property Negotiators

(Government Code Section 54956.8) (Five Matters)

- Property: 975 & 977-A 66th Avenue, Oakland, CA
- Agency negotiator: General Manager Michael A. Hursh/Real Estate Manager Lois Rawlings
- Negotiating parties: Temesghen Gebremichael for TTG Shipping Intl
- Under negotiation: Rent abatement requests from District tenants; instruction to negotiator may concern rental amounts and terms of payment.

- Property: 977-B & 995 66th Avenue, Oakland, CA
- Agency negotiator: General Manager Michael A. Hursh/Real Estate Manager Lois Rawlings
- Negotiating parties: Eric Shanks for Cypress Mandela
- Under negotiation: Rent abatement requests from District tenants; instruction to negotiator may concern rental amounts and terms of payment.

- Property: 37650-A Sycamore, Newark, CA
- Agency negotiator: General Manager Michael A. Hursh/Real Estate Manager Lois Rawlings
- Negotiating parties: David Tay for Piotech
- Under negotiation: Rent abatement requests from District tenants; instruction to negotiator may concern rental amounts and terms of payment.

9. AGENDA PLANNING

9.A. Review of Agenda Planning Pending List.

[20-010j](#)**10. GENERAL MANAGER'S REPORT**

10.A. General Manager's Report for June 10, 2020.

[20-008j](#)**11. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

12. ADJOURNMENT

Next Meeting: June 24, 2020 at 5:00 p.m.

MEETING DISCLOSURES

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.