



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

AGENDA

Board of Directors - Regular Meeting

VIRTUAL MEETING

Zoom webinar <https://actransit.zoom.us/j/91636373775>

Dial in phone number (669) 900-6833 Webinar ID 916 3637 3775

Wednesday, August 5, 2020 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

JILL A. SPRAGUE, GENERAL COUNSEL

LINDA A. NEMEROFF, DISTRICT SECRETARY

COVID-19 Advisory for Public Meetings

Due to the current shelter-in-place order, public meetings will be held through telephone and video conferencing. In person participation is prohibited.

Public Participation and Public Comments

To access the Board of Directors meeting by video conference click or paste this Zoom link into your browser: <https://actransit.zoom.us/j/91636373775>. To make a live public comment, use the "raise your hand" feature in Zoom to indicate that you wish to speak on an item. You will be muted upon joining the meeting and unmuted by the meeting host when it is your turn to speak. The comment time is limited to 3 minutes per speaker.

To dial into the meeting from your telephone, call: (669) 900-6833 Webinar ID: 916 3637 3775 Or iPhone one-tap: +16699006833,,91636373775#. The telephone numbers listed may change from meeting to meeting.

If you dialed in and wish to speak on an agenda item, dial *9 (star nine) to "raise your hand" when the agenda item is called. When you are called to speak by the last 4 digits of your phone number or by name, the host will unmute you. If you decide not to speak, you may dial *9 to "lower your hand".

Written Public Comments

To send a written 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.

Written comments can also be emailed 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.

For the members of the public who only wish to listen to the Board of Directors meeting (and not provide comment), a live audio stream (no video) is available 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.]

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. Recognition of the 2020 American Public Transportation Association Ad Wheel First Place Award winners for “Best Marketing and Communication Educational Initiative” for the Bus Operator and Mechanic Recruitment Campaign and “Best Marketing and Communications to Highlight Transit Needs/Funding” for the AC Transit 2018 Annual Report: A Year in Review. [20-141](#)

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 July 22, 2020. [20-283](#)
Staff Contact: Linda Nemeroff, 891-7284
- 6.B. Consider receiving the Accessibility Advisory Committee minutes of February 11, 2020. [20-149](#)
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 6.C. Consider receiving Retirement Board minutes of June 16, 2020. [20-295](#)
Staff Contact: Hugo Wildmann, 891-4889
- 6.D. Consider receiving the FY 2019-20 Fourth Quarter Travel and Meeting Expense Report for Directors and Board Officers. [20-280](#)
Staff Contact: Linda Nemeroff, 891-7284
- 6.E. Consider receiving the FY 2019-20 Fourth Quarter Employee and Non-Employee Out-of-State Travel Report. [20-300](#)
Staff Contact: Claudia Allen, 891-5465

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| 6.F. | Consider approving a corrective amendment to Board Policy 110 - Public Hearing Process for Board of Directors.
Staff Contact: Jill Sprague, 891-4816 | <u>20-301</u> |
| 6.G. | Consider approving non-substantive amendments to Board Policy 244 (Temporary Employee Staffing) revising the language on employment category from temporary employee to temporary worker.
Staff Contact: Jill Sprague, 891-4816 | <u>20-257</u> |
| 6.H. | Consider receiving the monthly legislative report.
Staff Contact: Beverly Greene, 891-7255 | <u>20-296</u> |
| 6.I. | Consider receiving the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the Fourth Quarter of Fiscal Year 2020.
Staff Contact: Salvador Llamas, 891-7215 | <u>20-264</u> |
| 6.J. | Consider receiving the Quarterly Report on the District's involvement in external planning processes.
Staff Contact: Ramakrishna Pochiraju, 891-5448 | <u>20-271</u> |
| 6.K. | Consider adoption of Resolution No. 20-039 authorizing the General Manager, or his designee, to submit allocation requests and execute any documents necessary for Lifeline Cycle Six Program Funds for service to low-income populations.
Staff Contact: Claudia Allen, 891-5465 | <u>20-313</u> |
| 6.L. | Consider receiving the FY 2019-20 Fourth Quarter Surplus and Obsolete Materials Report.
Staff Contact: Claudia Allen, 891-5465 | <u>20-299</u> |
| 6.M. | Consider receiving the Quarterly Report on the Status of Active Contracts and Spending Amounts over \$250,000.
Staff Contact: Claudia Allen, 891-5465 | <u>20-298</u> |
| 6.N. | Consider receiving the Monthly Report on Investments for June 2020.
Staff Contact: Claudia Allen, 891-5465 | <u>20-287</u> |

- 6.O. Consider authorizing the General Manager or his designee, to execute a funding agreement with the City of Emeryville for the purchase of Transit Signal Priority (TSP) equipment. [20-030](#)
Staff Contact: Claudia Allen, 891-5465

7. REGULAR CALENDAR

Board Administrative Matters:

- 7.A. Consider expressing support for the Black Lives Matter movement on bus headsigns throughout the AC Transit service area. [Requested by President Wallace - 7/22/20] (Verbal) [20-311](#)
President Wallace
- 7.B. Consider approving the draft agenda for the Joint Board of Directors/Accessibility Advisory Committee Meeting on September 9, 2020. [20-291](#)
Staff Contact: Linda Nemeroff, 891-7284

Finance and Audit Items - Chair Peebles

- 7.C. Consider approving a new set of Budget Goals for FY 2020-21; receiving report on the Proposed FY 2020-21 Operating and Capital Budgets; and receiving the bi-monthly budget update for the period of July through June for the Fiscal Year 2019-20. [20-062c](#)
Staff Contact: Claudia Allen, 891-5465
- 7.D. Consider approving a reduction in Board member travel allocations for FY 2020-21 in consideration of the District's financial situation. [Requested by Vice President Ortiz/President Wallace] (verbal) [20-314](#)
Staff Contact: Claudia Allen, 891-5465
- 7.E. Consider approving amendments to Board Policy 155 - Travel, Meeting and Expense Reimbursements for Directors and Board Officers. [20-142](#)
Staff Contact: Linda Nemeroff, 891-7284
- 7.F. Consider granting free transfers for All-Nighter service between the hours of midnight and 6:00 a.m. [20-285](#)
Staff Contact: Lynette Little, 891-7271

- 7.G. Consider waiving the two-hearing requirement specified in Board Policy 110 and set a public hearing on September 23, 2020 at 6:00 PM to receive public comment on the proposed elimination of the paper version of the BART-to-Bus discount transfer ticket. [20-269](#)
- Staff Contact: Lynette Little, 891-7271

Planning Items - Chair Shaw

- 7.H. Consider adopting the draft COVID-19 Recovery Plan - Version 1.0; in addition, receive an update on the District's health and safety activities related to bus operations. [20-302](#)
- Staff Contact: Ramakrishna Pochiraju, 891-5448
- 7.I. Consider receiving a report on East Bay Paratransit (EBP) Draft Recovery Plan and Update. [Requested by Director Shaw 6/10/20.] [20-260](#)
- Staff Contact: Ramakrishna Pochiraju, 891-5448

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 – Potential Litigation (Government Code Section 54956.9(b)) (Two Cases)

8.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

8.C. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

9. AGENDA PLANNING

- 9.A. Agenda Planning Pending List for August 5, 2020. [20-010n](#)
- Staff Contact: Linda Nemeroff, 891-7284

10. GENERAL MANAGER'S REPORT

- 10.A. General Manager's Report for August 5, 2020. [20-008n](#)
- Staff Contact: Michael Hursh

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

12. ADJOURNMENT

Next Meeting: September 9, 2020 at 5:00 p.m.

MEETING DISCLOSURES

Public Comment: 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.

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.

Wheelchair Access and Assistive Listening Devices: Due to existing shelter-in-place orders related to the spread of the Coronavirus, in-person public meetings are prohibited. Meetings can be accessed by telephone or Zoom video conference. A live audio stream of the meeting and an archive of past meetings can be accessed via the District's website at <https://actransit.legistar.com/Calendar.aspx>. Please see page 1 of the agenda for further details.

Alternative Formats/Interpreters: Written materials in appropriate alternative formats or disability related modification/accommodation must be made three business days in advance of the meeting 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. 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.