



## **ALAMEDA-CONTRA COSTA TRANSIT DISTRICT**

### **AGENDA**

#### **Board of Directors - Regular Meeting**

VIRTUAL MEETING

Zoom link <https://actransit.zoom.us/j/93050742404>

Dial in phone number (669) 900 6833 Webinar ID: 930 5074 2404

**Wednesday, October 14, 2020 at 5:00 PM**

**Closed Session 4:30 PM (Items 7A-7C)**

#### **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/93050742404>. 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: 930 5074 2404 Or iPhone one-tap: +16699006833,,93050742404#. 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](mailto: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. 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."

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

- 5.A. Consider approving Board of Directors minutes of September 23, 2020. [20-388](#)  
Staff Contact: Linda Nemeroff, 891-7284
- 5.B. Consider approving the Joint Board of Directors/Accessibility Advisory Committee meeting minutes of September 9, 2020. [20-393](#)  
Staff Contact: Linda Nemeroff, 891-7284
- 5.C. Consider receiving the August 27, 2020 Retirement Board minutes. [20-375](#)  
Staff Contact: Hugo Wildmann, 891-4889
- 5.D. Consider approving amendments to Board Policy 294 (Attorneys-Outside Employment), including the renumbering of the Policy to 238. [20-344](#)  
Staff Contact: Jill Sprague, 891-4816
- 5.E. Consider approving amendments to, and the re-titling of, Board Policy 216 from "Smoke Free Environment" to "Smoke and Vape Free Environment" to prohibit these activities within District facilities, parking lots and all vehicles, both revenue and non-revenue, owned or leased by the District. [20-343](#)  
Staff Contact: Jill Sprague, 891-4816
- 5.F. Consider approving minor amendments to Board Policy 311 - Budgets [20-368](#)  
Staff Contact: Claudia Allen, 891-5465

- 
- 5.G. Consider adoption of Resolution No. 20-052 providing notice of the scheduled adoption of the corrected Appropriations Limit for Fiscal Year 2020-21. [20-249b](#)  
Staff Contact: Claudia Allen, 891-5465
- 5.H. Consider adoption of Resolution No. 20-049 providing notice of the scheduled adoption of the corrected Appropriations Limit for Fiscal Year 2019-20. [19-194b](#)  
Staff Contact: Claudia Allen, 891-5465
- 5.I. Consider exercising the fifth and final of five one-year options with MV Transportation to continue Dumbarton Express service under the existing contract. [11-256i](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 5.J. Consider authorizing the General Manager to enter into an extension of the Dumbarton Bridge Regional Operations Consortium (DBROC) Cooperative Agreement--January 1, 2021 to December 31, 2021--in conjunction with the one-year option for the service contract. [11-256j](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 5.K. Consider authorizing the General Manager to provide free bus rides on New Year's Eve between the hours of 8:00 p.m. on December 31, 2020 until 5:00 a.m. on January 1, 2021. [20-361](#)  
Staff Contact: Beverly Greene, 891-7255
- 5.L. Consider approving the issuance of a Request for Qualifications (RFQ) for On-Call Project Management/Construction Management (PM/CM) contracts effective July 1, 2021. [20-360](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 5.M. Consider adoption of Resolution No. 20-050 authorizing the filing of a Notice of Exemption for the Dumbarton Corridor Transit Travel Time Reduction Project. [20-381](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 5.N. Consider adoption of Resolution No. 20-051 authorizing the filing of three Notices of Exemption for the Rapid Corridors Project. [20-382](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
-

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

- 6.A. Consider receiving a briefing on the results of the COVID-19 Rider Impact Survey. [20-376](#)  
Staff Contact: Beverly Greene, 891-7255
- 6.B. Consider approving the final parameters for Inter-agency Liaison Committees (ILC) [19-377a](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 6.C. Consider receiving a status update on the Next Generation Clipper (C2) Program. [20-385](#)  
Staff Contact: Ahsan Baig, 891-5490

**Planning Items - Chair Shaw**

- 6.D. Consider receiving the FY19-20 Annual Ridership and Route Performance Report in accordance with Board Policy 545 - Service Standards and Design Policy. [20-367](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 6.E. Consider approving a pilot for all-door boarding on 25 buses operating on lines in Oakland and Berkeley. [20-320](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448
- 6.F. Consider approving the issuance of an Invitation For Bid (IFB) for the construction of Battery Electric Bus Infrastructure at the Emeryville Division (D2). [20-380](#)  
Staff Contact: Ramakrishna Pochiraju, 891-5448

**Operations Items - Chair Young**

- 6.G. Consider receiving a report on the August 2020 signup service levels and operator resources available. [20-386](#)  
Staff Contact: Salvador Llamas, 891-7215
- 6.H. Consider receiving a report on positive air flow tests and procedures to ventilate coaches during the COVID-19 response. [20-365a](#)  
Staff Contact: Tabby Davenport, 577-8877

**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.

**7.A. Conference with Legal Counsel – Potential Litigation**

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

**7.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

**7.C. Public Employee Performance Evaluation**

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

**8. AGENDA PLANNING**

8.A. Review of Agenda Planning Pending List.

[20-010g](#)

Staff Contact: Linda Nemeroff, 891-7284

**9. GENERAL MANAGER'S REPORT**

9.A. General Manager's Report for October 14, 2020.

[20-008g](#)

Staff Contact: Michael Hursh

**10. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

**11. ADJOURNMENT**

Next Meeting: October 28, 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.