



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

### **AGENDA**

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

CLOSED SESSION 4:15 PM for Agenda Items 8A-8D

VIRTUAL MEETING

Phone (669) 900 6833

Webinar ID: 984 8717 5063

[Zoom link https://actransit.zoom.us/j/98487175063](https://actransit.zoom.us/j/98487175063)

**Wednesday, April 27, 2022 at 5:00 PM**

#### **MEMBERS OF THE BOARD OF DIRECTORS**

**ELSA ORTIZ, PRESIDENT (WARD 3)**

**JOEL YOUNG, VICE PRESIDENT (AT-LARGE)**

**JOVANKA BECKLES (WARD 1)**

**JEAN WALSH (WARD 2)**

**MURPHY MCCALLEY (WARD 4)**

**DIANE SHAW (WARD 5)**

**H. E. CHRISTIAN PEEPLES (AT-LARGE)**

#### **BOARD OFFICERS**

**MICHAEL A. HURSH, GENERAL MANAGER**

**JILL A. SPRAGUE, GENERAL COUNSEL**

**LINDA A. NEMEROFF, DISTRICT SECRETARY**

**Advisory for Virtual Public Meetings**

Due to the COVID-19 pandemic and pursuant to the Brown Act, the Board of Directors of the Alameda-Contra Costa Transit District and all advisory, oversight, and inter-agency liaison committees are authorized to hold remote teleconference meetings and no locations for the public are required to be provided or noticed in the meeting agenda. The public can access the meeting via a call-in option or an internet-based service option as listed below and the agenda for this remote meeting provides an opportunity for members of the public to directly address the body in real time. No action shall be taken during a disruption that would prevent members of the public from offering public comments using the call-in or internet-based option. Remote meetings shall be reconsidered every thirty days.

**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/98487175063>. 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 2 minutes per speaker.

To dial into the meeting from your telephone, call: (669) 900 6833 Webinar ID: 984 8717 5063. The telephone number and Webinar ID 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. WELCOME & INTRODUCTION OF NEW BOARD MEMBER**

Murphy McCalley, Ward 4 Director

**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. Two (2) minutes are allowed for each item.

**5. MODIFICATIONS TO THE AGENDA****6. CONSENT CALENDAR (AND CALL FOR PUBLIC COMMENT ON CONSENT ITEMS)**

- 6.A. Consider authorizing members of the Board of Directors and General Manager to attend the American Public Transportation Association (APTA) 2022 APTAtech Conference on August 14-17, 2022 in Denver, Colorado. [22-259](#)

Staff Contact: Linda Nemeroff, 891-7284

- 6.B. Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements, and certifications and assurances with the State of California for an allocation of Senate Bill 1 (SB 1) Local Partnership Program (Formulaic) to secure funding for the following projects; Purchase of Zero Emission Forklifts, D4 Entrance and Exit Gates, and D6 Security Enhancements Phase 2 projects. [22-217](#)

Staff Contact: Chris Andrichak, 891-4855

- 6.C. Consider receiving the Bi-Monthly budget update for the period of July 2021 through February 2022 of FY 2021-22. [22-227](#)

Staff Contact: Chris Andrichak, 891-4855

- 6.D. Consider receiving the Monthly Report on Investments for February 2022. [22-229](#)

Staff Contact: Chris Andrichak, 891-4855

- 6.E. Consider adoption of Resolution No. 22-014 authorizing the General Manager, or his designee, to file and execute applications and funding agreements with the Metropolitan Transportation Commission (MTC) for Fiscal Year (FY) 2022-23 allocations of Transportation Development Act (TDA), State Transit Assistance (STA), Assembly Bill 1107 (AB 1107) and Regional Measure 2 (RM2) bridge toll revenues. [22-233](#)  
Staff Contact: Chris Andrichak, 891-4855
- 6.F. Consider authorizing the District to participate in a Department of Energy Advanced Research Projects Agency (ARPA)-Energy SCALEUP Program by contributing District data and staff time. [22-267](#)  
Staff Contact: Chris Andrichak, 891-4855
- 6.G. Consider authorizing the General Manager to exercise the five-year option to extend AC Transit's contract for transit advertising services on the District's bus fleet with Lamar Transit, LLC. [15-049b](#)  
Staff Contact: Beverly Greene, 891-7255
- 6.H. Consider receiving a briefing on the Next Generation Clipper (C2) Program implementation. [22-178](#)  
Staff Contact: Ahsan Baig, 891-5490

## 7. REGULAR CALENDAR

### Operations Items - Chair Young

- 7.A. Consider the adoption of Resolution 22-017 confirming the approval of an extension of the 2019-2022 Collective Bargaining Agreement with the Amalgamated Transit Union (ATU), Local 192 through June 30, 2025. [22-257](#)  
Staff Contact: Jill Sprague, 891-4816
- 7.B. Consideration of Centers for Disease Control and California Department of Public Health guidance regarding face masks on public transportation and at District facilities. (verbal) [22-287](#)  
Staff Contact: Michael Hursh

### Planning Items - Chair Beckles

- 7.C. Consider the adoption of Resolution No. 22-013, authorizing one-year extensions to the service pilots considered at the Public Hearing held on March 30, 2022, which include: [22-140a](#)
- Continued service on Line 60 to South Hayward BART along Hesperian Boulevard and Tennyson Road through December 2023.
  - Continued service on Line 78 between the Fruitvale BART Station and Alameda Point through August 2023.
- Staff Contact: Ramakrishna Pochiraju, 891-5448

#### **External Affairs Items - Chair Peeples**

- 7.D. Consider receiving the Monthly Legislative Report and approval of legislative positions. [22-114](#)
- Staff Contact: Beverly Greene, 891-7255
- 7.E. Consider resuming in-person Board meetings in a “hybrid” meeting format and provide feedback and/or direction to staff. [21-272a](#)
- Staff Contact: Linda Nemeroff, 891-7284

#### **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 (Two Cases)**

(Government Code Section 54956.9(b))

##### **8.B. Conference with Labor Negotiators**

(Government Code Section 54957.6):

Agency Designated Representative:

- General Manager Michael Hursh
- Labor and Employee Relations Representative

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

##### **8.D. Conference with Labor Negotiators**

(Government Code Section 54957.6):

Agency Designated Representative: President Ortiz

Board Officers: General Manager, General Counsel, District Secretary

#### **9. AGENDA PLANNING**

Directors are limited to two agenda planning requests per meeting. Each item requested shall have the concurrence of at least one other Director.

- 9.A. Review of Agenda Planning Pending List.

[22-065g](#)

Staff Contact: Linda Nemeroff, 891-7284

**10. GENERAL MANAGER'S REPORT**

- 10.A. General Manager's Report for April 27, 2022.

[22-041g](#)

Staff Contact: Michael Hursh

**11. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

**12. ADJOURNMENT**

Next Meeting: May 11, 2022 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 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.

**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.