



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

### **MINUTES**

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

AC Transit General Offices  
2nd Floor Board Room  
1600 Franklin Street, Oakland, CA 94612

**Wednesday, March 11, 2020 at 5:00 PM**  
**Closed Session - 4:15 PM (Items 7A-7D)**

#### **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**

**1. CALL TO ORDER**

The Alameda-Contra Costa Transit District Board of Directors held a meeting on Wednesday, March 11, 2020, at 5 p.m.

The Board of Directors convened in Closed Session at 4:23 p.m. to discuss items 7A-7D as listed on the agenda. All Board members were present except Director Young; Director Harper arrived at 4:30 p.m. Closed Session concluded at 4:55 p.m.

President Wallace called the Board of Directors meeting to order at 5:04 p.m.

**2. ROLL CALL**

**Present:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples

**Absent:** Young

**3. PUBLIC COMMENT**

There were no public comments offered.

**4. MODIFICATIONS TO THE AGENDA**

There were no modifications to the agenda.

**5. CONSENT CALENDAR****Approval of the Consent Agenda**

Director Harper asked for clarification of item 5.G. Customer Service Construction, asking the staff to confirm that the contract was awarded to the lowest bidder and that the bid was below the Independent Cost Estimate amount. Staff confirmed that Director Harper's understanding was true.

MOTION: WILLIAMS/ORTIZ to receive or approve the items, including item 5.G. on the Consent Calendar as indicated. The motion carried by the following vote:

**Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples

**Absent:** Young

- 5.A.** Consider approving Board of Directors minutes of January 22, 2020. [20-022](#)
- 5.B.** Consider approving Board of Directors minutes of February 26, 2020. [20-031](#)
- 5.C.** Consider receiving the Accessibility Advisory Committee minutes of January 14, 2020. [20-078](#)
- 5.D.** Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements with the Federal Transit Administration (FTA) for Fiscal Year (FY) 2020 Low or No Emission Vehicle Program for the purchase of up to 45 zero-emission buses and associated charging infrastructure. [20-107](#)

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- 5.E.** Consider authorizing the General Manager or his designee to file and execute applications and funding agreements with the Federal Transit Administration (FTA) for Fiscal Year (FY) 2020 Grants for Buses and Bus Facilities Program. [20-106](#)
- 5.F.** Consider receiving the monthly construction progress and operational readiness report on the East Bay Bus Rapid Transit (BRT) project. [20-111](#)
- 5.G.** Consider approving the award of a firm fixed price construction contract to Streamline Builders, Inc. of Lafayette in the amount of \$996,500 for the construction of the Customer Service Center rehabilitation at the AC Transit General Office. [18-247a](#)

## **6. REGULAR CALENDAR**

### **External Affairs Items - Chair Ortiz**

- 6.A.** Consider receiving an update on the District's plans and actions to date concerning the Coronavirus Disease 2019 (COVID-19). [20-137](#)

Executive Director of External Affairs, Marketing & Communications Beverly Greene presented the staff report.

President Wallace asked for clarification of the statement that divisions may be closed should the virus outbreak become widespread. Ms. Greene advised that the District is planning for the worst-case scenarios which may include closure of some divisions and prioritization of routes. General Manager Hursh advised that a plan is in place in case the workforce is reduced which may cause closure of divisions. Mr. Hursh added that the priority is to develop internal resiliency and to keep the passengers safe.

Vice President Ortiz asked if there has been a decline in ridership. General Manager Hursh advised that there was an indication that the ridership was in decline, but more accurate report would be available in the next 48 hours when the cash fairbox is reconciled. He further advised that the data pulled from the Clippercard readers was inconclusive because a relatively short period of time was analyzed.

Director Williams asked whether the District is communicating with the Alameda County Health Department, which was confirmed to be true by Ms. Greene.

Director Williams asked about any feedback received from the Drivers' Committee about the protective and safety measures. Chief Operating Officer Sal Llamas provided feedback received from the unions' leadership including the request for fortified correspondence about the directions and new developments related to the health threat.

Director Harper commented about his observation of the decline in ridership. Director Harper asked that the Board receive updates about the District's plan and handling of

the crisis, at every Board meeting, and that it includes specific actions that are being taken. Director Harper added that coach announcements are a powerful tool for informing riders about important developments and urged the staff to use the announcements to communicate out to the riders.

MOTION: SHAW/WILLIAMS to receive an update on the District's plans and actions to date concerning the Coronavirus Disease 2019 (COVID-19). The motion carried by the following vote:

**Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples

**Absent:** Young

- 6.B.** Consider the adoption of Board Policy 456 - Social Media Use. [20-082](#)

Marketing Manager Julia Kocs presented the staff report.

MOTION: PEEPLES/WILLIAMS to adopt Board Policy 456 - Social Media Use. The motion carried by the following vote:

**Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples

**Absent:** Young

#### **Finance and Audit Items - Chair Peeples**

- 6.C.** Consider receiving an overview of staff's proposed FY 2020-21 Budget Goals and Objectives. [20-062](#)

Director of Budget and Management Chris Andrichak presented the staff report.

Vice President Ortiz asked whether the Goal to Support Service Reliability had existed in the previous budget process. Mr. Andrichak advised that last year's Goal to Maintain Key Performance Indicators (KPIs) has become the goal to Support Service Reliability and that the change was the result of the District's effort to align the budget goals with the Strategic Plan.

Director Shaw asked why many projects related to facilities upgrades are not showing in the presented goals and asked if those projects were perhaps part of the Capital Improvement Projects. Mr. Andrichak advised that the focus of the plan is on defining the Operating Budget which would then further shape the related goals for the CIP. General Manager Michael Hursh added that the Board will have an opportunity to review the CIP.

Director Harper was concerned with several aspects of the report. He questioned the methodology of utilizing the budget planning process to drive the spending and

strategic planning. Mr. Andrichak advised that the budget planning process feeds information from departments that is used directly to form the Budget.

Director Harper commented that the effort to reduce overtime spending has not been addressed in the report. He was of the opinion that it was naive to assume that the Goal of Maintaining the Service Levels will not increase the overtime.

MOTION: ORTIZ/WILLIAMS to receive an overview of staff's proposed FY 2020-21 Budget Goals and Objectives. The motion carried by the following vote:

**Ayes:** Wallace, Ortiz, Williams, Shaw, Peeples

**Nays:** Harper

**Absent:** Young

#### **Planning Items - Chair Shaw**

- 6.D.** Consider receiving a report on the service changes associated with the [20-103](#) March 2020 Sign-up.

Director of Service Development & Planning Robert del Rosario presented the staff report.

Vice President Ortiz questioned the proposed reduction in frequency of Line 51B, especially having in mind that it connects with 51A. Mr. del Rosario advised that both lines are high-frequency lines and that the reduction in the frequency of one line will most likely not cause missed connections. He added that this would have been of a concern if the frequency was at an hourly increment.

Director Peeples asked if there was a plan to mitigate the impacts of the slow-downs caused by construction sites on Franklin. Mr. del Rosario advised that the stops on Franklin were spaced out to speed up the traffic. Mr. del Rosario further advised that the start of the BRT service is expected to restore the routes from Franklin to Broadway.

Director Harper commented on Line 6 that, even though the line was re-routed, the signs on its regular stops still ran, which was misleading the riders to wait for the bus. Mr. del Rosario advised that staff will look into such oversights.

Director Shaw appreciated staff looking into making the routes more efficient, but did ask for clarification on the proposal in the staff report that adding a trip on Line 232 would save costs. Mr. del Rosario advised that in some instances adding a trip would cause other efficiencies but do not affect the service on a large scale.

President Wallace asked about the ways to better inform the riders about bus arrivals, because the signs available to riders who do not use the real-time phone app are not accurate. Mr. del Rosario advised that the pole information will be updated on March 29. Mr. del Rosario added that the phone app is currently the most efficient tool to advise the riders of the bus arrivals. President Wallace urged the staff to promptly notify the riders when a bus is not coming.

MOTION: WALLACE/YOUNG to receive a report on the service changes associated with the March 2020 Sign-up. The motion carried by the following vote:

**Ayes:** Wallace, Ortiz, Harper, Williams, Shaw, Peeples

**Absent:** Young

**7. CLOSED SESSION/REPORT OUT**

There was nothing to report out of closed session.

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

(Government Code Section 54956.9 (a))

Wilson v. AC Transit, ACSC Case No. RG17849057.

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

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

**7.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

**7.D. 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.**

[20-010d](#)

Director Shaw requested a report addressing the District's policy on bringing scooters onto busses. (Vice President Ortiz concurred)

Director Harper requested a report on how information is gathered to update the ACT Real Time application.

Director Harper requested a report on current ridership amid the health threat that would include a projection of future ridership. (Vice President Ortiz concurred)

**9. GENERAL MANAGER'S REPORT**

**9.A.** General Manager's Report for March 11, 2020.

[20-008d](#)

The report was provided for information only.

**10. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

Members of the Board commented on meetings and events attended since the last Board meeting.

**11. ADJOURNMENT**

There being no further business to come before the Board of Directors, the meeting adjourned at 5:58 p.m. The next meeting of the Board is scheduled for March 25, 2020 at 5:00 p.m.

Respectfully submitted,

/s/

Jelena V. Harada

Assistant District Secretary