BOARD OF DIRECTORS
ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Regular Meeting of the Board of Directors & Public Hearing
AC Transit General Offices
2nd Floor Board Room
1600 Franklin Street
Oakland, CA 94612

Wednesday, December 13, 2017 at 5:00 p.m.
Closed Session: 4:30 p.m. (Items 7A – 7C)

MEMBERS OF THE BOARD OF DIRECTORS
ELSA ORTIZ, PRESIDENT (WARD 3)
JOE WALLACE, VICE PRESIDENT (WARD 1)
GREG HARPER (WARD 2)
MARK WILLIAMS (WARD 4)
JEFF DAVIS (WARD 5)
H. E. CHRISTIAN PEEPLES (AT-LARGE)
JOEL YOUNG (AT-LARGE)

BOARD OFFICERS
MICHAEL A. HURSH, GENERAL MANAGER
DENISE C. STANDRIDGE, GENERAL COUNSEL
LINDA A. NEMEROFF, DISTRICT SECRETARY

Teleconference:
Director Jeff Davis, Ward 5
3800 Walnut Avenue, #211
Fremont, California
The Alameda-Contra Costa Transit District Board of Directors held a regular meeting on Wednesday, December 13, 2017.

Prior to the start of the meeting, General Counsel Denise Standridge confirmed that all requirements of the Ralph M. Brown Act (Govt. Code Sections 54950, et seq.) and the provisions of Board Policy 100, Section 4.8 regarding teleconferenced meetings were met in order for Director Davis to participate in the meeting and advised that all votes must be taken by roll call vote. [An affidavit verifying that the teleconference location was accessible to persons with disabilities and that the agenda was posted at the teleconference location is attached as Exhibit A.]

The meeting was called to order at 4:32 p.m. for the purpose of Closed Session. All Board members were present, except Director Williams who was absent. The District Secretary announced that the Board would convene in Closed Session to discuss Items 7A-C as listed on the agenda. Closed Session concluded at 4:45 p.m.

President Ortiz called the Board of Directors meeting to order at 5:06 p.m.

*Items were taken out of sequential order, but are reported in sequential order in the minutes for ease in reading.*

1. **ROLL CALL**
   
   Present: Harper, Williams (arrived at 5:10 p.m.), Davis (arrived by teleconference at 5:14 p.m.), Young, Peeples, Wallace, Ortiz

2. **PUBLIC COMMENT**

   - Clifford Cox addressed the Board concerning the following issues: 1) bus riders who take up multiple seats on the bus with bags of recycled cans and pay only one fare, 2) bus stops on Alameda Avenue and Fruitvale Avenue and on East 9th that are temporarily not available and do not provide wheelchair access, 3) bus operators who leave stops early and the need for supervision on Lines 1 and 51a, and 4) the need to extend the red zone at the bus stop on Lincoln and MacArthur.
   
   - Tim Caldwell, Bus Operator and member of the Division 4 Safety Committee, requested the Board’s assistance in getting a safety issue resolved regarding the employee restroom at the Eastmont Transit Center. The Board’s assistance was requested in having locks and card readers installed on the fenced gate leading into the restroom area.
3. PUBLIC HEARING

Hold public hearing to receive public comment on the elimination of Line 275 and the continuation of Flex Service in Newark and Castro Valley; and

Consider the adoption of Resolution No. 17-047 approving the elimination of Line 275 and the continuation of Flex Service in Newark and Castro Valley, approving the related Title VI Service Equity Analysis, and authorizing the filing of Notice of Exemption (Report 14-247a).

[A summary of public comment (Attachment 2 to Staff Report 14-247a) was provided at the meeting for the Board’s consideration. Written comments received prior to the meeting are incorporated into the file by reference.]

President Ortiz introduced the item and called on the General Counsel to make a few procedural announcements. General Counsel Denise Standridge advised that legal notice of the hearing was published in accordance with Board Policy 110 in the Bay Area Newsgroup family of newspapers as well as the Singh Tao Daily and El Mundo newspapers. She further outlined the rules for public comment and announced that Spanish and Chinese interpreters were available if needed.

President Ortiz opened the public hearing at 6:31 p.m. The Board waived the presentation of the staff report. Transportation Planner John Urgo was present to address questions. Two people appeared to present testimony on the topic of the hearing.

Public Comment:
- Nathaniel Arnold, Division 3 Shop Steward, stated that the Amalgamated Transit Union would like to continue the Line 275 service in addition to providing the Flex service which helped people with disabilities and provided an alternative to Uber or Lyft.
- Yvonne Williams, President of ATU Local 192, asked that Line 275 be reinstated if the Flex service was discontinued in the future, noting that operators loved the Flex service and the Union appreciated the opportunity to be a part of it.

The public hearing closed at 6:34 p.m.

MOTION: PEEPLES/WILLIAMS to adopt Resolution No. 17-047 approving the elimination of Line 275 and the continuation of Flex Service in Newark and Castro Valley, approving the related Title VI Service Equity Analysis, and authorizing the filing of Notice of Exemption. The motion carried by the following vote:
AYES:7: Peeples, Williams, Harper, Davis, Young, Wallace, Ortiz

4. MODIFICATIONS TO THE AGENDA
President Ortiz announced that Item 5L regarding the Senate Bill 1 Local Partnership Program was pulled off the Consent Calendar by the General Manager for discussion.

5. CONSENT CALENDAR
MOTION: PEEPLES/WALLACE to receive or approve the items on the Consent Calendar as indicated. The motion carried by the following vote:

AYES:7: Peeples, Wallace, Harper, Williams, Davis, Young, Ortiz

5A. Consider approving Board of Directors/Board Officers Retreat minutes of August 30, 2017.

5B. Consider approving the minutes of the October 4, 2017 Joint Board of Directors/Retirement Board meeting.

5C. Consider approving Board of Directors minutes of October 25, 2017.

5D. Consider approving Board of Directors minutes of November 8, 2017.


5F. Consider authorizing members of the Board of Directors and the General Manager to attend the American Public Transportation Association’s 2018 Legislative Conference in Washington D.C. on March 18-20, 2018 (Report 17-316).

5G. Consider authorizing the General Manager to attend the 2018 American Public Transportation Association’s Transit CEO’s Seminar in Miami, Florida from February 10-12, 2018 (Report 17-330).


5I. Consider receiving Accessibility Advisory Committee minutes of October 10, 2017 (Report 17-326).

5K. Consider receiving the FY 2017-18 First Quarter Employee and Non-Employee Travel Report (Report 17-305).

5L. Consider authorizing the General Manager, or his designee, to file and execute applications and funding agreements, and certifications and assurances with the California Transportation Commission for the Senate Bill 1 (SB1) Local Partnership Program for both the formula and competitive components to secure funding for bus purchases and/or the East Bay Bus Rapid Transit project (Report 17-334).

[A revised Staff Report was presented at the meeting for the Board’s consideration.]

Director of Management and Budget Chris Andrichak presented the staff report, noting there was an accelerated timeline for distribution of SB1 monies and that any funds disbursed before the initiative to overturn SB1 was voted on would remain committed.

MOTION: PEEPLES/WALLACE to approve the revised staff report and recommendation to authorize the General Manager, or his designee, to file and execute applications and funding agreements, and certifications and assurances with the California Transportation Commission for the Senate Bill 1 Local Partnership Program for both the formula and competitive components to secure funding for bus purchases and the Customer Service Center rehabilitation. The motion carried by the following vote:

AYES: 7: Peeples, Wallace, Harper, Williams, Davis, Young, Ortiz


6. REGULAR CALENDAR

Board Administrative Matters:


General Counsel Denise Standridge presented the staff report and summarized the options available to the Board.

Director Peeples suggested that the Board uphold the protest, that the current procurement be thrown out, and that the process start over.

PROTEST UPHELD
DIRECTED COMMENCEMENT OF A NEW PROCUREMENT
THE GENERAL
with a comprehensive Request For Proposals that is followed throughout the process.

President Ortiz agreed with Director Peeples and asked staff to explain the proactive steps they plan to take to avoid similar situations in the future. Chief Financial Officer Claudia Allen reported that all staff would receive procurement training through the National Transit Institute in January as well as the creation of a quality assurance function within the department. There would also be a detailed review of all contract files with a follow-up report to the Board as staff proceeds with these efforts. In addition, two positions in the Procurement Department would be modified to improve the quality of the department’s work and new reporting tools would be used to better control the workload and monitor the status of procurements.

President Ortiz also suggested a change in policy whereby Board action would be delayed for two weeks to allow staff to review the grounds of a protest argument (or opposition) when staff knows in advance that there is going to be a protest. Director Harper cautioned against politicizing future procurement protests, noting that vendors will then try to engage Board members directly concerning the protest. President Ortiz felt a provision could be added to the policy to address the concern. Ms. Standridge advised that there should be no contact between vendors and any of the Board members. General Manager Michael Hursh suggested that a Notice of Intent to Award be part of the policy discussion. This notification could be sent to all proposers weeks in advance and would allow any proposer with a potential protest to step forward.

Public Comment:
Jim Cook, Urban Marketing Channels, thanked the Board for consideration of their appeal, expressing the hope that the Board would award the contract to them based on the fact that many of the changes and/or irregularities that occurred, if prevented, would have given them the opportunity to be the low bidder and receive the award. Appreciation was also expressed for the proactive measures staff planned to undertake, and Mr. Cook offered the services of Urban Marketing Channels to help identify other issues based on their experiences.

MOTION: PEEPLES/WALLACE to uphold the protest filed by Urban Marketing Channels, to throw out the current procurement, and commence a new procurement for Transit Information Display Services. The General Counsel is directed to prepare the written decision on the Board’s behalf and forward it to Urban Marketing Channels. The motion carried by the following vote:
6B. Consider approving the draft agenda for the January 31, 2018 Board of Directors/Board Officers Retreat (Report 17-335).

District Secretary Linda Nemeroff provided an overview of the draft agenda.

MOTION: WALLACE/WILLIAMS to approve the draft agenda for the January 31, 2018 Board of Directors/Board Officers Retreat. The motion carried by the following vote:

AYES:7: Wallace, Williams, Harper, Davis, Young, Peeples, Ortiz

6C. Announcement of appointments to the Nominating Committee for the selection of President and Vice President for 2018 (Verbal).

President Ortiz announced the appointment of Vice President Wallace and Directors Young and Peeples to the Committee.

External Affairs Items:

6D. Consider receiving the monthly legislative report and approval of legislative positions (Report 17-317).

Executive Director of External Affairs, Marketing and Communications Beverly Greene presented the staff report, advising that staff was requesting that the Board take an “OPPOSE” position on House Resolution 1, Section 5001 of the Tax Cuts and Jobs Act. She advised that the legislation would subject public pension plans to unrelated business income taxes.

MOTION: ORTIZ/WALLACE to receive the monthly legislative report and approve an OPPOSE position on House Resolution 1, Section 5001 of the Tax Cuts and Jobs Act. The motion carried by the following vote:

AYES:7: Ortiz, Wallace, Harper, Williams, Davis, Young, Peeples

6E. Consider adoption of Board Policy 702 – Conflicts of Interests and Standards for Ethical Conduct and repeal Board Policies 130 (Code of Ethics and Decorum) and 133 (Personal Conflicts of Interests and Gifts and Gratuities for Directors and Board Officers) and re-number Board Policy 203 (Conflict of Interest Code for the Alameda Contra Costa Transit District) to Board Policy 701 (Report 17-303).

District Secretary Linda Nemeroff presented the staff report.
President Ortiz felt the Board should discuss whether the policy should have stronger language with respect to consultants and contractors. With respect to subsection I., she also inquired about the requirement that Committee and Board members attend all meetings and what would happen if they didn’t. Ms. Nemeroff advised that the purpose of the provision was to make expectations clear for Board members and Board-appointees to advisory and other bodies.

Director Harper inquired about Subsection G. (Use of Official Position) asking if it applied to situations where the negotiator was trying to obtain some sort of personal gain or benefit or if it was a blanket prohibition against having those persons negotiate on behalf of the District outside an established process. General Counsel Denise Standridge advised that the intent was to make sure someone did not misuse their position to negotiate outside of an established process, such as a procurement process.

MOTION: ORTIZ/PEEPLES to adopt Board Policy 702 – Conflicts of Interests and Standards for Ethical Conduct and repeal Board Policies 130 (Code of Ethics and Decorum) and 133 (Personal Conflicts of Interests and Gifts and Gratuities for Directors and Board Officers) and re-number Board Policy 203 (Conflict of Interest Code for the Alameda Contra Costa Transit District) to Board Policy 701. The motion carried by the following vote:

AYES:7: Ortiz, Peeples, Harper, Williams, Davis, Young, Wallace


District Secretary Linda Nemeroff presented the staff report, noting that staff was recommending an increase in fees candidates pay for publishing a candidate’s statement because of rising costs.

President Ortiz pointed out the enormous cost of the last election and that candidates were not required to pay the fees if a statement was not filed.

Director Peeples advised that he understood the issue of cost, but could not support the staff recommendation because he felt it discouraged people from running for office.

MOTION: YOUNG/ORTIZ to adopt Resolution No. 17-045 approving amendments to Board Policy 140 – Elections: Candidates Statement of Qualification Costs. The motion carried by the following vote:
AYES:5: Young, Ortiz, Harper, Williams, Davis
NOES:2: Peeples, Wallace

Finance and Audit Items:

6G. Consider amending the parameters for the public hearing scheduled for January 24, 2018 regarding the proposed Transbay Fare Schedule to include local and Transbay upgrade fares (Report 17-234c).

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

Director Harper asked if the Board would be required to increase fares in subsequent years of the proposal if it were adopted. Mr. Andrichak advised that the Board could revisit the fare schedule in the out years at any time. Director Harper noted his preference to limit the fare schedule to two years instead of five.

President Ortiz expressed her feeling that too much of the increase was allocated to the first year, noting her preference that increases be more gradual. She added that she was also more supportive of having zone-based fares.

Director Peeples commented that a zone-based fare, in his opinion, was the more favorable approach, noting that it wasn’t fair to charge riders who traveled a farther distance the same price as riders traveling a short distance.

MOTION: YOUNG/WILLIAMS to amend the parameters for the public hearing scheduled for January 24, 2018 regarding the proposed Transbay Fare Schedule to include local and Transbay upgrade fares. The motion carried by the following vote:

AYES:7: Young, Williams, Harper, Davis, Peeples, Wallace, Ortiz

6H. Consider receiving the Bi-Monthly Budget Update for the period of July through October 2017 (Report 17-315).

Director of Management and Budget Chris Andrichak presented the staff report, noting a correction to the text of the report to reflect a Net Total Budget negative variance (deficit) of $3.9 million or 2.8%.

Director Harper asked if the budget discussion at the Board Retreat in January would focus on long-range budget issues. Mr. Andrichak advised that staff would focus the discussion on achieving a balanced budget in the next fiscal year. General Manager Michael Hursh advised that the Board would soon have before it the award for financial
consulting services, which should help provide a preliminary framework for a long-term budget strategy.

**MOTION:** WILLIAMS/WALLACE to receive the Bi-Monthly Budget Update for the period of July through October 2017. The motion carried by the following vote:

AYES:7: Williams, Wallace, Harper, Davis, Young, Peeples, Ortiz

### Consider receiving report from the District’s Parcel Tax Fiscal Oversight Committee on FY 2016-17 Measure VV Tax Proceeds for the Year Ended June 30, 2017 (Report 17-318).

Controller Ralph Martini presented the staff report.

President Ortiz asked how the miles traveled was calculated when a bus serves routes that travel in both Special District One and Special District Two, and where the money to cover expenses comes from. Mr. Martini advised that all of the service is divided into hours and miles for each special district area. The agreed upon procedures are then used, by financial statement line item, to divide the monies between the two districts.

President Ortiz further noted concerns raised by some members of the Parcel Tax Fiscal Oversight Committee about service to Union City which was not a part of the District and did not contribute money. She further inquired where the money to finance service in Union City came from. Director of Service Development and Planning Robert del Rosario advised that staff would research the issue and provide a report. He added that routes that initiate in Special District Two that terminate at Union City BART were funded by District Two. In turn, two routes that come from District One that go to Union City BART were funded by District One.

**MOTION:** WILLIAMS/WALLACE to receive report from the District’s Parcel Tax Fiscal Oversight Committee on FY 2016-17 Measure VV Tax Proceeds for the Year Ended June 30, 2017. The motion carried by the following vote:

AYES:7: Williams, Wallace, Harper, Davis, Young, Peeples, Ortiz

### Consider receiving report the use of operating money in funding the District’s Alternative Fuels Program [Requested by Director Harper – 7/12/17] (Report 17-235).

Director of Management and Budget Chris Andrichak presented the staff report.
Director Harper asked if the cost to maintain the ten new fuel cell buses figured into the maintenance cost. Mr. Andrichak advised that it was not. General Manager Michael Hursh added that the rule making being put forth by the California Air Resources Board (CARB) would mandate that 25% of all new buses be zero emission starting in 2020. He added while there was concern about the maintenance cost of the ten new fuel cell buses, there was a greater concern about the new CARB rule. He further advised that once there is firm direction from CARB, the Board would receive an update on how the District, if at all, would comply with the mandate. He added that staff would like to complete its apples-to-apples comparison of battery-electric buses and hydrogen before making a long-term recommendation with respect to a zero emission path.

Chief Operating Officer Sal Llamas advised that staff was conducting a zero emission bus study, which would look at various scenarios to achieve a zero emission bus fleet as well fleet studies with different technologies such as all-electric, all fuel cell and a blend of both. The study would also report on when conversion of the fleet should be addressed, life cycle and infrastructure costs, and how buses would be charged in the event of a power failure or the inability to access hydrogen if there were to be an emergency or catastrophic event.

Director Harper felt staff really needed to think carefully about what would work at the Transbay terminal in terms of fueling. He also felt fuel cell power plans were a separate consideration.

MOTION: ORTIZ/WILLIAMS to receive report the use of operating money in funding the District’s Alternative Fuels Program. The motion carried by the following vote:

AYES:7: Ortiz, Williams, Harper, Davis, Young, Peeples, Wallace

Planning Items:


Project Manager Mitra Moheb and External Affairs Representative Claudia Burgos presented the staff report. Contracts Compliance Administrator Phillip McCants reported on local hire and workforce goals.

Director Harper inquired about the status of obtaining a sponsor for the BRT service. General Manager Michael Hursh advised that staff was in the process of acquiring the services of the original consultant who worked with the District on the sponsorship issue, noting that the
Director Williams asked if concerns raised by the City of San Leandro regarding construction vehicle parking had been resolved. Ms. Moheb advised that the issues had been addressed.

Director Williams also asked what was being done to ensure there were restroom facilities for operators along the corridor. Mr. Hush advised that there was already service along the corridor and that staff would investigate new opportunities for facilities. He added that the restroom locator app was working fine, but suggested that operators provide feedback on the issue.

Director Williams asked what feedback had been given with respect to the Project Labor Agreement. Mr. McCants advised that the feedback had been positive.

Director Harper requested that a graph that had been provided to the Policy Steering Committee on projected program costs also be provided to the Board. Mr. Hursh advised that staff had been asked to revamp future reports and would include the information requested by Director Harper.

**Public Comment:**

- Nathaniel Arnold addressed the Board concerning restroom access for operators asking that ATU Local 192 participate as a stakeholder in the planning process to secure adequate, dedicated and safe restroom facilities for bus operators along the BRT corridor.
- Yvonne Williams, President of ATU Local 192, addressed the Board concerning the need for decent, sanitary restroom facilities for BRT bus operators, stating that the Union had struggled with the issue for decades while operators had to use extreme measures to relieve themselves. Operators deserved sanitary facilities out of the project.
- Jerry Grace addressed the Board concerning construction of the project, noting that staff needed to explain what part of the corridor the work was occurring in.

**MOTION:** ORTIZ/WILLIAMS to receive the monthly construction progress report on the East Bay Bus Rapid Transit Project. The motion carried by the following vote:

*AYES: 6: Ortiz, Williams, Harper, Davis, Young, Peeples,*

*ABSENT: 1: Wallace (out of seat)*
Consider adopting the AC Transit Clean Corridors Plan which recommends several communities and corridors to receive zero-emissions buses based on their designation as Disadvantaged Communities by the State of California through SB 535 (Report 17-325).

Service Planning Manager Michael Eshleman presented the staff report.

Director Williams asked why there were no zero emission buses slated for his area (Ward 4) or Ward 5. Mr. Eshleman advised that the key factor in determining priorities for zero emission buses was communities with significant environmental/equity concerns that were identified in SB 535. He added that each ward would eventually receive zero emission buses.

Director Young asked if staff had done any analysis to determine whether battery-electric buses could meet the demands of the routes staffed planned to place them on. Mr. Eshleman advised that there were concurrent efforts afoot to determine which technology the District should use, but acknowledged the concern of placing a particular zero emission bus on a line that it may not be able to support. Director Young suggested that staff place buses on routes which they can fully operate. Mr. Eshleman advised that staff would refine the plan as more information becomes available from the studies currently underway.

Public Comment:

- Emily Hefcling, Union of Concerned Scientists, commended AC Transit’s leadership on clean vehicles and strongly supported the transition to 100% zero emission buses by 2040 or earlier. The Board was also asked to accelerate the goal by procuring zero emission buses for Line 1 in 2019 rather than diesel hybrid buses. Comments were also offered on the public health and job benefits of electric buses. The Board’s prioritization of disadvantaged communities was also praised. (Submitted handout)
- Jimmy O’Dea, Union of Concerned Scientists, commended the Board’s leadership on its nationally recognized hydrogen fuel cell bus fleet. With respect to the range of electric buses, it was pointed out that Foothill Transit in Southern California had put a battery electric bus with a 250 mile range into service, which was a large advance from one year ago. In addition, comments were also offered with respect to the cost of zero emission buses.

MOTION: WILLIAMS/YOUNG to adopt the AC Transit Clean Corridors Plan which recommends several communities and corridors to receive zero-emissions buses based on their designation as Disadvantaged
Communities by the State of California through SB 535. The motion carried by the following vote:

AYES:7: Williams, Young, Harper, Wallace, Davis, Peeples, Ortiz

Operations Items:

Consider adoption of Resolution No. 17-048 authorizing the General Manager, or his designee, to file and execute applications and funding agreements, and certifications and assurances with the California Department of Transportation for the 2018 Transit and Intercity Rail Capital Program to fund zero emission bus purchases in 2020-2021 (Report 17-331).

There was no presentation of the staff report.

Director Harper asked if the District had ordered any battery-electric buses and was advised that the District had purchased five buses from New Flyer through a federal No-Lo grant and the buses were scheduled to arrive in early 2019.

MOTION: YOUNG/ORTIZ to adopt of Resolution No. 17-048 authorizing the General Manager, or his designee, to file and execute applications and funding agreements, and certifications and assurances with the California Department of Transportation for the 2018 Transit and Intercity Rail Capital Program to fund zero emission bus purchases in 2020-2021. The motion carried by the following vote:

AYES:7: Young, Ortiz, Harper, Williams, Davis, Peeples, Wallace

Consider adoption of Resolution No. 17-046 approving amendment 17-A-18 to the AC Transit Employees' Retirement Plan (Report 17-313a).

[A revised Exhibit A to Resolution No. 17-046 was distributed at the meeting for the Board's consideration.]

General Counsel Denise Standridge presented the staff report.

MOTION: WILLIAMS/YOUNG to adopt of Resolution No. 17-046 approving the revised amendment 17-A-18 to the AC Transit Employees' Retirement Plan. The motion carried by the following vote:

AYES:7: Williams, Young, Harper, Davis, Peeples, Wallace, Ortiz

Consider approving a $175,000 construction allowance for repairs to the underground storage tank farm at the Emeryville Division for the contract with Valentine Corporation (Report 14-142b).
Director of Capital Projects Joe Callaway called the Board’s attention to a mathematical error in the budgetary/fiscal impact section of the staff report, noting that the correct total of the proposed contract was $1,559,174.

MOTION: PEEPLES/WALLACE to approve a $175,000 construction allowance for repairs to the underground storage tank farm at the Emeryville Division for the contract with Valentine Corporation. The motion carried by the following vote:

AYES: 7: Peeples, Wallace, Harper, Williams, Davis, Young, Ortiz


There was no presentation of the staff report.

MOTION: PEEPLES/WALLACE to approve amendments to Board Policy 518 – Title VI and Environmental Justice Service Review and Compliance Report Policy. The motion carried by the following vote:

AYES: 7: Peeples, Wallace, Harper, Williams, Davis, Young, Ortiz

6Q. Consider authorizing the issuance of a Request For Proposals for drug and alcohol screening and pre-employment medical examinations (Report 17-333).

There was no presentation of the staff report.

MOTION: PEEPLES/WILLIAMS to authorize the issuance of a Request For Proposals for drug and alcohol screening and pre-employment medical examinations. The motion carried by the following vote:

AYES: 7: Peeples, Williams, Harper, Davis, Young, Wallace, Ortiz


Claims and Liability Administrator Jean Paul Popoff presented the staff report.

MOTION: PEEPLES/WALLACE to authorize the General Manager to pay the balance of the Excess Workers’ Compensation Insurance Policy premium for fiscal year 2017-18. The motion carried by the following vote:

APPROVED

Ayees: 7: Peeples, Williams, Harper, Davis, Young, Wallace, Ortiz
7. CLOSED SESSION/REPORT OUT
There was nothing to report out of Closed Session.

7A. Conference with Legal Counsel – Potential Litigation
(Government Code Section 54956.9(b)) (Two Cases)

7B. Conference with Labor Negotiators
(Government Code Section 54957.6):
Agency Designated Representative: General Manager
Employee Organizations: ATU Local 192, AFSCME Local 3916, IBEW Local 1245,
Unrepresented Employees

7C. Public Employee Performance Evaluation
(Government Code Section 54957)
Title: General Manager, General Counsel, District Secretary

8. AGENDA PLANNING

Director Harper stated his observation that some Transbay riders are only paying the local fare on Clipper when crossing the bridge to San Francisco. He further advised that passengers sometimes board the bus in San Francisco without tagging their Clipper card when the operator is not on the bus and the door is left open. He asked staff to review this problem and provide a report. (Director Peeples concurred)

President Ortiz requested a review of the District’s sexual harassment policies in light of recent national headlines. (President Ortiz concurred)

Director Peeples requested that the District retain ITS Davis to work with the Planning Department and report on what AC Transit would look like after the Three Transportation Revolutions (vehicle electrification, automation, and widespread shared mobility). He suggested that the report be given at the August Board Retreat. (President Ortiz concurred)

9. GENERAL MANAGER’S REPORT
The General Manager’s report was presented for information only and is incorporated into the file by reference as Staff Report 17-337.
10. BOARD/STAFF COMMENTS
   (Government Code Section 54954.2)

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

   Director Young reported on his attendance at the International
   Association of Public Transport's Bus Procurement, Commissioning and

11. ADJOURNMENT
    There being no further business to come before the Board of Directors,
    the meeting was adjourned at 7:36 p.m. The next meeting of the Board
    of Directors is scheduled for Wednesday, January 10, 2018 at 5:00 p.m.

Respectfully submitted,

Linda A. Nemeroff
District Secretary