

AGENDAS
Special Meeting of the Board of Directors
Regular Meetings of the Board of Directors and the
External Affairs and Finance and Audit Committees

Alameda-Contra Costa Transit District

2nd Floor Board Room
1600 Franklin Street
Oakland, California 94612

Wednesday, April 25, 2012

2:30 p.m. Special Board Meeting/Public Hearing

4:00 p.m. Closed Session (Items 8A-D)

5:00 p.m. Regular Meetings/Public Hearing

Board of Directors:

Jeff Davis, Vice President (Director Ward V)
Joe Wallace, Director Ward I
Greg Harper, Director Ward II

Elsa Ortiz, President (Director Ward III)
Mark Williams, Director Ward IV
H. E. Christian Peeples, Director At Large
Joel B. Young, Director At Large

2:30 P.M. - SPECIAL MEETING OF THE BOARD OF DIRECTORS:

1. ROLL CALL

2. PUBLIC COMMENT

Any person may directly address the Board at this time on any items of interest to the public that is within the subject matter and jurisdiction of the Board. Speakers wishing to address a specific agenda item will be invited to address the Board at the time the item is being considered. Two (2) minutes are allowed for each item.

3. PUBLIC HEARING (2:30 p.m. to 4:00 p.m. - Second Session held at 5:00 p.m.)

Receive public comment and consider the adoption of **Resolution No. 12-018** certifying the Final Environmental Impact Report (FEIR) for the East Bay Bus Rapid Transit Project; selection of the Downtown Oakland-San Leandro Alternative (DOSL) as the Locally Preferred Alternative (LPA) for the project; and authorizing the filing of a Notice of Determination (GM Memo No. 12-083a).

Presentation of BRT Hip Hop video produced by Youth Uprising.

Staff Contact: Tina Spencer, 891-4754

4. ADJOURNMENT

5:00 P.M. - REGULAR MEETINGS OF THE BOARD OF DIRECTORS/COMMITTEES:

1. ROLL CALL

2. PUBLIC COMMENT

Any person may directly address the Board at this time on any items of interest to the public that is within the subject matter and jurisdiction of the Board. Speakers wishing to address a specific agenda item will be invited to address the Board at the time the item is being considered. Two (2) minutes are allowed for each item.

3. PUBLIC HEARING (5:00 p.m. to at least 6:30 p.m.)

Receive public comment and consider the adoption of **Resolution No. 12-018** certifying the Final Environmental Impact Report (FEIR) for the East Bay Bus Rapid Transit Project; selection of the Downtown Oakland-San Leandro Alternative (DOSL) as the Locally Preferred Alternative (LPA) for the project; and authorizing the filing of a Notice of Determination (GM Memo No. 12-083a).

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Staff Contact: Tina Spencer, 891-4754

4. CONSENT CALENDAR

Items listed under the Consent Calendar are considered to be routine and may be enacted by one motion/one vote. If discussion is desired, an item may be removed from the Consent Calendar and will be considered individually.

- A. Consider approving Board of Directors and Standing Committee minutes of April 11, 2012.
- B. Consider receiving the Accessibility Advisory Committee minutes of March 13, 2012 (GM Memo No 12-088).

5. REGULAR CALENDAR

- A. Consider adoption of **Resolution No. 12-019** approving the May 2012 Service Restructuring and Expansion Plan for the Dumbarton Express service (GM Memo No. 12-066b).

Staff Contact: Cory LaVigne, 891-4846

- B. Consider approving contract award to Pulsar Advertising for the branding of Bus Rapid Transit Service (GM Memo No. 11-247a).

Staff Contact: Beverly Greene, 891-7255

- C. Consider the adoption of **Resolution No. 12-025** extending a temporary five percent (5%) reduction in Board compensation through June 30, 2013 (DS Memo No. 12-123).
- D. Discussion regarding agenda items for the Board Retreat scheduled for May 30, 2012 (Verbal)

Staff Contact: Linda A. Nemeroff, 891-7284

RECESS TO STANDING COMMITTEES (as the Committee of the Whole)

Speakers will be invited to address a Committee at the time an item on the agenda is being considered or under Public Comment for items not on the agenda. Immediately following the Standing Committee Meetings, the Board meeting will reconvene at which time the Board may take action on any of the following Committee agenda items.

ALL COMMITTEES ARE ADVISORY ONLY.

A. EXTERNAL AFFAIRS COMMITTEE – Director Joe Wallace, Chairperson

Held immediately following the Board Meeting recess.

Public Comment (for items not on the agenda)

Briefing/Action Items:

- A-1. Consider recommending receipt of the monthly legislative report and approval of legislative positions (GM Memo No. 12-090).

Staff Contact: Beverly Greene, 891-7255

B. FINANCE AND AUDIT COMMITTEE – Director Greg Harper, Chairperson

Held immediately following the External Affairs Committee meeting.

Public Comment (for items not on the agenda)

Consent Items:

- B-1. Consider recommending receipt of the Retirement Board minutes of March 9, 2012 (GM Memo No. 12-091).

Staff Contact: Hugo Wildmann, 891-4889

- B-2. Consider recommending receipt of the Report on Investments for the month of February, 2012 (GM Memo No. 12-092).

Staff Contacts: Lewis Clinton Jr., 891-4752

- B-3. Consider recommending approval to dispose of seventeen (17) revenue vehicles, three (3) non-revenue vehicles, and two (2) shop equipment via sale or by means most advantageous to the District (GM Memo No. 12-059).

Staff Contact: Sam Marra, 891-5403

Briefing/Action Items:

- B-4. Consider recommending renewal of the District's excess liability insurance and authorize binding of the selected option (GC Memo No. 12-120).

Staff Contact: Vincent C. Ewing, 891-7178

- B-5. Consider recommending approval of amendments to Board Policy 334 – Internal Audit Department Purpose (GM Memo No. 12-093).

- B-6. Consider recommending approval of amendments to Board Policy 320 – Debt Limitations (GM Memo No. 12-078a). [Continued from the Finance and Audit Committee meeting of March 28, 2012 for further discussion.]

- B-7. Consider recommending adoption of **Resolution No. 12-023** amending Board Policy 341 – Payment of Expenditures: Signature Authorities, and repealing Resolution No. 07-041 (GM Memo No. 12-095).
- B-8. Consider recommending receipt of a report on updates to the rules pertaining to the Disadvantaged Business Enterprise (DBE) Program [Requested by Director Young – 2/23/11] (GM Memo No. 12-096).

Staff Contact: Lewis Clinton Jr., 891-4752

RECONVENE BOARD OF DIRECTORS MEETING

6. REPORTS OF STANDING COMMITTEES

The District Secretary will report on the recommendations made by the Committees, including those items referred to the Consent Calendar Addenda. If discussion or comment is desired, any person may request that an item be considered individually.

A. **External Affairs Committee**

- A-1. Consider receiving the monthly legislative report and approval of legislative positions (GM Memo No. 12-090).

B. **Finance and Audit Committee**

- B-1. Consider receiving the Retirement Board minutes of March 9, 2012 (GM Memo No. 12-091).
- B-2. Consider receiving the Report on Investments for the month of February, 2012 (GM Memo No. 12-092).
- B-3. Consider approving the disposal of seventeen (17) revenue vehicles, three (3) non-revenue vehicles, and two (2) shop equipment via sale or by means most advantageous to the District (GM Memo No. 12-059).
- B-4. Consider renewal of the District's excess liability insurance and authorize binding of the selected option (GC Memo No. 12-120).
- B-5. Consider approving amendments to Board Policy 334 – Internal Audit Department Purpose (GM Memo No. 12-093).
- B-6. Consider approving amendments to Board Policy 320 – Debt Limitations (GM Memo No. 12-078a).
- B-7. Consider adoption of **Resolution No. 12-023** amending Board Policy 341 – Payment of Expenditures: Signature Authorities, and repealing Resolution No. 07-041 (GM Memo No. 12-095).
- B-8. Consider receiving report on updates to the rules pertaining to the Disadvantaged Business Enterprise (DBE) Program [Requested by Director Young – 2/23/11] (GM Memo No. 12-096).

7. CONSENT CALENDAR ADDENDA

The Board is requested to authorize as recommended from the committee meetings above.

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.

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Government Code Section 54956.9(a))

Gilmer, et al. v. AC Transit, U.S. Dist. Ct. (No.Cal.Dist.), No. C08-05186 CW

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Government Code Section 54956.9(b))

Significant exposure to litigation (Two Cases)

C. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency Designated Representative: General Manager David J. Armijo

Employee Organizations: Paratransit, Local 192, ATU Local 192, AFSCME, Local 3916;
IBEW, Local 1245, Unrepresented Employees

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

9. AGENDA PLANNING

10. GENERAL MANAGER'S REPORT

Presented by David J. Armijo

11. BOARD/STAFF COMMENTS (Government Code Section 54954.2)

12. ADJOURNMENT

Next meeting: May 9, 2012.