



Western Contra Costa  
Transit Authority

## **NOTICE OF MEETING**

A Regular Meeting of the WCCTA Board of Directors  
will be held:

**DATE:** May 12, 2022 (Thursday)  
**TIME:** 6:30 PM  
**PLACE:** **Via Zoom conference call (access details below)**

### **Remote Participation**

As a result of the COVID-19 public health emergency and pursuant to Assembly Bill 361 (2021), there will be no physical location for the Board Meeting. Board members will attend via teleconference and members of the public are invited to attend the meeting and participate remotely. Pursuant to Assembly Bill 361 (2021), Board members: Aleida Andrino-Chavez, Dion Bailey, Tiffany Grimsley, Tom Hansen, Norma Martinez-Rubin, Maureen Toms, and Maureen Powers may be attending this meeting via teleconference, as may WCCTA Alternate Board Members. Any votes conducted during the teleconferencing session will be conducted by roll call.

The public may observe and address the WCCTA Board in the following ways.

### **Remote Viewing/Listening Webinar**

To observe the meeting by video conference, utilizing the Zoom platform, please click on this link to join the webinar at the noticed meeting time:

Topic: May 2022 Regular Board Meeting  
Time: May 12, 2022 06:30 PM Pacific Time (US and Canada)

Join Zoom Meeting  
<https://us02web.zoom.us/j/82626958737>

Meeting ID: 826 2695 8737  
One tap mobile  
+16699006833,,82626958737# US (San Jose)  
Dial by your location  
+1 669 900 6833 US (San Jose)  
Meeting ID: 826 2695 8737  
Find your local number: <https://us02web.zoom.us/u/kH3CqsLkG>

### **Public Comment via Teleconference**

Members of the public may address the Board during the initial public comment portion of the meeting or during the comment period for agenda items. Participants may use the chat function on Zoom or physically raise their hands to be recognized.

*Public comments may be submitted via email to [info@westcat.org](mailto:info@westcat.org). Please indicate in your email the agenda item to which your comment applies. Comments submitted before the meeting will be provided to the committee Directors before or during the meeting. Comments submitted after the meeting is called to order will be included in correspondence that will be provided to the full Board.*

**Americans With Disabilities Act:** In compliance with the Americans With Disabilities Act of 1990, if you need special assistance to participate in a WCCTA Board Meeting or you need a copy of the agenda or the agenda packet in an appropriate alternative format, please contact the WestCAT Administrative Office at (510) 724-3331. Notification at least 48 hours before the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangement can be made to provide accessibility to the meeting or service.

## **AGENDA**

### **A. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**

### **B. APPROVAL OF AGENDA**

### **C. PUBLIC COMMUNICATIONS**

This is the time for members of the public to bring up with the Board of Directors matters of general interest that are not on the agenda. In accordance with provisions of the Brown Act, the Board will automatically refer to staff any matters that are brought before them at this time, and the matter may be placed on a future agenda. The time limit is 3 minutes and is subject to modification by the Chair.

#### **1.0 CONSENT CALENDAR**

- 1.1 Approval of Expenditures of April, 2022. \*  
**[Action Requested: Approve Item 1.1]**

#### **2.0 ITEMS FOR BOARD ACTION / DISCUSSION**

- 2.1 Adoption of Resolution 2022-09, Finding that there is a Proclaimed State of Emergency, Finding that Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency, and Authorizing Remote Teleconferenced Meetings of the Legislative Bodies of the Western Contra Costa Transit Authority for the 30-Day Period Beginning May 13, 2022, Pursuant to AB 361. **[Action Requested: Formal Adoption of Resolution 2022-09] \***
- 2.2 Formal Appointment of Robert Thompson as Director and Debora Harris as Alternate to Represent Western Contra Costa Transit Authority on the Board of Directors of the California Indemnity Pool Joint Powers Authority. **[Action Requested: Formal Appointment of Director and Alternate Positions].**

- 2.3 Adoption of Resolution 2022-10 Approving the SB1 State of Good Repair Project List for FY 2022-23; Committing to Comply with all Conditions and Requirements set forth in the Certification and Assurances Document and Authorizing the General Manager to Submit a Request for Scheduled Allocation of the SB1 State of Good Repair Funds and to Execute the Related Grant Applications, Forms and Agreements: (Project Name, Local Match for Purchase of Replacement Vehicles, Requested SGR Amount \$85,452. **[Action Requested: Formal Adoption of Resolution 2022-10] \***
- 2.4 Adoption of Disadvantaged Business Enterprise Goal for Federal Fiscal Years 2023-2025 and Authorization for the Release of the DBE Goal for a 30-Day Public Review/45-Day Public Comment Period. **[Action Requested: Approval of the Anticipated Disadvantaged Business Enterprise Goal for Federal Fiscal Years 2023-2025].\***

**3.0 COMMITTEE REPORTS**

- 3.1 General Manager’s Report. **[No Action: Information Only]**
- 3.2 WCCTAC Representative Report **[No Action: Information Only]**

**4.0 CORRESPONDENCE**

**5.0 BOARD COMMUNICATION**

**6.0 CLOSED SESSION (Pursuant to Section 54957(b) of the Ralph M. Brown Act)**

Closed Session—Public Employment (Gov. Code §54957(b))  
 Position: General Manager

**7.0 RECONVENE TO OPEN SESSION**

Report of Actions Taken During Closed Session

**8.0 ADJOURNMENT**

- \* Enclosures
- ^^ To Be Distributed Separately

Documents provided to a majority of the Board of Directors after distribution of the packet, regarding any item on this agenda will be made available for public inspection at the Administration Counter at WCCTA located at 601 Walter Avenue, during normal business hours (Pursuant to SB 343 or California Government Code Section 54957.5 -effective July 1, 2008). This information will also be uploaded and posted to the website before the meeting and made available at this link [WestCAT Board of Directors](#). The posting of SB 343 information on this website is in addition to the posting of the information at the legally required locations specified above.

**Next Regular Board Meeting June 9, 2022**

WCCTA Board meetings are prerecorded and posted for public viewing on the Authority’s website at this link: [WestCAT Board of Directors](#).

**Agenda Item 1.1**

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Date	Account ID Account Description	Invoice/CM #	Line Description	Debit Amount	Credit Amount
4/27/22	51200-10 Rentals & Leases, Operations 20100 Accounts Payable	ARO0001878	April - June TC Bus rental  AC Transit	23,486.60	23,486.60
4/21/22	50300-42 Outside Service, Non-Veh Mai 20100 Accounts Payable	48838	April inspection  Afforda-Test	100.00	100.00
4/21/22	50499-60 Other Mat & Supplies, Admin 20100 Accounts Payable	IPXM-69DQ-R1R9	Office supplies  Amazon Capital Services, Inc.	134.64	134.64
4/13/22	50501-10 Telephone, Operations 50501-60 Telephone, Admin 20100 Accounts Payable	000018055980	March & April phone service (3/13 - 4/12/22) March & April phone service (3/13 - 4/12/22) AT&T	105.70 52.84	158.54
4/15/22	50300-10 Outside Services, Operations 50300-60 Outside Services, Admin 20100 Accounts Payable	19535072	Monitoring fee- Fire (5/1 - 8/1/2022) Monitoring fee- Fire (5/1 - 8/1/2022) Bay Alarm Company	432.76 216.38	649.14
4/3/22	50300-10 Outside Services, Operations 20100 Accounts Payable	T137703	Annual permit renewal  Bay Area Air Quality Management	404.00	404.00
4/4/22	50499-42 Other Mat&Suppl, Non-Veh 50908-10 Marketing & Advertising, Ope 11103 Office Equipment & Furniture 50300-43 O/S Service, Non-Veh, Compu 50300-42 Outside Service, Non-Veh Mai 11103 Office Equipment & Furniture 50300-43 O/S Service, Non-Veh, Compu 50300-42 Outside Service, Non-Veh Mai 50903-60 Fees 50903-60 Fees 50410-10 Postage, Operations 50410-60 Postage, Admin 50410-10 Postage, Operations 50410-60 Postage, Admin 50410-10 Postage, Operations 50410-60 Postage, Admin 50903-60 Fees 20100 Accounts Payable	4/2022	Sheilds Harper & Company (paper for fuel Tank system) Twlio Inc. (emergency messaging for ridership) Walmart.com (computer replacement) - TDA Dropbox (Recurring monthly billing for 7 licenses) Lowes (Drills & wiring for building) Walmart.com (Computer replacement) - TDA Zoom  The home Depot (Drillis & wiring for building) Late fee  Balance c/f from previous stmt & finance chrg Stamps.com (recurring mthly chrg)  Stamps.com (recurring mthly chrg)  USPS Stamps (April stamps)  USPS Stamps (April stamps)  Stamps.com (April postage)  Stamps.com (April postage)  Finance charge  Bank of America Business Card	68.62 50.08 3,773.42 200.00 65.74 782.70 13.76  140.95 49.00  66.94 16.66  8.33  66.67  33.33  70.23 35.11  1.86	5,443.40

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4/15/22	50902-60 Travel Expense, Admin 20100 Accounts Payable	4/2022	Caltip Board Meeting (4/14 - 4/15/2022) Charles Anderson	60.45	60.45
5/1/22	50501-10 Telephone, Operations 50501-60 Telephone, Admin 20100 Accounts Payable	5/22	May cell phone reimbursement May cell phone reimbursement Charles Anderson	40.00 20.00	60.00
4/27/22	50499-41 Other Mat & Supplies,Veh Ma 20100 Accounts Payable	134150	Vehicle parts Chuck's Brake & Wheel	2,310.74	2,310.74
4/16/22	11103 Office Equipment & Furniture 20100 Accounts Payable	1320	Maintenance supplies (Bus Wash) - TDA Cinchem LLC	1,282.98	1,282.98
4/7/22	50499-41 Other Mat & Supplies,Veh Ma 20100 Accounts Payable	4115820147	April Uniforms Cintas Corporation	468.87	468.87
4/14/22	50499-41 Other Mat & Supplies,Veh Ma 20100 Accounts Payable	4116520687	April uniforms Cintas Corporation	503.68	503.68
4/21/22	50499-41 Other Mat & Supplies,Veh Ma 20100 Accounts Payable	4117195603	April Uniforms Cintas Corporation	503.98	503.98
4/28/22	50499-41 Other Mat & Supplies,Veh Ma 20100 Accounts Payable	4117888513	April Uniforms Cintas Corporation	503.98	503.98
5/3/22	50501-10 Telephone, Operations 50501-60 Telephone, Admin 20100 Accounts Payable	001000338130	May fiber optic network May fiber optic network Comcast Business	1,066.66 533.34	1,600.00
3/19/22	50300-41 Outside Service, Vehicle Main 50499-41 Other Mat & Supplies,Veh Ma 20100 Accounts Payable	Y5-67606	Vehicle repair (unit 203) Vehicle repair (unit 203) Cummins Pacific LLC	352.52 911.82	1,264.34
4/13/22	50499-41 Other Mat & Supplies,Veh Ma 20100 Accounts Payable	58227	Vehicle parts Diesel Marine Electric	707.79	707.79
4/14/22	50499-41 Other Mat & Supplies,Veh Ma 20100 Accounts Payable	58230	Vehicle parts Diesel Marine Electric	2,052.33	2,052.33
5/2/22	50500-10 Utilities, Operations 50500-60 Utilities, Admin 20100	4/22	Water service (2/28 - 4/26/2022) Water service (2/28 - 4/26/2022) EBMUD	621.98 311.00	932.98

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	Accounts Payable				
5/3/22	50500-10 Utilities, Operations	4/26/22	Water service (2/28 - 4/26/2022)	1,571.49	
	50500-60 Utilities, Admin		Water service (2/28 - 4/26/2022)	785.75	
	20100 Accounts Payable		EBMUD		2,357.24
4/1/22	50499-41 Other Mat & Supplies, Veh Ma	97967503	Vehicle parts	891.72	
	20100 Accounts Payable		FleetPride		891.72
1/24/22	50401-10 Fuel & Lubricants	22-460752	DEF & MOBIL	2,243.59	
	20100 Accounts Payable		Flyers Energy, LLC (RCP)		2,243.59
4/11/22	50401-10 Fuel & Lubricants	22-504503	DEF & Mobil Oil	1,805.13	
	20100 Accounts Payable		Flyers Energy, LLC (RCP)		1,805.13
4/25/22	50401-10 Fuel & Lubricants	22-513318	Anti - Freeze	315.54	
	20100 Accounts Payable		Flyers Energy, LLC (RCP)		315.54
4/25/22	50401-10 Fuel & Lubricants	50401-10	Mobil	2,763.08	
	20100 Accounts Payable		Flyers Energy, LLC (RCP)		2,763.08
3/16/22	11105 Oper, Maint & Admin Facility	0000006428	Bus wash (support service Task 3).	1,818.25	
	20100 Accounts Payable		Gannett Fleming, Inc.		1,818.25
3/16/22	11105 Oper, Maint & Admin Facility	0000006429	Bus wash + Additional CM + Design task.	4,649.90	
	20100 Accounts Payable		Gannett Fleming, Inc.		4,649.90
4/1/22	50300-42 Outside Service, Non-Veh Mai	INV0075	April cleaning	2,301.00	
	20100 Accounts Payable		GCI JANITORIAL SERVICES		2,301.00
4/22/22	50300-42 Outside Service, Non-Veh Mai	INV0079	March cleaning	2,301.00	
	20100 Accounts Payable		GCI JANITORIAL SERVICES		2,301.00
2/28/22	50499-41 Other Mat & Supplies, Veh Ma	40894878	Vehicle parts (unit 174)	282.65	
	20100 Accounts Payable		Gillig LLC		282.65
3/16/22	50499-41 Other Mat & Supplies, Veh Ma	40910179	Vehicle parts	1,062.43	
	20100 Accounts Payable		Gillig LLC		1,062.43
4/28/22	50499-41 Other Mat & Supplies, Veh Ma	40915017	Vehicle parts	560.23	
	20100 Accounts Payable		Gillig LLC		560.23
5/4/22	50499-41 Other Mat & Supplies, Veh Ma	40917074	Vehicle parts	505.48	

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	20100 Accounts Payable		Gillig LLC		505.48
5/2/22	10400 Prepaid Expenses 20100 Accounts Payable	22-138	Annual subscription (7/1 - 6/30/2023) GoGovApps	5,040.00	5,040.00
5/11/22	50300-60 Outside Services, Admin 20100 Accounts Payable	1316574	Covid-19 review, retirement and other Admin task Hanson Bridgett LPP	945.00	945.00
6/1/22	50215-60 Fringe Benefits, Admin 20100 Accounts Payable	6/2022	June Dental insurance  Health Care Dental	864.10	864.10
4/19/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	336278	Vehicle parts  Hilltop Ford	402.00	402.00
4/6/22	50402-10 Tires & Tubes 20100 Accounts Payable	148290	April Tires  J & O's Commercial Tire Center	1,947.52	1,947.52
4/13/22	50402-10 Tires & Tubes 20100 Accounts Payable	148472	April tires  J & O's Commercial Tire Center	2,225.74	2,225.74
4/28/22	50402-10 Tires & Tubes 20100 Accounts Payable	148801	April Tires  J & O's Commercial Tire Center	3,668.04	3,668.04
4/28/22	50402-10 Tires & Tubes 20100 Accounts Payable	148838	April tires  J & O's Commercial Tire Center	3,701.08	3,701.08
4/20/22	50300-42 Outside Service, Non-Veh Mai 20100 Accounts Payable	10995	Backflow testing  Jackson & Son Plumbing	250.00	250.00
4/18/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	9816060	Vehicle parts  Kimball Midwest	458.95	458.95
4/15/22	50300-42 Outside Service, Non-Veh Mai 20100 Accounts Payable	45-6922-142	Quarterly maintenance (1/1 - 3/31/22) Monterey Mechanical	432.00	432.00
5/4/22	50800-10 Purchased Transportation, Ope 20100 Accounts Payable	118736	May estimated service  MV Transportation	659,507.53	659,507.53
5/4/22	50800-10 Purchased Transportation, Ope 50800-41 Purchased Transp, Veh Maint 50600-10 Insurance, Operations 50800-10 Purchased Transportation, Ope	4/2022	April service  April Maintenance  April liability maintenance  Less: April estimate	600,850.61  68,617.00  15,821.32	656,025.48

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	20100 Accounts Payable		MV Transportation		29,263.45
3/30/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	407699	Vehicle parts Lim Automotive Supply, Inc.	6,410.52	6,410.52
4/30/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	410225	Vehicle parts Lim Automotive Supply, Inc.	6,980.66	6,980.66
4/1/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	4648681-33	Maintenance supplies (shop) New Pig Corp.	265.15	265.15
4/12/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	D905816	Vehicle parts (unit 155) NorCal Waste Equipment Co	351.94	351.94
4/13/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	D905902	Vehicle parts (unit 165) NorCal Waste Equipment Co	81.83	81.83
4/13/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	D905903	Vehicle parts (unit 165) NorCal Waste Equipment Co	192.30	192.30
4/19/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	D906839	Vehicle parts (unit 162) NorCal Waste Equipment Co	253.24	253.24
4/25/22	50499-41 Other Mat & Supplies, Veh Ma 20100 Accounts Payable	D907788	Vehicle parts (unit 412) NorCal Waste Equipment Co	1,592.87	1,592.87
4/25/22	50300-41 Outside Service, Vehicle Main 20100 Accounts Payable	G105541	DPF cleaning (unit601) NorCal Waste Equipment Co	332.13	332.13
5/3/22	50800-10 Purchased Transportation, Ope 20100 Accounts Payable	202203 - Westcat	March pilot program Central Contra Costa Transit Authority	922.92	922.92
5/3/22	50800-10 Purchased Transportation, Ope 20100 Accounts Payable	202203- Westcat	February pilot program Central Contra Costa Transit Authority	584.96	584.96
4/23/22	51200-60 Rentals & Leases, Admin 20100 Accounts Payable	76172966	May copier Pacific Office Automation/Lease	357.79	357.79
4/21/22	51200-60 Rentals & Leases, Admin 20100 Accounts Payable	105459	March & April color meter excess Pacific Office Automation/Service	62.46	62.46
4/13/22	50300-41 Outside Service, Vehicle Main 20100	256028	Vehicle repair Pankey's Radiator Shop, Inc.	832.13	832.13

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	Accounts Payable				
3/31/22	50501-10 Telephone, Operations	INV-20460-32022	March & April Phone service	754.14	
	50501-60 Telephone, Admin		March & April phone service	377.07	
	20100 Accounts Payable		STREAMS		1,131.21
4/30/22	50501-10 Telephone, Operations	INV-20460-42022	April & May phone service	754.14	
	50501-60 Telephone, Admin		April & May phone service	377.07	
	20100 Accounts Payable		STREAMS		1,131.21
4/19/22	50500-10 Utilities, Operations	4/13/2022	April gas & electric (3/15 - 4/13/22)	2,110.21	
	50500-60 Utilities, Admin		April gas & electric (3/15 - 4/13/22)	1,055.10	
	20100 Accounts Payable		PG & E		3,165.31
4/21/22	50500-10 Utilities, Operations	4/2022	April electric (3/17 - 4/15/22)	9.55	
	50500-60 Utilities, Admin		April electric (3/17 - 4/15/22)	4.77	
	20100 Accounts Payable		PG & E		14.32
10/5/21	50300-42 Outside Service, Non-Veh Mai	102635G	Slide gate repair	237.53	
	20100 Accounts Payable		R & S Erection of Richmond, Inc.		237.53
3/1/22	50300-42 Outside Service, Non-Veh Mai	104164G	Slide gate repair	195.00	
	20100 Accounts Payable		R & S Erection of Richmond, Inc.		195.00
4/30/22	50500-10 Utilities, Operations	0851-154477473	April service	587.46	
	50500-60 Utilities, Admin		April service	293.73	
	20100 Accounts Payable		Republic Services #851		881.19
4/27/22	50300-41 Outside Service, Vehicle Main	SWO014477-1	Vehicle repair (unit 206)	380.60	
	20100 Accounts Payable		SONSRAY FLEET SERVICES		380.60
4/29/22	50300-41 Outside Service, Vehicle Main	SWO014553-1	Vehicle repair (unit 200)	790.73	
	20100 Accounts Payable		SONSRAY FLEET SERVICES		790.73
4/13/22	50401-10 Fuel & Lubricants	044-002477 4/13	Underground storage (1/1 - 3/31/22)	1,971.00	
	20100 Accounts Payable		State Board of Equalization		1,971.00
4/13/22	50401-10 Fuel & Lubricants	057-416014 4/13	Diesel Fuel Tax (1/1 - 3/31/22)	947.00	
	20100 Accounts Payable		State Board of Equalization		947.00
4/16/22	50500-10 Utilities, Operations	SW-02348114	Annual storm water permit (4/1/22 -3/31/2023)	1,738.00	
	20100 Accounts Payable		State Water Resource Control Board		1,738.00

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4/21/22	50300-10 Outside Services, Operations 20100 Accounts Payable	4/2022	April DAR, Phones, & Tablets T-MOBILE	2,584.02	2,584.02
4/21/22	50300-10 Outside Services, Operations 20100 Accounts Payable	INV0000000954	April maintenance & support TransTrack Systems, Inc.	4,017.00	4,017.00
4/21/22	50300-10 Outside Services, Operations 20100 Accounts Payable	9904665539	April cell phones (4/22 - 5/2/2022) Verizon Wireless	59.28	59.28
2/4/22	10202 A/R Accrual - MV & Insuranc 20100 Accounts Payable	0737	Vehicle repair (unit 32). DOA 12.22.2021 Walker's Auto Body	7,059.72	7,059.72
3/15/22	10202 A/R Accrual - MV & Insuranc 20100 Accounts Payable	0777	Vehicle repair (unit 168) DOA 2.10.22 Walker's Auto Body	4,235.54	4,235.54
4/5/22	50401-10 Fuel & Lubricants 20100 Accounts Payable	826425	Gasoline & Diesel Western States Oil CO.	38,668.65	38,668.65
4/13/22	50401-10 Fuel & Lubricants 20100 Accounts Payable	826804	Gasoline & Diesel Western States Oil CO.	37,531.91	37,531.91
4/22/22	50401-10 Fuel & Lubricants 20100 Accounts Payable	827593	Diesel Western States Oil CO.	43,724.81	43,724.81
5/3/22	50300-41 Outside Service, Vehicle Main 20100 Accounts Payable	I500-00821897	Waste pickup World Oil Environmental Services	45.00	45.00
				1,600,946.50	1,600,946.50
				1,600,946.50	1,600,946.50

## **AGENDA ITEM 2.1**

### **WESTERN CONTRA COSTA TRANSIT AUTHORITY RESOLUTION NO. 2022-09**

RESOLUTION FINDING THAT THERE IS A PROCLAIMED STATE OF EMERGENCY; FINDING THAT MEETING IN PERSON WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES AS A RESULT OF THE STATE OF EMERGENCY; AND AUTHORIZING REMOTE TELECONFERENCED MEETINGS OF THE LEGISLATIVE BODIES OF THE WESTERN CONTRA COSTA TRANSIT AUTHORITY FOR THE 30-DAY PERIOD BEGINNING May 13, 2022 PURSUANT TO AB 361

WHEREAS, the Western Contra Costa Transit Authority ("WCCTA") is a joint exercise of powers authority formed pursuant to Government Code Section 6500, et. seq. by and between the City of Pinole, the City of Hercules, and the County of Contra Costa); and

WHEREAS, all WCCTA meetings are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch WCCTA's legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of the novel coronavirus disease 2019 ("COVID-19"); and

WHEREAS, On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of Executive Order N-29-20, staff set up virtual meetings for all WCCTA Board meetings and meetings of all WCCTA legislative bodies; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, ends the provisions of Executive Order N-29-20 that allows local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021) which allows for local legislative bodies and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the WCCTA Board make specified findings. AB 361 (2021) took effect immediately; and

WHEREAS, AB 361 (2021) requires that the Governor declare a State of Emergency pursuant to Government Code section 8625; and

WHEREAS, AB 361 (2021) further requires that state or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in WCCTA's jurisdiction, specifically, Governor Newsom has declared a State of Emergency due to COVID-19; and

WHEREAS, since issuing Executive Order N-08-21, the highly contagious Delta and Omicron variants of COVID-19 have emerged, causing an increase in COVID-19 cases throughout the State and Contra Costa County; and

WHEREAS, on August 2, 2021, in response to the Delta variant of COVID-19, the Contra Costa County Health Officer issued an order for nearly all individuals to wear masks when inside public spaces and on September 14, 2021, issued an order requiring operators of specified dining establishments, entertainment venues and fitness facilities to restrict entry based on COVID-19 vaccination status or testing; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") continues to recommend physical distancing of at least 6 feet from others outside of the household; and

WHEREAS, because of the rise in cases due to the Delta and Omicron variants of COVID-19, the WCCTA Board of Directors is concerned about the health and safety of all individuals who intend to attend WCCTA Board meetings and meetings of WCCTA's other legislative bodies; and

WHEREAS, the WCCTA Board of Directors hereby finds that the presence of COVID-19 and the increase of cases due to the Delta variant would present imminent risks to the health or safety of attendees, including the legislative bodies and staff, should WCCTA's legislative bodies hold in person meetings; and

WHEREAS, WCCTA shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Western Contra Costa Transit Authority as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.
2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the WCCTA Board of Directors makes the following findings:
  - a) The WCCTA Board of Directors has considered the circumstances of the state of emergency; and
  - b) The state of emergency, as declared by the Governor, continues to directly impact the ability of the WCCTA Board of Directors and WCCTA's legislative bodies, as well as staff and members of the public, from meeting safely in person; and
  - c) The CDC continues to recommend physical distancing of at least six feet due to COVID-19 and as a result of the presence of COVID-19 and the increase of cases due to the Delta variant, meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies and staff.

3. The WCCTA Board of Directors and WCCTA's legislative bodies may continue to meet remotely in compliance with AB 361, in order to better ensure the health and safety of the public.

4. The WCCTA Board of Directors will revisit the need to conduct meetings remotely within 30 days of the May 13, 2022 effective date of this resolution.

Regularly passed and adopted this 12th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Aleida Andrino-Chavez, Chair, Board of Directors

ATTEST: \_\_\_\_\_  
Clerk to the Board

**AGENDA ITEM 2.3**

**RESOLUTION 2022-10**  
**APPROVING THE PROJECT LIST FOR FY 2022-2023**  
**FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM**  
*Local match for purchase of replacement revenue vehicles*

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017, establishing the State of Good Repair (SGR) program to fund eligible transit maintenance, rehabilitation and capital project activities that maintain the public transit system in a state of good repair; and

**WHEREAS**, SGR funds are allocated by the Metropolitan Transportation Commission; and

**WHEREAS**, Western Contra Costa Transit Authority's share of SGR funds for fiscal year 2022-23 is estimated to be \$85,452; and

**WHEREAS**, these funds will be used for Local match for purchase of replacement revenue vehicles; and

**WHEREAS**, in order to qualify for these funds, the Western Contra Costa Transit Authority is required to submit a proposed project list to the Metropolitan Transportation Commission on an annual basis; and

**NOW, THEREFORE, BE IT RESOLVED** that the Western Contra Costa Transit Authority Board of Directors hereby approves the SB1 State of Good Repair Project List for FY 2022-23; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Western Contra Costa Transit Authority that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all SGR funded transit capital projects.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the General Manager is hereby authorized to submit a request for Scheduled Allocation of the SB1 State of Good Repair Funds and to execute the related grant applications, forms and agreements:

**Project Name:** Local match for purchase of replacement revenue vehicles

**Amount of SGR Funds Requested:** \$85,452

Regularly passed and adopted this 12<sup>th</sup> day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Aleida Andrino-Chavez, Chair, Board of Directors

ATTEST: \_\_\_\_\_

Clerk to the Board

## Agenda Item 2.4

### **Staff Report on the revision of the Anticipated Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Years 2022-23 through 2024-25 and Authorization for the Release of the DBE Goal for a 30-day Public Review/45-day Public Comment Period**

#### **BACKGROUND**

In accordance with Title 49 of the Code of Federal Regulations, Part 26 (49 CFR Part 26), Western Contra Costa Transit Authority (WCCTA) implements a Disadvantaged Business Enterprise (DBE) Program to ensure nondiscrimination in the award of federally funded contracts. As part of this program, WCCTA must establish a triennial goal for DBE participation in all contracts that are to be funded with Federal Transit Administration (FTA) funds. A DBE firm is defined as a for-profit "small business concern" that is at least 51 percent owned and controlled by one or more socially and economically disadvantaged individuals. DBE firms are certified as such through Unified Certification Programs established in each state.

For clarification! use of the term "goal" in establishing DBE participation level is not reflective of ambition on the part of WCCTA. Rather, it is a fixed "calculation" based on a series of set figures and anticipated use of federal funds. These figures are used with a standardized formula that ultimately calculates an agency's target for DBE participation in projects using federal dollars.

For federal fiscal years (FFY) 2022-23 through 2024-25, WCCTA anticipates using the majority of federal funds for the purpose of vehicle replacements (which are not subject to the goal-setting process) and related equipment. With no additional contracting opportunities available for Federal Fiscal Years 2022-23 through 2024-25, the Anticipated Disadvantaged Business Enterprise (DBE) Goal for this triennial period is zero (0) percent. WCCTA will continue to participate in program outreach to DBEs and Small Business Enterprises (SBEs) using funds received from sources other than the FTA. However, this goal only details new contracting opportunities planned with FTA funds.

#### **DEVELOPMENT OF ANTICIPATED DBE GOAL**

The methodology to calculate the DBE participation goal is a two-step process described in 49 CFR Part 26. Step-One of the methodology establishes a base figure for the anticipated contracts to be awarded in the period. The base figure is derived from the relative availability of DBEs that are ready, willing, and able to participate in these anticipated contracts. Step-Two relies on WCCTA's knowledge of its contracting markets and previous history of DBE participation to determine if an adjustment to the base figure is needed. The calculation using the two-step methodology results in a DBE Goal of zero (0) percent for FFY 2022-23 through 2024-25. This methodology is outlined in Attachment 1.

The Overall DBE goal is typically split into race-neutral and race-conscious components. Race-neutral participation occurs when a DBE obtains a contract or subcontract through customary procurement procedures where there was no contract goal or its DBE status was not considered in making the award. Race-conscious DBE participation is the portion of the overall goal that focuses on assisting only DBEs, where a contract's DBE goal is explicitly stated to encourage DBE participation. WCCTA will continue to operate a Race neutral DBE Program. WCCTA will also continue to supplement its DBE Program with a Small Business Enterprise (SBE) Program.

## **OUTREACH/PUBLIC COMMENT PERIOD**

In accordance with the public participation requirements of 49 CFR Part 26.45, and upon receiving Board approval, WCCTA will publish its DBE goal inviting a 30-day review/45-day public comment period. WCCTA will post the goal on its website as required.

## **RECOMMENDATION**

Approval of the Anticipated Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal Years 2022-23 through 2024-25.

### **FFY 2022-23 thru 2024-25**

#### **Anticipated Disadvantaged Business Enterprise (DBE) Goal Methodology**

The methodology to calculate an agency's DBE goal is a two-step process described in 49 CFR Part 26. Step-One of the methodology establishes a base figure for new federally funded contracts anticipated to be awarded in the upcoming three Federal Fiscal Years (October 1 - September 30). This calculation has been done for contracts anticipated to be awarded between October 1, 2022, and September 30, 2025. The base figure is derived from the relative availability of DBEs that are ready, willing, and able to participate in these anticipated contracts. Step-Two relies on the agency's knowledge of its contracting markets and previous history of DBE participation to determine if an adjustment to the base figure is needed. The calculation using the two-step methodology results in an Anticipated DBE Goal of 0% for FY 2023-25 for the WCCTA. This methodology is outlined below.

**Attachment 1**

FFY 2022-23 through 2024-25 DBE Goal Methodology

**Step 1 – Determine the weight of each type of work by NAICS Code:**

**FTA Assisted Contracts**

	<b>NAICS Code</b>	<b>Project</b>	<b>Amount of DOT funds on project:</b>	<b>% of total DOT funds (weight)</b>
<b>1</b>	<b>485113</b> Bus and other Motor Vehicle Transit Systems	ADA Operations Set Aside	\$1,051,980	1.0000
	<b>Total FTA-Assisted Contract Funds</b>		<b>\$1,051,980</b>	<b>1</b>

**Step 2 - Determine the relative availability of DBE's by NAICS Code:**

	<b>NAICS Code</b>		<b>Number of DBEs available to perform this work</b>	<b>Number of all firms available (including DBEs)</b>	<b>Relative Availability</b>
<b>1</b>	<b>485113</b> Bus and other Motor Vehicle Transit Systems	ADA operations set aside	0	16	0.0000
	<b>Combined Totals</b>		<b>0</b>	<b>16</b>	<b>0.0000</b>

**Overall DBE Availability**

**Continued**

**Step 3 - (Weight) x (Availability) = Weighted Base Figure**

	<b>NAICS Code</b>	<b>Project</b>	<b>Weight</b>	<b>x</b>	<b>Availability</b>	<b>Weighted Base Figure</b>
<b>1</b>	485113 Bus and other Motor Vehicle Transit Systems	ADA operations set aside	1.0000	x	0.00000	0.00000
<b>Total</b>						0.0000
<b>Expressed as a % (*100)</b>						0.00%
<b>Rounded, Weighted Base Figure:</b>						<b>0%</b>