



Western Contra Costa
Transit Authority

NOTICE OF MEETING

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

DATE: November 8, 2021 (Monday)
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, Chris Kelley, Tom Hanson, 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:

Join Zoom Meeting

<https://us02web.zoom.us/j/84258721676>

Meeting ID: 842 5872 1676

One tap mobile

+1 669 900 6833 US (San Jose)

Meeting ID: 842 5872 1676

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. 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 Receive Contractors Monthly Management Report for September, 2021* **[Action Requested: Receive Item 1.1]**

2.0 ITEMS FOR BOARD ACTION / DISCUSSION

- 2.1 Adoption of Resolution 2021-06, 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 November 12, 2021, Pursuant to AB 361. **[Action Requested: Formal Adoption of Resolution 2021-06] ***
- 2.2 Discussion of MTC's Request to Extend the Clipper Start Income-Based Transit Fare Discount Pilot Program thru June 30, 2023 **[Action Requested: Discussion and Direction to Staff]**.
- 2.3 Consideration of the Establishment of a COVID-19 Vaccination Policy for the WCCTA Operations and Maintenance Facility to Apply to All WCCTA and Contracted Employees. **[Action Requested: Direction to Staff]**.

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 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 <https://www.westcat.org/Home/InsBoard>. 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 Board Meeting December 9, 2021

WCCTA Board meetings are prerecorded and posted for public viewing on the Authority's website at this link: <https://www.westcat.org/Home/InsBoard>.



Monthly Management Report Summary

September, FY 21/22

System & Program Summary

	September FY 21/22	September FY 20/21	% Change	Year-To-Date FY 21/22	Year-To-Date FY 20/21	% Change
System Total						
Total Passengers	43,880	28,321	54.9	117,701	85,954	36.9
Revenue Passengers	0	0		64,207	0	
Weekday Total Passengers	41,259	26,176	57.6	109,530	78,866	38.9
Saturday Total Passengers	1,593	1,402	13.6	4,916	4,617	6.5
Sunday Total Passengers	1,028	743	38.4	3,255	2,471	31.7
Weekday Average Passengers	1,965	1,246	57.7	1,711	1,232	38.9
Saturday Average Passengers	398	351	13.4	378	355	6.5
Sunday Average Passengers	206	149	38.3	217	165	31.5
Vehicle Revenue Hours	6,392.58	5,880.55	8.7	18,837.96	17,973.68	4.8
Total Vehicle Hours	6,805.61	6,248.57	8.9	19,960.59	19,088.80	4.6
Revenue Vehicle Miles	108,105.6	101,866.3	6.1	312,360.2	313,097.0	-0.2
Total Miles	124,183.0	115,917.0	7.1	358,994.0	360,104.1	-0.3
Dial-A-Ride Program						
Number of Weekdays	21	21	0.0	64	64	0.0
Number of Saturdays	4	4	0.0	13	13	0.0
Total Passengers	1,578	945	67.0	4,746	2,803	69.3
Revenue Passengers		0		3,011	0	
Weekday Total Passengers	1,385	854	62.2	4,174	2,517	65.8
Saturday Total Passengers	193	91	112.1	572	286	100.0
Weekday Average Passengers	66	41	61.0	65	39	66.7
Saturday Average Passengers	48	23	108.7	44	22	100.0
Vehicle Revenue Hours	854.52	602.34	41.9	2,506.90	1,785.57	40.4
Total Vehicle Hours	916.91	693.00	32.3	2,673.75	2,056.14	30.0
Productivity	1.85	1.57	17.8	1.89	1.57	20.4
Revenue Vehicle Miles	13,393.6	11,410.3	17.4	37,167.0	34,678.9	7.2
Total Miles	14,595.0	12,589.0	15.9	40,562.1	38,286.1	5.9
Express Routes Program						
Number of Weekdays	21	21	0.0	64	64	0.0
Number of Saturdays	4	4	0.0	13	13	0.0
Number of Sundays	5	5	0.0	15	15	0.0
Total Passengers	16,487	11,991	37.5	48,018	37,117	29.4
Revenue Passengers	0	0		27,559	0	
Weekday Total Passengers	14,458	10,265	40.8	41,482	31,359	32.3
Saturday Total Passengers	1,001	983	1.8	3,281	3,287	-0.2
Sunday Total Passengers	1,028	743	38.4	3,255	2,471	31.7
Weekday Average Passengers	688	489	40.7	648	490	32.2
Saturday Average Passengers	250	246	1.6	252	253	-0.4
Sunday Average Passengers	206	149	38.3	217	165	31.5
Vehicle Revenue Hours	2,068.49	1,968.06	5.1	6,018.73	6,047.07	-0.5
Total Vehicle Hours	2,209.59	2,060.67	7.2	6,376.76	6,329.05	0.8
Productivity	7.97	6.09	30.9	7.98	6.14	30.0
Revenue Vehicle Miles	29,565.9	27,192.8	8.7	82,107.4	83,800.4	-2.0
Total Miles	32,115.2	28,857.8	11.3	88,585.7	88,869.2	-0.3



Monthly Management Report Summary

September, FY 21/22

System & Program Summary

	September FY 21/22	September FY 20/21	% Change	Year-To-Date FY 21/22	Year-To-Date FY 20/21	% Change
Local Fixed Routes Program						
Number of Weekdays	21	21	0.0	64	64	0.0
Number of Saturdays	4	4	0.0	13	13	0.0
Total Passengers	15,077	8,448	78.5	36,705	26,395	39.1
Revenue Passengers	0	0		16,587	0	
Weekday Total Passengers	14,678	8,120	80.8	35,642	25,351	40.6
Saturday Total Passengers	399	328	21.6	1,063	1,044	1.8
Weekday Average Passengers	699	387	80.6	557	396	40.7
Saturday Average Passengers	100	82	22.0	82	80	2.5
Vehicle Revenue Hours	2,550.54	2,472.04	3.2	7,711.26	7,554.82	2.1
Total Vehicle Hours	2,676.23	2,583.29	3.6	8,074.66	7,893.56	2.3
Productivity	5.91	3.42	72.8	4.76	3.49	36.4
Revenue Vehicle Miles	38,516.4	39,302.3	-2.0	119,616.3	120,236.2	-0.5
Total Miles	40,977.4	41,575.1	-1.4	126,863.7	127,161.4	-0.2
Transbay Lynx Program						
Number of Weekdays	21	21	0.0	64	64	0.0
Total Passengers	10,738	6,937	54.8	28,232	19,639	43.8
Revenue Passengers	0	0		17,050	0	
Weekday Total Passengers	10,738	6,937	54.8	28,232	19,639	43.8
Weekday Average Passengers	511	330	54.8	441	307	43.6
Vehicle Revenue Hours	919.03	838.11	9.7	2,601.07	2,586.22	0.6
Total Vehicle Hours	1,002.88	911.61	10.0	2,835.42	2,810.05	0.9
Productivity	11.68	8.28	41.1	10.85	7.59	43.0
Revenue Vehicle Miles	26,629.8	23,960.9	11.1	73,469.5	74,381.6	-1.2
Total Miles	28,267.5	25,489.7	10.9	78,237.6	79,037.6	-1.0

WestCAT Monthly Passenger & Auxiliary Revenue Reconciliation

Month & Fiscal Year- September 2021

Cash Fares for Deposit	Monthly System Total	CYTD	Dial-A-Ride	Transbay-Lynx	Fixed Route
Cash Fare - Regular	\$ -	\$ 24,446.75	\$ -	\$ -	\$ -
Cash Fare - Senior & Disabled	\$ -	\$ 5,921.25	\$ -	\$ -	\$ -
Cash Fare - Transfers	\$ -	\$ 1,995.25	\$ -	\$ -	\$ -
Cash Fare - Regional Paratransit	\$ -	\$ 672.00	\$ -	\$ -	\$ -
Cash Fare - Local Day Pass Sales	\$ -	\$ 3,279.00		\$ -	\$ -
Total Estimated Cash (a)	\$ -	\$ 36,314.25	\$ -	\$ -	\$ -
Over/(Short) Cash Count	\$ -	\$ 4.12	\$ -	\$ -	\$ -
Bank Deposit Corrections	\$ -	\$ -			
Subtotal Cash Fare Deposit	\$ -	\$ 36,318.37	\$ -	\$ -	\$ -
Prepaid Sales Deposit	Monthly System Total	CYTD	Dial-A-Ride	Transbay-Lynx	Fixed Route
Ticket Books	\$ 70.00	\$ 845.00	\$ 70.00		
Clipper Sales	\$ -	\$ -			
Lynx 31-Day Pass Sales	\$ 210.00	\$ 2,380.00		\$ 210.00	
Lynx Stored Ride Pass Sales	\$ -	\$ 410.00			
Local 31-Day Pass Sales	\$ 4,220.00	\$ 5,565.00			\$ 4,220.00
Local Stored Value Pass Sales	\$ -	\$ 7.50			
Local Day Pass Sales (In-house)	\$ -	\$ 37.50			
East Bay Value Pass Sales	\$ -	\$ -			
Summer Youth Pass	\$ -	\$ -			
Returned Checks	\$ -	\$ -			
Refunds Issued from Ticket / Pass Sales	\$ (280.00)	\$ (280.00)		\$ (280.00)	
Subtotal Prepaid Sales Deposit	\$ 4,220.00	\$ 8,965.00	\$ 70.00	\$ (70.00)	\$ 4,220.00
Billings Issued	Monthly System Total	CYTD	Dial-A-Ride	Transbay-Lynx	Fixed Route
CCC Nutrition Tickets	\$ -	\$ 180.00			
Lynx B1G1F	\$ 560.00	\$ 1,330.00		\$ 560.00	
Wage Works	\$ 490.00	\$ 1,540.00		\$ 490.00	
Capital Corridor Vouchers	\$ -	\$ -			
City of Pinole	\$ -	\$ -			
511 CC	\$ -	\$ -			
CCTA (\$37.00 SBPP)	\$ -	\$ -			
WCCUSD SBP	\$ -	\$ -			
City of Hercules Parking Permit Program	\$ 40.00	\$ 140.38			\$ 40.00
HTC Parking Combos	\$ -	\$ -			
*Other	\$ -	\$ -			
Clipper	\$ 18,345.26	\$ 95,631.91		\$ 11,085.57	\$ 7,259.69
*Other	\$ -	\$ -			
*Other	\$ -	\$ -			
Subtotal Billings	\$ 19,435.26	\$ 98,822.29	\$ -	\$ 12,135.57	\$ 7,299.69
Total Passenger Revenue	\$ 23,655.26	\$ 144,105.66	\$ 70.00	\$ 12,065.57	\$ 11,519.69

	Monthly System Total	CYTD
Total Passenger Revenue Last Year		\$ -

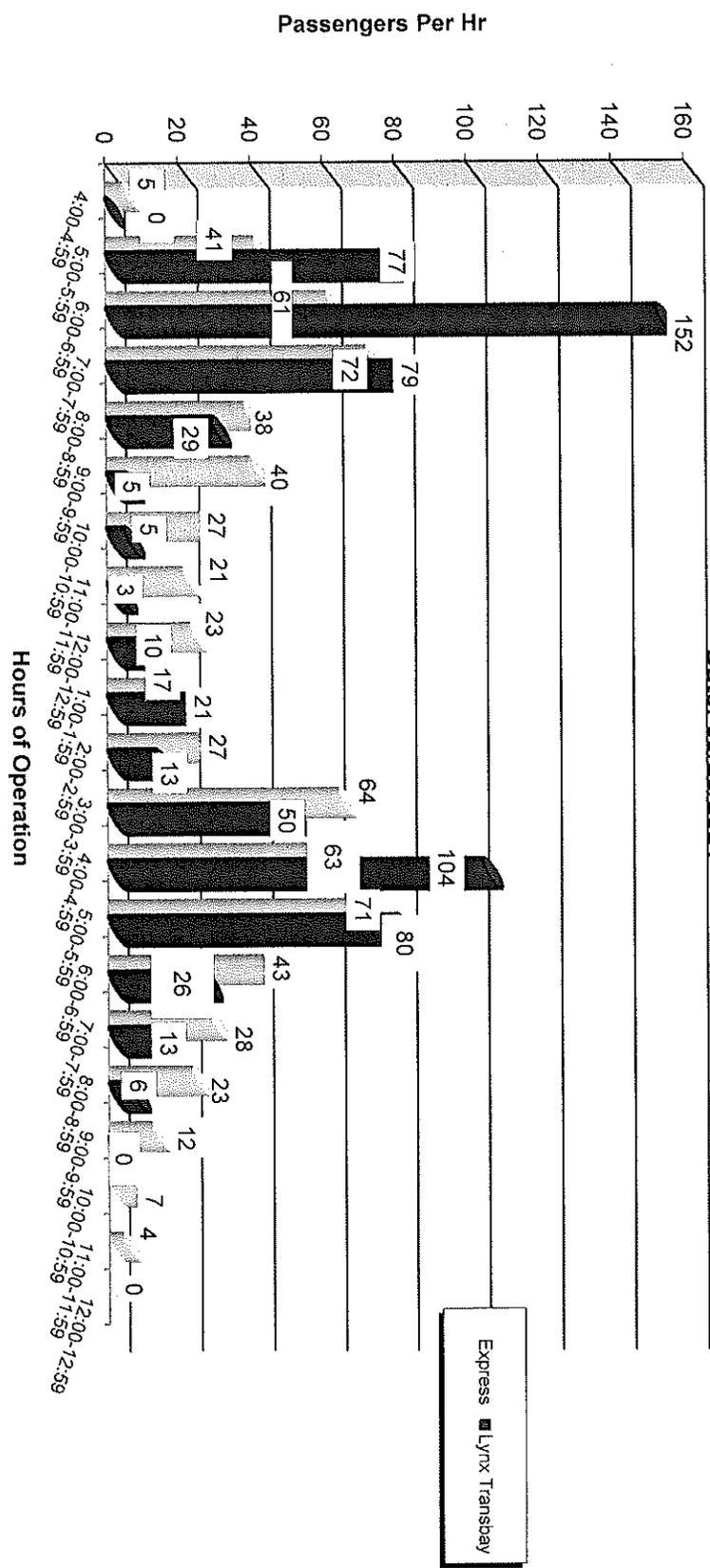


Passenger & Productivity Statistical Report

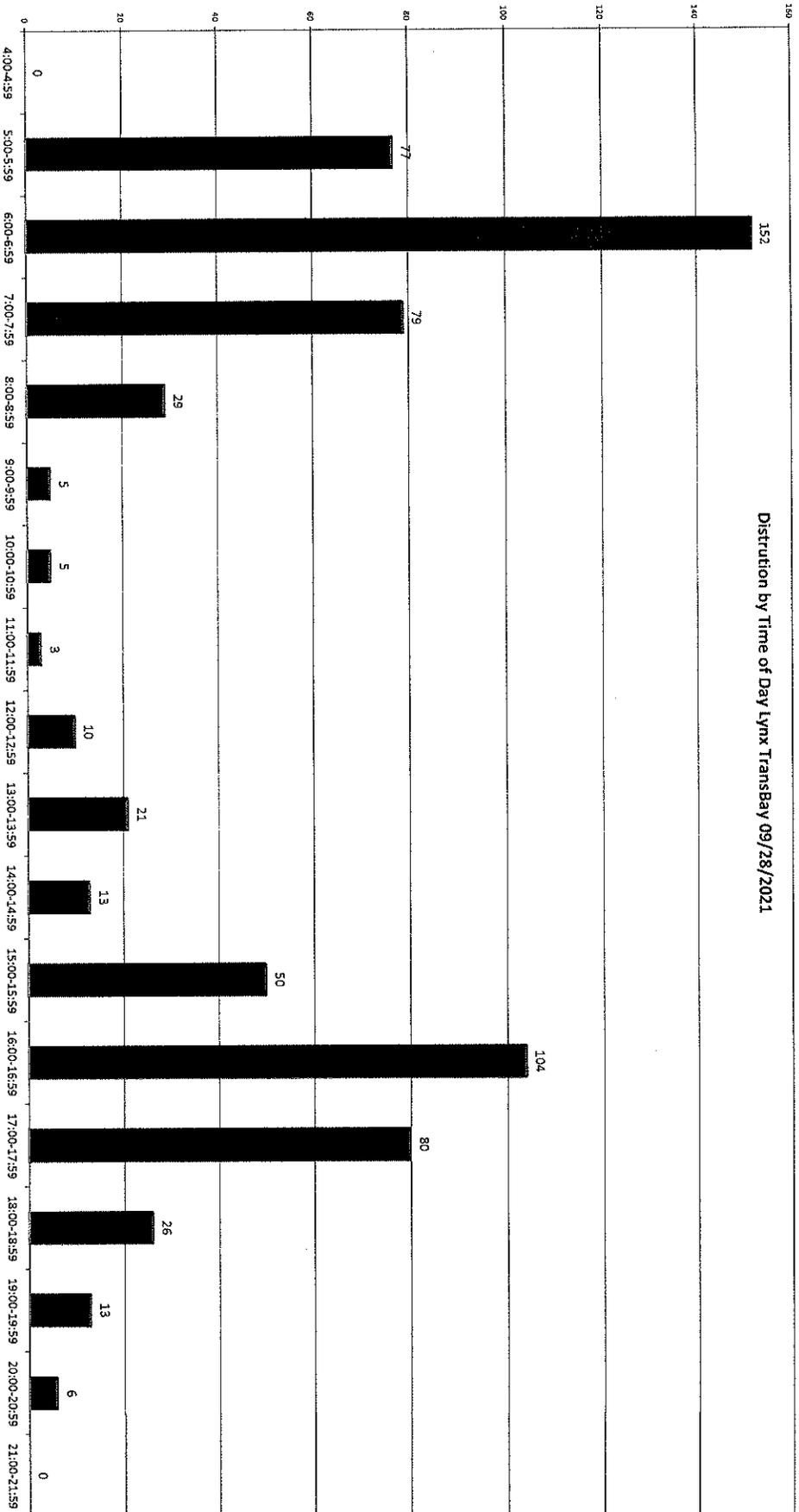
September, FY 21/22
System
All Routes

Route by Day Type & System	Passengers				Passengers Per Revenue Hour							
	September		Fiscal Year To Date		September		Fiscal Year To Date					
	FY 20/21	FY 21/22	% Change	FY 20/21	FY 21/22	% Change	FY 20/21	FY 21/22	% Change			
Route 10 Weekday	535	1,411	163.7	1,600	3,192	99.5	2.9	6.1	112.8	2.8	5.0	78.0
Route 11 Weekday	1,630	2,583	58.5	5,222	5,927	13.5	4.9	7.4	52.1	5.1	5.6	9.8
Route 11 Saturday	180	191	6.1	546	531	-2.7	3.8	4.0	5.9	3.5	3.4	-2.5
Route 11 Total	1,810	2,774	53.3	5,768	6,458	12.0	4.7	7.0	47.8	4.9	5.3	8.8
Route 12 Weekday	578	1,337	131.3	1,814	3,130	72.5	2.6	5.0	93.1	2.7	4.2	57.7
Route 15 Weekday	528	949	79.7	1,636	2,472	51.1	2.3	4.6	96.2	2.4	3.7	55.4
Route 16 Weekday	2,039	3,863	89.5	5,566	8,979	61.3	3.4	6.5	89.4	3.1	5.0	61.2
Route 19 Saturday	148	208	40.5	498	532	6.8	2.9	4.0	38.5	3.0	3.1	5.8
Route 30Z Weekday	552	723	31.0	1,877	2,068	10.2	1.9	2.6	34.0	2.2	2.4	10.3
Route C3 Weekday	2,258	3,812	68.8	7,636	9,874	29.3	4.3	7.3	68.7	4.8	6.2	28.8
Route DAR Weekday	854	1,385	62.2	2,517	4,174	65.8	1.5	1.8	17.3	1.5	1.8	19.3
Route DAR Saturday	91	193	112.1	286	572	100.0	2.4	2.6	8.8	2.0	2.6	28.3
Route DAR Total	945	1,578	67.0	2,803	4,746	69.3	1.6	1.8	17.7	1.6	1.9	20.6
Route J Weekday	5,910	8,650	46.4	18,153	24,111	32.8	5.6	7.5	32.9	5.7	7.5	31.5
Route J Saturday	983	1,001	1.8	3,287	3,281	-0.2	7.1	7.4	5.1	7.2	7.5	3.8
Route J Sunday	743	1,028	38.4	2,471	3,255	31.7	4.4	6.1	38.5	4.8	6.4	33.6
Route J Total	7,636	10,679	39.9	23,911	30,647	28.2	5.6	7.3	30.1	5.7	7.3	28.0
Route JFX Weekday	4,355	5,808	33.4	13,206	17,371	31.5	7.1	9.5	33.6	7.1	9.5	34.1
Route LNX Weekday	6,937	10,738	54.8	19,639	28,232	43.8	8.3	11.7	41.2	7.6	10.9	42.9
Total System-Wide	28,321	43,880	54.9	85,954	117,701	36.9	4.8	6.9	42.5	4.8	6.2	30.7

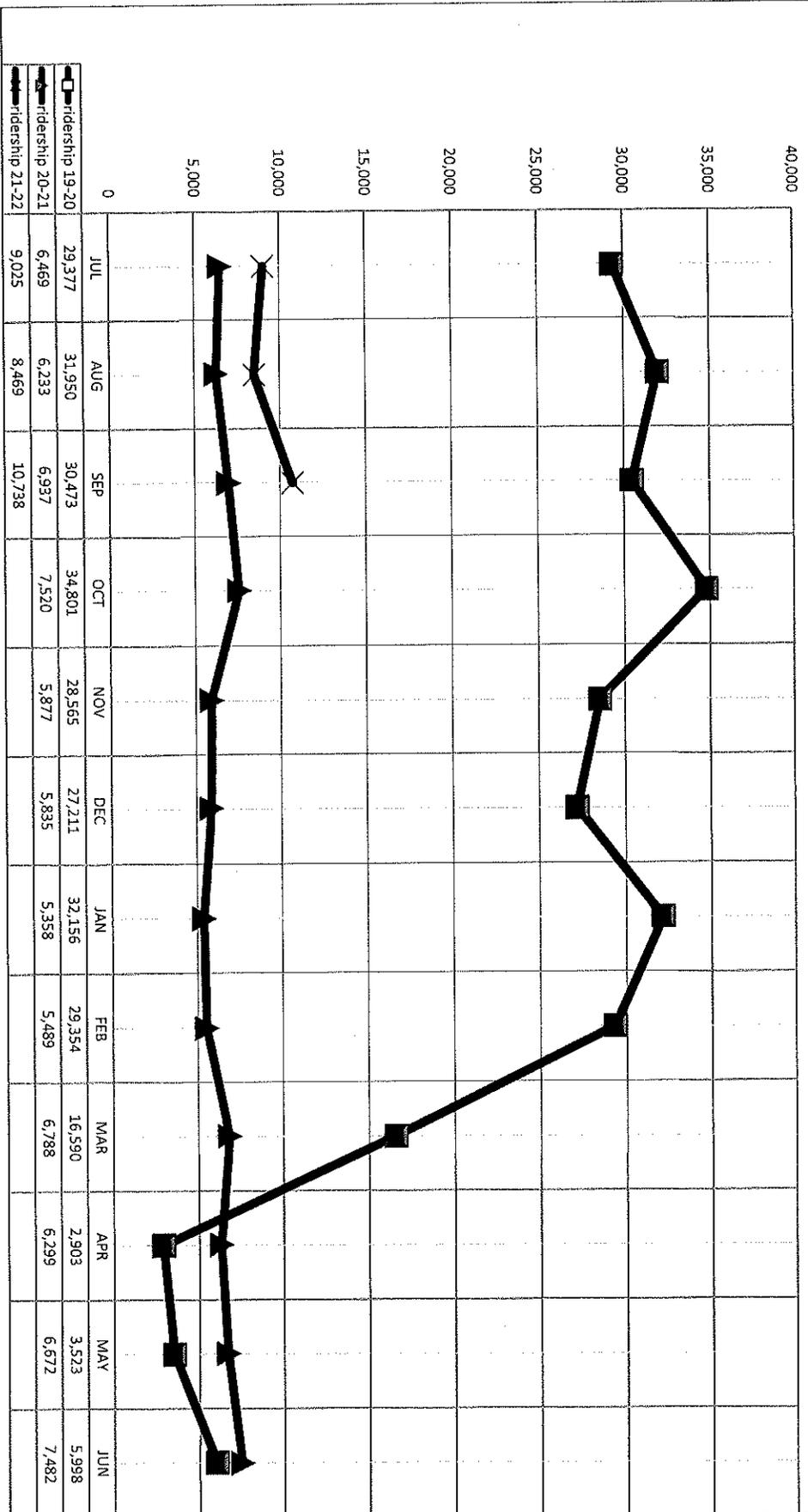
**Express Routes (J, JX, JPX), and Lynx Transbay
Ridership by Time of Day
Date: 09/28/2021**



Distribution by Time of Day Lynx TransBay 09/28/2021



WESCAT LYNX TRANSBAY 3YR STATS



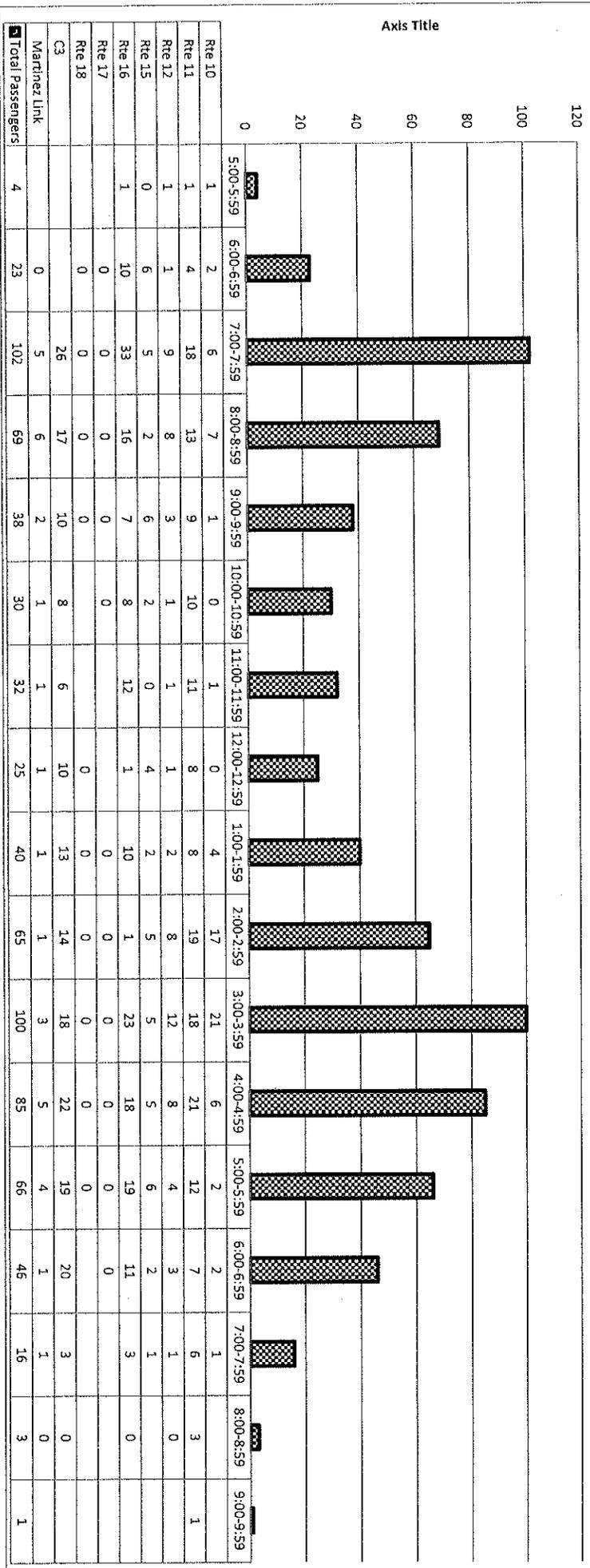
Distribution by Time of Day - Fixed Route

Date: 9/28/2021

	5:00-5:59	6:00-6:59	7:00-7:59	8:00-8:59	9:00-9:59	10:00-10:59	11:00-11:59	12:00-12:59	1:00-1:59	2:00-2:59	3:00-3:59	4:00-4:59	5:00-5:59	6:00-6:59	7:00-7:59	8:00-8:59	9:00-9:59
Rte 10	1	2	6	7	1	0	1	0	4	17	21	6	2	2	1		
Rte 11	1	4	18	13	9	10	11	8	8	19	18	21	12	7	6	3	1
Rte 12	1	1	9	8	3	1	1	1	2	8	12	8	4	3	1	0	
Rte 15	0	6	5	2	6	2	0	4	2	5	5	5	6	2	1		
Rte 16	1	10	33	16	7	8	12	1	10	1	23	18	19	11	3	0	
Rte 17		0	0	0	0	0			0	0	0	0	0	0			
Rte 18		0	0	0	0	0		0	0	0	0	0	0	20	3	0	
C3			26	17	10	8	6	10	13	14	18	22	19	1	1		
Martinez Link		0	5	6	2	1	1	1	1	1	3	5	4	1	1		
Total Passengers	4	23	102	69	38	30	32	25	40	65	100	85	66	46	16	3	1

Total Route 10	71
Total Route 11	169
Total Route 12	63
Total Route 15	51
Total Route 16	173
Total Route 17	0
Total Route 18	0
Total C3	186
Martinez Link	32
Total	745

Distribution By Time Of Day Fixed Route 09/28/2021



Distribution by Time of Day - WestCAT Express

Date: 9/28/2021

JX	4:00-4:59	5:00-5:59	6:00-6:59	7:00-7:59	8:00-8:59	9:00-9:59	10:00-10:59	11:00-11:59	12:00-12:59	13:00-13:59	14:00-14:59	15:00-15:59	16:00-16:59	17:00-17:59	18:00-18:59	19:00-19:59	20:00-20:59
JPX		5	23	26	13	12	10	5	9	13	20	24	40	25	20	9	10
J		36	38	46	25	28	17	16	14	4	7	40	23	46	23	19	13
Total Passengers	5	41	61	72	38	40	27	21	23	17	27	64	63	71	43	28	23

JX	21:00-21:59	22:00-22:59	23:00-23:59	24:00-24:59
JPX				
J	12	7	4	0
Total Passengers	12	7	4	0

JX	0
JPX	264
J	423
Total	687

Distribution by Time of Day - Lynx Transbay

Date: 9/28/2021

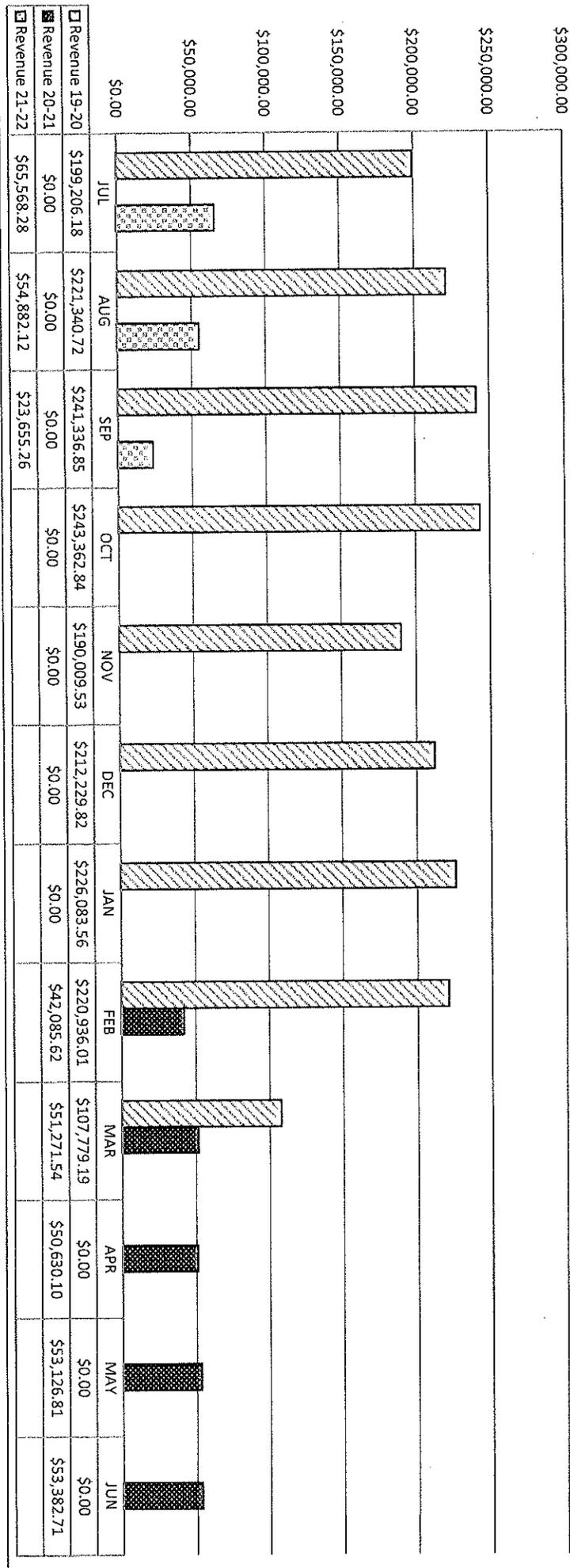
TransBay LYNX	4:00-4:59	5:00-5:59	6:00-6:59	7:00-7:59	8:00-8:59	9:00-9:59	10:00-10:59	11:00-11:59	12:00-12:59	13:00-13:59	14:00-14:59	15:00-15:59	16:00-16:59	17:00-17:59	18:00-18:59	19:00-19:59	20:00-20:59
Total Passengers	0	77	152	79	29	5	5	3	10	21	13	50	104	80	26	13	6

TransBay LYNX	21:00-21:59
Total Passengers	0

Total Lynx 673



WESTCAT FAREBOX REVENUE



\$300,000.00

\$250,000.00

\$200,000.00

\$150,000.00

\$100,000.00

\$50,000.00

\$0.00

Revenue 19-20

Revenue 20-21

Revenue 21-22

\$199,206.18

\$0.00

\$65,568.28

\$221,340.72

\$0.00

\$54,882.12

\$241,336.85

\$0.00

\$23,655.26

\$243,362.84

\$0.00

\$190,009.53

\$0.00

\$212,229.82

\$0.00

\$226,083.56

\$0.00

\$42,085.62

\$107,779.19

\$51,271.54

\$0.00

\$50,630.10

\$0.00

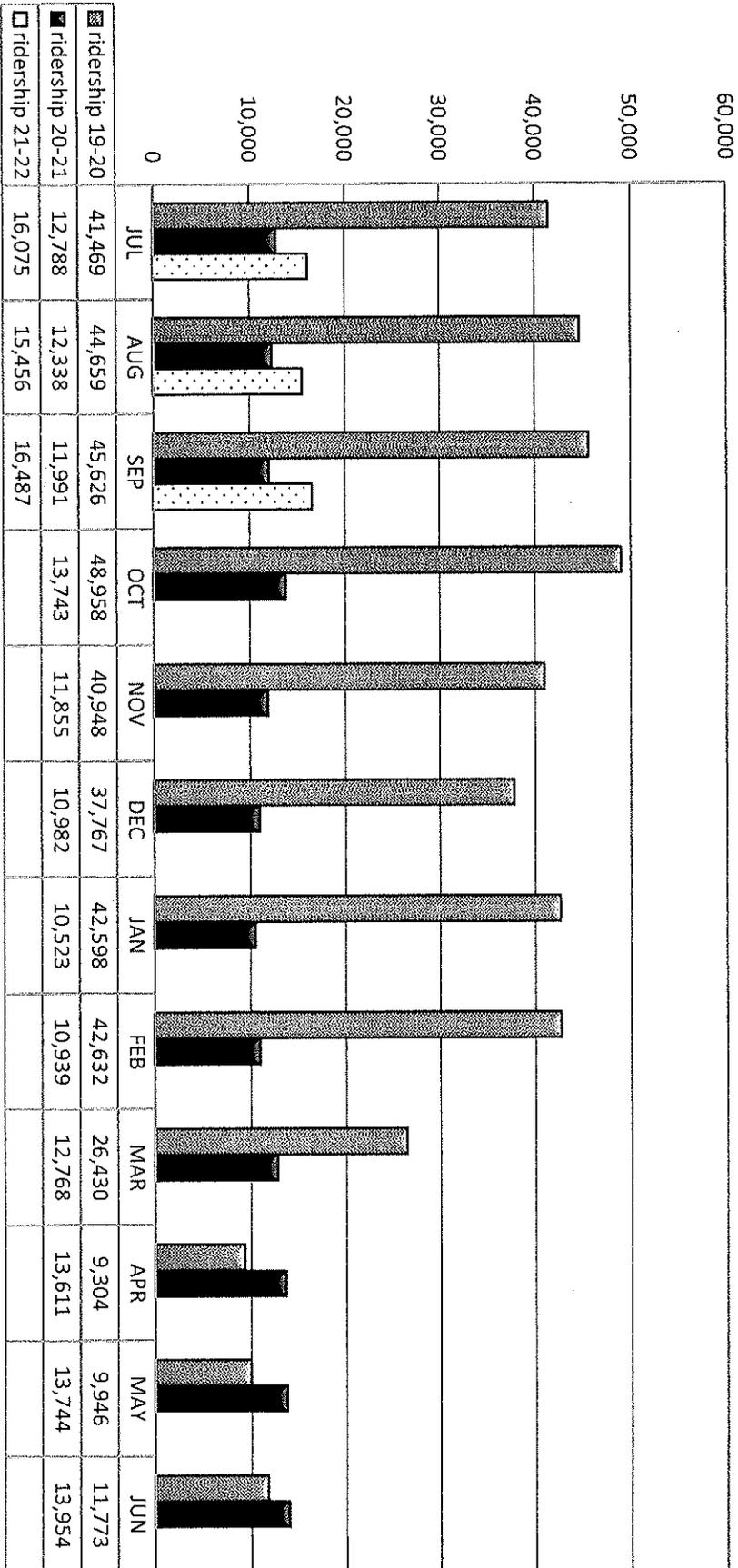
\$53,126.81

\$0.00

\$53,382.71



WESTCAT EXPRESS RIDERSHIP
Includes Routes J, JX and JPX



Agenda Item 2.1
Staff Report on Resolution 2021-06 Confirming a Continuing Declared
Emergency

BACKGROUND

On March 18, 2020, the City of Pinole proclaimed a local emergency pursuant to California Government Code Section 8630 and Pinole Municipal Code Chapter 2.32. The emergency declaration was based on public health and safety concerns for persons and property within the City as a consequence of the global spread of novel coronavirus 2019 ("COVID-19"), including confirmed cases in Contra Costa County, as well as, the Contra Costa County Department of Health's shelter in place order dated March 16, 2020.

The Pinole City Council subsequently adopted a resolution affirming the City Manager's emergency declaration. Although the local emergency does not end until terminated by the City Council, the Pinole Municipal Code requires the City Council to regularly review the need for continuing the local emergency. The City Council has confirmed the continued existence of the local emergency repeatedly since the emergency was first declared, including most recently on November 2, 2021.

DISCUSSION Current Case & Vaccination Trends

There have now been over 98,500 cases of COVID-19 within the County and approximately 1016 deaths, which is an approximately 5% increase from two weeks ago. Contra Costa County currently has the highest rate of new cases of any of the nine Bay Area Counties. The case rate within the County for vaccinated individuals is approximately 2 new cases per day per 100,000 people. The case rate within the County for unvaccinated individuals is approximately 16 cases per day per 100,000. These rates are approximately the same as two weeks ago.

In Pinole, the rate of new cases in the last two weeks of October was approximately 72 new cases per 100,000 people. The infection rate remained consistent across the entire month of October.

This pattern is consistent with trends throughout Contra Costa County and California of case rates declining from extreme highs that occurred in late August. Administration of the COVID-19 vaccine has been very successful in Contra Costa County, but progress has mostly stopped. The County estimates that over 88.25% of residents over the age of 12 have now received the first dose of the vaccine, and around 83.5% are fully vaccinated. Over 1.76 million vaccinations have already been administered in the County. These numbers have only increased slightly over the last month. Everyone over the age of 12 is eligible to receive a COVID-19 vaccine in California. Appointments can be made through the County at cchealth.org/coronavirus or by calling 1-833-829-2626, as well as at <https://myturn.ca.gov/>. In addition, individuals can make appointments through their health care provider or certain local pharmacies, including Walgreens and CVS.

Both the State and County's emergency declarations remain in effect, and there have been no indication that either order will be terminated soon.

The WCCTA Board of Directors adopted a resolution on October 14, 2021 acknowledging the continued declared emergency in the local community, and making a finding that in-person meetings of the WCCTA Board and Committees would pose a public health risk to those officials and members of the public in attendance. In compliance with the terms of AB 361, the resolution established that the WCCTA Board and WCCTA's legislative bodies may continue to meet remotely for a 30-day period from the October 14, 2021 effective date of the resolution, in order to better ensure the health and safety of the public.

Staff Recommendation

Staff recommends that the Board adopt Resolution 2021-06 confirming the continued existence of a local emergency, and making the necessary findings to allow the Board and legislative bodies to meet for a further 30 days beyond the November 12, 2021 effective date of the resolution.

Attachment: Resolution 2021-06

**WESTERN CONTRA COSTA TRANSIT AUTHORITY
RESOLUTION NO. 2021-06**

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 NOVEMBER 12, 2021 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 variant of COVID-19 has 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 variant 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 effective date of this resolution.

Regularly passed and adopted this 8th day of November, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Aleida Andrino-Chavez, Chair, Board of Directors

ATTEST: _____
Clerk to the Board