

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY
1362 Rutan Court, Suite 100
Livermore, CA 94551

BOARD OF DIRECTORS MEETING

BOARD MEMBERS

DAVID HAUBERT – CHAIR
GINA BONANNO
KATHY NARUM
BRITTNI KIICK

MELISSA HERNANDEZ – VICE CHAIR
JEAN JOSEY
KARLA BROWN

Agenda Questions: Please call the Interim Executive Director at (925) 455-7566 or send an email to frontdesk@lavta.org

Documents received after publication of the Agenda and considered by the Board of Directors in its deliberation will be available for inspection only via electronic document transfer, due to the COVID-19 outbreak. See the COVID-19 provisions outlined below. Please call or email the Interim Executive Director during normal business hours if you require access to any such documents.

TELECONFERENCE

AUGUST 1, 2022 – 4:00 PM

**CORONAVIRUS DISEASE (COVID-19) ADVISORY
AND MEETING PROCEDURE**

This meeting will proceed via teleconference in accordance with Government Code Section 54953(e)(2), in order to protect the health and safety of staff, officials, and the general public. Councilmembers will not be physically in attendance, but will be available via video conference.

The administrative office of Livermore Amador Valley Transit Authority (LAVTA) is currently closed to the public and will remain closed for the duration of the Board of Directors (BOD) meeting. Consequently, there will be no physical location for members of the public to participate in the meeting. We encourage members of the public to shelter in place and access the meeting online using the web-video communication application, Zoom. Zoom participants will have the opportunity to speak during Public Comment.

Public comments will also be accepted via email until 1:00 p.m. on Monday, August 1, 2022 at frontdesk@lavta.org. Please include “Public Comment – 8/1/2022” and the agenda item in the subject line. In the body of the email please include your name. Public comments submitted will be read during Public Comment and will be subject to the regular three-minute time restriction.

This Board of Directors meeting will be conducted on the web-video communication platform, Zoom. In order to view and/or participate in this meeting, members of the public will need to download Zoom from its website, www.zoom.us.

It is recommended that anyone wishing to participate in the meeting complete the download process before the start of the meeting.

There will be zero tolerance for any person addressing the Board making profane, offensive and disruptive remarks, or engaging in loud, boisterous, or other disorderly conduct, that disrupts the orderly conduct of the public meeting.

How to listen and view meeting video:

- From a PC, Mac, iPad, iPhone or Android device click the link below:

<https://zoom.us/j/86715841855>

Passcode: BOD1362Mtg

- To supplement a PC, Mac, tablet or device without audio, please also join by phone:
Dial: 1 (669) 900-6833
Webinar ID: 867 1584 1855
Passcode: 761222

To comment by video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will be muted.

- Livestream online at: [Livermore Amador Valley Transit Authority YouTube Channel](#)

No option to make Public Comment on YouTube live stream.

How to listen only to the meeting:

- For audio access to the meeting by telephone, use the dial-in information below:

Dial: 1 (669) 900-6833

Webinar ID: 867 1584 1855

Passcode: 761222

*Please note to submit public comment via telephone dial *9 on your dial pad. The meeting’s host will be informed that you would like to speak. If you are chosen, you will be notified that your request has been approved and you will be allowed to speak. You will then dial *6 to unmute when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will be muted.*

To submit written comments:

- Provide public written comments prior to the meeting by email, to frontdesk@lavta.org

If you are submitting public comment via email, please do so by 1:00 p.m. on Monday, August 1, 2022 to frontdesk@lavta.org. Please include “Public Comment 8/1/2022” and the agenda item to which your comment applies in the subject line. In the body of the email please include your name. Public comments submitted will be read during Public Comment and will be subject to the regular three-minute time restriction.

1. Call to Order

2. Roll Call of Members

3. Meeting Open to Public

- Members of the audience may address the Board of Directors on any matter within the general subject matter jurisdiction of the LAVTA Board of Directors.
- Unless members of the audience submit speaker forms before the start of the meeting requesting to address the board on specific items on the agenda, all comments must be made during this item of business. Speaker cards are available at the entrance to the meeting room and should be submitted to the Board secretary.
- Public comments should not exceed three (3) minutes.
- Items are placed on the Agenda by the Chairman of the Board of Directors, the Executive Director, or by any three members of the Board of Directors. Agendas are published 72 hours prior to the meeting.
- No action may be taken on matters raised that are not on the Agenda.
- For the sake of brevity, all questions from the public, Board and Staff will be directed through the Chair.

4. Consent Agenda

Recommend approval of all items on Consent Agenda as follows:

- A. **Minutes of the July 11, 2022 Board of Directors meeting.**
- B. **Adoption of a Resolution Declaring that Agency Meetings Will Continue to Be Held Via Teleconference**

Recommendation: Staff recommends that the Board of Directors adopt Resolution 32-2022 declaring that LAVTA meetings will continue to be held via teleconference.

5. Interim Executive Director’s Report

6. Matters Initiated by the Board of Directors

- Items may be placed on the agenda at the request of three members of the Board.

7. Next Meeting Date is Scheduled for: September 12, 2022

8. Adjournment

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

I hereby certify that this agenda was posted 72 hours in advance of the noted meeting.

/s/ Jennifer Suda
LAVTA, Executive Assistant

7/28/2022
Date

On request, the Livermore Amador Valley Transit Authority will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. A written request, including name of the person, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service should be sent at least seven (7) days before the meeting. Requests should be sent to:

*Interim Executive Director
Livermore Amador Valley Transit Authority
1362 Rutan Court, Suite 100
Livermore, CA 94551
Fax: 925.443.1375
Email: frontdesk@lavta.org*

AGENDA

ITEM 4A



MINUTES OF THE JULY 11, 2022 ZOOM TELECONFERENCE
LAVTA BOARD OF DIRECTORS MEETING

1. Call to Order

Meeting was called to order by Board Vice Chair Melissa Hernandez at 4:00pm.

2. Roll Call of Members

Members Present

David Haubert – County of Alameda (arrived at 4:12pm)

Jean Josey – City of Dublin

Melissa Hernandez – City of Dublin

Gina Bonanno – City of Livermore

Karla Brown – City of Pleasanton

Kathy Narum – City of Pleasanton

Members Absent

Brittini Kiick – City of Livermore

3. Meeting Open to Public

No comments.

4. Consent Agenda

Recommend approval of all items on Consent Agenda as follows:

A. **Minutes of the June 6, 2022 Board of Directors meeting and June 27, 2022 Special Board of Directors meeting.**

B. **Treasurer’s Report for May 2022**

The Board of Directors approved LAVTA Treasurer’s Report for May 2022.

C. **Adoption of a Resolution Declaring that Agency Meetings Will Continue to Be Held Via Teleconference**

The Board of Directors adopted Resolution 30-2022 declaring that LAVTA meetings will continue to be held via teleconference.

Approved: Brown/Narum

Aye: Brown, Josey, Narum, Hernandez, Haubert, Bonanno

No: None

Abstain: None

Absent: Kiick

5. Establishing Standing Committees and Memberships

The Board of Directors confirmed an approved Resolution 31-2022, establishing standing committees, memberships, and officers.

Approved: Brown/Josey
Aye: Brown, Josey, Narum, Kiick, Hernandez, Haubert, Bonanno
No: None
Abstain: None
Absent: Kiick

6. Interim Executive Director’s Report

[David Haubert, from County of Alameda, arrived during Interim Executive Director’s Report.]

Interim Executive Director Tamara Edwards reported that ridership dropped from May 2022 to June 2022, due to school not in session. However, ridership has increased 52% over last year and weekends seem to be getting closer to pre-pandemic levels faster than the weekday ridership. Overall Go Tri-Valley has increased ridership even though it has decreased the last few months and LAVTA expects ridership to increase again in the next few months.

Interim Executive Director Tamara Edwards noted that the vehicles for the Shared Autonomous Vehicle project will not be available for another two years, so the Director of Operations and Innovation Toan Tran has found an interim solution to keep the SAV project moving forward. The solution will be presented to the Board in the next few months.

Interim Executive Director Tamara Edwards also highlighted marketing awards, Alameda County Fair, mask mandate update, Livermore Transit Center improvements, and the Dublin Parking Garage.

The Board of Directors discussed this agenda item with staff. Chair David Haubert requested that Vice Chair Melissa Hernandez continue leading the Board meeting.

7. Adjourn to CLOSED SESSION

Vice Chair Melissa Hernandez noted that the Board of Directors will not adjourn to closed session, since it is not needed for this meeting. The Board of Directors moved to Agenda Item 10.

**8. Closed Session pursuant to Government Code Section 54957(b):
PUBLIC EMPLOYEE APPOINTMENT Title: Executive Director**

9. Reconvene to OPEN SESSION

10. Matters Initiated by the Board of Directors

None.

11. Next Meeting Date is Scheduled for: August 1, 2022

12. Adjournment

Meeting adjourned at 4:19pm

AGENDA

ITEM 4B



STAFF REPORT

SUBJECT: Adoption of a Resolution Declaring that Agency Meetings Will Continue to Be Held Via Teleconference

FROM: Tamara Edwards, Interim Executive Director

DATE: August 1, 2022

Action Required

Staff requests that the Board of Directors adopt resolution 32-2022 declaring that agency meetings will continue to meet via teleconference to ensure the health and safety of the public.

Background

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 COVID-19. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings electronically without a physical meeting place.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded his prior Executive Order N-29-20, effective October 1, 2021. At that point, agencies would have transitioned back to public meetings held in full compliance with the preexisting Brown Act teleconference rules. Since the Governor issued Executive Order N-08-21, the Delta variant has emerged, causing a spike in cases throughout the state. As a result, the Governor's proclaimed State of Emergency remains in effect, and state officials, including the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

On September 16, 2021, Governor signed Assembly Bill (AB) 361 into law, effective October 1, 2021, to allow agencies to use teleconferencing for public meetings during proclaimed state of emergencies without requiring the teleconference locations to be accessible to the public or a quorum of the members of the legislative body of the agency to participate from locations within the boundaries of the agency's jurisdiction. AB 361 will sunset on January 31, 2024.

Under AB 361, a local agency will be allowed to meet remotely without complying with prior Brown Act teleconference requirements when:

- The local agency holds a meeting during a state of emergency declared by the Governor, and either
 - State or local health officials have imposed or recommended measures to promote social distancing, or
 - The legislative body finds that meeting in person would present imminent risks to the health or safety of attendees.

As discussed above, state officials continue to recommend social distancing. Therefore, LAVTA can continue to conduct meetings via teleconference, as long as it meets the following emergency requirements under Government Code Section 54953(e)(2), added by AB 361:

1. The legislative body gives notice and posts agendas as otherwise required by the Brown Act, including directions for how the public can access the meeting.
2. The legislative body does not take formal action on any item whenever there is a disruption in the meeting broadcast.
3. The public is allowed to provide comment in real time.
4. The legislative body allows time during a public comment period for members of the public to register with any internet website required to submit public comment.

For upcoming teleconference meetings, LAVTA can continue to follow the AB 361 requirements by declaring every 30 days that it has reconsidered the circumstances of the state of emergency and either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person, or (2) state or local officials continue to impose or recommend measures to promote social distancing.

Recommendation

Staff recommends that the Board of Directors adopt Resolution 32-2022 declaring that LAVTA meetings will continue to be held via teleconference.

Attachments:

1. Resolution 32-2022 of the Board of Directors of the Livermore Amador Valley Transit Authority Declaring that Agency Meetings Will Continue to Be Held Via Teleconference

Submitted: _____

RESOLUTION NO. 32-2022

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE
AMADOR VALLEY TRANSIT AUTHORITY DECLARING THAT AGENCY
MEETINGS WILL CONTINUE TO BE HELD VIA TELECONFERENCE**

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 COVID-19.; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow legislative bodies to conduct meetings electronically without a physical meeting place; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which specified that Executive Order N-29-20 would remain in effect through September 30, 2021, at which point it would expire; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 into law as urgency legislation that goes into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed state of emergency where state or local officials have recommended measures to promote social distancing; and

WHEREAS, the Governor's proclaimed State of Emergency remains in effect, and State and local officials, including the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

NOW, THEREFORE, BE IT RESOLVED that, in order to ensure the health and safety of the public, meetings of the Livermore Amador Valley Transit Authority, its committees and subsidiary bodies, will continue to be held via teleconference in

accordance with Assembly Bill 361 and the provisions of Government Code Section 54953(e).

PASSED AND ADOPTED by the governing body of the Livermore Amador Valley Transit Authority (LAVTA) this 1st day of August, 2022.

BY _____
David Haubert, Chair

ATTEST _____
Michael N. Conneran, Legal Counsel

AGENDA

ITEM 5



INTERIM EXECUTIVE DIRECTOR'S REPORT

July 2022

Ridership

Our average weekday ridership thus far in July is about 2,200 per day, which is nearly 40 percent higher than July of 2021. Current weekday ridership is still about 45 percent of our average weekday ridership in pre-pandemic July of 2019. Total July systemwide ridership through Friday July 22 was 41,733, of which 1,062 (2.5 percent) was attributable to the Route 52 Fair Shuttle.

Weekend ridership continues to trend higher, with an average Saturday ridership of 1,411 this July, which is 57 percent higher than a year ago and just 20 percent below our pre-pandemic numbers. Sunday ridership is averaging 1,123, which is 32 percent higher than a year ago and about 25 percent below our pre-pandemic figures.

Alameda County Fair Wrap-Up

The Alameda County Fair returned to its traditional summer run this year for the first time since 2019. We once again operated the Route 52 Fair Shuttle between the Dublin/Pleasanton BART Station and the Fairgrounds. The fair ran for 19 days this year and we carried a total of 1,677 passengers. By comparison, in 2019 the fair ran for 17 days and we carried 2,912 passengers. As part of our partnership with the fair, the Memorial Madden Cruiser was parked in front of the entrance to the horse track for the duration of the fair. It was a very popular display and provided an opportunity for those from outside the Tri-Valley area to see the tribute bus for the first time.

Try Transit to School is Back

Pre-pandemic, each year at the start of school we would offer free rides to students for a period of time to encourage the use of our service by area middle and high school students. Last year, we offered free rides to all passengers, including students, during the month of September. The first day of classroom instruction varies considerably this year, with PUSD starting classes on August 10, DUSD on August 11 and LVJUSD on August 23. In order to give all students the opportunity to participate, we are going to run the Try Transit to School promotion from Monday August 8 through Labor Day, including weekends.

Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting

Once again LAVTA has been awarded the GFOA's Certificate of Achievement for Excellence in Financial Reporting for our Fiscal Year 2021 Annual Comprehensive Financial Report (ACFR). This certificate the highest form of recognition in governmental accounting and financial reporting.

TIRCP Grant

LAVTA submitted a joint grant application with CCCTA for TIRCP Funding from the State. Our joint application was successful to the tune of \$14.45 Million. Additional funding for CCTA, CCCTA and LAVTA of \$21.4 Million will be added from CalSTA Zero emission funding. These funds are intended to get sufficient fueling infrastructure in place for the 6 buses

(phase 1) while also positioning the agencies to complete the broader effort for the entire fleet at these facilities, Mobility Hubs in San Ramon, Integrated Transit Planning and Training and Testing. Additionally, the State will be purchasing New Flyer Hydrogen Buses for CCCTA, and LAVTA to provide service on the 680 corridor.