



## **ALAMEDA-CONTRA COSTA TRANSIT DISTRICT**

### **AGENDA**

#### **Board of Directors - Regular Meeting**

CLOSED SESSION 4:00 PM (see item 7 for details)

HYBRID MEETING

AC Transit General Offices

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

Phone (669) 900 6833, Webinar ID: 984 8717 5063

[Zoom link https://actransit.zoom.us/j/98487175063](https://actransit.zoom.us/j/98487175063)

**Wednesday, April 10, 2024 at 5:00 PM**

#### **MEMBERS OF THE BOARD OF DIRECTORS**

**JOEL YOUNG, PRESIDENT (AT-LARGE)**

**DIANE SHAW, VICE PRESIDENT (WARD 5)**

**JOVANKA BECKLES (WARD 1)**

**JEAN WALSH (WARD 2)**

**SARAH SYED (WARD 3)**

**MURPHY MCCALLEY (WARD 4)**

**H. E. CHRISTIAN PEEPLES (AT-LARGE)**

#### **BOARD OFFICERS**

**MICHAEL A. HURSH, GENERAL MANAGER/CHIEF EXECUTIVE OFFICER**

**SHAYNA VAN HOFTEN, INTERIM GENERAL COUNSEL/CHIEF LEGAL OFFICER**

**LINDA A. NEMEROFF, BOARD ADMINISTRATIVE OFFICER/DISTRICT SECRETARY**

**Teleconference**

Director Sarah Syed:  
1196 West Lower Crabapple Road  
Fredericksburg, Texas 78624

**Live Public Comment**

The public is invited to attend the Board of Directors meeting in person or remotely. Live public comment will be accepted during the meeting in person, through Zoom, or the teleconference number listed on the cover of this agenda.

District Secretary will call each speaker when it is their turn to speak. Zoom participants must use the "raise your hand" feature to indicate they wish to speak on an item and use the "unmute" option once prompted to speak.

For participants calling in, dial \*9 to "raise your hand" when the agenda item is called. When you are called by the last 4 digits of your phone number, dial \*6 to unmute. If you decide not to speak, dial \*9 to "lower your hand".

**Written Public Comment**

Written comment can be submitted directly to the Board BEFORE the meeting starts. Click on <https://actransit.legistar.com/Calendar.aspx> and then click on the "eComment" link for the corresponding meeting. Please note that eComment submissions close 30 minutes prior to the start of the meeting. Written comments can also be emailed to [myvoice@actransit.org](mailto:myvoice@actransit.org). Indicate the agenda item number in the subject of the email. Email submissions must be received two hours prior to the start of the meeting.

Members of the public who wish to listen/view the meeting can do so at <https://actransit.legistar.com/Calendar.aspx> by clicking on the "In Progress" link under the "Audio/Video" column. This feature is only available during the live broadcast of the meeting.

AC Transit does not provide technical support to users accessing the meeting by telephone/Zoom.

**1. CALL TO ORDER****2. ROLL CALL****3. PUBLIC COMMENT**

Any person may directly address the Board at this time on any item of interest to the public that is within the subject matter and jurisdiction of the Board. Boardmembers may briefly respond to statements or questions from the public, ask questions for clarification, refer a matter to staff, request staff to report back at a subsequent meeting, or direct staff to place the matter on a future agenda. However, under the Brown Act, the Board cannot engage in discussion or take action on any item not listed on the agenda. Public Comment on a specific agenda item will be invited at the time the item is being considered. Two (2) minutes are allowed for each item.

**4. MODIFICATIONS TO THE AGENDA****5. CONSENT CALENDAR (AND CALL FOR PUBLIC COMMENT ON CONSENT ITEMS)**

- 5.A. Consider authorizing members of the Board of Directors and the General Manager to attend various out-of-state conferences, meetings, and seminars held by the Conference of Minority Transportation Officials (COMTO), American Public Transportation Association (APTA), Transportation Research Board (TRB), the Center for Transportation and the Environment (CTE), the International Association of Public Transport (UITP/LTA), and the National Association of City Transportation Officials (NACTO) as outlined in the staff report. [24-133](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 5.B. Consider receiving report on Annual Statement of Economic Interest filings. [24-188](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 5.C. Consider receiving the General Manager's Access Committee minutes of February 13, 2024. [24-231](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

- 5.D. Consider authorizing the General Manager or his designee to submit application(s) and execute funding agreements for the Federal Transit Administration (FTA) Section 5339 Competitive Programs (Bus and Bus Facilities Discretionary, and Low and No Emissions Discretionary) for a package of bus purchases, facility improvements, and Workforce Development. [24-235](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 5.E. Consider ratifying assignment of the custody/safekeeping bank services contract from Wells Fargo Institutional Retirement and Trust to Principal Custody Solutions and exercising one two-year option for the same contract with Principal Custody Solutions. [17-019e](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

## 6. REGULAR CALENDAR

### Finance and Audit Items - Chair McCalley

- 6.A. Consider receiving a report on the Draft FY 2024-25 Operating and Capital Budgets, which includes revised Budget Goals, a financial projection and an overview of the major assumptions and drivers to the operating revenues and operating expenses. [23-513b](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 6.B. Consider authorizing the General Manager to bind the District's 2024-2025 Transit Operations Insurance program. [24-171](#)

Staff Contact:

Shayna van Hoften, General Counsel/Chief Legal Officer

### Planning Items - Chair Syed

- 6.C. Consider receiving an update on AC Transit's participation in the Metropolitan Transportation Commission's (MTC's) regional transit priority efforts. [24-217](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

- 6.D. Consider receiving the Semi-annual Strategic Plan update and draft timeline for developing Strategic Plan 2025. [24-170a](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

- 6.E. Receive a report on the process and guiding principles for updating Board Policy 501 governing the District's bus stops. [24-186a](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

### Operations Items - Chair Shaw

- 6.F. Consider receiving the FY 2023-24 Second Quarter Protective Services Report. [24-211a](#)

Staff Contact:

Marla Lee Blagg, Director of Safety and Security

### 7. 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.

#### 7.A. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9 (a))

Kaur v. AC Transit, WCAB Case No. ADJ10228265

#### 7.B. Conference with Legal Counsel – Potential Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (two cases)

#### 7.C. Public Employee Appointment (Government Code Section 54957(c)) Title: General Counsel

### 8. AGENDA PLANNING

Directors are limited to two agenda planning requests per meeting. Each item requested shall have the concurrence of three Directors, including the requestor.

- 8.A. Review of Agenda Planning Pending List and Agenda Planning Request Forms. [24-061e](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

**9. GENERAL MANAGER'S REPORT**

9.A. General Manager's Report for April 10, 2024.

[24-016e](#)

**10. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

**11. ADJOURNMENT**

Next Meeting: April 24, 2024 at 5:00 p.m.

## MEETING DISCLOSURES

Live Audio/Video Stream: Meetings of the Board of Directors are recorded and streamed live on the District's website.

Public Comment: Live public comment will be accepted during the meeting in person, through Zoom, or the teleconference number listed on the cover page. Members of the public wishing to present comments in person should complete a Speaker's Form and submit it to the District Secretary at the meeting. For subjects not listed on this agenda, the public will be invited to speak under the "PUBLIC COMMENT" item on the regular meeting agenda. For specific agenda item(s), speakers will be invited to address the Board at the time the item is being considered. All speakers, including anyone using simultaneous translation equipment, are allowed two (2) minutes to present comments. Speakers using a translator will receive twice the allotted time. Individuals wishing to present more detailed information are encouraged to submit comments in writing. Written comments are included in the record for meeting(s), and as such, are available for public inspection and may be posted to the District's website.

Electronic Devices: All electronic devices such as cell phones, smartphones, tablets and similar sounding devices, shall be placed on mute, vibrate, or silent mode during Board meetings pursuant to District Ordinance No. 12.

Order of Agenda Items: The Board may discuss any item listed on this agenda and in any order.

Availability of Agenda-Related Materials: Written agenda-related materials for all open-session regular meetings are available to the public 72 hours prior to the meeting or at the time the materials are distributed to a majority of the Board. Written materials presented at a meeting by staff or a member of the Board will be available to the public at that time, or after the meeting if supplied by an outside party. Agenda-related materials are available from the District Secretary's Office, 1600 Franklin Street, Oakland, California, or on the District's website.

Accessible Public Meetings/Alternative Formats/Interpreters: Meetings of the Board of Directors are accessible to individuals in wheelchairs. The Board Room is equipped with Assistive Listening Devices for individuals with a hearing impairment. Written materials in appropriate alternative formats and disability-related modification/accommodations must be made three business days in advance of the meeting or hearing to help ensure availability. Subject to availability, sign language, and foreign language interpreters will be provided upon request with 72-hour notice. Please direct requests for disability-related modification or accommodation and/or interpreter services to Linda A. Nemeroff, District Secretary, 1600 Franklin Street, Oakland, California, 94612 or call (510) 891 7201. To access a recording of the current agenda by telephone, dial (510) 891 7200. AC Transit's General Offices are accessible by various bus lines serving the intersection of 17th Street and Broadway. For trip planning visit [www.actransit.org](http://www.actransit.org) or call 511 (and say, "AC Transit"). The nearest accessible BART station is the 19th Street Station in Oakland.

District Ordinance No. 13 prohibits non service animals at District facilities unless specifically authorized by law. To accommodate individuals with severe allergies and environmental illnesses, meeting participants should refrain from wearing scented products to the meeting.