



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Special Meeting of the Board of Directors

HYBRID MEETING

AC Transit General Offices
10th Floor Conference Room - 1600 Franklin Street, Oakland, California

Friday, December 1, 2023 at 8:30 AM

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

JILL A. SPRAGUE, GENERAL COUNSEL/CHIEF LEGAL OFFICER

LINDA A. NEMEROFF, BOARD ADMINISTRATIVE OFFICER/DISTRICT SECRETARY

1. CALL TO ORDER

The Alameda-Contra Costa Transit District Board of Directors held a special meeting on Wednesday, December 1, 2023.

Prior to the start of the meeting, the General Counsel confirmed that Director Shaw met all the conditions to participate in the meeting remotely under the "Just Cause" exception under the Brown Act and advised that all votes must be taken by roll call vote.

President Young called the meeting order at 8:31 a.m.

2. ROLL CALL

Director Beckles arrived at 8:40 a.m.

Present: YOUNG, BECKLES, WALSH, SHAW, PEEPLES, McCALLEY, SYED

3. CONSENT CALENDAR (AND CALL FOR PUBLIC COMMENT ON CONSENT ITEMS)

There was no public comment on the Consent Calendar.

3.A. Consider approving Board of Directors minutes of October 25, 2023.[23-113](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: McCALLEY/WALSH to approve the Board of Directors minutes of October 25, 2023. The motion carried by the following vote:

Ayes: YOUNG, WALSH, SHAW, PEEPLES, McCALLEY, SYED

Absent: BECKLES

3.B. Consider approving Board of Directors Special Meeting minutes of November 1, 2023.[23-530](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: McCALLEY/WALSH to approve the Board of Directors Special Meeting minutes of November 1, 2023. The motion carried by the following vote:

Ayes: YOUNG, WALSH, SHAW, PEEPLES, McCALLEY, SYED

Nays: BECKLES

3.C. Consider approving Board of Directors minutes of November 8, 2023.[23-114](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: McCALLEY/WALSH to approve the Board of Directors minutes of November 8, 2023. The motion carried by the following vote:

Ayes: YOUNG, WALSH, SHAW, PEEPLES, McCALLEY, SYED

Absent: BECKLES

- 3.D.** Consider adopting the revised 2024 regular Board meeting schedule. [23-419a](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: McCALLEY/WALSH to adopt the revised 2024 regular Board meeting schedule. The motion carried by the following vote:

Ayes: YOUNG, WALSH, SHAW, PEEPLES, McCALLEY, SYED

Absent: BECKLES

- 3.E.** Consider review of Board Policy 238 - Attorneys Outside Employment with no recommended amendments. [23-511](#)

Staff Contact:

Jill A. Sprague, General Counsel/Chief Legal Officer

MOTION: McCALLEY/WALSH to receive review of Board Policy 238 - Attorneys Outside Employment with no recommended amendments. The motion carried by the following vote:

Ayes: YOUNG, WALSH, SHAW, PEEPLES, McCALLEY, SYED

Absent: BECKLES

- 3.F.** Consider receiving the General Manager's Access Committee minutes of October 10, 2023. [23-549](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: McCALLEY/WALSH to receive the General Manager's Access Committee minutes of October 10, 2023. The motion carried by the following vote:

Ayes: YOUNG, WALSH, SHAW, PEEPLES, McCALLEY, SYED

Absent: BECKLES

- 3.G.** Consider receiving the Monthly Report on Investments for September 2023. [23-518](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: McCALLEY/WALSH to receive the Monthly Report on Investments for

September 2023. The motion carried by the following vote:

Ayes: YOUNG, WALSH, SHAW, PEEPLES, McCALLEY, SYED

Absent: BECKLES

4. CLOSED SESSION/REPORT OUT

At 8:32 a.m., General Counsel Jill Sprague advised that the Board would convene in closed session to discuss the items listed on the agenda. The closed session concluded at 10:12 p.m. There was nothing to report out of closed session.

4.A. Conference with Legal Counsel – Potential Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (2 Cases)

4.B. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

4.C. Labor Negotiations - Board Officers

(Government Code Section 54957.6)

Agency Designated Representatives: Joel Young, Board President, Nelson A. Fialho, Executive Director, Renne Public Management Group (RPMG)

Title: General Manager, General Counsel, District Secretary

5. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 0:00 p.m. The next meeting of the Board is scheduled for December 13, 2023 at 5:00 p.m.

Respectfully submitted,

/s/

Linda A. Nemeroff

Board Administrative Officer/District Secretary