



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

### **AGENDA**

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

3:45 PM Closed Session (see item 8 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, January 8, 2025 at 5:00 PM**

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

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

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

**H. E. CHRISTIAN PEEPLES (WARD 1)**

**JEAN WALSH (WARD 2)**

**SARAH SYED (WARD 3)**

**MURPHY MCCALLEY (WARD 4)**

**ANTHONY C. SILVA (WARD 6)**

#### **BOARD OFFICERS**

**KATHLEEN KELLY, INTERIM GENERAL MANAGER/CHIEF EXECUTIVE OFFICER**

**AIMEE L. STEELE, GENERAL COUNSEL/CHIEF LEGAL OFFICER**

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

**TELECONFERENCE:**

Director H. E. Christian Peeples, 13328 San Pablo Avenue, Room 38C, San Pablo, California 94806

**Live Public Comment**

Board of Directors meetings are held in person. Live public comment may be given in person, on Zoom, or the teleconference number listed on the cover of this agenda. Speakers must be ready to present their comments when they are called upon to speak.

Zoom participants must use the "raise your hand" feature to indicate they wish to speak on an item and be prepared to accept the prompt to unmute. If calling into a meeting, dial \*9 to "raise your hand" when the agenda item you wish to speak to is called. Dial \*6 to unmute when the last four digits of your number are called. If you decide not to speak, dial \*9 to "lower your hand".

**Written Public Comment**

To submit a written comment to the Board, click on <https://actransit.legistar.com/Calendar.aspx> and then click on the "eComment" link for the corresponding meeting. The eComment submission window closes 30 minutes prior to the start of the meeting. Written comments may also be emailed to [myvoice@actransit.org](mailto:myvoice@actransit.org). Indicate the agenda item number in the subject of the email. Email comments must be received no later than two hours prior to the start of the meeting.

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

**ADA Reasonable Accommodations / Alternative Formats / Language Assistance**

In-person meetings of the Board of Directors are accessible to individuals in wheelchairs and assistive listening devices are available to individuals with a hearing impairment. Written materials in alternative formats and disability-related modifications/accommodations must be made three business days in advance of the meeting or hearing to help ensure availability. Language assistance and sign language interpreters can be provided upon request three business days in advance of the meeting, subject to availability. Direct requests for reasonable accommodation or interpreter services to the District Secretary's Office at [districtsecretary@actransit.org](mailto:districtsecretary@actransit.org) or by calling (510) 891-7201. To access an audio recording of the current agenda by telephone, dial (510) 891-7200.

**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 approving Board of Directors minutes of December 5, 2024. [25-003](#)  
(Special Meeting)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 5.B. Consider approving Board of Directors minutes of December 6, 2024. [25-013](#)  
(Special meeting)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 5.C. Consider approving Board of Directors minutes of December 11, 2024. [25-122](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

- 5.D. Consider receiving report on the Board Policies scheduled for review and/or amendment during Calendar Year 2025. [25-007](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

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- 5.E. Consider receiving the General Manager’s Access Committee minutes of November 12, 2024. [25-001](#)
- Staff Contact:  
Ramakrishna Pochiraju, Executive Director of Planning & Engineering
- 5.F. Consider approving the release of a Request for Qualifications (RFQ) for planning, public outreach, and design consultant services to conduct the Foothill Boulevard Transit Improvement Study. [25-011](#)
- Staff Contact:  
Ramakrishna Pochiraju, Executive Director of Planning & Engineering
- 5.G. Consider authorizing the Interim General Manager or her designee to execute Phase 1 and subsequent subaward agreements with the Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES) for funding for fuel cell bus purchases, workforce development and infrastructure development. [25-012](#)
- Staff Contact:  
Chris Andrichak, Chief Financial Officer
- 5.H. Consider approving contract award to Saboo, Inc., a certified small business in Brentwood, California, in the amount of \$2,690,000 for the civil and balance of plant portion of the construction of the Oakland Division 4 Hydrogen Station Upgrade Project. [22-461b](#)
- Staff Contact:  
Ramakrishna Pochiraju, Executive Director of Planning & Engineering
- 5.I. Consider approving the first of two one-year extension options on contract 2021-1499 with Sierra-Cedar, Inc. for PeopleSoft hosting and support services. [20-488a](#)
- Staff Contact:  
Ahsan Baig, Chief Information Officer
- 5.J. Consider the adoption of Resolution No. 25-007 supporting the Equity in Infrastructure Project. [25-002](#)
- Staff Contact:  
Lynette Little, Director of Civil Rights & Compliance
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- 5.K. Consider authorizing the Interim General Manager or their designee to file and execute an application and funding agreement with the California Department of Transportation (Caltrans) for the Sustainable Transportation Planning Grant Program for the Project: Transit Signal Priority (TSP) Strategic Plan. [25-105](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 5.L. Consider authorizing the Interim General Manager to execute an amendment to Contract 2022-10480 with Herrig & Vogt, LLP, adding \$250,000 to the contract and extending the term to December 31, 2025, for legal services related to disputes arising out of the construction of the East Bay Bus Rapid Transit (BRT) Project. [25-117](#)

Staff Contact:

Aimee L. Steele, General Counsel/Chief Legal Officer

## 6. REGULAR CALENDAR

### Board Administrative Matters - President Young

- 6.A. Consider the adoption of Resolution No. 25-006 censuring Sarah Syed for violation of Board Policies 101 and 702. [25-123](#)

Staff Contact:

Aimee L. Steele, General Counsel/Chief Legal Officer

## 7. SELECTION OF PRESIDENT/VICE PRESIDENT OF THE BOARD

- 7.A. Consider report from the Nominating Committee and election of the 2025 Board President and Vice President. [25-006](#)

Presenter:

Chair of the Nominating Committee

## 8. 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.

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

- Lella Hill v. AC Transit, WCAB Case Nos. ADJ11157588 and ADJ15874330

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

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

**8.C. Conference with Labor Negotiator**

(Government Code Section 54957.6):

Agency Designated Representative: Interim General Manager Kathleen Kelly  
Employee Organizations: ATU Local 192, AFSCME Local 3916, IBEW Local 1245,  
Unrepresented Employees

**8.D. Conference with Labor Negotiator**

(Government Code Section 54957.6)

Agency Designated Representative: President Young  
Title: District Secretary

**8.E. Public Employment**

(Government Code Section 54957.6)

Title: General Manager

**9. 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.

- 9.A. Review of Agenda Planning Pending List and a joint Agenda Planning Request Form submitted by Director Walsh and Vice President Shaw. [25-015](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

**10. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

- 10.A. Written reports from Board members on travel to District-related conferences occurring in the last 30 days. [25-038](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

**11. ADJOURNMENT**

Next Meeting: January 22, 2025 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.

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.