



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Board of Directors - Regular Meeting

AC Transit General Offices
1600 Franklin Street, Oakland, California

Closed Session 3:45 PM - 10th Floor Conference Room
Regular Meeting 5:00 PM - 2nd Floor Board Room

HYBRID MEETING

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

Wednesday, April 23, 2025 at 5:00 PM

MEMBERS OF THE BOARD OF DIRECTORS

DIANE SHAW, PRESIDENT (WARD 5)
MURPHY MCCALLEY, VICE PRESIDENT (WARD 4)
H. E. CHRISTIAN PEEPLES (WARD 1)
JEAN WALSH (WARD 2)
SARAH SYED (WARD 3)
ANTHONY C. SILVA (WARD 6)
JOEL YOUNG (AT-LARGE)

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

1. CALL TO ORDER

Alameda-Contra Costa Transit District Board of Directors held a meeting on Wednesday, April 23, 2025, at 5:00 p.m.

The meeting was called to order at 3:16 p.m. for the purpose of Closed Session. All Board members were present. Director Syed joined the meeting at 3:42 p.m. The Board convened in Closed Session to discuss Items 8A-8G as listed on the agenda. Closed Session concluded at 4:52 p.m.

President Shaw called the Board of Directors meeting to order at 5:05 p.m.

2. ROLL CALL

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

3. PRESENTATION

- 3.A.** Recognition of AC Transit's Bus Operator and Maintenance Team for their participation in the 2025 APTA International Bus Rodeo Competition. [25-277](#)

Presenters:

Kathleen Kelly, Interim General Manager/Chief Executive Officer
Salvador Llamas, Chief Operating Officer

Chief Operating Officer Salvador Llamas delivered a presentation highlighting the outstanding performance of AC Transit's Bus Operator and Maintenance Team at the 2025 APTA International Bus Rodeo Competition. The Board commended the team's achievements and extended their congratulations. There was no public comment offered.

4. PUBLIC COMMENT

Latrina Meredith - (ATU Local 192 President) Commented on the misrepresentation of the Board's policy regarding job specifications, stating that this is very frustrating when it comes to the bargaining process. Meredith added that ATU has concerns about negotiations, Realign, driver recovery and safety, and urged the Board to look closely at what is being reported back by ATU.

Nathaniel Arnold - (Vice President/Safety Chair for ATU Local 192) Commented on safety concerns with Realign, and the major routes it will affect (Lines 72,14, 62,70,76). Arnold stated that there is not enough recovery time for brake and restroom use, etc. adding that adequate rest time is needed to properly serve the public.

Connie McFarland - (Recording Secretary for ATU Local 192) Commented on delivering frequent/reliable service, stating that there should be room at the end of the line for more than one bus and asked that no more lines be created where there's no restroom access.

Michai Freeman - Commented on a requested paratransit ride that was supposed to be guaranteed but was not received. Freeman expressed dissatisfaction with the service and the

lack of clear information on how to file a complaint. Freeman also stated that a specific vehicle, an SUV, is required to accommodate their wheelchair, but none were available.

5. MODIFICATIONS TO THE AGENDA

President Shaw announced that Agenda item 7.G. Employment Agreement for the position of General Manager/Chief Executive Officer was removed from the agenda.

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

There were no public comments offered on the Consent Calendar.

MOTION: YOUNG/PEEPLS to receive, approve or adopt items on the Consent Calendar, except items 6.J. and 6.F. which were removed from the Consent Calendar for clarification. The motion carried by the following vote:

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

- 6.A.** Consider approving Board of Directors meeting minutes of April 9, 2025. [25-046](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: YOUNG/PEEPLES to approve Board of Directors meeting minutes of April 9, 2025. The motion carried by the following vote:

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

- 6.B.** Consider approving Board of Directors meeting minutes of April 9, 2025 (Special meeting). [25-280](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: YOUNG/PEEPLES to approve Board of Directors special meeting minutes of April 9, 2025. The motion carried by the following vote:

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

- 6.C.** Consider approving Board of Directors meeting minutes of April 17, 2025 (Special meeting). [25-281](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: YOUNG/PEEPLES approve Board of Directors special meeting minutes of April 17, 2025. The motion carried by the following vote:

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

- 6.D.** Consider adoption of Resolution No. 25-018 appointing R. Bradford [24-462f](#)

Huss as the public member on the AC Transit Retirement Board to fill the term expiring on March 31, 2027, and repeal Resolution No. 25-013.

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: YOUNG/PEEPLS to adopt Resolution No. 25-018 appointing R. Bradford Huss as the public member on the AC Transit Retirement Board to fill the term expiring on March 31, 2027, and repeal Resolution No. 25-013. The motion carried by the following vote:

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

- 6.E.** Consider adoption of Resolution No. 25-012 authorizing the [25-183](#)
destruction of designated records maintained by the District
Secretary's Office.

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: YOUNG/PEEPLES to adopt Resolution No. 25-012 authorizing the destruction of designated records maintained by the District Secretary's Office. The motion carried by the following vote:

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

- 6.F.** Consider adoption of Resolution No. 25-015 authorizing the Interim [25-230](#)
General Manager or her designee to file and execute applications and
funding agreements with the California Department of Transportation
(Caltrans) for allocations of the FY 2024-25 Low Carbon Transit
Operations Program (LCTOP) funds for the Tempo Service Operating
Assistance Project and the Fruitvale Corridor Transit Signal Priority
Project, execute related Certifications and Assurances, and assign the
Interim General Manager, or her designee, as the Authorized Agent for
resulting LCTOP grants.

Staff Contact:

Chris Andrichak, Chief Financial Officer

The agenda item was pulled from the Consent Calendar by Director Walsh for clarification. Chief Financial Officer Chris Andrichak addressed the questions.

MOTION: SYED/YOUNG to adopt Resolution No. 25-015 authorizing the Interim General Manager or her designee to file and execute applications and funding agreements with the California Department of Transportation (Caltrans) for allocations of the FY 2024-25 Low Carbon Transit Operations Program (LCTOP) funds for the Tempo Service Operating Assistance Project and the Fruitvale Corridor Transit Signal Priority Project, execute related Certifications and Assurances, and assign the Interim General Manager, or her

designee, as the Authorized Agent for resulting LCTOP grants. The motion carried by the following vote:

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

Abstained: WALSH

- 6.G.** Consider adoption of Resolution No. 25-016 authorizing the Interim General Manager, or her designee, to file and execute applications and funding agreements with the California Department of Transportation for allocation of the California State of Good Repair (SGR) Program; to provide certifications and assurances to the California Department of Transportation; and to assign the Interim General Manager or her designee as the authorized agent for the California State of Good Repair (SGR) Program.

[25-231](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: YOUNG/PEEPLES to adopt Resolution No. 25-016 authorizing the Interim General Manager, or her designee, to file and execute applications and funding agreements with the California Department of Transportation for allocation of the California State of Good Repair (SGR) Program; to provide certifications and assurances to the California Department of Transportation; and to assign the Interim General Manager or her designee as the authorized agent for the California State of Good Repair (SGR) Program. The motion carried by the following vote:

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

- 6.H.** Consider adoption of Resolution No. 25-014 authorizing the Interim General Manager, or her designee, to file and execute applications and funding agreements with the Metropolitan Transportation Commission (MTC) for Fiscal Year (FY) 2025-26 allocations of Transportation Development Act (TDA), State Transit Assistance (STA), Assembly Bill 1107 (AB 1107), Regional Measure 2 (RM2) bridge toll revenues and Regional Measure 3 (RM3) bridge toll revenues.

[25-229](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: YOUNG/PEEPLES to adopt Resolution No. 25-014 authorizing the Interim General Manager, or her designee, to file and execute applications and funding agreements with the Metropolitan Transportation Commission (MTC) for Fiscal Year (FY) 2025-26 allocations of Transportation Development Act (TDA), State Transit Assistance (STA), Assembly Bill 1107 (AB 1107), Regional Measure 2 (RM2) bridge toll revenues and Regional Measure 3 (RM3) bridge toll revenues. The motion carried by the following vote:

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

- 6.I.** Consider authorizing the Interim General Manager to enter into an agreement with Resources for Community Development (RCD), a housing developer, to include AC Transit buses in their grant application under the State of California's Affordable Housing Sustainable Communities (AHSC) Grant Program; and further authorize the Interim General Manager to execute the required subrecipient agreement upon award. [25-267](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: YOUNG/PEEPLS to authorize the Interim General Manager to enter into an agreement with Resources for Community Development (RCD), a housing developer, to include AC Transit buses in their grant application under the State of California's Affordable Housing Sustainable Communities (AHSC) Grant Program; and further authorize the Interim General Manager to execute the required subrecipient agreement upon award. The motion carried by the following vote:

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

- 6.J.** Consider authorizing the Interim General Manager to execute a contract with Quisitive, LLC to implement an Enterprise Datawarehouse in Microsoft Azure Cloud under the California Multiple Award Schedule (CMAS) rates in an amount not to exceed \$394,585. [25-111](#)

Staff Contact:

Ahsan Baig, Chief Information Officer

The agenda item was pulled from the Consent Calendar by Director Peeples who requested that the item be continued pending resolution of an outstanding grievance by AFSCME Local 3916. Chief Innovation Officer Ahsan Baig addressed questions from the Board.

Public Comment:

Gideon Murey, President of AFSCME Local 3916, voiced strong opposition to outsourcing work currently performed by represented AFSCME employees, and criticized the report for misrepresenting the system, overstating the benefits of outsourcing, and overlooking its potential risks, which contribute to uncertainty. Murey also mentioned that a grievance for a contract violation has been filed and called on the Board to halt any further action.

MOTION: PEEPLES/SYED to continue the item to a future Board meeting to allow the District Management and AFSCME to resolve pending grievances. The motion carried by the following vote:

Ayes: PEEPLES, WALSH, SYED, SILVA, YOUNG

Abstained: SHAW, McCALLEY

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- 6.K.** Consider receiving the Semi-annual Strategic Plan progress update. [25-210](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: YOUNG/PEEPLES to receive the Semi-annual Strategic Plan progress update.

The motion carried by the following vote:

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

7. REGULAR CALENDAR

External Affairs Items - Chair Peeples

- 7.A.** Consider receiving the Monthly Legislative Report and adoption of Resolution No. 25-019 in support of \$2 billion in new flexible funding from the state budget to save and improve public transit. [25-158](#)

Staff Contact:

Claudia Burgos, Interim Executive Director of External Affairs,
Marketing and Communications

Interim Executive Director of External Affairs, Marketing and Communications Claudia Burgos presented the staff report. There were no public comments offered.

MOTION: YOUNG/SYED to receive the Monthly Legislative Report and adopt Resolution No. 25-019 in support of \$2 billion in new flexible funding from the state budget to save and improve public transit. The motion carried by the following vote:

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

Finance and Audit Items - Chair McCalley

- 7.B.** Consider receiving a report on the Draft FY 2025-26 Operating and Capital Budgets. [24-480b](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

Chief Financial Officer Chris Andrichak presented the staff report.

Public Comment:

Brian Culbertson - Suggested that AC Transit shift funds from hydrogen infrastructures/buses to maintaining service. Culbertson made the argument that it's more expensive to maintain hydrogen buses and stated that the government cutting programs that support it would leave AC Transit with additional expenses that were originally being paid for through grant funds.

In regard to District travel, Director Syed made a motion to rescind the prior increase to Board members' travel allotments and further reduce travel allotments by another

10%. After limited discussion, the motion died for lack of a second.

MOTION: SHAW/YOUNG to receive a report on the Draft FY 2025-26 Operating and Capital Budgets. The motion carried by the following vote:

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

- 7.C.** Consider authorizing the General Manager to bind the District's 2025-2026 Transit Operations Insurance program. [25-238](#)

Staff Contact:

Aimee L. Steele, General Counsel/Chief Legal Officer

[Attachment 1 to the Staff Report (Excess Liability Options) and revised proposals for Terrorism Policy Options were provided to the Board for consideration and are incorporated into the file by reference.]

Claims and Liability Manager Jean Paul Popoff presented the staff report. There were no public comments offered.

MOTION: SHAW/PEEPLES to authorize the Interim General Manager to bind Option 1 of the Excess Liability Renewal Program, bind the stand-alone terrorism liability policy in lieu of opting into the terrorist coverage under the Terrorism Risk Insurance Act, and to bind the remaining lines of coverage outlined in the staff report. The motion carried by the following vote:

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

Planning Items - Chair Young

- 7.D.** Consider receiving an update on Paratransit coverage for East Bay Paratransit (EBP) riders under the August 2025 service change, limiting coverage to a three-quarter mile buffer around the new network. [25-110](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Accessible Services Manager Mallory Nestor-Brush presented the staff report.

Public Comment:

Brian Culbertson - Commented that this decision saves a small amount of money but heavily impacts specific riders and where they choose to live. Culbertson suggested that there is a need to have fixed maps that do not change.

Michai Freeman - Questioned how outreach to paratransit riders for feedback was done, stating that it is important to gather information about their experiences and urged the Board not to take away routes that would severely impact people's ability to go to the doctor or get to other important places.

Laurel Paget-Seekins - Public Advocates - Stated the importance of paratransit users knowing what areas they can live in that will be serviced and agreed with the previous speaker (Brian Culbertson) that a permanent map needs to be created. Paget-Seekins argued that all public transit services are facing budget cuts so AC Transit transferring these riders to other transit agencies isn't a solution.

MOTION: SYED/PEEPLS to direct staff to consult with the existing paratransit service users who may be impacted by the service change, invite them to be part of decision making, and return to the Board with a recommendation.

SUBSTITUTE MOTION: YOUNG/McCALLEY to move forward with the staff recommendation and direct staff to consult with the 18 impacted individuals who are currently using the paratransit service and report an update in the General Manager's Report in 60 days. The motion carried by the following vote:

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

Abstained: SYED

- 7.E.** Consider receiving an update on the District's transit shelter maintenance, advertising, and capital contracts, and consider granting the General Manager authority to: [18-211L](#)

1. Swap the location of shelters, as necessary, while maintaining a maximum limit of 276 District-owned shelters, in coordination with the local jurisdictions; and
2. Enter into agreements with local jurisdictions to maintain additional transit shelters if the local jurisdiction retains the ownership and agrees to reimburse the District the net maintenance cost (total cost of scheduled and unscheduled maintenance costs less advertising revenue). [Requested by President Shaw - 10/23/2024]

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

[A revised Powerpoint presentation (Attachment 1) was provided for the Board's consideration and is incorporated into the file by reference.]

Senior Transportation Planner Carissa Lee presented the staff report.

Public Comment:

Brian Culbertson - Asked if there is a metric to gauge how shelters increase ridership, stating that most transit riders that he talks to would like shelter at the bus stop they frequent. Culbertson mentioned the Bench Collective, stating their installation of 80 shelters for AC Transit routes and urged the Board to look into increasing that number as an amenity for riders.

MOTION: PEEPLES/SHAW to receive an update on the District's transit shelter maintenance, advertising, and capital contracts, and consider granting the General Manager authority to:

1. Swap the location of shelters, as necessary, while maintaining a maximum limit of 276 District-owned shelters, in coordination with the local jurisdictions; and
2. Enter into agreements with local jurisdictions to maintain additional transit shelters if the local jurisdiction retains the ownership and agrees to reimburse the District the net maintenance cost (total cost of scheduled and unscheduled maintenance costs less advertising revenue). The motion carried by the following vote:

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

Operations Items - Chair Walsh

- 7.F.** Consider approving amendments to Board Policy 468 - Procurement Protest Procedures. [24-517](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

Chief Executive Officer Chris Andrichak presented the staff report. There were no public comments offered.

MOTION: PEEPLES/YOUNG to approve amendments to Board Policy 468 - Procurement Protest Procedures. The motion carried by the following vote:

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

Board Administrative Matters - President Shaw

- 7.G.** Consider approving and authorizing the Board President to sign an Employment Agreement with the selected candidate for the position of General Manager/Chief Executive Officer. **25-272**

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

The item was removed from the agenda.

8. CLOSED SESSION/REPORT OUT

General Counsel Aimee Steele stated that there was nothing to report out of Closed Session.

8.A. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9 (a))

-Vincent v. AC Transit, WCAB Case Nos. ADJ11983179 and ADJ10117061
-Al Meshry v. AC Transit and Robert Hunter Jr., et al., ACSC Case No. 24CV085006
-Powell v. AC Transit, WCAB Case Nos. ADJ3145704, ADJ1580899, ADJ1898284, and ADJ16207486

8.B. Conference with Legal Counsel – Potential Litigation

Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b): one matter

8.C. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representative:

- Interim General Manager Kathleen Kelly
- Labor and Employee Relations Representative

Employee Organizations: ATU Local 192, AFSCME Local 3916, IBEW Local 1245,
Unrepresented Employees

8.D. Public Employee Performance Evaluation

(Government Code Section 54957 (b)(1))

Title: Interim General Manager

8.E. Public Employment

(Government Code Section 54957(b)(1))

Title: General Manager

8.F. Public Employee Appointment

(Government Code Section 54957(b)(1))

Title: General Manager

8.G. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representatives:

- James Ross, Renne Public Law Group
- Gregg Moser, Krauthamer & Associates
Unrepresented Employee: General Manager

9. AGENDA PLANNING

9.A. Review of Agenda Planning Pending List and Agenda Planning Request Forms.

[25-015g](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

No new items added to Agenda Planning.

10. GENERAL MANAGER'S REPORT

10.A. General Manager's Report for April 23, 2025.[25-014d](#)

The report was presented for information only.

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

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

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

Written report from Director Silva was received prior to the meeting and is incorporated into the file by reference along with reports from President Shaw and Director Young.

12. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 8:03 p.m. The next meeting of the Board is scheduled for April 30 (Board Retreat), 2025 at 9:00 a.m.

Respectfully submitted,

/s/Linda A. Nemeroff

Board Administrative Officer/District Secretary