SR 25-056

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Board of Directors - Regular Meeting

AC Transit General Offices
2nd Floor Board Room
1600 Franklin Street, Oakland, California

Closed Session 4:15 PM
Regular Meeting 5:00 PM

HYBRID MEETING

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

Wednesday, September 24, 2025 at 5:00 PM

MEMBERS OF THE BOARD OF DIRECTORS
DIANE SHAW, PRESIDENT (WARD 5)
MURPHY MCCALLEY, VICE PRESIDENT (WARD 4)
VACANT (WARD 1)
JEAN WALSH (WARD 2)
SARAH SYED (WARD 3)
ANTHONY C. SILVA (WARD 6)
JOEL YOUNG (AT-LARGE)

BOARD OFFICERS
SALVADOR LLAMAS, 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

The Alameda-Contra Costa Transit District Board of Directors held a meeting on Wednesday, September 24, 2025, at 5:00 p.m.

The meeting was called to order at 3:32 p.m. for the purpose of Closed Session. All Board members were present. At 3:35 p.m., the Board convened in Closed Session to discuss Items 8A-8C as listed on the agenda. Closed Session concluded at 4:43 p.m.

President Shaw called the Board of Directors meeting to order at 5:03 p.m.

2. ROLL CALL

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

3. HONORING THE MEMORY OF H. E. CHRISTIAN 'CHRIS" PEEPLES

3.A. Consider the adoption of Resolution No. 25-033 honoring the life and legacy of H. E. Christian “Chris” Peeples. [Board members, employees and the public are invited to share their memories of Director Peeples.] **25-467**

Presenters:
President Shaw and Members of the Board of Directors

Board Members and Board Officers shared heartfelt remarks on the passing of Director H. E. Christian Peeples and extended their condolences to Patricia Peeples, who was also present. The resolution honoring Director Peeples was formally read into the meeting record by members of the Board.

Public Comment:
The following individuals spoke during public comment to give condolences, share stories and honor the memory of H. E. Christian Peeples.

Elsa Ortiz (Retired Board Member)
Kathleen Kelly (Retiree)
Beverly Greene (Retiree)
Dwain Crawley (AC Transit Employee)
Robert del Rosario (AC Transit Employee)
Cheryl Sudduth (AC Transit Employee),
Edward & Gayne Kemper
Kevin Dalley
Jane Kramer
Andy Katz

MOTION: YOUNG/McCALLEY to adopt Resolution No. 25-033 honoring the life and legacy of H. E. Christian “Chris” Peeples. The motion carried by the following vote:

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

4. PUBLIC COMMENT

The following speakers expressed concern about the recently implemented Realign schedule, citing poor run times, lack of driver breaks, unreliable service, and safety issues. Many emphasized that the new schedules negatively affect both drivers' physical and mental health and passenger experience, with missed connections, delays, and overcrowding being common. Safety concerns included homeless encampments at stops, threats from unstable passengers, and lack of restrooms access. Multiple speakers called on the District to revisit the current schedule changes using rider and driver feedback and data, noting that the service had worsened compared to previous service adjustments. Bus lines mentioned include the 45, 51A, 51B, 72, NL, & 800.

Sharonda Smith
Juan Canham
Jack Watkins
James Jackson (ATU Vice President)
Latrina Meredith (ATU President)
Christian Casillas
Lisa Honeycut
Aleta Dupree
Anna Garfank
Amy Thompson
Mark Sherman
Elliott Goodrich
Shawn
Brian Culbertson
Carlos
Dwain Gettridge
Jacob Gimbel
Gerardo Lozano
James
Tywonya Spring

5. MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda.

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

MOTION: YOUNG/McCALLEY to receive and approve the items on the Consent Calendar except Items 6.D., 6.E. and 6.F. The motion carried by the following vote:

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

6.A. Consider receiving the Annual Report on Active Contracts over $250,000. **25-320**

Staff Contact:
Chris Andrichak, Chief Financial Officer

MOTION: YOUNG/McCALLEY to receive the Annual Report on Active Contracts over $250,000. The motion carried by the following vote:

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

6.B. Consider receiving the FY 2024-2025 Surplus and Obsolete Materials Report. **25-402**

Staff Contact:
Chris Andrichak, Chief Financial Officer

MOTION: YOUNG/McCALLEY to receive the FY 2024-2025 Surplus and Obsolete Materials Report. The motion carried by the following vote:

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

6.C. Consider receiving the Monthly Report on Investments for the months of June and July 2025. **25-403**

Staff Contact:
Chris Andrichak, Chief Financial Officer

MOTION: YOUNG/McCALLEY to receive the Monthly Report on Investments for the months of June and July 2025. The motion carried by the following vote:

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

6.D. Consider receiving the Quarterly Budget Update for the period of July 2024 through the end of June 2025 of FY 2024-25. **25-406**

Staff Contact:
Chris Andrichak, Chief Financial Officer

Item 6.D. was pulled off the Consent Calendar by Vice President McCalley to hear the staff presentation. Chief Financial Officer Chris Andrichak presented the staff report and addressed questions. There was no public comment offered.

MOTION: McCALLEY/YOUNG to receive the Quarterly Budget Update for the period of July 2024 through the end of June 2025 of FY 2024-25. The motion carried by the following vote:

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

6.E. Consider authorizing the General Manager, or his designee, to execute documents through OMNIA Partners, Public Sector, a national **25-434**

cooperative purchasing organization, for a three-year agreement with two (2) option years with Service Wear Apparel.

Staff Contact:
Aaron Vogel, Chief Operating Officer

Item 6.E. was pulled off the Consent Calendar for a public comment. Questions from the Board were addressed by staff.

Public Comment:
LaTrina Meredith, President of ATU Local 192 commented on the uniform contract and expressed concern about the time frame it takes to receive the uniform once an order has been placed.

MOTION: SYED/McCALLEY to authorize the General Manager, or his designee, to execute documents through OMNIA Partners, Public Sector, a national cooperative purchasing organization, as modified with a one-year agreement with two (2) option years with Service Wear Apparel (approved with modifications). The motion carried by the following vote:

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

Prior to the discussion of Item 6.F., Director Silva recused himself from participating in the discussion due to a conflict of interest concerning his current employment with Gillig. Director Silva left the dais at 7:29 p.m.

6.F. Consider authorizing the General Manager, or his designee, to execute documents through the State of Washington Transit Bus Cooperative Contract, to purchase up to forty-seven (47) forty-foot hydrogen buses from New Flyer America and up to ten (10) thirty-five-foot battery-electric buses from Gillig LLC. **25-436**

Staff Contact:
Aaron Vogel, Chief Operating Officer

[Director Silva recused himself from participating in the discussion due to a conflict of interest concerning his current employment with Gillig and left the dais.]

There was no presentation of the staff report. Staff addressed comments from the Board and advised that a purchase order would need to be issued by December 31, 2025 to receive funding for the purchase.

Latrina Meredith, President of ATU Local 192, commented on the need to collaborate with operators and mechanics when buses are purchased.
Aleta Dupree commented on the purchase of 57 zero-emission buses and

recommended that AC Transit explore in-house charging solutions and clean hydrogen production, rather than outsourcing these functions to external vendors.

Brian Culbertson expressed concern about the procurement of hydrogen fuel cell buses, particularly regarding their impact on future service. Culbertson stated that past reports indicate these buses have significantly lower reliability and availability.

George Spies agreed with the previous speakers regarding concerns about hydrogen buses. Spies stated that AC Transit should listen to driver feedback and try to avoid expanding the hydrogen fleet at this time.

A motion was made by Director Young and was seconded by President Shaw to approve the staff recommendation. The motion failed by a vote of 3-0-2 (Directors Walsh, Syed - Abstain).

MOTION: McCALLEY/YOUNG to authorize the General Manager, or his designee, to execute documents through the State of Washington Transit Bus Cooperative Contract, to purchase up to forty-seven (47) forty-foot hydrogen buses from New Flyer America and up to ten (10) thirty-five-foot battery-electric buses from Gillig LLC, and direct staff to report back to the Board before the next bus purchase with a workshop to discuss updates to the Zero Emission Vehicle Transition Plan, including the long-term operating cost impact and discussion regarding the dirty hydrogen issue. The motion carried by the following vote:

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

Director Silva returned to the dais at 8:07 p.m. prior to the discussion of Item 7.A.

7. REGULAR CALENDAR

External Affairs Items - Chair Silva

7.A. Consider receiving the monthly legislative report and approve staff's recommended legislative positions. **25-387**

Staff Contact:
Claudia Burgos, Executive Director of External Affairs & Customer Experience

External Affairs Representative Steven Jones presented that staff report. There was no public comment offered.

MOTION: SHAW/YOUNG to receive the monthly legislative report and approve staff's recommended legislative positions. The motion carried by the following vote:

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

Operations Items - Chair Walsh

7.B. Consider approving amendments to Board Policy 226 - Relocation **25-489**

Policy.

Staff Contact:
James Arcellana, Interim Executive Director of Human Resources

[Written comment received prior to the meeting is incorporated into the file by reference.]

Executive Director of Human Resources James Arcellana presented the staff report. There was no public comment offered.

Director Syed made a motion requesting several amendments to the policy with direction to staff to continue to work on amendments to the policy and return to the Board in three months. The motion died for the lack of a second.

MOTION: SHAW/McCALLEY to approve amendments to Board Policy 226 with the following modifications:

- $20,000 relocation reimbursement limit
- Remove assistant directors from the policy
- Add a repayment requirement for termination for cause
- Add a timeline for repayment with staff to determine the time frame.

The motion carried by the following vote:

Ayes: SHAW, McCALLEY, WALSH, SILVA, YOUNG

Nayes: SYED

7.C. Consider approving an exception to Board Policy 226 - Relocation Policy granting the General Manager authority to approve an additional $20,000 in relocation expense reimbursement for the newly hired Chief Operating Officer (COO). [Continued from the September 10, 2025 Board of Directors meeting.] **25-428a**

Staff Contact:
Salvador Llamas, General Manager/Chief Executive Officer
James Arcellana, Executive Director of Human Resources

[Written comment received prior to the meeting is incorporated into the file by reference.]

There was no presentation of the staff report.

Public Comment:
LaTrina Meredith, President of ATU Local 192, expressed concern with the request to reimburse the new chief operating officer's relocation expenses when drivers did not

receive retroactive pay for the 19 days they worked without a contract.
Javier Roman expressed support for the Union President's comments regarding the 19 days of retroactive pay for drivers and disapproval of the $20,000 in relocation cost for the new chief operating officer.

A motion was made by Director Syed and seconded by Director Walsh to reject the staff recommendation. The motion failed by a vote of 2-3-1 (President Shaw, Vice President McCalley, Director Silva - no; Director Young - abstain).

MOTION: SHAW/McCALLEY to approve an additional $10,000 in relocation expense reimbursement. The motion carried by the following vote:

Ayes: SHAW, McCALLEY, SILVA, YOUNG

Nayes: WALSH, SYED

Board Administrative Matters - President Shaw

7.D. Consider cancelling the Board of Directors/Board Officers Retreat scheduled for October 30, 2025 and reschedule the regular Board of Directors meeting slated for November 12, 2025 to November 19, 2025. **25-497**

Staff Contact:
Linda Nemeroff, Board Administrative Officer/District Secretary

There was no presentation of the staff report. No public comment was offered.

MOTION: YOUNG/SYED to approve the cancellation of the Board of Directors/Board Officers Retreat scheduled for October 30, 2025 and reschedule the regular Board of Directors meeting slated for November 12, 2025 to November 19, 2025. The motion carried by the following vote:

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

8. CLOSED SESSION/REPORT OUT

There was nothing to report out of Closed Session.

8.A. Conference with Legal Counsel – Existing Litigation

(Paragraph 1 of subdivision (d) of Government Code Section 54956.9)

- Priest v. Derrick Dewayne Bailey; Alameda-Contra Costa Transit District; and Does 1 to 50 Inclusive; Alameda County Superior Court Case No. 22CV013020

- Washington v. Alameda-Contra Costa Transit District, Contra Costa County Superior Court, Case No. C22 -01903

- Valencia v. Alameda-Contra Costa Transit District, AC Transit Board of Directors, and Does 1-20, Alameda County Superior Court Case Number: 25CV121283

8.B. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2), Government Code Section 54956.9 (d)(3) and Government Code Section 54956.9(d)(4): one (1) potential case.

8.C. Public Employee Performance Evaluation

(Government Code Section 54957)
Title: General Manager, General Counsel, District Secretary

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 Agenda Planning Request Forms submitted by Directors Walsh and Syed. **25-015q**

Staff Contact:
Linda Nemeroff, Board Administrative Officer/District Secretary

The Agenda Planning Request submitted by Director Walsh was accepted. The Agenda Planning Request submitted by Director Syed was rejected.

10. GENERAL MANAGER'S REPORT

10.A. General Manager's Report for September 24, 2025. **25-014i**

The report was presented for information only.

11. BOARD/STAFF COMMENTS

(Government Code Section 53232.3(d))
Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.
Members of the Board commented on meetings and events attended since the last meeting.

11.A. Written reports from Board members on travel to District-related conferences occurring in the last 30 days. **25-038q**

Staff Contact:
Linda Nemeroff, Board Administrative Officer/District Secretary

A written report was presented for the record.

12. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 8:56 p.m. The next meeting of the AC Transit Board of Directors is scheduled for October 8, 2025.

Respectfully submitted,

/s/ Linda A. Nemeroff
Board Administrative Officer/District Secretary