



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

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

Wednesday, February 22, 2023 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
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 meeting on Wednesday, February 22, 2023, at 5:00 p.m.

President Young called the Board of Directors meeting to order at 5:04 p.m. All Board members were present.

2. ROLL CALL

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

3. PRESENTATION

- 3.A.** Consider the adoption of Resolution No. 23-012 honoring the lifetime and legacy of beloved accessibility advocate and community leader Janet Abelson. [23-152](#)

Presenter:
Director Beckles

Director Beckles lead the Board in speaking about Janet Abelson's life and legacy in public service. Portions of Resolution No. 23-012 were read into the record of the meeting. No other public comments were offered.

MOTION: YOUNG/SHAW to adopt Resolution No. 23-012 honoring the lifetime and legacy of beloved accessibility advocate and community leader Janet Abelson. The motion carried by the following vote:

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

- 3.B.** Presentation on the Transportation Cooperative Research Program (TCRP) Report - Practitioner's Guide to Bus Operator Workforce Management. [Requested by Director Peeples - 12/14/2022] [23-125](#)

Presenter:
Robert Puentes, President and CEO, Eno Center for Transportation

Robert Puentes, President and CEO, Eno Center for Transportation, presented a report regarding Bus Operator Workforce Management. There were no public comments offered.

Mr. Puentes addressed questions regarding bus operator hiring and retention in the areas of mentoring, flexible work schedules, and discussions with unions about changing work rules. General Manager Hursh commented on the District's work to improve its mentoring program and scheduling refinement. Chief Operating Officer Llamas responded to the hiring status of bus operators.

The item was presented for information only.

4. PUBLIC COMMENT

Jane Kramer stated a preference for the elected members of the Board to be physically present at the Board meetings.

5. MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda.

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

There were no public comments offered on the Consent Calendar.

MOTION: PEEPLES/SHAW to receive, approve, or adopt the items on the Consent Calendar as indicated except for Items 6.I. and 6.J., which were pulled off the Consent Calendar by Director Syed for further discussion, and Item 6.N., which was pulled of the Consent Calendar by Director Shaw for further discussion. The motion carried by the following vote:

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

- 6.A.** Consider approving Board of Directors minutes of February 8, 2023.

[23-097](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/SHAW to approve the Board of Directors minutes of February 8, 2023. The motion carried by the following vote:

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

- 6.B.** Consider approving Board of Directors Special Meeting minutes of February 10, 2023.

[23-176](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/SHAW to approve the Board of Directors Special Meeting minutes of February 10, 2023. The motion carried by the following vote:

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

- 6.C.** Consider approving amendments to the Preamble to the Board Policy & Administrative Regulation Manual, including the retitling of the document to Board Policy 100 - Introduction to the Board Policy & Administrative Regulation Manual and Periodic Review Schedule.

[23-157](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/SHAW to approve amendments to the Preamble to the Board Policy & Administrative Regulation Manual, including the retitling of the document to Board Policy 100 - Introduction to the Board Policy & Administrative Regulation Manual and Periodic Review Schedule. The motion carried by the following vote:

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

- 6.D.** Consider receiving the FY 2022-23 Second Quarter Travel and Meeting Expense Report for Directors and Board Officers. [23-116](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/SHAW to receive the FY 2022-23 Second Quarter Travel and Meeting Expense Report for Directors and Board Officers. The motion carried by the following vote:

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

- 6.E.** Consider receiving the FY 2022-23 First Quarter Employee and Non-Employee Out-of-State Travel Report. [23-174](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/SHAW to receive the FY 2022-23 First Quarter Employee and Non-Employee Out-of-State Travel Report. The motion carried by the following vote:

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

- 6.F.** Consider receiving the Monthly Reports on Investments for November and December 2022. [23-150](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/SHAW to receive the Monthly Reports on Investments for November and December 2022. The motion carried by the following vote:

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

- 6.G.** Consider receiving the Semi-annual Report on the Status of Active Contracts and Spending Amounts over \$250,000. [23-119](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/SHAW to receive the Semi-annual Report on the Status of Active Contracts and Spending Amounts over \$250,000. The motion carried by the following vote:

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

- 6.H.** Consider authorizing the release of Request For Proposals (RFP) for a five-year contract for banking services. [23-143](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/SHAW to authorize the release of Request For Proposals (RFP) for a five-year contract for banking services. The motion carried by the following vote:

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

- 6.I.** Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements with the United States Department of Transportation (USDOT) for Fiscal Year (FY) 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program. [23-132](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

Item 6.I. was pulled off the Consent Calendar by Director Syed to inquire about the estimated total cost for services related to the Division 4 redevelopment project and amount of support from cities and municipal agencies. Chief Financial Officer Chris Andrichak, presented information addressing Director Syed's questions. There were no public comments offered.

MOTION: SHAW/SYED to authorize the General Manager or his designee to file and execute grant applications and funding agreements with the United States Department of Transportation (USDOT) for Fiscal Year (FY) 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program. The motion carried by the following vote:

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

- 6.J.** Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements with the Federal Transit Administration (FTA) for Fiscal Year (FY) 2023 Areas of Persistent Poverty Program. [23-134](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

Item 6.J. was pulled off the Consent Calendar by Director Syed to comment on staff's great work to acquire funding for a planning study of the Foothill corridor to identify potential service improvement and infrastructure alternatives. There were no public comments offered.

MOTION: SHAW/SYED to authorize the General Manager or his designee to file and

execute grant applications and funding agreements with the Federal Transit Administration (FTA) for Fiscal Year (FY) 2023 Areas of Persistent Poverty Program. The motion carried by the following vote:

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

- 6.K.** Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements with the California Department of Transportation (Caltrans) for Fiscal Year (FY) 2023 Climate Adaptation Planning Grant Program. [23-144](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/SHAW to authorize the General Manager or his designee to file and execute grant applications and funding agreements with the California Department of Transportation (Caltrans) for Fiscal Year (FY) 2023 Climate Adaptation Planning Grant Program. The motion carried by the following vote:

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

- 6.L.** Consider adoption of Resolution No. 23-011 amending and approving the addition of two positions funded by the Metropolitan Transportation Committee (MTC) to the FY 2022-23 Annual Operating Budget. [22-158e](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/SHAW to adopt Resolution No. 23-011 amending and approving the addition of two positions funded by the Metropolitan Transportation Committee (MTC) to the FY 2022-23 Annual Operating Budget. The motion carried by the following vote:

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

- 6.M.** Consider adoption of Resolution No. 23-003 authorizing the General Manager or his designee to file and execute applications and funding agreements with the Metropolitan Transportation Commission (MTC) for AC Transit's Fruitvale Corridor project. [23-006](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/SHAW to adopt Resolution No. 23-003 authorizing the General Manager or his designee to file and execute applications and funding agreements with the Metropolitan Transportation Commission (MTC) for AC Transit's Fruitvale Corridor project. The motion carried by the following vote:

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

- 6.N.** Consider receiving the Quarterly Report on the District's involvement [23-142](#)

in external planning processes.

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Item 6.N. was pulled off the Consent Calendar by Director Shaw to inquire about numerous transportation programs and planning efforts addressed in the Staff Report. Directors McCalley and Walsh asked similar questions. Senior Transportation Planner Nathan Landau and Service Planning Manager Michael Eshleman presented information to answer the Board member questions. There were no public comments offered.

MOTION: SHAW/SYED to receive the Quarterly Report on the District's involvement in external planning processes. The motion carried by the following vote:

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

- 6.O.** Consider adoption of Resolution No. 23-013 approving the repeal of Board Policy 410 - Bus Rapid Transit Construction Careers Policy and Resolution Nos. 13-027 and 17-040. [23-172](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: PEEPLES/SHAW to adopt Resolution No. 23-013 approving the repeal of Board Policy 410 - Bus Rapid Transit Construction Careers Policy and Resolution Nos. 13-027 and 17-040. The motion carried by the following vote:

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

- 6.P.** Consider approving the disposal of a vehicle by sale or by other means most advantageous to the District. [23-145](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

MOTION: PEEPLES/SHAW to approve the disposal of a vehicle by sale or by other means most advantageous to the District. The motion carried by the following vote:

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

- 6.Q.** Consider authorizing General Counsel to attend the American Public Transportation Association (APTA) Legal Affairs Seminar, April 2 - 4, 2023, in Portland, Oregon. [23-148](#)

Staff Contact:

Jill A. Sprague, General Counsel/Chief Legal Officer

MOTION: PEEPLES/SHAW to authorize the General Counsel to attend the American Public Transportation Association (APTA) Legal Affairs Seminar, April 2 - 4, 2023, in Portland, Oregon. The motion carried by the following vote:

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

7. REGULAR CALENDAR

External Affairs Items - Chair Peeples

- 7.A.** Consider receiving the Monthly Legislative Report and approving legislative positions, if necessary. [23-130](#)

Staff Contact:

Beverly Greene, Executive Director of External Affairs, Marketing & Communications

External Affairs Representative Steven Jones presented the monthly legislative report and recommended that the Board take a support position on AB 463 and a watch position on AB 96. Mr. Jones advised that a response to questions concerning legislation regarding security on public transit and hotel transit taxes would be provided in the next report. There were no public comments offered.

MOTION: BECKLES/McCALLEY to Received report and approved Consider receiving the Monthly Legislative Report and approving legislative positions, if necessary.

Staff Contact:

Beverly Greene, Executive Director of External Affairs, Marketing & Communications
The motion carried by the following vote:

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

Planning Items - Chair Syed

At staff's request, agenda items 7.B. and 7.C. were presented concurrently. The Board took action on both items simultaneously, however, the motions are recorded with each item respectively.

- 7.B.** Consider approving the award of a transit shelter advertising contract to Intersection Media, LLC for a base period of two (2) years with three (3) one-year options for a minimum annual guarantee of \$4.3 million in total advertising revenue for the five year period. [18-211j](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Senior Transportation Planner Carissa Lee presented the staff report. There were no public comments offered.

MOTION: McCALLEY/WALSH to approve the award of a transit shelter advertising contract to Intersection Media, LLC for a base period of two (2) years with three (3) one-year options for a minimum annual guarantee of \$4.3 million in total advertising revenue for the five year period. The motion carried by the following vote:

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

- 7.C.** Consideration of the following actions regarding Transit Shelters: [18-211k](#)
- Authorize the General Manager to take the necessary steps to acquire ownership of 276 existing transit shelters from Clear Channel Outdoor (CCO).
 - Approve contract award to Graffiti Protective Coatings, Inc. for a two-year base period with three one-year options for transit shelter maintenance services in the amount of \$844,560 per year.
 - Authorize the General Manager to include an option in the new contract with Graffiti Protective Coatings, Inc. to add maintenance of 46 Tempo Platforms in the amount of \$443,350 per year after the current contract expires in August 2023.

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Senior Transportation Planner Carissa Lee presented the staff report. There were no public comments offered.

MOTION: McCALLEY/WALSH to approve staff's recommended actions as listed in the staff report. The motion carried by the following vote:

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

Operations Items - Chair Shaw

- 7.D.** Consider receiving the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the Second Quarter of Fiscal Year 22-23. [23-094](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

Assistant Director of Maintenance Chris Durant presented the staff report. There were no comments from the public.

MOTION: BECKLES/WALSH to receive the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the Second Quarter of Fiscal Year 22-23. The motion carried by the following vote:

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

- 7.E.** Consider receiving the Quarterly Protective Services Report for AC Transit during the Second Quarter of Fiscal Year 2022-23. [23-096](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

Protective Services Manager Kerry Jackson presented the staff report. There were no comments from the public.

MOTION: SYED/WALSH to receive the Quarterly Protective Services Report for AC Transit during the Second Quarter of Fiscal Year 2022-23. The motion carried by the following vote:

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

- 7.F.** Consider approving award of a facility security services contract to American Guard Services (AGS) with an initial base period of five (5) years with two (2) twenty-four (24) month options to extend the contract, up to a cumulative maximum term of nine (9) years. [22-367a](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

MOTION: McCALLEY/SHAW to award of a facility security services contract to American Guard Services (AGS) with an initial base period of five (5) years with two (2) twenty-four (24) month options to extend the contract, up to a cumulative maximum term of nine (9) years. The motion carried by the following vote:

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

Board Administrative Matters - President Young

- 7.G.** Consider approving the draft agenda for the Board of Directors/Board Officers Retreat scheduled for March 29, 2023. [23-158](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

District Secretary Nemeroff presented the proposed agenda for the Board of Directors/Board Officers Retreat scheduled for March 29, 2023, and informed the Board that the discussion regarding the state of the hydrogen industry was removed from the agenda and replaced with an update on major Information Technology (IT) projects and IT Strategic Plan. Director McCalley requested that the update on the Facility Master Plan include the Zero Emission implementation plan, to which General Manager Hursh agreed to address. There were no other requests or changes. There were no public comments were offered.

MOTION: McCALLEY/SHAW to approve the draft agenda for the Board of Directors/Board Officers Retreat with modifications. The motion carried by the following vote:

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

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. [23-028c](#)

- Agenda Planning Request - Director Beckles

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

The Agenda Planning request from Director Beckles was accepted.

9. GENERAL MANAGER'S REPORT

9.A. General Manager's Report for February 22, 2023. [23-029c](#)

The report was presented for information only.

10. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

Members of the Board commented on meetings, conferences, and events they attended since the last Board meeting.

11. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 7:16 p.m. The next meeting of the Board is scheduled for March 8, 2023 at 5:00 p.m.

Respectfully submitted,

/s/

Linda A. Nemeroff
District Secretary