



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

AGENDA

Board of Directors - Regular Meeting

2:30 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, November 13, 2024 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

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. 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 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. PRESENTATION**

- 3.A. Consider the adoption of Resolution 24-039 honoring Director Jovanka Beckles for dedicated service as a member of the AC Transit Board of Directors and representative of Ward 1. [24-568](#)

Presenter:
President Joel Young

4. 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.

5. MODIFICATIONS TO THE AGENDA**6. CONSENT CALENDAR (AND CALL FOR PUBLIC COMMENT ON CONSENT ITEMS)**

- 6.A. Consider approving Board of Directors meeting minutes of October 9, 2024. [24-045](#)

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

- 6.B. Consider approving Board of Directors meeting minutes of October 23, 2024. [24-046](#)

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

- 6.C. Consider approving Board of Directors/Board Officer Retreat Minutes of October 30, 2024. [24-582](#)

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

-
- 6.D. Consider authorizing lodging expenses for members of the Board of Directors attending the California Transit Association (CTA) 59th Fall Conference and Expo on November 20-22, 2024, in San Jose, California. [24-559](#)
- Staff Contact:
Linda A. Nemeroff, Board Administrative Officer/District Secretary
- 6.E. Consider receiving the FY 2024-25 first Quarter Travel and Meeting Expense Report for the Board of Directors. [24-532](#)
- Staff Contact:
Linda A. Nemeroff, Board Administrative Officer/District Secretary
- 6.F. Consider approving the transfer of Director Beckles remaining Ward 1 travel allotment to the new Ward 6 Director, effective December 6, 2024. [24-546](#)
- Staff Contact:
Linda A. Nemeroff, Board Administrative Officer/District Secretary
- 6.G. Consider authorizing General Counsel to attend The Transportation Research Board (TRB) Annual Meeting on January 5-9, 2025 in Washington D.C. [24-557](#)
- Staff Contact:
Aimee L. Steele, General Counsel/Chief Legal Officer
- 6.H. Consider receiving the General Manager's Access Committee minutes of September 10, 2024. [24-552](#)
- Staff Contact:
Ramakrishna Pochiraju, Executive Director of Planning & Engineering
- 6.I. Consider receiving the report on the District's involvement in external planning processes. [24-553](#)
- Staff Contact:
Ramakrishna Pochiraju, Executive Director of Planning & Engineering
-

-
- 6.J. Consider authorizing the General Manager to enter into a 12-month extension of the Dumbarton Bridge Regional Operations Consortium (DBROC) Cooperative Agreement from January 1, 2025, to December 31, 2025, concurrent with the previously-approved 12-month extension of the service contract with MV Transportation to provide contracted Dumbarton Bridge Express Bus Services. [11-256s](#)
- Staff Contact:
Ramakrishna Pochiraju, Executive Director of Planning & Engineering
- 6.K. Consider receiving an update on FY 2024-25 First Quarter Customer Service Metrics. [24-441](#)
- Staff Contact:
Nichele Laynes, Director of Marketing, Communications & Customer Services
- 6.L. Consider approving the proposed FY 2025-26 Annual Budget Development Process Calendar. [24-480](#)
- Staff Contact:
Chris Andrichak, Chief Financial Officer
- 6.M. Consider receiving the Disadvantaged Business Enterprise (DBE) Semi-Annual Payment Report for the period of April 1, 2024, through September 30, 2024. [24-525](#)
- Staff Contact:
Lynette Little, Director of Civil Rights & Compliance
- 6.N. Consider the adoption of Resolution No. 24-037 approving the revision of the classification of Director of Safety, Security, and Training, which includes a retitling to Chief Safety and Security Officer. [24-554](#)
- Staff Contact:
Michael A. Hursh, General Manager/Chief Executive Officer
- 6.O. Consider authorizing the General Manager to enter into a contract extension with Brink's for up to an additional six months for cash revenue collection services from January 1, 2025, through June 30, 2025. [18-253c](#)
- Staff Contact:
Chris Andrichak, Chief Financial Officer
-

- 6.P. Consider adoption of revised Resolution No. 24-003 supporting the Seamless Transit Principles. [Previously considered by the Board of Directors on June 26, 2024. Requested by Director Beckles - 9/13/23] [24-060b](#)

Staff Contact:
Claudia Burgos, Director of Legislative Affairs and Community Relations

7. REGULAR CALENDAR

External Affairs Items - Chair Peeples

- 7.A. Consider receiving the Monthly Legislative Report and approving legislative positions, if necessary. [24-564](#)

Staff Contact:
Claudia Burgos, Director of Legislative Affairs & Community Relations

- 7.B. Consider the adoption of AC Transit’s 2025 Federal and State Advocacy Programs. [24-534a](#)

Staff Contact:
Claudia Burgos, Director of Legislative Affairs & Community Relations

- 7.C. Consider receiving an update on AC Transit’s partnership with the Oakland Ballers. [Requested by Director Walsh - 6/12/2024] [24-440](#)

Staff Contact:
Nichele Laynes, Director of Marketing, Communications & Customer Services

Operations Items - Chair Shaw

- 7.D. Consider authorizing the General Manager, acting jointly with the Bay Area Rapid Transit District (BART), to negotiate and enter into a 4.5 year agreement, with one five-year option period, with Transdev Services, Inc. (“Transdev”) to serve as the Broker for the East Bay Paratransit Consortium (EBPC), providing Paratransit Services for AC Transit and BART as mandated by the Americans with Disabilities Act (ADA) in an amount not to exceed \$387,810,000. [21-471a](#)

Staff Contact:
Ramakrishna Pochiraju, Executive Director of Planning & Engineering

- 7.E. Consider receiving the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the first quarter of Fiscal Year 2024-25. [24-541](#)
- Staff Contact:
Salvador Llamas, Chief Operating Officer
- 7.F. Consider receiving the FY 2024-25 First Quarter Protective Services Report. [24-569](#)
- Staff Contact:
Marla Blagg, Director of Safety, Security & Training
- 7.G. Consider authorizing the General Manager to enter into a contract with the Contra Costa County Sheriff's Office for transit police services, with a base period from January 1, 2025, through December 31, 2027, with two (2) one-year options to extend upon mutual decision. [24-561](#)
- Staff Contact:
Michael A. Hursh, General Manager/Chief Executive Officer
- 7.H. Consider the adoption of Resolution 24-038 approving a revised Board Policy 465 - Procurement Policy ("Policy"). [Passage of the Resolution by a four-fifths vote (six affirmative votes) is required pursuant to section 22050 of the California Public Contract Code.] [24-516](#)
- Staff Contact:
Chris Andrichak, Chief Financial Officer

Board Administrative Matters - President Young

- 7.I. Consider adopting the 2025 regular Board meeting schedule taking into consideration the District's holiday schedule and any days requested by Directors to be included in the holiday schedule; and reschedule regular meetings if necessary. [24-509](#)
- Staff Contact:
Linda A. Nemeroff, Board Administrative Officer/District Secretary

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))

- Graciela Pena-Garcia v. AC Transit, Alameda County Superior Court Case No. 23CV032825
- Cooks v. AC Transit, WCAB Case Nos. ADJ006670, ADJ8285977, and ADJ9169216
- Poonam Kukreja v. AC Transit, Alameda County Superior Court Case No. 23CV050454 (Report Out)
- Pamela Edwards v. AC Transit, Alameda County Superior Court Case No. 23CV028305 (Report Out)

8.B. Conference with Legal Counsel – Potential Litigation

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

8.C. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representative:

- General Manager Michael Hursh;
- 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)

Title: 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 [24-061r](#)
Forms submitted by Directors Walsh.

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

10. GENERAL MANAGER’S REPORT

- 10.A. General Manager’s Report for November 13, 2024. [24-016r](#)

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

- 11.A. Written reports from Board members on travel to District-related [24-316](#)
conferences occurring in the last 30 days.

12. ADJOURNMENT

Next Meeting: December 11, 2024 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.