



BOARD OF DIRECTORS ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Regular Meeting of the Board of Directors

AC Transit General Offices
2nd Floor Board Room
1600 Franklin Street
Oakland, CA 94612

Wednesday, December 12, 2018 at 5:00 p.m.
Closed Session 4:00 p.m. (Items 6A-6D)

MEMBERS OF THE BOARD OF DIRECTORS

ELSA ORTIZ, PRESIDENT (WARD 3)
JOE WALLACE, VICE PRESIDENT (WARD 1)
GREG HARPER (WARD 2)
MARK WILLIAMS (WARD 4)
DIANE SHAW (WARD 5)
H. E. CHRISTIAN PEEPLES (AT-LARGE)
JOEL YOUNG (AT-LARGE)

BOARD OFFICERS

MICHAEL A. HURSH, GENERAL MANAGER
DENISE C. STANDRIDGE, GENERAL COUNSEL
LINDA A. NEMEROFF, DISTRICT SECRETARY

TELECONFERENCE

DIRECTOR H.E. CHRISTIAN PEEPLES, AT-LARGE
1440 168th AVENUE, ROOM 29A
SAN LEANDRO, CALIFORNIA

BOARD OF DIRECTORS MEETING – ELSA ORTIZ, President Wednesday, December 12, 2018 at 5:00 p.m.	ACTION SUMMARY
<p>The Alameda-Contra Costa Transit District Board of Directors held a regular meeting on Wednesday, December 12, 2018.</p> <p>Prior to the start of the meeting, General Counsel Denise Standridge confirmed that all requirements of the Ralph M. Brown Act (Govt. Code Sections 54950, et seq.) and the provisions of Board Policy 101, Section 4.9 regarding teleconferenced meetings were met in order for Director Peeples to participate in the meeting and advised that all votes must be taken by roll call vote. <i>[Affidavit verifying that the teleconference location was accessible to persons with disabilities and that the agenda was posted at the teleconference location is attached as Exhibit A.]</i></p> <p>The meeting was called to order at 4:00 p.m. for the purpose of Closed Session. All Board members were present. The Board convened in Closed Session to discuss Items 6A-6D as listed on the agenda. Closed Session concluded at 4:48 p.m.</p> <p>President Ortiz called the Board of Directors meeting to order at 5:01 p.m.</p> <p>1. ROLL CALL Present: Harper, Williams, Shaw, Young, Peeples, Wallace, Ortiz</p> <p>2. PUBLIC COMMENT Mary Lawry, Healthy Aging Program with Chabot College, asked that ridership on Lines 83 and 86 be assessed, believing that ridership on these lines was significantly lower than the Line 22 ridership. She asked that the Board consider the resources and reinstate Line 22.</p> <p>3. MODIFICATIONS TO THE AGENDA The District Secretary announced that Item 4A (Minutes) was pulled off the agenda.</p> <p>4. CONSENT CALENDAR</p> <p>MOTION: WALLACE/YOUNG to receive or approve the items on the Consent Calendar as indicated, except 4A (Minutes) that was removed and Item 4G which was pulled off consent for comment by Director Harper. The motion carried by the following vote:</p> <p>AYES:7: Wallace, Young, Harper, Williams, Shaw, Peeples, Ortiz</p>	<p>MODIFICATIONS ANNOUNCED</p> <p>RECEIVED OR APPROVED AS INDICATED</p>

- 4A. **Consider approving Board of Directors minutes of November 14, 2018.**
- 4B. **Consider receiving Retirement Board minutes of October 11, 2018 (Report 18-328).**
- 4C. **Consider authorizing the General Manager to attend the 2019 American Public Transportation Association's Transit CEO's Seminar on April 13-15, 2019, in Chicago, Illinois (Report 18-305).**
- 4D. **Consider receiving Accessibility Advisory Committee minutes of October 9, 2018 (Report 18-302).**
- 4E. **Consider authorizing the General Manager to issue a Change Order to CHS Consulting Group for \$15,000 to complete the District's Strategic Plan (Report 18-326).**
- 4F. **Consider authorizing the issuance of a Request For Qualifications for project design consulting services associated with the Dumbarton Bridge Corridor Project (Report 18-327).**
- 4G. **Consider approving the release of solicitations for Construction and Construction Support Services for the Customer Service Center rehabilitation (Report 18-247).**

The Item was pulled off consent for comment by Director Harper, who believed that bids on the relatively small construction project would be high because of the Bay Area's robust construction climate. Director of Capital Projects Joe Callaway agreed that while the timing wasn't the best, it would be difficult to know what the project would cost without going out to bid. He added that there was minimal risk to the District if the costs were outside of what the District was willing to pay. In addition, the award of the contract would be brought back to the Board for approval.

MOTION: HARPER/WILLIAMS to approve the release of solicitations for Construction and Construction Support Services for the Customer Service Center rehabilitation. The motion carried by the following vote:

AYES:7: Harper, Williams, Shaw, Young, Peeples, Wallace, Ortiz

- 4H. **Consider receiving the bi-monthly budget update (Report 18-304).**
- 4I. **Consider receiving the Monthly Report on Investments for the Month of October 2018 (Report 18-303).**

- 4J. Consider authorizing the General Manager to enter into a three-year lease extension with Gachina Landscape Management, within the District's Newark warehouse; and authorize the General Manager to reject an unsolicited offer to purchase the Newark warehouse from Lift Real Estate Partners, LLC (Report 17-183a).
- 4K. Consider authorizing the General Manager, or his designee, to execute a master funding agreement and related supplements with the Metropolitan Transportation Commission, for funding of planning, programming, transportation, transit, land use or other projects (Report 18-319).
- 4L. Consider authorizing the General Manager or his designee to file and execute grant applications and funding agreements with the Bay Area Air Quality Management District for the Carl Moyer Memorial Air Quality Standards Attainment Program to support the construction of upgraded hydrogen fueling infrastructure at Division 2 (Report 18-320).
- 4M. Consider approving a one-time payment to fulfill the District's obligation with Apollo Video (Report 18-330).
- 4N. Consider receiving the Monthly Legislative Report (Report 18-306).
- 4O. Consider authorizing the release of a Request For Proposals for Federal advocacy services (Report 18-307).
- 4P. Consider receiving report on amendments to the District's Conflict-of-Interest Code as approved by the Fair Political Practices Commission (FPPC) and subsume the amendments into Board Policy 701 (Report 18-163a).

5. REGULAR CALENDAR

External Affairs Items:

- 5A. Consider authorizing the issuance of a Request For Proposals (RFP) for BRT livery production and installation (Report 18-313).

APPROVED

Marketing Administrator Amy Franjesevic presented the staff report.

Director Peebles asked if the decal designs had been approved. Ms. Franjesevic advised that even though the designs had not yet been approved, a vendor needed to be selected to allow for a more efficient production schedule once designs were approved.

Public Comment:

- David Vartanoff urged the Board to expedite the process and not spend excessive time on this matter, noting it was more important to provide reliable bus service.
- Eric Darby, ATU Local 192, asked that the inhouse print shop and body shop provide the livery production and installation.

MOTION: ORTIZ/WILLIAMS to authorize the issuance of a Request For Proposals (RFP) for BRT livery production and installation. The motion carried by the following vote:

AYES:7: Ortiz, Williams, Harper, Shaw, Young, Peeples, Wallace

- 5B. **Consider receiving report on the cost of the 2018 District Election [Requested by Director Young – 10/10/18] (Report 18-308).**

RECEIVED

District Secretary Linda Nemeroff presented the staff report.

MOTION: YOUNG/WILLIAMS to receive report on the cost of the 2018 District Election. The motion carried by the following vote:

AYES:7: Young, Williams, Harper, Shaw, Peeples, Wallace, Ortiz

Finance and Audit Items:

- 5C. **Consider amending the parameters and re-set the public hearings regarding proposed local fare changes to February 13, 2019 at 2:00 p.m. and 5:00 p.m. (Report 18-199b).**

APPROVED RE-
SETTING PUBLIC
HEARING FOR
FEBRUARY 13,
2019

Chief Financial Officer Claudia Allen presented the staff report, including an overview of the changes in the parameters for the hearing.

MOTION: WILLIAMS/WALLACE to amend the parameters and re-set the public hearings regarding proposed local fare changes to February 13, 2019 at 2:00 p.m. and 5:00 p.m. The motion carried by the following vote:

AYES:7: Williams, Wallace, Harper, Shaw, Young, Peeples, Ortiz

- 5D. **Consider receiving report from the District Parcel Tax Fiscal Oversight Committee on FY 2017-18 Measure VV tax proceeds for the year ended June 30, 2018 (Report 18-309).**

RECEIVED

Chief Financial Officer Claudia Allen presented the staff report.

MOTION: WALLACE/ORTIZ to receive report from the District Parcel Tax Fiscal Oversight Committee on FY 2017-18 Measure VV tax proceeds for the year ended June 30, 2018. The motion carried by the following vote:

AYES:7: Wallace, Ortiz, Harper, Williams, Shaw, Peeples, Young

- 5E. **Consider awarding the Insurance Broker Services contract (2018-1445) to Alliant Insurance Services, in the amount of \$240,000, for the 3-Year Base Period annualized at \$80,000 per year (Report 18-162a).**

APPROVED

Claims and Liability Administrator Jean-Paul Popoff presented the staff report.

Director Harper asked how this contract would relate to efforts underway to obtain an independent risk analysis. Mr. Popoff advised that the broker assists in procuring insurance for the District and would help the District implement changes resulting from the independent risk analysis that the Board wanted to implement. Mr. Popoff advised that the results of the independent risk analysis would likely be available by year two of this contract. When asked about the delay, General Counsel Denise Standridge advised that a solicitation would be forthcoming; however, there were other higher priority procurements ahead of it.

MOTION: WILLIAMS/WALLACE to award the Insurance Broker Services contract (2018-1445) to Alliant Insurance Services, in the amount of \$240,000, for the 3-Year Base Period annualized at \$80,000 per year. The motion carried by the following vote:

AYES:7: Williams, Wallace, Harper, Shaw, Young, Peeples, Ortiz

Items 5F through FJ were presented concurrently.

- 5F. **Consider adoption of Resolution No. 18-041 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities Program either as a joint applicant and joint grantee with Mercy Housing California and the Treasure Island Development Authority (TIDA), an agency of the City and County of San Francisco, or as a participating entity in an agreement with TIDA, in connection with the Treasure Island Development C3.1 Project (Bus procurement) (Report 18-315).**

ADOPTED
RESOLUTION
NO. 18-041

Director of Management and Budget Chris Andrichak presented Agenda Items 5F, 5G, 5H, 5I and 5J. For the ease of reading, public comment, the motions and votes in the minutes are recorded with each item, respectively.

President Ortiz asked how decisions were made to purchase Transit Signal Priority Systems and buses. Mr. Andrichak advised that the District partnered with developers on projects that increase ridership and reduce

greenhouse gas emissions, which are required to receive Cap & Trade funds. Transit Signal Priority systems represent a corridor improvement that speeds up the buses and zero emission buses promote a reduction in greenhouse gas emissions.

President Ortiz asked how operating costs would be funded as they were not a part of the funding application. Mr. Andrichak advised that for Treasure Island, there was already an agreement in place to cover the operating costs. The Alameda proposal involves a small service increase and discussions are underway with the City on how to fund it. The expanded service in Berkeley will be funded by Regional Measure 3 under Transbay Tomorrow. Mr. Andrichak further commented on the amount of staff time required to coordinate with developers and cities in assembling the application. He added the District enters into the application with the City and the developer as a direct applicant or a direct partner or it enters into an agreement beforehand to be a sub-recipient to the City. President Ortiz asked if the agreement to cover the cost with the City was yearly or in perpetuity. Director of Service Development and Planning Robert del Rosario advised that District already had plans in place to provide additional service that were included in the District's long-term plans. He added that the plans for developing service to Alameda Point weren't as far along as plans for the other developments.

Director Peeples commented that AC Transit will not be a part of any agreement that requires AC Transit to take over the development if the developer fails.

Director Peeples further commented that the District cannot guarantee that a certain bus will run on the same line all the time. Mr. Andrichak agreed, saying that the guidance that has been given is to run the bus on the line as much as possible. Director Peeples argued that this was not practical and was difficult to do. Chief Operating Officer Salvador Llamas acknowledged that buses needed to be taken out of service for maintenance; however, he felt fairly certain that while it would not be a specific bus, it would be possible to have a zero-emission bus on the designated line in two to three years as the zero-emission fleet expands.

Director Shaw asked if tolls collected on Treasure Island would be used to provide bus service. Mr. Andrichak advised that both AC Transit and SFMTA would serve the island but was unclear what the toll revenue would pay for.

Director Williams asked about future development and whether the District would be applying for grants with the City of Hayward. Mr. Andrichak advised that it was up to the developers to approach the District.

Public Comment:

Sally Greenspan, Enterprise Community Partners, applauded AC Transit's role in prior successful AHSC applications and encourage support for the applications before the Board. The applications would fund AC Transit improvements and provide bike, pedestrian and affordable housing developments. She added that the reason the East Bay has been so successful with the program is because of AC Transit's involvement.

MOTION: ORTIZ/WILLIAMS to adopt Resolution No. 18-041 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities Program either as a joint applicant and joint grantee with Mercy Housing California and the Treasure Island Development Authority (TIDA), an agency of the City and County of San Francisco, or as a participating entity in an agreement with TIDA, in connection with the Treasure Island Development C3.1 Project. The motion carried by the following vote:

AYES:7: Ortiz, Williams, Harper, Shaw, Young, Peeples, Wallace

- 5G. **Consider adoption of Resolution No. 18-042 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities Program either as a joint applicant and joint grantee with BRIDGE Housing and the City of Berkeley, or as a participating entity in an agreement with the City of Berkeley, in connection with the Berkeley Way Project located at Berkeley Way and Henry Street, Berkeley, CA 94707 (Bus procurement) (Report 18-316).**

**ADOPTED
RESOLUTION
NO. 18-042**

MOTION: ORTIZ/WILLIAMS to adopt Resolution No. 18-042 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities Program either as a joint applicant and joint grantee with BRIDGE Housing and the City of Berkeley, or as a participating entity in an agreement with the City of Berkeley, in connection with the Berkeley Way Project located at Berkeley Way and Henry Street, Berkeley, CA 94707. The motion carried by the following vote:

AYES:7: Ortiz, Williams, Harper, Shaw, Young, Peeples, Wallace

- 5H. **Consider adoption of Resolution No. 18-043 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities Program either as a joint applicant and joint grantee with BRIDGE Housing, The United Council,**

**ADOPTED
RESOLUTION
NO. 18-043**

and the City of Oakland, or as a participating entity in an agreement with the City of Oakland, in connection with the Fruitvale Transit Village Phase II-B Project at 1198 35th Avenue, Oakland, CA 94601 (TSP upgrade) (Report 18-317).

Public Comment:

Neil Saxby, Bridge Housing, thanked the Board for its role in helping organizations compete for grants, which provide broad community benefits.

MOTION: ORTIZ/WILLIAMS to adopt Resolution No. 18-043 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities Program either as a joint applicant and joint grantee with BRIDGE Housing, The United Council, and the City of Oakland, or as a participating entity in an agreement with the City of Oakland, in connection with the Fruitvale Transit Village Phase II-B Project at 1198 35th Avenue, Oakland, CA 94601. The motion carried by the following vote:

AYES:7: Ortiz, Williams, Harper, Shaw, Young, Peeples, Wallace

- 5I. Consider adoption of Resolution No. 18-044 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities Program either as a joint applicant and joint grantee with East Bay Asian Local Development Corporation and the City of Oakland, or as a participating entity in an agreement with the City of Oakland, in connection with the project at 34th Street and San Pablo Avenue, Oakland, CA 94608 ("project") (TSP upgrade) (Report 18-318).

ADOPTED
RESOLUTION
NO. 18-044

MOTION: ORTIZ/WILLIAMS to adopt Resolution No. 18-044 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities Program either as a joint applicant and joint grantee with East Bay Asian Local Development Corporation and the City of Oakland, or as a participating entity in an agreement with the City of Oakland, in connection with the project at 34th Street and San Pablo Avenue, Oakland, CA 94608. The motion carried by the following vote:

AYES:7: Ortiz, Williams, Harper, Shaw, Young, Peeples, Wallace

- 5J. Consider adoption of Resolution No. 18-046 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable

ADOPTED
RESOLUTION
NO. 18-046

Housing and Sustainable Communities program either as a joint applicant and joint grantee with Eden Housing and the City of Alameda, or as a participating entity in an agreement with the City of Alameda, in connection with the project at Alameda Point, located at West Midway Avenue and Main Street, Alameda, CA 95401 (Bus procurement) (Report 18-346).

Public Comment:

Louis Liss, Eden Housing, spoke in support of the application which would provide 70 units of affordable housing and transit expansion.

MOTION: ORTIZ/WILLIAMS to adopt Resolution No. 18-046 authorizing the General Manager, or his designee, to file an application and execute related documents under the FY2017-18 State of California's Affordable Housing and Sustainable Communities program either as a joint applicant and joint grantee with Eden Housing and the City of Alameda, or as a participating entity in an agreement with the City of Alameda, in connection with the project at Alameda Point, located at West Midway Avenue and Main Street, Alameda, CA 95401. The motion carried by the following vote:

AYES:7: Ortiz, Williams, Harper, Shaw, Young, Peeples, Wallace

Planning Items:

- 5K. **Consider receiving the monthly construction progress report on the East Bay Bus Rapid Transit Project for the Month of November 2018 (Report 18-310).**

RECEIVED

[Attachment 1 to Staff Report 18-310 was provided at the meeting for the Board's information and consideration and is incorporated into the file by reference.]

Director of Bus Rapid Transit David Wilkins presented an update on recent construction achievements and activities. External Affairs Representative Steven Jones gave an update on public outreach efforts as well as workforce utilization goals and Disadvantaged Business Enterprise participation on the project.

President Ortiz asked if the issues involving shuttle locations at the San Leandro Transit Center had been resolved. Director of Capital Projects Joe Callaway advised that staff was awaiting concurrence from BART and the City of San Leandro on the alternatives presented in order to satisfy the interests of all stakeholders.

President Ortiz asked if complaints about parking were from individuals or businesses. Mr. Jones advised that complaints were received from both groups concerning parking displacement.

Director Harper asked for an update in the next report on parking lots.

MOTION: WALLACE/WILLIAMS to receive the monthly construction progress report on the East Bay Bus Rapid Transit (BRT) Project for the month of November 2018. The motion carried by the following vote:

AYES:7: Wallace, Williams, Harper, Shaw, Young, Peeples, Ortiz

Operations Items:

- 5L. **Consider approving the award of a three-year contract with two one-year options to Planetaria Media for design and implementation services associated with the modernization of the District's website (Report 18-058a).** **APPROVED**

Project Manager Darrell Takara presented the staff report.

MOTION: ORTIZ/WALLACE to approve the award of a three-year contract with two one-year options to Planetaria Media for design and implementation services associated with the modernization of the District's website. The motion carried by the following vote:

AYES:7: Ortiz, Wallace, Harper, Williams, Shaw, Young, Peeples

- 5M. **Consider authorizing the General Manager to negotiate and execute an agreement with the Bay Area Rapid Transit District (BART) for the design, construction, operations, and maintenance of Operator restrooms. (Report 18-311).** **APPROVED**

Chief Operating Officer Sal Llamas presented the staff report.

Vice President Wallace asked that BART take into consideration the condition of their restrooms at the Del Norte BART Station, which he believed were in need of attention. Mr. Llamas advised that staff will communicate with BART areas of concern with respect to cleanliness.

Director Shaw asked if there would be a security perimeter around the building. Mr. Llamas advised that this had not been considered but would be an issue to address in future construction.

Public Comment:

- David Vartanoff asked if anything has been done to gain access to the restrooms used by BART station agents. He added that facilities needed to be clean and safe. He added his consternation that BART was going to receive \$600,000 from AC Transit for something it should have been doing from the start.

- Kennard Plummer, Assistant Business Agent for ATU Local 192, thanked the Board and staff for their efforts, noting that restroom accessibility was a basic need for bus operators that should be considered whenever the District plans facilities. He added that this has been a problem for years and needed to be a priority.
- Yvonne Williams, ATU Local 192, commented on the health risks associated with not being able to void when needed. She added that she has fought this battle for many years and was excited for healthier working conditions in the future.

MOTION: ORTIZ/WALLACE to authorize the General Manager to negotiate and execute an agreement with the Bay Area Rapid Transit District (BART) for the design, construction, operations, and maintenance of Operator restrooms. The motion carried by the following vote:

AYES:7: Ortiz, Wallace, Harper, Williams, Shaw, Young, Peeples

- 5N. **Consider receiving a report on the process of selecting bus lines for operation of double-decker buses [Requested by President Ortiz (Report 18-333)].**

RECEIVED

[Staff Report 18-333 and Attachments were provided at the meeting for the Board's information and consideration and are incorporated into the file by reference.]

Transportation Planner Linda Morris presented the staff report.

President Ortiz commented that she wanted to take a closer look at the criteria used to assign double-decker buses so people in Oakland and Alameda would understand why they were assigned to certain lines. She questioned the assignment of buses to Line FS with ridership of 550, while Line O had ridership of 1,508 and Line NL ridership is 1,203. She added that while she understands the restricted ability to wash and maintain the bus, the District made statements that the buses would be used on lines with higher ridership. Ms. Morris responded that overall, Lines O and NL carry more ridership per day because they operate at a higher frequency. However, looking at ridership at the trip level, Line FS operates at a 30-minute frequency and therefore carries more riders. Director of Service Development and Planning Robert del Rosario advised that the double decker buses relieve overcrowding, which is not presented on the NL or O. He added that these lines also provide all day service and carry local riders, and the double decker buses are not suitable for local service.

Director Williams asked what the timeline was to operate the buses out of Division 4 (East Oakland). Mr. del Rosario advised that the issue was getting the facility up to par so that the buses can be cleaned, which requires money to update the bus wash equipment. He suggested that Regional

Measure 3 capital funds could be used for this type of improvement, thus increasing capacity. Staff is also looking at other funding from the Metropolitan Transportation Commission. Director of Capital Projects Joe Callaway advised that solicitations on the bus washes at Divisions 2 and 4 were ready to go out to bid, subject to available funding. The installation process is approximately 12 months.

Director Williams asked if the double decker buses would be used to provide the BART Early Bird service. Mr. del Rosario confirmed this to be the case, saying it would not affect the deployment of regular service.

Public Comment:

Jane Kramer commented that the Line O bus arrives every 15 minutes, saying that most of the time there are enough seats, while other times there are standees.

MOTION: HARPER/WALLACE to receive a report on the process of selecting bus lines for operation of double-decker buses. The motion carried by the following vote:

AYES:7: Harper, Wallace, Williams, Shaw, Young, Peeples, Ortiz

Board Administrative Matters:

50. **Consider approving the creation of a joint limited-purpose committee, consisting of two members of the AC Transit Board of Directors and two members of the Retirement Board, to examine the relationship between the two Boards with regard to the function of the administration and the administrative agreement and present the committee's recommendations at the next joint meeting of the Boards (Report 18-329).**

APPROVED

District Secretary Linda Nemeroff presented the staff report.

MOTION: WALLACE/YOUNG to approve the creation of a joint limited-purpose committee, consisting of two members of the AC Transit Board of Directors and two members of the Retirement Board, to examine the relationship between the two Boards with regard to the function of the administration and the administrative agreement and present the committee's recommendations at the next joint meeting of the Boards. The motion carried by the following vote:

AYES:7: Wallace, Young, Harper, Williams, Shaw, Peeples, Ortiz

- 5P. **Announcement of appointments to the Joint Board of Directors/Retirement Board Limited-Purpose Committee (Verbal).**

**APPOINTMENTS
ANNOUNCED**

President Ortiz announced that Board Members Peeples and Young are appointed to serve on the Joint Board of Directors/Retirement Board Limited-Purpose Committee.

- 5Q. **Consider options for filling the two public member positions and one non-ATU member position on the AC Transit Retirement Board and provide direction to staff (Report 18-322).**

DECISION TO REAPPOINT EXISTING MEMBERS

District Secretary Linda Nemeroff presented the staff report.

MOTION: YOUNG/WALLACE to reappoint the two current public members and one current non-ATU member to the AC Transit Retirement Board. The motion carried by the following vote:

AYES:7: Young, Wallace, Harper, Williams, Shaw, Peeples, Ortiz

- 5R. **Consider approving the formation of the AC Transit/City of Hayward Interagency Liaison Committee (Report 18-331).**

APPROVED

District Secretary Linda Nemeroff presented the staff report.

MOTION: YOUNG/WALLACE to approve the formation of the AC Transit/City of Hayward Interagency Liaison Committee. The motion carried by the following vote:

AYES:7: Young, Wallace, Harper, Williams, Shaw, Peeples, Ortiz

- 5S. **Announcement of appointments to the AC Transit/City of Hayward Interagency Liaison Committee (Verbal).**

APPOINTMENTS ANNOUNCED

President Ortiz announced that Board Members Shaw and Williams are appointed to serve on the AC Transit/City of Hayward Interagency Liaison Committee.

- 5T. **Announcement of appointments to the Nominating Committee for the selection of President and Vice President for 2019 (Verbal).**

APPOINTMENTS ANNOUNCED

President Ortiz announced the appointments to the Nominating Committee for the selection of Board President and Vice President for 2019.

- 5U. **Consider approving amendments to the General Manager, General Counsel, and District Secretary's Employment Agreements (Report 18-332).**

APPROVED

[Staff Report 18-332 and Attachments were provided at the meeting for the Board's information and consideration and are incorporated into the file by reference.]

MOTION: WALLACE/PEEPLES to approve amendments to the General Manager, General Counsel, and District Secretary's Employment Agreements. The motion carried by the following vote:

AYES:7: Wallace, Young, Harper, Williams, Shaw, Peeples, , Ortiz

6. CLOSED SESSION/REPORT OUT

NO REPORT

There was nothing to report out of Closed Session

6A. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9 (a))

Walker v. AC Transit, WCAB Case Nos. ADJ3990498, ADJ4465599, ADJ6675376, ADJ7115126, ADJ7465695

6B. Conference with Legal Counsel – Potential Litigation

(Government Code Section 54956.9(b)) (Two Cases)

6C. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representative: General Manager

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

6D. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

7. AGENDA PLANNING

Director Young requested staff to develop recommendations to update Transit District Law (President Ortiz Concurred).

8. GENERAL MANAGER'S REPORT

INFORMATION ONLY

The General Manager's Report is incorporated into the file by reference as Staff Report 18-334.

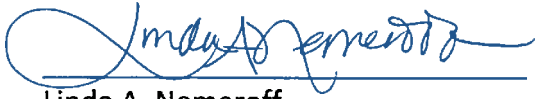
9. BOARD/STAFF COMMENTS

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

10. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 6:57 p.m. The next regular meeting of the Board of Directors is scheduled for Wednesday, January 9, 2019.

Respectfully submitted,

A handwritten signature in blue ink, reading "Linda A. Nemeroff". The signature is written in a cursive style and is positioned above a horizontal line.

Linda A. Nemeroff
District Secretary