

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 3/13/2024

Staff Report No. 24-172

TO: AC Transit Board of Directors
FROM: Linda A. Nemeroff, Board Administrative Officer/District Secretary
SUBJECT: Creation of a Special Board Policy 160 Review Committee

ACTION ITEM

AGENDA PLANNING REQUEST:

RECOMMENDED ACTION(S):

Consider approving the creation of a limited-purpose Board Policy 160 Review Committee.

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

STRATEGIC IMPORTANCE:

There is no strategic importance associated with this report.

BUDGETARY/FISCAL IMPACT:

There is no budgetary/fiscal impact associated with this report.

BACKGROUND/RATIONALE:

Board Policy 160 entitled "Board Officers: Performance Evaluations & Compensation, Employment Agreements, Leave Notification" is currently under review by the Board of Directors via its outside consultant. The consultant has drafted amendments to the policy and the Board President wishes to create a limited-purpose committee that will be responsible for reviewing and refining the proposed amendments with the consultant. Once the committee's work is complete, the final amended version of the policy will be brought to the full Board in open session for consideration.

Board Policy 101, Section 8.4(b) provides that:

"The Board may establish Limited-Purpose Committees and the Board President shall appoint the Chair and members of Limited-Purpose Committees so established by the Board. Limited-Purpose Committees shall be composed of no more than three members of the Board of Directors and may include the Vice President and President. A Limited-Purpose Committee is a temporary advisory committee that serves a limited or single purpose, is not perpetual, and will be dissolved once its specific task is complete. This type of committee is not subject to the provisions of the Brown Act. Any request to the Board to authorize the creation of a Limited-Purpose Committee shall specify 1) the

limited or single purpose of the committee and 2) the committee's sunset date. Limited-Purpose Committees shall report on their activities to the Board or the appropriate Standing Committee as appropriate."

As a committee created for a limited duration and purpose, the proposed committee would be exempt from the provisions of the Brown Act and would sunset once its purpose is fulfilled. If the Board approves the creation of this committee, the Board President will then proceed with making appointments to it.

ADVANTAGES/DISADVANTAGES:

The creation of a limited-purpose committee will allow a subset of the Board to participate in the review and refinement of amendments to Board Policy 160 that will ultimately lead to an updated policy that more closely reflects the Board's objectives with respect to performance evaluations for the Board Officers. There are no disadvantages.

ALTERNATIVES ANALYSIS:

There are no practical alternatives to the course of action recommended in this report.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Board Policy 160 was last amended in 2022.

ATTACHMENTS:

None

Prepared by:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

Approved/Reviewed by:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

Shayna M. van Hoften, Interim General Counsel