



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

AGENDA

Board of Directors - Regular Meeting

3:45 PM Closed Session (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

[Zoom link https://actransit.zoom.us/j/98487175063](https://actransit.zoom.us/j/98487175063)

Wednesday, October 9, 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. 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.

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

- 5.A. Consider approving Board of Directors meeting minutes of September 25, 2024. [24-044](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

- 5.B. Consider receiving report on proposed amendments to the AC Transit Conflict of Interest Code. [24-521](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 5.C. Consider review of Board Policy 324 - Revenue and Grants with minor amendments. [24-474](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 5.D. Consider adoption of Resolution No. 24-032, authorizing the General Manager or his designee to file and execute an application and funding agreement for Alameda County Transportation Commission (ACTC) administered funding for the International Boulevard (Blvd) Bus Rapid Transit (BRT) and Streetscape Improvements Project and committing any necessary matching funds and stating assurances to complete the Project. [24-506](#)

Staff Contact:
Chris Andrichak, Chief Financial Officer

- 5.E. Consider adoption of Resolution No. 24-033, authorizing the General Manager or his designee to file and execute an application and funding agreement for the Alameda County Transportation Commission (ACTC) administered funds for the East Oakland Facility Battery Electric Bus Infrastructure Project and committing any necessary matching funds and stating assurances to complete the project. [24-514](#)

Staff Contact:
Chris Andrichak, Chief Financial Officer

- 5.F. Consider adoption of Resolution No. 24-034, authorizing the General Manager or his designee to file and execute an application and funding agreement for Alameda County Transportation Commission (ACTC) administered funding for the Grand Avenue Improvements Project and committing any necessary matching funds and stating assurances to complete the Project. [24-515](#)

Staff Contact:
Chris Andrichak, Chief Financial Officer

- 5.G. Consider receiving the General Manager’s Access Committee minutes of July 9, 2024. [24-507](#)

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

- 5.H. Consider authorizing the General Manager to exercise the second and final one-year option from January 1, 2025 through December 31, 2025 with Concentra, CCCMA Occupational Clinic, and Mega Lab Services for drug and alcohol testing, commercial driver license (CDL) medical examinations, and physical agility testing services of prospective and current employees (contracted as Third Party Administration of US Department of Transportation (US DOT) Medical Examinations and Workplace Drug/Alcohol Testing Services). [20-046c](#)

Staff Contact:

Lynette Little, Director of Civil Rights & Compliance

- 5.I. Consider receiving a report regarding the 2024 Federal Transit Administration (FTA) Triennial Review. [24-489](#)

Staff Contact:

Alan Parello, Manager of Internal Audit

6. REGULAR CALENDAR

- 6.A. Consider adopting Resolution No. 24-035, which approves the proposed Realign Final Network Plan and Realign+ service additions, approves the service equity analyses, and directs the General Counsel to file a Notice of Exemption with Alameda and Contra Costa Counties and any other parties as may be required. [23-250k](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Claudia Burgos, Director of Legislative Affairs & Community Relations

7. 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.

7.A. Conference with Legal Counsel – Potential Litigation

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

7.B. 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

7.C. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

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. [24-061p](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

9. GENERAL MANAGER’S REPORT

- 9.A. General Manager’s Report for October 9, 2024. [24-016p](#)

10. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

- 10.A. Written reports from Board members on travel to District-related conferences occurring in the last 30 days. [24-314](#)

11. ADJOURNMENT

Next Meeting: October 23, 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.