



## **ALAMEDA-CONTRA COSTA TRANSIT DISTRICT**

### **MINUTES**

#### **Board of Directors - Regular Meeting**

CLOSED SESSION 2:30 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, November 8, 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, November 8, 2023, at 5:00 p.m.

The meeting was called to order at 3:32 p.m. for the purpose of Closed Session. All Board members were present. The Board convened in Closed Session to discuss Items 9A-9D as listed on the agenda. Closed Session concluded at 4:44 p.m.

President Young called the Board of Directors meeting to order at 5:00 p.m.

**2. ROLL CALL**

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

**3. PRESENTATION****3.A. San Pablo Corridor Project Update.**[23-494](#)

Staff Contact:

Carolyn Clevenger, Deputy Executive Director of Planning and Policy,  
Alameda CTC

Executive Director with Alameda County Transportation Commission Tess Lengyel and Principal Transportation Planner with ACTC Colin Dentel-Post made a presentation. There were no public comments offered.

This item was presented for information only.

**4. PUBLIC COMMENT**

**Laurel Paget-Seekins**, Public Advocates, called attention to a letter that was sent to the Board of Directors requesting additional data prior to December 13, 2023, on the Realign proposed metrics to compare pre-Covid 19 service and current service levels.

**Dori Goldberg**, People's Transit Alliance, reiterated Laurel Paget-Seekins request for additional data and reliable schedules for Bus Operators and riders.

**Brandy Donaldson**, D3 Bus Operator/People's Transit Alliance, requested that the proposed Realign routes have enough run time built into the schedule and that the Bus Operators be provided with adequate training time.

**5. MODIFICATIONS TO THE AGENDA**

Agenda items 8A and 8E were heard out of order.

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

There was no public comment on the Consent Calendar.

MOTION: PEEPLES/McCALLEY to receive, approve or adopt the items on the Consent Calendar as indicated, except Agenda Item 6.F. which was pulled off by Director Shaw for clarification. The motion carried by the following vote:

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

- 6.A.** Consider receiving the FY 2023-24 First Quarter Travel and Meeting Expense Report for the Board of Directors. [23-505](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/McCALLEY to receive the FY 2023-24 First Quarter Travel and Meeting Expense Report for the Board of Directors. The motion carried by the following vote:

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

- 6.B.** Consider approving minor amendments to Board Policy 145 - Elections: Political and Campaign Activities. [23-515](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

Jill A. Sprague, General Counsel/Chief Legal Officer

MOTION: PEEPLES/McCALLEY to approve minor amendments to Board Policy 145 - Elections: Political and Campaign Activities. The motion carried by the following vote:

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

- 6.C.** Consider the adoption of AC Transit's 2024 Federal and State Advocacy Programs. [23-420a](#)

Staff Contact:

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

MOTION: PEEPLES/McCALLEY to adopt AC Transit's 2024 Federal and State Advocacy Programs. The motion carried by the following vote:

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

- 6.D.** Consider receiving the Quarterly Report on District's involvement in external planning processes. [23-486](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

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

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

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- 6.E.** Consider receiving the Quarterly budget update for the period of July 2023 through the end of September 2023 of FY 2023-24. [23-519](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/McCALLEY to receive the Quarterly budget update for the period of July 2023 through the end of September 2023 of FY 2023-24. The motion carried by the following vote:

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

- 6.F.** Consider approving the proposed FY 2024-25 Annual Budget Development Process and Calendar. [23-513](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

This agenda item was pulled off the Consent Calendar for clarification.

MOTION: SHAW/PEEPLES to approve the proposed FY 2024-25 Annual Budget Development Process and Calendar. The motion carried by the following vote:

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

- 6.G.** Consider authorizing the General Manager, or his designee, to execute documents through Washington State Transit Bus Cooperative Contract, to purchase fifty (50) forty-foot diesel buses from Gillig LLC of Livermore, CA. [23-520](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

MOTION: PEEPLES/McCALLEY to authorize the General Manager, or his designee, to execute documents through Washington State Transit Bus Cooperative Contract, to purchase fifty (50) forty-foot diesel buses from Gillig LLC of Livermore, CA. The motion carried by the following vote:

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

- 6.H.** Consider receiving the Monthly Legislative Report. [23-473](#)

Staff Contact:

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

MOTION: PEEPLES/McCALLEY to receive the Monthly Legislative Report. The motion carried by the following vote:

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

- 6.I.** Consider receiving the Semi-Annual Retirement Board Report. [23-527](#)

Staff Contact:

Damien Charléty, Retirement System Manager

MOTION: PEEPLES/McCALLEY to receive the Semi-Annual Retirement Board Report. The motion carried by the following vote:

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

***The Board took a brief recess prior to the start of the hearing at 6:03 p.m. The meeting reconvened at 6:07 p.m. All Board members were present.***

## **7. PUBLIC HEARING - 6:00 PM - President Young**

- 7.A.** Hold Public Hearing to receive comment on the introduction of two proposed Ordinances (Ordinance 20 (Evergreen) and Ordinance 20 (Jade)) establishing a seven-ward election system and sequence of elections pursuant to Elections Code Section 10010; and introduce and waive the reading of the ordinances. [23-391f](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

Jill A. Sprague, General Counsel/Chief Legal Officer

President Young welcomed everyone to the public hearing and advised that legal notice of the hearing was given in accordance with Board Policy 110. Spanish, Mandarin and Cantonese interpreters were available and instructions were given on how to access language services.

The public hearing opened at 6:10 p.m. and the meeting was turned over to the District Secretary and General Counsel for the staff presentation.

Five persons presented testimony on election sequencing and map preferences related to the proposed ordinances. The public hearing closed at 6:24 p.m.

A copy of the oral comments are attached hereto as Exhibit A and are made a part of these minutes. Email, fax, voicemail, and written comments received up to the close of the hearing are incorporated into the file, and by reference hereto, are made a part of these minutes.

MOTION: SHAW/McCALLEY to introduce and waive the reading of Ordinance 20 (Evergreen) and Ordinance 20 (Jade). The motion carried by the following vote:

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

## **8. REGULAR CALENDAR**

### **External Affairs Items - Chair Peoples**

- 8.A.** Consider receiving an update on the Next Generation Clipper (C2) Program implementation. [23-467](#)

Staff Contact:

Ahsan Baig, Chief Information Officer

Senior Project Manager Patricia Broadbent presented the staff report. There were no public comments.

MOTION: SHAW/YOUNG to receive an update on the Next Generation Clipper (C2) Program implementation. The motion carried by the following vote:

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

#### Finance and Audit Items - Chair McCalley

- 8.B.** Consider approving AC Transit's participation in Phase 2 of the Clipper BayPass regional transit pilot. [23-521](#)

Staff Contact:

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

Chris Andrichak, Chief Financial Officer

Director of Marketing, Communications and Customer Service Nichele Laynes presented the staff report.

**Public Comment:**

**Cecilia** commented that it is important for UC Berkeley students of color to have representation on AC Transit board and that Ward 2 representative is elected in 2024.

**Alfred Twu** commented that everyone loves the BayPass and urged the Board to move forward with Phase 2.

MOTION: PEEPLES/SHAW to approve AC Transit's participation in Phase 2 of the Clipper BayPass regional transit pilot. The motion carried by the following vote:

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

#### Planning Items - Chair Syed

- 8.C.** Consider delegating one-time authority to the General Manager to award and execute a fixed price construction contract to the lowest responsive and responsible bidder whose bid has been determined to be fair and reasonable for the MacArthur Boulevard/Durant Avenue and International Boulevard Quick Build Projects and direct the General Manager to report back on the contract at a future meeting. [22-107a](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Traffic Engineer Wil Buller presented the staff report. There were no public comments.

MOTION: PEEPLES/McCALLEY to approve one-time authority to the General Manager to award and execute a fixed price construction contract to the lowest responsive and responsible bidder whose bid has been determined to be fair and reasonable for the MacArthur Boulevard/Durant Avenue and International Boulevard Quick Build Projects and direct the General Manager to report back on the contract at a future meeting. The motion carried by the following vote:

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

- 8.D.** Consider receiving the Strategic Plan update.

[23-412](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Director of Business Sciences William Tonis presented the staff report. There were no public comments.

MOTION: SHAW/PEEPLES to receive the Strategic Plan update. The motion carried by the following vote:

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

#### **Operations Items - Chair Shaw**

- 8.E.** Consider receiving the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the First Quarter of Fiscal Year 23-24.

[23-517](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

Director of Transportation Dwaine Crawley presented the staff report. There were no public comments.

MOTION: YOUNG/PEEPLES to receive the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the First Quarter of Fiscal Year 23-24. The motion carried by the following vote:

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

#### **Board Administrative Matters - President Young**

- 8.F.** Consider adopting the 2024 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.

[23-419](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

There was no presentation of the staff report. There was consensus to direct staff to report back in December with a recommendation on moving or cancelling the February 28th meeting and moving the August meeting back one week to August 7th.

**9. CLOSED SESSION/REPORT OUT**

There was nothing to report out of closed session.

**9.A. Conference with Legal Counsel – Potential Litigation**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (Two Cases)

**9.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

**9.C. Public Employee Performance Evaluation**

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

**10. AGENDA PLANNING**

- 10.A.** Review of Agenda Planning Pending List and Agenda Planning Request Forms. [23-028s](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

There were no new items added to Agenda Planning.

**11. GENERAL MANAGER'S REPORT**

- 11.A.** General Manager's Report for November 8, 2023. [23-029s](#)

The report was presented for information only.

**12. 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.

**13. ADJOURNMENT**

There being no further business to come before the Board of Directors, the meeting adjourned



at 7:12 p.m. The next meeting of the Board is scheduled for December 1, 2023 at 9:00 a.m. (special meeting).

Respectfully submitted,

/s/

Linda A. Nemeroff

District Secretary