

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 1/14/2026

Staff Report No. 26-064

TO: AC Transit Board of Directors
FROM: Diane Shaw, Board President
SUBJECT: District Secretary & General Counsel's Employment Agreements

ACTION ITEM

AGENDA PLANNING REQUEST: ☐

RECOMMENDED ACTION(S):

Consider approving the ninth amendment to the District Secretary's employment agreement and the first amendment to the General Counsel's employment agreement.

Contact:
Diane Shaw, Board President

STRATEGIC IMPORTANCE:

Goal - High-Performing Workforce
Initiative - Employee Recruitment, Training and Retention

As Board Officers, the District Secretary and General Counsel report directly to the Board of Directors. Maintaining a competitive salary and benefits package for Board Officers ensures steady and effective leadership of the District at the highest level.

BUDGETARY/FISCAL IMPACT:

The negotiated amendments to the District Secretary's employment agreement include a one-time cost of approximately \$9,200 related to the lump sum payment, which is in lieu of an ongoing pay increase. There is no fiscal impact associated with the additional grant of ten days of general leave, as this leave is not eligible for cash-out. Additionally, there is no current fiscal impact related to making the District Secretary eligible for a retirement incentive, as the District does not anticipate offering such an incentive in the foreseeable future. The District Secretary's most recent compensation adjustment occurred in January 2024.

The negotiated salary amendment to the General Counsel's employment agreement results in an ongoing annual cost of \$11,200. The amended agreement also increases deferred compensation from \$23,000 annually to the maximum of \$24,500, with subsequent annual increases aligned with the Internal Revenue Service's adjusted maximum contribution limits. The fiscal impact associated with the general leave provisions includes the grant of five additional days of general leave annually, with an estimated cost of \$5,600, as well as the option to cash out general leave up to twice annually, which may or may not be exercised by the employee.

BACKGROUND/RATIONALE:

In October, the Board of Directors completed formal performance evaluations for the District Secretary and General Counsel. The evaluations concluded that both Board Officers demonstrated excellent and/or satisfied performance, exceeded and/or satisfied established expectations, and successfully achieved and/or satisfied performance goals.

Pursuant to the Brown Act, before taking final action, the Board is required to orally report, during an open meeting, a summary of the compensation provided in the form of fringe benefits to a local agency executive, as defined in subdivision (d) of Section 3511.1. Final action must be taken at a regular meeting and may not be placed on the consent calendar. The proposed amendments to the agreements are included as attachments to this report.

ADVANTAGES/DISADVANTAGES:

The amendments to the District Secretary and General Counsel's employment agreements were negotiated; therefore, this report does not recommend an action with notable advantages or 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 - Board Officers: Employment Agreements, Performance Evaluations, and Leave Notification.

ATTACHMENTS:

1. Ninth Amendment to the District Secretary's Employment Agreement.
2. First Amendment to the General Counsel's Employment Agreement

Approved/Reviewed by:

Diane Shaw, Board President

Chris Andrichak, Chief Financial Officer

Andrew Shen, Partner at Renne Public Law Group (as to the agreements only)