

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 7/10/2024

Staff Report No. 23-241a

TO: AC Transit Board of Directors
FROM: Linda A. Nemeroff, Board Administrative Officer/District Secretary
SUBJECT: Dissolution of the Accessibility Advisory Committee

ACTION ITEM

AGENDA PLANNING REQUEST: ☐

RECOMMENDED ACTION(S):

Consider the adoption of Resolution No. 24-022 to repeal Resolution No. 23-021, dissolve the AC Transit Accessibility Advisory Committee (AAC); express appreciation on behalf of senior and disabled fixed route transit riders to the past members of the AAC and thanking the members of the General Manager's Access Committee (GMAC) for their commitment to accessible public transit; and direct and authorize the General Manager to utilize the means he determines are best-suited for soliciting and receiving input on District planning, programs and services for seniors and individuals with disabilities.

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

STRATEGIC IMPORTANCE:

Goal - Prioritize Diversity, Equity, Inclusion and Accessibility

Initiative - Internal and External Diversity, Equity, Inclusion and Accessibility Programs and Priorities

The proposed action will expand the District's flexibility in maintaining and expanding an open dialogue and feedback loop on accessibility matters affecting seniors and people with disabilities, without restrictions imposed on "legislative bodies" under the Ralph M. Brown Act.

BUDGETARY/FISCAL IMPACT:

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

BACKGROUND/RATIONALE:

The AAC was established by the Board of Directors in 1990 to review, comment, and advise the Board of Directors regarding the implementation of District planning, programs and services for seniors and individuals with disabilities. The AAC and its many members over the past 30 years have provided input regarding accessibility for numerous services plans, vehicle specifications, fares, programs and other services. The time and effort given by members of the AAC has left an imprint on everything AC Transit is today. AC Transit is proud of what has been accomplished and grateful for the contributions of the AAC.

During the Covid-19 state of emergency, the Governor and then the State legislature suspended portions of the Ralph M. Brown Act (the State's open meetings law for local governments, codified at Cal. Gov. Code section 54950, et seq.) to enable local legislative bodies to meet via teleconference without requiring certain traditional conditions to be met. This change increased the ease with which members of the AAC and other stakeholders could attend meetings. Unfortunately, the return to mandatory in-person meeting attendance following the pandemic hindered the AAC's ability to meet and offer meaningful input. The State legislature did adopt Assembly Bill 2449 (AB 2449) to provide opportunities for members of legislative bodies (like the AAC) to attend meetings remotely without publishing and opening their remote attendance addresses to the public; however, AB 2449 is limited in both the number of meetings members can attend remotely, and remote attendance (without publication of the member's address) is only permitted for statutorily-defined "just cause" or "emergency circumstances."

Last year, after several months when the AAC could not meet due to lack of a quorum, the Board adopted Resolution No. 23-021 to suspend the AAC and direct the General Manager to establish a committee to advise staff (rather than the Board) on accessibility matters. The GMAC was formed in late April and the first meeting was held in May. The GMAC allowed the District to pilot a method that offered more flexibility in how members may attend meetings, while still preserving public access and participation. Overall, the new GMAC structure has been successful, and members appreciate the District's efforts to find a solution to restore their ability to provide the District with critical feedback on District programs, planning and operational matters affecting seniors and people with disabilities. At the May 14, 2025, GMAC meeting, members of the GMAC expressed their support to not resume meetings of the AAC. Currently, the GMAC has more than 1,600 subscribers to its agendas.

Given the successful use of the GMAC to advise the General Manager, staff is requesting that the Board of Directors adopt Resolution No. 24-022 to (1) to repeal Resolution No. 23-021; (2) dissolve the AC Transit Accessibility Advisory Committee (AAC); (3) express appreciation on behalf of senior and disabled fixed route transit riders to the past members of the AAC and thanking the members of the General Manager's Access Committee (GMAC) for their commitment to accessible public transit, and (4) direct and authorize the General Manager to utilize the means he determines are best-suited for soliciting and receiving input on District planning, programs and services for seniors and individuals with disabilities.

ADVANTAGES/DISADVANTAGES:

The transition of responsibilities from the AAC to the GMAC has been a positive change, enhancing District efforts consistent with its mission to ensure accessible public transit. The new committee's productivity and commitment over the past year have demonstrated its effectiveness in this role, and the benefits of more flexible meeting arrangements. Consequently, the recommendation for the dissolution of the AAC by staff is based on the successful piloting of the GMAC. The proposed action will continue and expand this shift, which signifies a proactive approach to maintaining and improving accessible services for the public. There are no disadvantages to the course of action recommended in this report.

ALTERNATIVES ANALYSIS:

The only alternative considered was to allow the AAC to remain in a suspended state. Since the responsibilities of the AAC were successfully assumed by the GMAC, staff sees no reason for the AAC to continue to remain on the books; therefore, staff recommends its dissolution. The proposed action will

further enable a GMAC or other similar committee created by staff to meet without requiring compliance with the burden of in-person meetings as forced by the Brown Act.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Resolution No. 23-021

ATTACHMENTS:

1. Resolution No. 24-022

Prepared by:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

In Collaboration with:

Mallory Brush, Accessible Services Manager

Approved/Reviewed by:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

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