



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Board of Directors - Regular Meeting

CLOSED SESSION 4:15 PM (see item 8 for details)

REGULAR MEETING 5:00 PM

PUBLIC HEARING 6:00 PM (Redistricting - see item 7A for details)

HYBRID MEETING

AC Transit General Offices

2nd Floor Board Room - 1600 Franklin Street, Oakland, California

English Phone (669) 900 6833, Webinar ID: 984 8717 5063

Spanish Phone (707) 304-7195, Conference ID: 647 528 554#

Mandarin Phone (707) 304-7195, Conference ID: 983 252 334#

Cantonese Phone (707) 304-7195, Conference ID: 286 412 310#

Wednesday, September 13, 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, September 13, 2023, at 5:00 p.m.

President Young called the Board of Directors meeting to order at 5:03 p.m.

2. ROLL CALL

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

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.

Ms. Fowles, Civic Action Coalition, commented on the restoration of Line 80, saying that there are areas along the route segment that were not being served. In addition, there were also several areas not being served by Line 7. A complaint was also made about a bus stop.

4. MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda.

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

MOTION: PEEPLES/McCALLEY to received or approve the items on the Consent Calendar as indicated. The motion carried by the following vote:

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

5.A. Consider approving Board of Directors minutes of August 9, 2023.[23-109](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/McCALLEY to approve the Board of Directors minutes of August 9, 2023. The motion carried by the following vote:

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

5.B. Consider approving Board of Directors minutes for the special meeting held on August 24, 2023.[23-434](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/McCALLEY to approve the Board of Directors minutes for the special meeting held on August 24, 2023. The motion carried by the following vote:

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

- 5.C.** Consider approving minor, non-substantive amendments to Board Policy 360 - Actuarial Valuations Retirement Fund Policy. [23-359](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/McCALLEY to approve minor, non-substantive amendments to Board Policy 360 - Actuarial Valuations Retirement Fund Policy. The motion carried by the following vote:

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

- 5.D.** Consider receiving the Monthly Report on Investments for June 2023. [23-422](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/McCALLEY to receive the Monthly Report on Investments for June 2023. The motion carried by the following vote:

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

- 5.E.** Consider approving the award of a firm fixed price construction contract for \$3,293,851 to Ray's Electric of Oakland, California for the construction of the AC Transit Rapid Corridors Telegraph Avenue Project segment. [22-176a](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: PEEPLES/McCALLEY to approve the award of a firm fixed price construction contract for \$3,293,851 to Ray's Electric of Oakland, California for the construction of the AC Transit Rapid Corridors Telegraph Avenue Project segment. The motion carried by the following vote:

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

- 5.F.** Consider authorizing the General Manager to exercise Option 3 (Year 6) to extend the District's contract with Alliant Insurance Services, for the period beginning February 10, 2024, through February 9, 2025, for the provision of Insurance Broker Services. [18-162d](#)

Staff Contact:

Jill A. Sprague, General Counsel/Chief Legal Officer

MOTION: PEEPLES/McCALLEY to authorize the General Manager to exercise Option 3 (Year 6) to extend the District's contract with Alliant Insurance Services, for the period beginning February 10, 2024, through February 9, 2025, for the provision of Insurance Broker Services. The motion carried by the following vote:

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

- 5.G.** Consider authorizing the issuance of a Request for Proposal (RFP) for 457(b) Plan Administrative Services. [23-414](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

MOTION: PEEPLES/McCALLEY to authorize the issuance of a Request for Proposal (RFP) for 457(b) Plan Administrative Services. The motion carried by the following vote:

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

6. REGULAR CALENDAR

Planning Items - Chair Syed

- 6.A.** Consider receiving an update on progress, next steps, and upcoming engagement opportunities and approve the revised guiding principles associated with Realign, the District's system-wide service effort. [23-250c](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering
Beverly Greene, Executive Director of External Affairs, Marketing & Communications

[Written comment received prior to the meeting is incorporated into the file by reference.]

Transportation Planner David Berman and External Affairs Representatives Diann Castleberry gave the presentation.

Public Comment:

Warren Cushman is happy that Community Recourses for Independent Living is a stakeholder and a partner in the process and is looking forward to future dialogue and figuring out how the needs of seniors and people with disabilities will be met under the equity rubric.

Omowale Fowles requested that Operator's contracts be adjusted to 8 hours straight working shifts so the reliability, the equity and the frequency of the busses would be more secure.

Adina Levin requested that transfer data be represented in the goals of the Realign process.

MOTION: YOUNG/PEEPLES to receive the staff report and approve the revised guiding

principles associated with Realign, the District's system-wide service effort. The motion carried by the following vote:

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

Board Administrative Matters - President Young

- 6.B.** Announcement of changes to the October and November Board meeting schedule. [23-450](#)

Presenter:

President Young

President Young reported that due to the American Public Transportation Association Conference, the regular Board of Directors meeting scheduled for October 11th was cancelled. The special Board of Directors meeting on October 4th and the regular meeting on October 25th will remain on calendar.

In addition, a special Board of Directors meeting will be held on Wednesday, November 1st at 5:00 p.m. for the first presentation of the draft service proposals associated with the Realign project.

At 5:50 p.m., President Young announced that the Board would take a brief recess. The meeting reconvened at 6:00 p.m. All Board members were present.

7. PUBLIC HEARING - 6:00 PM

- 7.A.** Receive presentation from the District's demographer on redistricting to a seven-ward election system for the Board of Directors; and hold the second of two public hearings to receive public input on the composition of the voting wards before maps are drafted and provide initial direction to the demographer on the composition of the draft maps. [23-391c](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

Presenter:

Michael Wagaman, Wagaman Strategies

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

The public hearing opened at 6:05 p.m. and the meeting was turned over to Michael Wagaman, Wagaman Strategies, who presented a recap of the criteria that would be

used to redistrict to a seven-ward election system and addressed questions from the Board.

Four persons presented testimony concerning the redistricting process and offered feedback.

The Board gave the following direction/feedback to the demographer:

- Keep cities together to the extent possible.
- Keep neighborhoods together to the extent possible.
- Utilize the Community of Interest (COI) data gathered in the last redistricting in addition to new COI data.
- To add the following layers to the baseline maps on the online drawing tool:
 - City boundaries
 - City council and supervisorial district boundaries (Alameda County)
 - School district boundaries (already included)
 - City of Oakland police beat areas
 - Oakland Community Economic Development Agency neighborhood boundaries (c. 2002)

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.

The public hearing closed at 6:40 p.m.

8. CLOSED SESSION/REPORT OUT

Closed session was cancelled.

8.A. Conference with Legal Counsel - Potential Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (2 Cases)

8.B. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

9. 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.

- 9.A.** Review of Agenda Planning Pending List and Agenda Planning Request
Forms submitted by Vice President Shaw and Director Beckles.

[23-028o](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

The Agenda Planning requests submitted by Director Beckles and Vice President Shaw were accepted.

10. GENERAL MANAGER'S REPORT

10.A. General Manager's Report for September 13, 2023.

[23-029o](#)

The report was presented for information only.

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

Members of the Board commented on meetings and events attended since the last Board meeting.

12. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 6:49 p.m. The next regular meeting of the Board of Directors is scheduled for Wednesday, September 27, 2023 at 5:00 p.m.

Respectfully submitted,

/s/

Linda Nemeroff

Board Administrative Officer/District Secretary

**Board of Directors Meeting
September 13, 2023
Transcript of Testimony (Public Hearing #2 – Redistricting)
Exhibit A to the Minutes**

BRUCE BENEDICTUS: Hello! I'm here on a rather quixotic mission because when I heard about this my immediate idea was it's difficult for somebody like me who deals with people in a lot of different areas to get representation within walking distance of my house. There's 2 cities. There are 2 police precincts, 3 police precincts, including that in Piedmont. 2 County supervisor districts, and I went through most of the 20 ten's without knowing who my supervisor was. Anyway, I mentioned this to Chris and my immediate idea was the best way to do this is divide the even numbers and the odd numbers into 2 different district elections, so that you're electing somebody every election, which is a good idea and doing it so that they cross over. So, my idea was Northwest, Northeast, Southwest, Southeast, and then South Central and North. Everybody would have 2 Directors. Every Director would have to work with at least 2 other Directors and there would be a good opportunity for cooperation between people which I think is very important to have in government. So, this is just something, I don't know whether it's legal or not, or how well it would work. But I just don't like the fact that I work in, I live in one area work there ostensibly, I work in another area just a few about a mile and a half away, which is in another district. I have a club in another district. Have another club in Berkeley. There's a lot of places to do, and I think we need more unity rather than less. I do understand the difficulty in having District wide elections, but we could cut it down and still make it buried.

OMAWALE FOWLES: Hello Board of Directors and I would like to thank you for the maps. I think I think I would also like to ask if we could get maps of the current Districts for those people who are currently seated on Board with those same distinctions of City, County, and supervisor District lines and communities of interest, common interest. And I would also like to know if there are financial data to show whether or not there is the same per capita expenditure for Alameda County versus those Districts of that one District in Contra Costa County, since AC Transit District is a bi-county District and I think that it would be interesting for the community to evaluate that dollar expenditures, since those tax dollars are ours and AC Transit is only funded by tax dollars from the voters. Thank you.

JOHN MINOT: Hi! Good evening, this is John Minot. Thanks for the presentation. A few of the maps up there in the gallery are mine. I think this is a great tool, and I'm glad we've got the ability to make our own maps and let you see them. I don't currently have a strong preference on how things go, but I wanted to stress the role of a diversity of different maps. I think that the shape of the district makes it really natural to start at the top or bottom, and just sort of start slicing, you know. See how far up you go and then start a new District, and then start going up again and see how far you go, and I would like to think of, at least to see some options of other others. That for example is one idea that came up was, what if the 72 corridors were a District. The people who depend on the 72 and 72R. I tried to do that, and it created some weird consequences. But I'd at least I hope it can be considered. Suppose I also think you know; you can look to city boundaries. Obviously, I would point out Alameda in particular as one place where I think, given that it's also surrounded by Oakland which has to be broken up I would like some possibilities of considering breaking up Alameda to match that.

**Board of Directors Meeting
September 13, 2023
Transcript of Testimony (Public Hearing #2 – Redistricting)
Exhibit A to the Minutes**

Because if you just have Alameda, if you think about voter turnout, if you just have Alameda and then Oakland, in a radius surrounding it you're going to get Alameda, which is high turnout and then a bunch of Oakland which is low turnout. So, on paper it'll be it'll look like a District with a lot of minority representation, and in practice they may not be as much like that, considering that Oakland has to be divided into, I think, at least 3 I think it would be interesting to see West Alameda, with one part of Oakland, East Alameda and Bay Farm with another. Thanks.

WARREN CUSHMAN: Hello, Directors, this is Warren Cushman again. I want to start off by saying, this has been a whirlwind pace, I'm trying to still catch up to all of this. I'm still trying to adjust to the fact that we're dealing with this. So, I'm doing my best in terms of community of interest. I would like to raise seniors and people with disabilities as a community of interest. I think that is a layer that would be interesting to tabulate. So that's a concern and a thought is to raise seniors and people with disabilities. In terms of the unincorporated area of Alameda County. I live in the unincorporated area of Alameda County, if we were a city we would be the fourth largest city in Alameda County. So, I think that's something we should think about. In terms of the incorporated area. And also, I think that I guess my thought is that in terms of the fairness aspect, I'm not wedded to a particular map as of yet I just feel like it should be a fair representation throughout the District. So that, you know every District is equally represented equally by population. And I think that's the point that everybody's already aware of. So, I just that's where I'm at. Thank you very much.