



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

### **MINUTES**

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

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, March 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 regular meeting on Wednesday, March 8, 2023.

Prior to the start of the meeting, General Counsel Jill Sprague confirmed that all requirements of the Ralph M. Brown Act (Govt. Code Sections 54950, et seq.) and the provisions of Board Policy 101, Section 4.9 regarding teleconferenced meetings were met in order for President Young to participate in the meeting and advised that all votes must be taken by roll call vote.

The meeting was called to order at 4:02 p.m. for the purpose of Closed Session. All Board members were present, with the exception of Director Walsh who was absent, Vice President Shaw who arrived at 4:05 p.m. and Director Peoples who arrived at 4:10 p.m. The Board convened in Closed Session to discuss Items 7A-7C as listed on the agenda. Closed Session concluded at 5:02 p.m.

President Young called the Board of Directors meeting to order at 5:12 p.m.

**2. ROLL CALL**

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

**3. PUBLIC COMMENT**

**John Wong** was directed to bring his comments regarding agenda item 6A during public comment on that agenda item.

**Jane Kramer** commented on being happy to see Director Beckles physically in attendance at the Board meeting.

**Eduardo Sanchez** presented his viewpoint and comments regarding COVID-19 vaccine treatment and District's mandate.

**Alfred Twu** commented that the COVID-19 vaccine works and thanked the Board for maintaining its vaccine mandate.

**Eric Brazille** requested the Board's help in helping five religious-exempt paratransit drivers be released back to work.

**4. MODIFICATIONS TO THE AGENDA**

There were no modifications to the agenda.

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

There were no public comments offered on the Consent Calendar.

MOTION: WALSH/SYED to receive 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

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- 5.A.** Consider approving the minutes of the Special Board of Directors meeting of February 22, 2023. [23-195](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: WALSH/SYED to approve the minutes of the Special Board of Directors meeting of February 22, 2023. The motion carried by the following vote:

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

- 5.B.** Consider approving Board of Directors minutes of February 22, 2023. [23-098](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: WALSH/SYED to approve the Board of Directors minutes of February 22, 2023. The motion carried by the following vote:

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

- 5.C.** Consider receiving the Accessibility Advisory Committee minutes of January 10, 2023. [23-188](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: WALSH/SYED to receive the Accessibility Advisory Committee minutes of January 10, 2023. The motion carried by the following vote:

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

- 5.D.** Consider receiving an update on the AC Transit and ATU Local 192 Labor Management Training Partnership and approve a three-year sole source contract with Balance.point Strategic Services. [23-149](#)

Staff Contact:

Salvador Llamas, Chief Operating Officer

MOTION: WALSH/SYED to receive an update on the AC Transit and ATU Local 192 Labor Management Training Partnership and approve a three-year sole source contract with Balance.point Strategic 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 a report on potential options for providing service on the Ashby Avenue segment of Line 80. [Requested by Director Beckles - 1/11/23] [23-123](#)

**Staff Contact:**

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

*[Written comment, including letters of support, received prior to the meeting are incorporated into the file by reference. In addition, a map provided by Director Walsh was presented to the Board and is incorporated into the file by reference.]*

Service Planning Manager Michael Eshleman presented the staff report and advised that Exhibit 7 of Attachment 1 should reflect that the proposed cut to Line 12 is 23 minutes instead of 30 minutes.

**Public Comment:**

**George Spies** encouraged the Board to accept the report so that staff could evaluate service options and recommend one for consideration at a future date.

**John Wong** expressed support for the proposed E-Local option for Line 80 service restoration, but as a separate bus line. Wong asked the Board to review support letters provided by Councilmember Taplin and Vice Mayor Bartlett which noted the benefits of returning service to local riders on Line 80.

**Eduardo Sanchez** asked why there's a driver shortage and whether dropping the vaccine mandate would help the driver shortage.

**Melrose** asked for confirmation that service would be restored on Line 47.

**Alfred Twu** expressed support for bringing bus service back to Ashby Avenue and commented on the benefits to local transit riders.

**Cheryl Davila** expressed support for returning bus service to Ashby Avenue and commented on the benefits to local transit riders.

**Hayden Miller** expressed support for Ashby Avenue bus service with the E-Local option. Miller noted Councilmember Taplin's letter of support for service restoration and the benefit for all transit riders with the expansion across this east-west corridor.

**Molly Crowther** supported the restoration of Ashby Avenue bus service and commented that Alta Bates and John Muir hospitals are major destinations for bus service. Crowther added that automobile parking at Alta Bates is expensive and bus service would alleviate this problem.

**Board Discussion of Motions:**

MOTION: PEEPLES/YOUNG to accept the report, thank staff for their work on this corridor, and take no further action.

Members of the Board inquired about the Line 79 pilot and offered further comment on the staff report.

Discussion ensued concerning the effect of the bus operator shortage on service restoration, the impact of the established service priorities on previously approved service pilots, service reliability, and whether staff should have addressed the issue of implementing the Line 79 pilot (Ashby extension) sooner. An argument was made as to whether it was necessary to take action when the Board had previously taken action to

implement the Line 79 pilot, subject to operator availability. It was also argued that the east-west coverage in service on Ashby Avenue between Dwight Way and 40th Street did not meet the standard prescribed in Board Policy 545 (Service Standard and Design Policy).

AMENDED MOTION: WALSH/BECKLES to accept the report, and direct staff to come back to the Board with a recommendation for a pilot to restore service on the Ashby corridor in time for the August 2023 signup, including information on any other requirements the District would need to comply with (public hearing, etc.) if needed.

President Young suggested an amendment to the amended motion which after further discussion was clarified.

General Manager Hursh recommended that the Line 79 pilot be implemented in line with the Board-approved service priorities when the District has the resources to do so. Concern was raised that the Board-approved priorities had not been consistently applied to other pilot projects. General Manager Hursh responded that while staff's focus was service reliability, staff could reevaluate the other pilots against the established priorities, which could potentially eliminate existing pilot service.

MOTION TO AMEND THE AMENDED MOTION: YOUNG/MCCALLEY to receive the report, thank the staff, and direct staff to bring back a report on the two existing pilots, Line 60 and Line 78, and a modified pilot on the Ashby corridor with staff recommendation analyzing service reliability and the service restoration policy. The motion carried by the following vote:

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

MAIN MOTION AS AMENDED: PEEPLES/MCCALLEY to receive the report, thank the staff, and direct staff to bring back a report on the two existing pilots, Line 60 and Line 78, and a modified pilot on the Ashby corridor with staff recommendation analyzing service reliability and the service restoration policy. The motion carried by the following vote:

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

President Young left the meeting at 6:52 p.m. during the discussion of Item 6.B.

**6.B.** Consider receiving the Semi-annual Strategic Plan update.

[23-171](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

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

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

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

**Absent:** YOUNG

### External Affairs Items - Chair Peeples

- 6.C.** Consider receiving the Quarterly Customer Services Update.

[23-191](#)

Staff Contact:

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

Marketing and Communications Director Nichele Laynes presented the report. There were no public comments offered.

MOTION: BECKLES/SYED to receive the Quarterly Customer Services Update. The motion carried by the following vote:

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

**Absent:** YOUNG

### 7. CLOSED SESSION/REPORT OUT

There was nothing to report out of closed session.

#### 7.A. Conference with Legal Counsel – Potential Litigation (Two Cases)

(Government Code Section 54956.9(b))

#### 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

- 8.A.** Review of Agenda Planning Pending List and Agenda Planning Request Forms.

[23-028d](#)

- Agenda Planning Request - Vice President Shaw

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

The Agenda Planning Request from Director Shaw was accepted.

**9. GENERAL MANAGER'S REPORT**

**9.A.** General Manager's Report for March 8, 2023.

[23-029d](#)

The General Manager's Report was presented for information only.

**10. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

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

**11. ADJOURNMENT**

There being no further business to come before the Board of Directors, the meeting adjourned at 7:16 p.m. The next meeting of the Board is scheduled for March 22, 2023 at 5:00 p.m.

Respectfully submitted,

/s/

Linda A. Nemeroff  
District Secretary