



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Special Meeting of the Board of Directors

CLOSED SESSION 4:30 PM (see item 6 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, June 5, 2024 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
SHAYNA VAN HOFTEN, INTERIM GENERAL COUNSEL/CHIEF LEGAL OFFICER
LINDA A. NEMEROFF, BOARD ADMINISTRATIVE OFFICER/DISTRICT SECRETARY

TELECONFERENCE:

Director H. E. Christian Peeples, 13328 San Pablo Avenue, Room 9B, San Pablo, California 94806

1. CALL TO ORDER

The Alameda-Contra Costa Transit District Board of Directors held a special meeting on Wednesday, June 5, 2024, at 5:00 p.m.

Prior to the start of the meeting, Interim General Counsel Shayna van Hoften 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 Director Peeples to teleconference to the meeting.

President Young called the Board of Directors special meeting to order at 5:04 p.m.

2. ROLL CALL

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

Absent: McCALLEY

3. PUBLIC COMMENT

Latrina Meredith, President, ATU Local 192, commented that efforts to work with management to improve runs and schedules often do not lead to adequate breaks for operators.

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

There was no public comment offered on the Consent Calendar.

MOTION: PEEPLES/BECKLES to receive and approve items on the Consent Calendar as indicated. The motion carried by the following vote:

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

Absent: McCALLEY

4.A. Consider approving Board of Directors meeting minutes of May 22, 2024.

[24-029](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/BECKLES to approve Board of Directors meeting minutes of May 22, 2024. The motion carried by the following vote:

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

Absent: McCALLEY

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- 4.B.** Consider approving Board of Directors/Board Officers Retreat minutes of May 29, 2024. [24-367](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/BECKLES to approve Board of Directors/Board Officers Retreat minutes of May 29, 2024. The motion carried by the following vote:

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

Absent: McCALLEY

- 4.C.** Consider authorizing Vice President Diane Shaw to attend a meeting of the American Public Transportation Association's (APTA) Awards Committee in Dallas, Texas in July 2024. [24-360](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/BECKLES to authorize Vice President Diane Shaw to attend a meeting of the American Public Transportation Association's (APTA) Awards Committee in Dallas, Texas in July 2024. The motion carried by the following vote:

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

Absent: McCALLEY

- 4.D.** Consider receiving the General Manager's Access Committee minutes of April 9, 2024. [24-352](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: PEEPLES/BECKLES to receive the General Manager's Access Committee minutes of April 9, 2024. The motion carried by the following vote:

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

Absent: McCALLEY

- 4.E.** Consider authorizing the General Manager to exercise Option 3 (Year 5) to extend the District's Contract Nos. 2021-1514 (A-E, and G-X) for Outside Legal Services with various law firms for the period beginning October 1, 2024, through September 30, 2025. [20-349d](#)

Staff Contact:

Michael Hursh, General Manager/Chief Executive Officer

Aimee Steele, Assistant General Counsel

MOTION: PEEPLES/BECKLES to authorize the General Manager to exercise Option 3

(Year 5) to extend the District's Contract Nos. 2021-1514 (A-E, and G-X) for Outside Legal Services with various law firms for the period beginning October 1, 2024, through September 30, 2025. The motion carried by the following vote:

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

Absent: McCALLEY

- 4.F.** Consider authorizing the release of a solicitation for On-Call Project Management/Construction Management (PM/CM) Services. [24-297](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: PEEPLES/BECKLES to authorize the release of a solicitation for On-Call Project Management/Construction Management (PM/CM) Services. The motion carried by the following vote:

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

Absent: McCALLEY

5. WORKSHOP

During the discussion of Item No. 5.A., Director Beckles briefly left the meeting at 6:22 p.m. and returned at 6:29 p.m. Director Syed left the meeting at 7:42 p.m. and returned at 7:46 p.m. Director Walsh left the meeting at 6:25 p.m. and returned at 6:27 p.m.

- 5.A.** Receive feedback during the current Realign engagement window for the Draft Plan and make any necessary revisions ahead of a planned setting of a Public Hearing in August 2024. [23-250h](#)

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. Fifty-six verbal comments received at the meeting have been summarized and are incorporated into the minutes as Exhibit A as well as incorporated into the file of Staff Report 23-250h by reference.]

Manager of Service Planning Michael Eshleman and External Affairs Representative Diann Castleberry gave the presentation and addressed questions from the Board.

MOTION: SYED/BECKLES to direct staff to prepare a summary of all public comments received to date and to extend the public comment period to July 12, 2024, to allow time to work with ATU Local 192 and for additional people to weigh in. Direct staff to implement the principles of frequency, equity and reliability in Realign and service

planning by 1) continuing to hire operators up to the budgeted number of 1,308 operator positions and adding additional scheduled service as additional operators become available; 2) continue to develop the visionary network - a service expansion plan - based on service standards that significantly improve frequency; and 3) for equity, Direct staff to ensure the new service plan does not burden zero vehicle households with less access to 15-minute frequent service. If there is any decrease in access to 15-minute frequent service it should not decrease more for zero vehicle households compared to overall households. The visionary network should significantly improve access to frequent service for equity-priority communities (black, brown, low income, seniors and people with disabilities) and should include additional equity measures. For reliability, in partnership with ATU Local 192 develop a standard and a threshold in a Board Policy to identify on an ongoing basis when routes need additional run and recovery time as well as quarterly reporting to the Board and the public on how routes are performing against this threshold and staff should regularly propose adjustments to meet the standard, including additional run time, transit priority treatments, and operational changes such as better incident management, bus bunching, etc. In the initial implementation of Realign or in earlier quarterly changes, additional run and recovery time should be added to the routes identified in the December 2023 Realign presentation.

Discussion ensued regarding the length of the motion, competing/inconsistent elements of the motion, and whether to bifurcate components of the motion for clarity/understanding. Concerns were raised about the possibility of extending public outreach for an additional month versus more outreach to ATU Local 192 to hear their concerns. There was general consensus that the General Manager have an open dialogue with ATU and move forward. Director Syed advocated for a phased approach to the planning process.

Following the discussion, Director Syed amended the motion to remove the extension of the public comment period, which was accepted by Director Beckles.

The motion failed by the following vote:

Ayes: SYED, BECKLES

Noes: WALSH, PEEPLES, SHAW, YOUNG

Absent: McCALLEY

MOTION: BECKLES/YOUNG to direct the General Manager to meet with ATU workers to hear their concerns and to adjust the schedules that will help them perform their jobs effectively and healthily.

AMENDED MOTION: SYED/BECKLES to direct the General Manager to meet with ATU workers to hear their concerns and to adjust the schedules that will help them perform their jobs effectively and healthily, and develop a standard and a threshold in a Board

Policy to identify on an ongoing basis when routes need additional run and recovery time in partnership with ATU. The motion failed by the following vote:

Ayes: BECKLES, SYED, PEEPLES

Noes: WALSH, SHAW, YOUNG

Absent: McCALLEY

MOTION: BECKLES/YOUNG to direct General Manager to meet with ATU 192 leadership to hear their concerns in order to fix their schedules. The motion carried by the following vote:

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

Absent: McCALLEY

6. CLOSED SESSION/REPORT OUT

Closed Session was cancelled.

6.A. Conference with Legal Counsel – Potential Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (two cases)

7. 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.

Director Syed left the meeting at 8:58 p.m.

8. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 9:00 p.m. The next meeting of the Board is scheduled for June 12, 2024 at 5:00 p.m.

Respectfully submitted,

/s/

Linda A. Nemeroff

Board Administrative Officer/District Secretary

EXHIBIT A
Board Of Directors Meeting
June 5, 2024

ITEM 5A. REALIGN

Joseph Genolio, representative for City of Oakland Mayor Thao's office, Commented on behalf of the mayor, who understands the budget constraints and wanted to thank the staff working on the realignment plan and for extending service to Brooklyn Basin. The Mayor's office believes the services offered to Oakland's priority equity community and support of the bus operators can be improved and don't want those communities to be targeted for service reduction. The Mayor's office also encourages AC Transit to modify the reduction of lines 14, 73 & 45.

Amaya Lin, Senior Policy Advisor for Oakland City Council President Niki Fortunato Bas, commented on the prioritization of equity as part of the realign process. The City Council's supports of the rerouting and extension of line 96 with service from Brooklyn basin to Oakland Chinatown and are also in favor of increasing the frequency from 30 minutes to 15- 20 minutes. The City Council is aware that increasing frequency will cost and their office is willing to raise federal/private funds to assist.

Members of the Amalgamated Transit Union Local 192 (ATU 192) expressed opinions and concerns associated with the Realign plan. The opinions and areas of concern include: schedules (on time performance, frequency, reliability); unhealthy work conditions; collaboration with union/management; improvement for management support (inadequate management support); stress/driver burnout; operator breaks (bathroom/water); the return of paystubs; insufficient number of bus operators; elderly riders with carts; disabled passengers who require the bus lift; mothers with strollers; various causes for delay in summer signup; consistency at different yards; bus runs mentioned for discussion-72,72M,72R,51B,83,94,212. These public speakers included:

- **David Lyons**, retired Bus Operator
- **Moises Frias**, - D2 Bus Operator
- **Linda Muhammad**, D4 Bus Operator
- **Michael Miller**, D2 Bus Operator
- **Jack Watkins**, D4 Bus Operator
- **Naomi Heisser**, D4 Bus Operator
- **Jan Huang**, Bus Operator
- **Chi Ezike**, D6 operator
- **Lawnele Jones**, D2 operator
- **Lisa Pickney**
- **Anitria Brown**, D4 Operator
- **Troy Blake**, ATU 192 bus operator
- **Tom McGill**, ATU 192 member
- **Carlos**, Bus Operator,
- **Charles Moore**
- **Cruz**, D2 Operator

EXHIBIT A
Board Of Directors Meeting
June 5, 2024

- **Adrian McFarland**, D6 Operator
- **Demetrius Hatcher**
- **Ann Boyd**, D2 Operator, adding that the Board members previously came to ATU and asked everyone to elect them. Boyd noted that now time to get give back to bus operators.
- **Yvonne Williams**, Retired ATU 192 member, adding comments about a baseline study of bus operator health 10 years ago reported higher instances of many disorders than any other bus system in US.

Representatives of the external organizations also expressed opinions and concerns associated with the Realign plan. The opinions and areas of concern include: support of the demands of union and bus operators; physical and mental toll on bus operators; bus schedules prioritizing public needs; safety & reliability; friction between staff & passengers; disabled riders; data for the equity plan; VFPTC regional funding measure in progress; paratransit access; wait time decrease from 60-30 minutes; lines mentioned for discussion- 51,14. These public speakers included:

- **Keith Brown**, Executive Secretary Treasurer of the Alameda Labor Council,
- **GiGi Gamble**, Member of ATU 1555 Bart station agent and longtime rider,
- **Warren Cushman**, Community resources for independent living and a disabled rider,
- **Laurel Paget**, Public Advocate,
- **Emily Wheeler**, public advocates/voices for public transportation coalition (VFPTC)
- **Michael Sebastian**, People's Transit Alliance
- **Carter Lavin**, Transbay Coalition, adding that public access related to nature, grocery stores, and schools require a partnership with the Unions so that their knowledgeable voices are included in scheduling.
- **Richard Marcantonio**, Public Advocates, adding that the Board should listen to ATU 192 audience members Realign feedback.
- **Jacob Gimbel**, People's Transit Alliance, also noted that the schedules, as designed, put the needs of riders at odds with the health and safety of bus operators.
- **Miguel**, People's Transit Alliance, adding that current scheduling plans have been inadequate, and his organization has created a petition in support for realistic scheduling for bus operators, which now has 450 signatures.

Union Representatives expressed opinions and concerns associated with the Realign plan. The opinions and areas of concern include: partnering/utilizing the union & operators as a resource for decisions/changes that directly affect their job; water/bathroom breaks; tight schedules that don't work for operators; operator turnover due to workloads and lack of upper management support; management communications failures with ATU representatives; taking steps to listen to bus operator ideas. These public speakers included:

- **Latrina Meredith**, President, ATU Local 192
- **Nathaniel Arnold**, Vice President, ATU Local 192

EXHIBIT A
Board Of Directors Meeting
June 5, 2024

- **Josette Moss**, financial secretary/Treasurer, ATU Local 192
- **James Jackson**, transit bus agent. ATU Local 192
- **Nick Pilch**, ATU 1555,
- **Edward Reel**, Vice President, ATU 1555

Members of the public in attendance expressed opinions and concerns associated with the Realign plan. The opinions and areas of concern include: extensive wait times for buses; cut bus lines; elective consequences if public, union, and operators are not heard/consulted in the process of change; public safety concerns; disabled rider concerns; catering to the entire community, not just the downtown/working class; paratransit riders. These public speakers included:

- **Elen Murry**, Retired Muni driver/bay area native
- **Jesse Gunn**, Public School teacher/frequent rider/candidate for Ward 6
- **Lupe Miller**
- **Meryl Siegal**
- **David De Leeuw**, Retired Oakland teacher
- **Anthony**, AC Transit rider from Berkeley
- **Noor Rizri**, Daily rider and transit advocate
- **Bill Mitchell**, who commented on the great turnout to this Board Meeting
- **Sylvie Burtholder**, Nursing home Nursing Assistant

Additional public speakers included:

Trisha Leets, who asked the Board to remember the 109 riders with disabilities, who may lose paratransit service, when it makes its decision.

Valery Lancey, adding that realign is a service cut and quietly codifies the completely uncontrolled decline of AC Transit service. Lancey commented that there should be a regular rapid intervention process that reaches the board for action and that actions should be taken to speed up buses and combat congestion instead of reducing service.

Maceo Morse provided to the Board a petition with 160 names requesting the start of bus service from Merritt College to UC Berkeley along the Highway 13 corridor.

Clarence Fisher, ACT Rider & former Key system rider, adding that the Realign process needs to make sure problems of the past aren't repeated.

Lois Merritt, Healthcare worker, adding support for Bus Operators and thanked them for getting her to work everyday during the Pandemic. Merritt empathized with bus operators on how on the challenges dealing with the public. Merritt noted that decision makers who aren't on the front lines cannot understand the bus operator needs and must therefore get their input to complete Realign.

EXHIBIT A
Board Of Directors Meeting
June 5, 2024

Alys Mainhart criticized the outreach efforts in Alameda because Mainhart has found little information regarding Realign. Mainhart added that plans she heard about making route maps available at the main Library did not happen.

Tony Lewis was pleased that the Realign planning had listened to rider comments from the past about 51-Line service to Kaiser hospital. Lewis criticized planners for its initial inefficient planning on this matter. Lewis asked increased promotion of bus service like the 21 Line to the Airport.

Linda Benson commented on being passed up by buses and asked if there was a law change affecting pick-up to wheelchair-assisted passengers. Benson also criticized many Wheelchair-assisted aspects of the MCI buses.