



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Board of Directors - Regular Meeting

CLOSED SESSION 4:15 PM (see item 8 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 12, 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 meeting on Wednesday, June 12, 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. In addition, Director Beckles was qualified to attend the meeting via teleconference under the Just Cause provisions of AB 2449 due to illness. The Interim General Counsel advised that all votes must be taken by roll call vote.

The meeting was called to order at 4:09 p.m. for the purpose of Closed Session. All Boardmembers were present with the exception of Director Peeples who arrived at 4:25 p.m. and Director Walsh who arrived at 4:30 p.m. The Board convened in Closed Session to discuss Items 7A-7D as listed on the agenda. Closed Session concluded at 4:55 p.m.

President Young called the Board of Directors meeting to order at 5:02 p.m.

2. ROLL CALL

Director Beckles was in attendance for Closed Session only.

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

Absent: BECKLES

3. PUBLIC COMMENT

George Spies appreciated staff's efforts to balance the needs of the drivers and riders while staying within the budget for the service realignment process.

4. MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda.

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

There was no public comment on the Consent Calendar.

Items 5.D., 5.F. and 5.H. were pulled of the Consent Calendar to address questions from the Board.

MOTION: PEEPLES/SHAW to receive, approve, or adopt the items on the Consent Calendar as

indicated. The motion carried by the following vote:

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

Absent: BECKLES

- 5.A.** Consider authorizing the Board President to attend the United States Department of Transportation (USDOT) and the Climate Change Center's 2024 USDOT Transportation and Climate Symposium in Washington, D.C. on July 11-12, 2024. [24-375](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/SHAW to authorize the Board President to attend the United States Department of Transportation (USDOT) and the Climate Change Center's 2024 USDOT Transportation and Climate Symposium in Washington, D.C. on July 11-12, 2024. The motion carried by the following vote:

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

Absent: BECKLES

- 5.B.** Consider authorizing lodging expenses for members of the Board of Directors attending the American Public Transportation Association's (APTA) Transit Board Member Seminar on July 13-16, 2024, in San Jose, California. [24-373](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

MOTION: PEEPLES/SHAW to authorize lodging expenses for members of the Board of Directors attending the American Public Transportation Association's (APTA) Transit Board Member Seminar on July 13-16, 2024, in San Jose, California. The motion passes by the following vote:

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

Absent: BECKLES

- 5.C.** Consider ratifying the Board President's travel to Washington, D.C. to attend the Juneteenth celebration at the White House. [24-370](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

[A copy of the official invitation to the event was distributed in advance of the meeting for the Board's information and is incorporated into the file by reference.]

MOTION: PEEPLES/SHAW to ratify the Board President's travel to Washington, D.C. to attend the Juneteenth celebration at the White House. The motion passes by the

following vote:

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

Absent: BECKLES

- 5.D.** Consider adoption of Resolution 24-021 authorizing the General Manager or his designee to file and execute a funding agreement with the California Department of Transportation (Caltrans) to receive \$250,000 to collect and publish survey data for the purposes of informing efforts to improve safety of riders and reduce street harassment on public transit as mandated by Senate Bill (SB) 434. [24-298](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

Item 5.D. was pulled off the Consent Calendar by Director Walsh. Staff addressed questions from the Board.

MOTION: PEEPLES/McCALLEY to adopt Resolution 24-021 authorizing the General Manager or his designee to file and execute a funding agreement with the California Department of Transportation (Caltrans) to receive \$250,000 to collect and publish survey data for the purposes of informing efforts to improve safety of riders and reduce street harassment on public transit as mandated by Senate Bill (SB) 434. The motion passes by the following vote:

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

Absent: BECKLES

- 5.E.** Consider authorizing the General Manager or his designee to file and execute applications and funding agreements with the Department of Homeland Security (DHS) for the Fiscal Year (FY) 2024 Transit Security Grant Program (TSGP) to expand and enhance the Transportation Security Administration (TSA) mandatory security training for the District's employees (Project) and help fund high-visibility patrol resources. [24-339](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

Item 5.E. was pulled off the Consent Calendar by Director Walsh. Staff addressed questions from the Board.

MOTION: PEEPLES/McCALLEY to authorize the General Manager or his designee to file and execute applications and funding agreements with the Department of Homeland Security (DHS) for the Fiscal Year (FY) 2024 Transit Security Grant Program (TSGP) to expand and enhance the Transportation Security Administration (TSA) mandatory security training for the District's employees (Project) and help fund high-visibility

patrol resources. The motion passes by the following vote:

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

Absent: BECKLES

- 5.F.** Consider authorizing the General Manager or his designee to increase the value of the Telegraph Avenue Traffic Signal Priority Project (Project) contract with Ray's Electric for a new total contract value of \$4,386,451 to enable execution of associated change orders. [24-283](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Item 5.F. was pulled off the Consent Calendar by Director McCalley. Staff addressed questions from the Board.

MOTION: PEEPLES/McCALLEY to authorize the General Manager or his designee to increase the value of the Telegraph Avenue Traffic Signal Priority Project (Project) contract with Ray's Electric for a new total contract value of \$4,386,451 to enable execution of associated change orders. The motion passes by the following vote:

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

Absent: BECKLES

- 5.G.** Consider authorizing the General Manager to enter into a 180-day contract extension with Transdev U.S., Inc. (Transdev) for East Bay Paratransit Consortium (EBPC) Broker/Service Provider services. [23-238a](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

MOTION: PEEPLES/SHAW to authorize the General Manager to enter into a 180-day contract extension with Transdev U.S., Inc. (Transdev) for East Bay Paratransit Consortium (EBPC) Broker/Service Provider services. The motion passes by the following vote:

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

Absent: BECKLES

- 5.H.** Consider authorizing the General Manager to exercise the first option year renewal of the contract with the Alameda County Sheriff's Office for continued transit law enforcement services. [21-146b](#)

Staff Contact:

Michael Hursh, General Manager/Chief Executive Officer

Item 5.H. was pulled off the Consent Calendar by Director Walsh. Staff addressed questions from the Board.

MOTION: PEEPLES/McCALLEY to authorize the General Manager to exercise the first option year renewal of the contract with the Alameda County Sheriff's Office for continued transit law enforcement services. The motion passes by the following vote:

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

Absent: BECKLES

- 5.I.** Consider authorizing the General Manager to bind the District's 2024-2025 Commercial Property Insurance and Deadly Weapons Response Insurance programs.

[24-290](#)

Staff Contact:

Shayna van Hoften, Interim General Counsel/Chief Legal Officer

MOTION: PEEPLES/SHAW to authorize the General Manager to bind the District's 2024-2025 Commercial Property Insurance and Deadly Weapons Response Insurance programs. The motion passes by the following vote:

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

Absent: BECKLES

6. REGULAR CALENDAR

External Affairs Items - Chair Peeples

- 6.A.** Update on Senate Bill 1031 (Wiener, Wahab): Bay Area Revenue Measure and Transit Consolidation.

[24-338](#)

Staff Contact:

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

Director of External Affairs and Community Relations Claudia Burgos presented the staff report. There were no public comments offered.

MOTION: SHAW/PEEPLES to receive update on Senate Bill 1031 (Wiener, Wahab): Bay Area Revenue Measure and Transit Consolidation. The motion carried by the following vote:

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

Absent: BECKLES

Finance and Audit Items - Chair McCalley

- 6.B.** Consider adoption of Resolution 24-023 approving the Recommended FY 2024-25 Operating and Capital Budgets.

[23-513d](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

Chief Financial Officer Chris Andrichak presented the staff report. There were no public comments offered.

Director Walsh motioned to direct staff to identify an additional \$1 million in savings by the next Board meeting that could be put into the federal recovery dollars account and used to provide flexibility at the mid-year or to apply to future year deficits.

General Manager Hursh advised that staff would need more time to address the request and that a presentation at the next meeting was not possible and would delay the adoption of the budget. It was suggested that the item be brought forward via an Agenda Planning Request. The proposed motion died for the lack of second.

MOTION: YOUNG/SYED to adopt Resolution 24-023 approving the Recommended FY 2024-25 Operating and Capital Budgets. The motion carried by the following vote:

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

Absent: BECKLES

- 6.C.** Consider approving amendments to Board Policy 333 - Fare Policy Goals and Methodology.

[24-255](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

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

Chief Financial Officer Chris Andrichak presented the staff report. There were no public comments offered.

MOTION: YOUNG/SHAW to approve amendments to Board Policy 333 - Fare Policy Goals and Methodology. The motion passed by the following vote:

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

Absent: BECKLES

Planning Items - Chair Syed

[Items 6.D. and 6.E. were presented and discussed concurrently.]

- 6.D.** Consider receiving a debrief report on the activities that led to the Broadway nighttime service detour and the actions to return the service to normal routing. [Requested by Director Syed - 3/13/24]

[24-286](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Director of Service Planning and Development Robert del Rosario presented Staff Reports 24-286 and 24-285 concurrently due to the interrelated nature of the items. Director of Transportation Dwain Crawley; Executive Director of External Affairs, Marketing and Communications Beverly Greene; Chief Information Office Ahsan Baig; and Director of Safety, Security and Training Marla Lee Blagg addressed questions from the Board.

Public Comment:

Laurel Paget-Seekins commented on the need to alert passengers of the magnitude and duration of detours in real time. Paget-Seekins also suggested that it would be helpful for riders to have more specificity when police activity dictates the need for a detour so riders can better assess the risk to public safety.

Brian Culbertson commented on the need for continued service on Broadway as well as the current issue of K-rails that are blocking the bus lane between 17th Street and 19th Street. It was also suggested that the City of Oakland be made aware of the impacts to transit service when the police park in the bus-only lanes.

SYED/WALSH to defer amendments to Board Policy 544 (Staff Report 24-285) for additional work with staff and bring it back on the Consent Calendar at a future meeting; and receive the report regarding the nighttime service detour on Broadway (Staff Report 24-286). The motion carried by the following vote:

Ayes: WALSH, SYED, McCALLEY, PEEPLES

Absent: BECKLES

Abstained: YOUNG, SHAW

- 6.E.** Consider approving amendments to Board Policy 544 - Service Adjustments to include specific policy language regarding the implementation of major service detours. [Requested by Director Walsh - 3/13/24] [24-285](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Director of Service Planning and Development Robert del Rosario presented Staff Reports 24-286 and 24-285 concurrently due to the interrelated nature of the items. Director of Transportation Dwain Crawley; Executive Director of External Affairs, Marketing and Communications Beverly Greene; Chief Information Office Ahsan Baig; and Director of Safety, Security and Training Marla Lee Blagg addressed questions from the Board.

Public Comment:

Laurel Paget-Seekins commented on the need to alert passengers of the magnitude

and duration of detours in real time. Paget-Seekins also suggested that it would be helpful for riders to have more specificity when police activity dictates the need for a detour so riders can better assess the risk to public safety.

Brian Culbertson commented on the need for continued service on Broadway as well as the current issue of K-rails that are blocking the bus lane between 17th Street and 19th Street. It was also suggested that the City of Oakland be made aware of the impacts to transit service when the police park in the bus-only lanes.

SYED/WALSH to defer amendments to Board Policy 544 (Staff Report 24-285) for additional work with staff and bring it back on the Consent Calendar at a future meeting; and receive the report regarding the nighttime service detour on Broadway (Staff Report 24-286). The motion carried by the following vote:

Ayes: WALSH, SYED, McCALLEY, PEEPLES

Absent: BECKLES

Abstained: YOUNG, SHAW

- 6.F.** Consider receiving an update on AC Transit/City of Oakland International Boulevard Quick Build Project. [Requested by Director Walsh - 12/13/23]

[24-254](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Director of Service Development and Planning Robert del Rosario presented the staff report.

Public Comment:

George Spies, Traffic Violence Rapid Response, thanked staff for collaborating with the City of Oakland to improve safety on the corridor and was happy to see there were treatments that would be installed on the entire length of the corridor that would address speeding and intrusion into the bus lane. Spies requested that the District release before and after data to the public.

Bryan Culbertson, Traffic Violence Rapid Response, thanked the District for the progress made to improve safety. Culbertson also inquired about the use of tactile warning features to existing median bus lane striping and wanted to make sure that vertical posts would also be included. Culbertson also requested the release of block by block designs and looked forward to the speed cushion pilot.

MOTION: SHAW/YOUNG to receive an update on AC Transit/City of Oakland International Boulevard Quick Build Project. The motion carried by the following vote:

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

Absent: BECKLES

7. CLOSED SESSION/REPORT OUT

The items for consideration are listed below and will be reported on by the General Counsel as necessary at the end of the meeting.

There was nothing to report out of Closed Session.

7.A. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9 (a))

- Marquez Gonzalez v AC Transit, WCAB Case Nos. ADJ11386114; ADJ13501119

7.B. Conference with Legal Counsel – Potential Litigation

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

7.C. 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.D. Public Employee Appointment

Title: General Counsel

8. 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.

- 8.A.** Review of Agenda Planning Pending List and Agenda Planning Request Form submitted by Director Walsh.

[24-061i](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

Director Walsh's agenda planning request was accepted.

9. GENERAL MANAGER'S REPORT**10. BOARD/STAFF COMMENTS**

(Government Code Section 54954.2)

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

- 10.A.** Written reports from Board members on travel to District-related conferences occurring in the last 30 days.

[24-307](#)

Reports were provided for information only.

11. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 7:08 p.m. The next meeting of the Board is scheduled for June 26, 2024 at 5:00 p.m.

Respectfully submitted,

/s/

Linda A. Nemeroff

Board Administrative Officer/District Secretary