

CITY OF OAKLAND



CITY HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

Office of the Mayor
Honorable Sheng Thao

(510) 238-3141
FAX (510) 238-4731
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November 8, 2023

Honorable AC Transit Board of Directors,

I would like to congratulate the AC Transit Board of Directors on your efforts to strengthen public trust and promote community involvement with your work transitioning from a hybrid ward-based and at-large elected system to one without at-large elections. I believe that shifting towards seven elected ward representatives will advance resident participation in the critical work of your board as you strengthen our local public transportation network and address the long-term budgetary issues that all of our local agencies are facing.

As Oakland's Mayor, I am excited for this proposal's potential to boost the involvement of my constituents in the board's work. It is for this reason that I am very concerned about the potential for many Oaklanders to be left without an elected ward representative under one of your proposed election sequencing plans. I've been informed that the Board of Directors is deciding whether the proposed Ward 2 or Ward 7 should hold an election in 2024. The Ward 2 seat would be left vacant for two years if the Ward 7 seat is elected in 2024, but neither would have a vacancy if the Ward 2 seat is elected in 2024. Reforming the way our local governments and agencies hold elections always comes with trade offs and compromises. Leaving thousands of Oakland, Berkeley, and Emeryville residents without a direct representative at such an important time for AC Transit, however, would be an unnecessary step backwards for local democracy.

I hope that you will move forward by selecting Ward 2 to hold an election in 2024. Thank you for your consideration.

Respectfully submitted,

Sheng Thao
Mayor, City of Oakland



COUNCIL PRESIDENT NIKKI FORTUNATO BAS, DISTRICT 2
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November 8, 2023

VIA EMAIL: actboardmembers@actransit.org

Honorable AC Transit Board of Directors,

I am aware of the AC Transit redistricting effort you are currently engaged with and am grateful for your service and commitment to a process that will better comply with the California Voting Rights Act.

One of the election sequencing proposals before the Board would defer the entirety of Ward 2, to a 2026 election. This would leave *all of District 2, where AC Transit ridership is high, without a Ward director* between 2024 and 2026 to represent the cities of Berkeley, Emeryville, and parts of Oakland. Instead, the area of approximately 225,000 people would *only* be represented by an At Large Director. A vacancy is not in the best interests of the voters and residents of AC Transit's jurisdiction, and it does not further the goals of the California Voting Rights Act ("CVRA").

I am in support of the sequencing proposal that has Ward 1, 2, and 6 voting in 2024 and Ward 3, 4, 5, and 7 voting in 2026 in alignment with several transportation organizations who also support this proposal. **It is critical that the election sequence does not leave Ward 2 voters with insufficient representation for two years.**

Sincerely,

Nikki Fortunato Bas
Council President, District 2



November 6, 2023

Honorable AC Transit Board of Directors,

Thank you for your service to the community and for moving forward on this important redistricting process that will better comply with the California Voting Rights Act (CVRA) and enable all communities to be fairly represented on the AC Transit board. We write to you as passionate advocates for transit and active transportation. We believe AC Transit is vitally important to the East Bay community and we all want public transit to thrive here.

One of the proposed sequencing plans before you defers Ward 2 to a 2026 election. If that proposal is selected, there would be no Ward 2 director between 2024 and 2026 for the cities of Berkeley, Emeryville, and parts of Oakland.

As you know, these are critical years for transit. During the next few years the board will be evaluating the BayPass multi-agency pass program and the EasyPass, working with cities on San Pablo Avenue improvements (largely in Ward 2), and providing input for the planned 2026 Bay Area multi-county transit funding ballot measure. Ward 2 has seven of the ten highest ridership bus lines: the 6, 18, 51A, 51B, 52, and 72R. **It is critical that the election sequence does not leave Ward 2 voters with insufficient representation for two years.**

We support the sequencing proposal that has Ward 1, 2 and 6 voting in 2024 and Ward 3, 4, 5, and 7 voting in 2026. Fremont (Ward 7) elected a director last year to a 2022-2026 term so voters will be represented until 2026. If the Fremont election were to be accelerated that would create duplicate representation. In contrast, Berkeley, Emeryville, and parts of Oakland would have no director representing their ward if Ward 2 is deferred to 2026. For these reasons, we urge the AC Transit Board of Directors to **select the sequencing proposal that has Ward 1, 2 and 6 voting in 2024 and Ward 3, 4, 5, and 7 voting in 2026.**

We look forward to continuing to work together productively in the years to come to ensure that our community members have access to safe, reliable, equitable and sustainable transportation options and that our streets are safe for everyone.

Sincerely,

Bike East Bay
East Bay for Everyone
Seamless Bay Area
Telegraph for People
Traffic Violence Rapid Response
Transbay Coalition
Transport Oakland
Walk Bike Berkeley



November 6, 2023

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Thank you for your service to the community and for moving forward on this important redistricting process that will better comply with the California Voting Rights Act (CVRA) and enable all communities to be fairly represented on the AC Transit board. We write to you as passionate advocates for transit and active transportation. We believe AC Transit is vitally important to the East Bay community and we all want public transit to thrive here.

One of the proposed sequencing plans before you defers Ward 2 to a 2026 election. If that proposal is selected, there would be no Ward 2 director between 2024 and 2026 for the cities of Berkeley, Emeryville, and parts of Oakland.

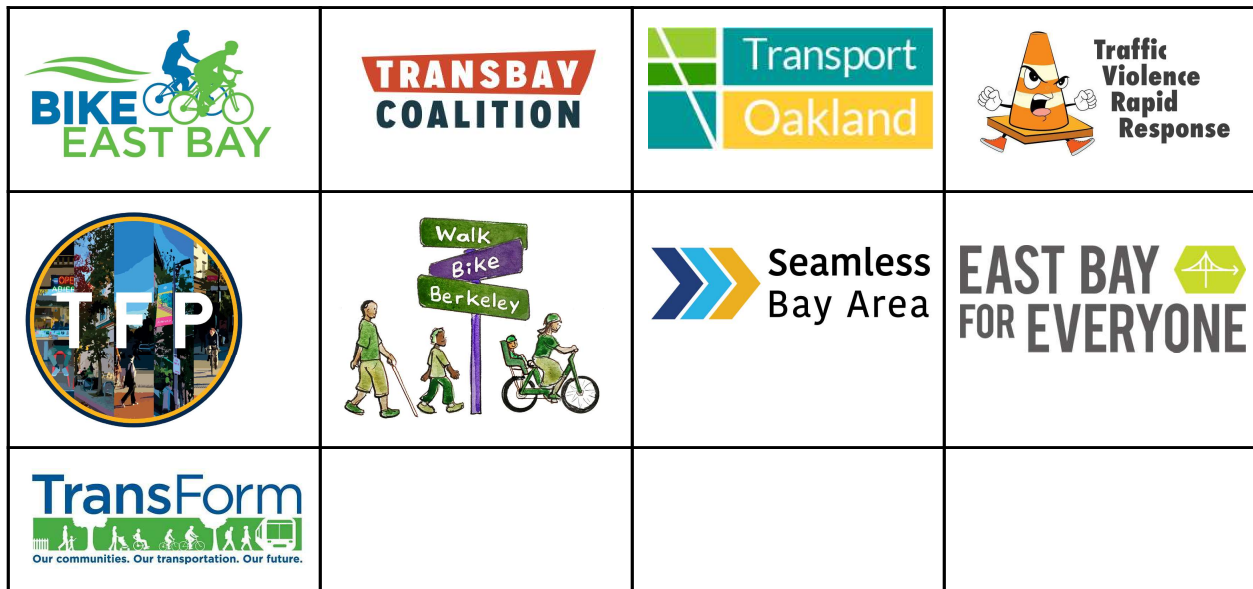
As you know, these are critical years for transit. During the next few years the board will be evaluating the BayPass multi-agency pass program and the EasyPass, working with cities on San Pablo Avenue improvements (largely in Ward 2), and providing input for the planned 2026 Bay Area multi-county transit funding ballot measure. Ward 2 has seven of the ten highest ridership bus lines: the 6, 18, 51A, 51B, 52, and 72R. **It is critical that the election sequence does not leave Ward 2 voters with insufficient representation for two years.**

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November 6, 2023

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As you know, these are critical years for transit. During the next few years the board will be evaluating the BayPass multi-agency pass program and the EasyPass, working with cities on San Pablo Avenue improvements (largely in Ward 2), and providing input for the planned 2026 Bay Area multi-county transit funding ballot measure. Ward 2 has seven of the ten highest ridership bus lines: the 6, 18, 51A, 51B, 52, and 72R. **It is critical that the election sequence does not leave Ward 2 voters with insufficient representation for two years.**

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CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA • 94612

Office of Carroll Fife
Councilmember – District 3
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Phone (510) 238-7003
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November 8, 2023

Dear AC Transit Board Members:

Thank you for working to transition AC Transit to a ward-based system and developing a new map prior to the November 2024 general election. I understand that you will be making a final decision on the map on November 8, 2023 and will be deciding on the upcoming election sequencing. In my capacity as the Oakland City Council Member for District 3, **I want to express my strong recommendation for the sequencing proposal that has Ward 1, 2 and 6 voting in 2024 and Ward 3, 4, 5, and 7 voting in 2026.**

One of the proposed sequencing plans before you would defer Ward 2 to a 2026 election. If that proposal is selected, there would be no Ward 2 director between 2024 and 2026 for the cities of Berkeley, Emeryville, and West Oakland, which is in my city council district.

Not having an AC Transit Board representative for 2 years would have a detrimental effect on Oakland's District 3. During the next few years the board will be evaluating the BayPass multi-agency pass program and the EasyPass, working with cities on San Pablo Avenue improvements, and providing input for the planned 2026 Bay Area multi-county transit funding ballot measure. My district also contains several high ridership bus lines including the 6, 18, 51B, and 72R. It is critical that the election sequence does not leave Ward 2 voters with insufficient representation for two years.

I strongly urge you to vote for the sequencing proposal that has Ward 1, 2 and 6 voting in 2024 and Ward 3, 4, 5, and 7 voting in 2026. I look forward to working together to ensure that our community members have access to safe, reliable, equitable and sustainable transportation options and that our streets are safe for everyone.

Sincerely,

A handwritten signature in blue ink that reads "Carroll Fife".

Oakland City Councilmember Carroll Fife, District 3

We look forward to continuing to work together productively in the years to come to ensure that our community members have access to safe, reliable, equitable and sustainable transportation options and that our streets are safe for everyone.

Sincerely,

Bike East Bay
East Bay for Everyone
Seamless Bay Area
Telegraph for People
Traffic Violence Rapid Response
Transbay Coalition
Transform
Transport Oakland
Walk Bike Berkeley



Berkeley City Councilmember

Mark Humbert, District 8

2180 Milvia Street, 5th Floor

Berkeley, CA 94704

mhumbert@berkeleyca.gov

www.MarkHumbert.com

Alameda-Contra Costa Transit District Board of Directors
1600 Franklin St
Oakland, CA 94612

November 7, 2023

RE: AC Transit Board of Directors Wards Redistricting Process

Dear AC Transit Board of Directors,

I respectfully urge the Board to support a ward redistricting map that minimizes the number of residents who experience deferral or acceleration of elections for the AC Transit Board of Directors.

First, I want to thank you all for your work on the ward redistricting process and for creating simple, compact districts that maximize the preservation of city boundaries and communities of interest. I think the proposed maps represent an excellent starting point and are a great example of how redistricting should be done. Nevertheless, I feel that some maps are better than others with respect to the issue of acceleration/deferral.

Although acceleration and/or deferral are sometimes unavoidable as a part of redistricting efforts, neither is a desirable outcome. Acceleration can separate voters from their most recently elected representative and compels them to campaign and cast another vote prematurely. Deferral is usually even worse since it can deprive people of an opportunity to vote and be represented for more than a full election cycle.

The AC Transit Board has the opportunity to adopt ward maps that minimize the number of voters who experience acceleration or deferral, including maps which result only in acceleration, not deferral. Adopting a map which unnecessarily forces people to have their vote deferred, and for the sole purpose of accelerating other voters, is unfair and antidemocratic. I am, of course, particularly concerned by this approach since it has the potential to disenfranchise Berkeley voters, potentially leaving them un- or under-represented until after the 2026 election.

I ask that you please only consider maps that would ensure Berkeley voters are able to participate in AC Transit Board elections on schedule.

Respectfully,

Mark Humbert, Berkeley City Councilmember, District 8



Resolution that Berkeley, Emeryville, & North Oakland vote in the 2024 AC Transit Elections

WHEREAS, AC Transit is switching to fully districted elections, going from 5 ward + 2 at large seats to 7 ward seats, and the old election sequence has the two northern wards (West Contra Costa County, Albany, Berkeley, Emeryville, Piedmont, and the northern half of Oakland) voted on in presidential years and the three southern wards (East Oakland, Alameda, San Leandro, Unincorporated Eden Area, Hayward, Newark, and Fremont) voted on in midterm years, and

WHEREAS, at its October 25 meeting, the AC Transit board voted to consider two potential election sequences, one of which defers Berkeley, Emeryville, North Oakland, and potentially West Oakland to a 2026 election, which would leave the area without a ward director between 2024 and 2026, and

WHEREAS, Berkeley, Emeryville, and North Oakland contain 7 of AC Transit's 10 highest ridership bus lines, has many low income transit-dependent riders, and is going through the planning process for San Pablo Avenue bus lanes, and leaving this area without a ward director would cause a loss of representation at a critical time,

THEREFORE BE IT RESOLVED, that the Alameda County Democratic Party urges the AC Transit Board of Directors to select an election sequence that has the Berkeley, Emeryville, and North Oakland ward voting in 2024, as well as the Plan Jade map.

Adopted at November 1, 2023 Meeting



November 7, 2023

To: AC Transit Board of Directors <actboardmembers@actransit.org>

CC: Ryan Lau <RLau@actransit.org>

RE: Redistricting and Realign

Honorable members of the AC Transit Board of Directors:

I am writing to comment on two major policy initiatives under your consideration that will greatly impact our constituents.

Redistricting

I am grateful for AC Transit's hard work in providing thorough democratic accountability as a special district. However, I am concerned that the current redistricting process for the elected Board of Directors could leave the new Ward 2 without a Director for two years. To leave our growing city (along with Emeryville, Piedmont, and northern Oakland) without representation on the AC Transit Board of Directors until 2026 at a time of complex transitions and adjustments in transit service would risk undermining public trust in an important regional institution. Ward 2 should vote in 2024.

Realign

While I do not envy your task of contemplating difficult tradeoffs at AC Transit under significant resource constraints, I commend the Board for its continued commitment to equity as a guiding principle. However, recent draft scenarios presented in Phase 3 of Realign suggest some problematic possibilities for the Berkeley community. In particular, I want to raise the following concerns:

1. Even in the Unconstrained Vision scenario, there are problematic bus line consolidations that risk compromising service reliability for extended coverage. Our community broadly supports implementing quick-build street improvements and transit priority lanes to improve transit frequency and reliability, but AC Transit should not roll back the significant progress it has made in recent years by extending lines such as lines **51A/B** and **18** that were previously split up into shorter routes precisely to improve reliability. Service reliability is of particular importance to disabled bus riders in my district with special mobility needs.

Extending the **36** line could pose similar reliability challenges at a time when the Bayer campus in West Berkeley is developing significant expansions for more employees. While we appreciate that it is difficult if not impossible to achieve a *perfect* balance under current resource constraints, I must nevertheless urge AC Transit to conduct closer study, further public outreach, and provide more public-facing data on realistic runtimes and service reliability for key local routes.

2. Proposed routing and service changes in all draft scenarios further limit crosstown connections for Equity Priority Communities in South and West Berkeley. We support AC Transit's commitment to increasing transit mode share for all trips, not just commutes to and from downtown employment hubs.
 - a. Eliminating direct service from Downtown Berkeley BART to the Berkeley Marina currently served by the **51B**, with only an indirect line **12** replacing this connection, undermines the City of Berkeley and the greater region's goals to reduce Vehicle Miles Traveled (VMT) and promote transit ridership to all destinations, including many recreational uses at our waterfront. The Berkeley Marina will only see increased transit demand with new all-electric ferry service from the Water Emergency Transportation Authority (WETA) planned for 2028.
 - b. Eliminating the **University / San Pablo / Solano Avenue** connection on line **G** would further limit crosstown and transbay service for the Equity Priority Community in West Berkeley. This is one of AC Transit's more productive and popular transbay lines that also provides a critical connection to the commercial corridor on Solano Avenue in Berkeley and Albany, which is not served by BART.
 - c. Eliminating the **72R** in favor of increased frequency of local non-rapid lines risks increased travel times for commuters in Census Tract 4220, Berkeley's fastest-growing census tract in the last decade. Any marginal disincentive to increasing transit mode share in favor of vehicle trips on I-80 would risk undermining our community's environmental justice goals. While the effort to further improve efficiency with evidence-based stop consolidation is appreciated, it is worth noting anecdotally that *many of my constituents report passing up buses on the local route* in favor of the **72R**. Further study could evaluate this use case through survey data.
3. In the Frequent Service Scenario, limiting service by consolidating lines **65** and **67** with one (1) line starting weekday service at 8:00am risks increased traffic congestion in a Very High Fire Hazard Severity Zone, which already faces significant challenges to evacuation and emergency responses in the event of a natural disaster. Expanding transit service in the Berkeley hills, particularly during the 7-8:00am peak morning commute for primary school students, will be essential for reducing our greenhouse gas emissions, as well as the entire region's emergency preparedness. Sacrificing peak

commute times for key demographics such as school-age children, seniors, and care providers would be inconsistent with our shared commitment to equity.

I remain committed as a representative of the City of Berkeley's Second Council District to supporting AC Transit's efforts to bring high-quality, frequent and reliable public transportation for generations to come. As always, please do not hesitate to call on my office anytime I can be of assistance. Thank you for your time and consideration.

Sincerely yours,

Councilmember Terry Taplin
City of Berkeley
2180 Milvia St
Berkeley, CA 94704

Shareholders
Linda M. Dardarian
Laura L. Ho
James Kan
Andrew P. Lee



**Goldstein, Borgen,
Dardarian & Ho**

Of Counsel
Barry Goldstein
David Borgen
Morris J. Baller

October 30, 2023

Via E-Mail Only
jsprague@actransit.org

Jill Sprague
1600 Franklin Street
Oakland, CA 94612

Re: CVRA – Ward Election Sequencing Proposals

Dear Counsel:

We are glad to hear that the AC Transit transition to a fully ward-based system pursuant to Resolution No. 23-033 ahead of the November 2024 general election has been proceeding smoothly and with active community engagement. We understand that the Board will be selecting a final map at its upcoming November 8, 2023 meeting and will also be deciding the issue of election sequencing.

We understand there are two potential sequencing proposals, and that in one plan, proposed Ward 2 would be up for election in 2024 and in the other proposed Ward 7 would be up in 2024. Under the Ward 2 plan there would be no vacant seat, but under the Ward 7 plan, the seat for the Ward 2 Director would potentially be vacant between the 2024 and 2026 elections.

The Board should proceed with the sequencing plan that results in a balanced, fully staffed Board. The sequencing plan that causes a vacancy leaves voters and residents in proposed Ward 2, where AC Transit ridership is high, without direct representation by an elected Director on the Board. A vacancy is not in the best interests of the voters and residents of AC Transit's jurisdiction, and it does not further the goals of the California Voting Rights Act ("CVRA"). We understand that it was suggested at a meeting that remedial districts must be sequenced first to meet the goals of the CVRA, *see* Elec. Code § 10010(b), favoring an election for proposed Ward 7 in 2024. While we appreciate the Board's concern for moving up an election in the proposed Ward with the highest proportion of Asian American voters, it is not our position that the Board's proposal to elect a Director from Ward 7 first at the expense of an elected representative for Ward 2 between 2024 and 2026 furthers the goals of the CVRA.

Please feel free to reach out if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Ginger L. Grimes".

Ginger L. Grimes

Guest User

Location:

Submitted At: 2:17pm 11-06-23

From: Robinson, Rigel <RRobinson@berkeleyca.gov>
Sent: Monday, November 6, 2023 2:09 PM
To: ACT Board Members <actboardmembers@actransit.org>
Cc: Ryan Lau <rlau@actransit.org>
Subject: [EXTERNAL] Regarding Redistricting & Realign

Honorable members of the AC Transit Board of Directors -

Berkeley City Councilmember Rigel Robinson here. With gratitude for your service to the region, I'm writing to you today to speak to two issues:

1. Redistricting: I do not envy your position in needing to decide which AC Transit districts under the new map should hold elections first! That said, I am truly worried by the prospect of Berkeley, one of the highest ridership zones in the AC Transit service area, going without direct district representation for two years. I urge you to choose an election cycle sequence that does not leave Berkeley without a district representative on the AC Transit board for two years. Ward 2 should vote in 2024.

2. Realign: I have been reviewing the proposed service changes proposed through the Realign process. Many are exciting. I am worried, however, by one significant change in Berkeley. Due to the ways that the 51B is reorganized, under the proposed route maps, there would no longer be an AC Transit line that directly connects the Berkeley Marina to Downtown Berkeley BART. While the redesigned 12 route would serve the Marina, it would not connect to Downtown Berkeley BART. As we are planning for the construction of a ferry terminal at the Berkeley Marina in partnership with WETA, we are highly concerned with connections to other transit agencies. For the ferry to be a success, it will need to be supported by multimodal transit options to help residents get to the terminal. We have, thus far, assumed that the ferry terminal would have a direct connection to Downtown Berkeley BART on the 51B. In whatever shape or form it takes, I think it's important to the success of this project and the marina that there be a bus connection from the marina to BART. Furthermore, UC Berkeley runs an aquatic recreation center at the Berkeley Marina that is free for all students. The 51B is the primary way that they access the marina from the campus neighborhood. I urge you to maintain AC Transit service to connect the Berkeley Marina to Downtown Berkeley BART.

Thank you for your consideration of these comments,
Rigel

**DAN KALB**

COUNCILMEMBER – DISTRICT ONE

CITY HALL • ONE FRANK OGAWA PLAZA • 2ND FLOOR • OAKLAND, CA 94612

(510) 238-7001 • dkalb@oaklandca.gov

Dear Honorable AC Transit Board of Directors,

Thank you for your service to the community and for moving forward on this important redistricting process that will better comply with the California Voting Rights Act (CVRA) and enable all communities to be fairly represented on the AC Transit board. As an elected official in Alameda County, I write to you on behalf of my constituents who are concerned that they will be left without representation on the AC transit board.

One of the proposed sequencing plans before you defers Ward 2 to a 2026 election. Most of my constituency lives within that Ward. If that proposal is selected, there would be no Ward 2 director between 2024 and 2026 for the cities of Berkeley, Emeryville, and parts of Oakland.

As you know, these are critical years for transit. We just staved off drastic cuts to our public transit across the Bay Area this year. During the next few years the board will be evaluating the BayPass multi-agency pass program and the EasyPass, working with cities on San Pablo Avenue improvements (largely in Ward 2), and providing input for the planned 2026 Bay Area multi-county transit funding ballot measure. Ward 2 has seven of the ten highest ridership bus lines: the 6, 18, 51A, 51B, 52, and 72R. It is critical that the election sequence does not leave Ward 2 voters with insufficient representation for two years.

I support the sequencing proposal that has Ward 1, 2 and 6 voting in 2024 and Ward 3, 4, 5, and 7 voting in 2026. Fremont (Ward 7) elected a director last year to a 2022-2026 term so voters will be represented until 2026. If the Fremont election were to be accelerated that would create duplicate representation. In contrast, Berkeley, Emeryville, and parts of Oakland would have no director representing their ward if Ward 2 is deferred to 2026. For these reasons, I urge the AC Transit Board of Directors to select the sequencing proposal that has Ward 1, 2 and 6 voting in 2024 and Ward 3, 4, 5, and 7 voting in 2026.

I look forward to continuing to work together productively in the years to come to ensure that our community members have access to safe, reliable, equitable and sustainable transportation options and that our streets are safe for everyone.

Sincerely,

A handwritten signature in black ink that reads "Dan Kalb". The signature is written in a cursive, flowing style.

Dan Kalb – Oakland Councilmember, District 1



November 1, 2023

Dear AC Transit Board of Directors,

My name is Dyana Delfín Polk and I am the President of the Peralta Community College District Board of Trustees, representing Area 6 (North Berkeley and North Oakland).

It has come to my attention that there is a proposal on your agenda for the November 8 meeting which will essentially leave Ward 2, where I live and represent almost 91,000 voters on behalf of the Peralta Community College District, without true representation. Many of our students rely on public transit to get to school, to work and many do not have access to a car. I myself rely solely on public transit as well. Any significant changes to service areas will have a detrimental effect on myself and the community that I serve. Many of these decisions will be made in the next several years and the possibility of not having strong representation in Ward 2 is alarming.

Ward 2, which includes Berkeley, Emeryville, Piedmont and parts of Oakland would have no director representing them if the Ward 2 vote is deferred to 2026. These are critical years for transit. During the next few years, the board will be evaluating the BayPass multi-agency pass program, working with cities on San Pablo Avenue improvements, and providing input for the planned 2026 Bay Area multi-county transit funding ballot measure. Many of the highest ridership bus lines run through Ward 2: the 6, 18, 51A, 51B, 52, and 72R.

In addition, Director Jean Walsh has been an incredibly visible and active Director and we have been working together to increase awareness of AC Transit options for our students, including reinstating the Peralta Colleges EZ-Pass program and ensuring that our colleges have adequate access to AC Transit. Without this partnership, it will be increasingly difficult to ensure that the constituents that Director Walsh and I share in Ward 2 will receive fair representation.

The AC Transit Board of Directors should select an election sequence where Ward 2 votes in 2024 and is not deferred.

If you have any questions, feel free to reach out.

Thank you,

A handwritten signature in cursive script that reads "Dyana Delfín Polk".

Dyana Delfín Polk
President, Peralta Community College District Board of Trustees