



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

AGENDA

Board of Directors - Regular Meeting

5:00 PM Regular Meeting
3:15 PM Closed Session (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
[Zoom link https://actransit.zoom.us/j/98487175063](https://actransit.zoom.us/j/98487175063)

Wednesday, April 23, 2025 at 5:00 PM

MEMBERS OF THE BOARD OF DIRECTORS

DIANE SHAW, PRESIDENT (WARD 5)
MURPHY MCCALLEY, VICE PRESIDENT (WARD 4)
H. E. CHRISTIAN PEEPLES (WARD 1)
JEAN WALSH (WARD 2)
SARAH SYED (WARD 3)
ANTHONY C. SILVA (WARD 6)
JOEL YOUNG (AT-LARGE)

BOARD OFFICERS

KATHLEEN KELLY, INTERIM GENERAL MANAGER/CHIEF EXECUTIVE OFFICER
AIMEE L. STEELE, GENERAL COUNSEL/CHIEF LEGAL OFFICER
LINDA A. NEMEROFF, BOARD ADMINISTRATIVE OFFICER/DISTRICT SECRETARY

Live Public Comment

Board of Directors meetings are held in person. Live public comment may be given in person, on Zoom, or the teleconference number listed on the cover of this agenda. Speakers must be ready to present their comments when they are called upon to speak.

Zoom participants must use the "raise your hand" feature to indicate they wish to speak on an item and be prepared to accept the prompt to unmute. If calling into a meeting, dial *9 to "raise your hand" when the agenda item you wish to speak to is called. Dial *6 to unmute when the last four digits of your number are called. If you decide not to speak, dial *9 to "lower your hand".

Written Public Comment

To submit a written comment to the Board, click on <https://actransit.legistar.com/Calendar.aspx> and then click on the "eComment" link for the corresponding meeting. The eComment submission window closes 30 minutes prior to the start of the meeting. Written comments may also be emailed to myvoice@actransit.org. Indicate the agenda item number in the subject of the email. Email comments must be received no later than two hours prior to the start of the meeting.

AC Transit does not provide technical support to users accessing the meeting by telephone/Zoom.

ADA Reasonable Accommodations / Alternative Formats / Language Assistance

In-person meetings of the Board of Directors are accessible to individuals in wheelchairs and assistive listening devices are available to individuals with a hearing impairment. Written materials in alternative formats and disability-related modifications/accommodations must be made three business days in advance of the meeting or hearing to help ensure availability. Language assistance and sign language interpreters can be provided upon request three business days in advance of the meeting, subject to availability. Direct requests for reasonable accommodation or interpreter services to the District Secretary's Office at districtsecretary@actransit.org or by calling (510) 891-7201. To access an audio recording of the current agenda by telephone, dial (510) 891-7200.

1. CALL TO ORDER**2. ROLL CALL****3. PRESENTATION**

- 3.A. Recognition of AC Transit's Bus Operator and Maintenance Team for their participation in the 2025 APTA International Bus Roadeo Competition. [25-277](#)

Presenters:

Kathleen Kelly, Interim General Manager/Chief Executive Officer
Salvador Llamas, Chief Operating Officer

4. 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.

5. MODIFICATIONS TO THE AGENDA**6. CONSENT CALENDAR (AND CALL FOR PUBLIC COMMENT ON CONSENT ITEMS)**

- 6.A. Consider approving Board of Directors meeting minutes of April 9, 2025. [25-046](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 6.B. Consider approving Board of Directors meeting minutes of April 9, 2025 (Special meeting). [25-280](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 6.C. Consider approving Board of Directors meeting minutes of April 17, 2025 (Special meeting). [25-281](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 6.D. Consider adoption of Resolution No. 25-018 appointing R. Bradford Huss as the public member on the AC Transit Retirement Board to fill the term expiring on March 31, 2027, and repeal Resolution No. 25-013. [24-462f](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 6.E. Consider adoption of Resolution No. 25-012 authorizing the destruction of designated records maintained by the District Secretary's Office. [25-183](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

- 6.F. Consider adoption of Resolution No. 25-015 authorizing the Interim General Manager or her designee to file and execute applications and funding agreements with the California Department of Transportation (Caltrans) for allocations of the FY 2024-25 Low Carbon Transit Operations Program (LCTOP) funds for the Tempo Service Operating Assistance Project and the Fruitvale Corridor Transit Signal Priority Project, execute related Certifications and Assurances, and assign the Interim General Manager, or her designee, as the Authorized Agent for resulting LCTOP grants. [25-230](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 6.G. Consider adoption of Resolution No. 25-016 authorizing the Interim General Manager, or her designee, to file and execute applications and funding agreements with the California Department of Transportation for allocation of the California State of Good Repair (SGR) Program; to provide certifications and assurances to the California Department of Transportation; and to assign the Interim General Manager or her designee as the authorized agent for the California State of Good Repair (SGR) Program. [25-231](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 6.H. Consider adoption of Resolution No. 25-014 authorizing the Interim General Manager, or her designee, to file and execute applications and funding agreements with the Metropolitan Transportation Commission (MTC) for Fiscal Year (FY) 2025-26 allocations of Transportation Development Act (TDA), State Transit Assistance (STA), Assembly Bill 1107 (AB 1107), Regional Measure 2 (RM2) bridge toll revenues and Regional Measure 3 (RM3) bridge toll revenues. [25-229](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 6.I. Consider authorizing the Interim General Manager to enter into an agreement with Resources for Community Development (RCD), a housing developer, to include AC Transit buses in their grant application under the State of California's Affordable Housing Sustainable Communities (AHSC) Grant Program; and further authorize the Interim General Manager to execute the required subrecipient agreement upon award. [25-267](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

- 6.J. Consider authorizing the Interim General Manager to execute a contract with Quisitive, LLC to implement an Enterprise Datawarehouse in Microsoft Azure Cloud under the California Multiple Award Schedule (CMAS) rates in an amount not to exceed \$394,585. [25-111](#)

Staff Contact:

Ahsan Baig, Chief Information Officer

- 6.K. Consider receiving the Semi-annual Strategic Plan progress update. [25-210](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

7. REGULAR CALENDAR

External Affairs Items - Chair Peeples

- 7.A. Consider receiving the Monthly Legislative Report and adoption of Resolution No. 25-019 in support of \$2 billion in new flexible funding from the state budget to save and improve public transit. [25-158](#)

Staff Contact:

Claudia Burgos, Interim Executive Director of External Affairs, Marketing and Communications

Finance and Audit Items - Chair McCalley

- 7.B. Consider receiving a report on the Draft FY 2025-26 Operating and Capital Budgets. [24-480b](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

- 7.C. Consider authorizing the General Manager to bind the District's 2025-2026 Transit Operations Insurance program. [25-238](#)

Staff Contact:

Aimee L. Steele, General Counsel/Chief Legal Officer

Planning Items - Chair Young

- 7.D. Consider receiving an update on Paratransit coverage for East Bay Paratransit (EBP) riders under the August 2025 service change, limiting coverage to a three-quarter mile buffer around the new network. [25-110](#)

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

- 7.E. Consider receiving an update on the District's transit shelter maintenance, advertising, and capital contracts, and consider granting the General Manager authority to: [18-211L](#)

1. Swap the location of shelters, as necessary, while maintaining a maximum limit of 276 District-owned shelters, in coordination with the local jurisdictions; and
2. Enter into agreements with local jurisdictions to maintain additional transit shelters if the local jurisdiction retains the ownership and agrees to reimburse the District the net maintenance cost (total cost of scheduled and unscheduled maintenance costs less advertising revenue).
[Requested by President Shaw - 10/23/2024]

Staff Contact:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Operations Items - Chair Walsh

- 7.F. Consider approving amendments to Board Policy 468 - Procurement Protest Procedures. [24-517](#)

Staff Contact:

Chris Andrichak, Chief Financial Officer

Board Administrative Matters - President Shaw

- 7.G. Consider approving and authorizing the Board President to sign an Employment Agreement with the selected candidate for the position of General Manager/Chief Executive Officer. [25-272](#)

Staff Contact:

Linda A. Nemeroff, Board Administrative Officer/District Secretary

8. 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.

8.A. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9 (a))

-Vincent v. AC Transit, WCAB Case Nos. ADJ11983179 and ADJ10117061

-Al Meshry v. AC Transit and Robert Hunter Jr., et al., ACSC Case No. 24CV085006

-Powell v. AC Transit, WCAB Case Nos. ADJ3145704, ADJ1580899, ADJ1898284, and ADJ16207486

8.B. Conference with Legal Counsel – Potential Litigation

Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b): one matter

8.C. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representative:

- Interim General Manager Kathleen Kelly

- Labor and Employee Relations Representative

Employee Organizations: ATU Local 192, AFSCME Local 3916, IBEW Local 1245,

Unrepresented Employees

8.D. Public Employee Performance Evaluation

(Government Code Section 54957 (b)(1))

Title: Interim General Manager

8.E. Public Employment

(Government Code Section 54957(b)(1))

Title: General Manager

8.F. Public Employee Appointment

(Government Code Section 54957(b)(1))

Title: General Manager

8.G. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representatives:

- James Ross, Renne Public Law Group

- Gregg Moser, Krauthamer & Associates

Unrepresented Employee: General Manager

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. [25-015g](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

10. GENERAL MANAGER'S REPORT

- 10.A. General Manager's Report for April 23, 2025. [25-014d](#)

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

- 11.A. Written reports from Board members on travel to District-related conferences occurring in the last 30 days. [25-038g](#)

Staff Contact:

Linda Nemeroff, Board Administrative Officer/District Secretary

12. ADJOURNMENT

Next Meeting: April 30, 2025 at 9:00 a.m. (Board Retreat)

MEETING DISCLOSURES

Live Audio/Video Stream: Meetings of the Board of Directors are recorded and streamed live on the District's website.

Public Comment: Live public comment will be accepted during the meeting in person, through Zoom, or the teleconference number listed on the cover page. Members of the public wishing to present comments in person should complete a Speaker's Form and submit it to the District Secretary at the meeting. For subjects not listed on this agenda, the public will be invited to speak under the "PUBLIC COMMENT" item on the regular meeting agenda. For specific agenda item(s), speakers will be invited to address the Board at the time the item is being considered. All speakers, including anyone using simultaneous translation equipment, are allowed two (2) minutes to present comments. Speakers using a translator will receive twice the allotted time. Individuals wishing to present more detailed information are encouraged to submit comments in writing. Written comments are included in the record for meeting(s), and as such, are available for public inspection and may be posted to the District's website.

Electronic Devices: All electronic devices such as cell phones, smartphones, tablets and similar sounding devices, shall be placed on mute, vibrate, or silent mode during Board meetings pursuant to District Ordinance No. 12.

Order of Agenda Items: The Board may discuss any item listed on this agenda and in any order.

Availability of Agenda-Related Materials: Written agenda-related materials for all open-session regular meetings are available to the public 72 hours prior to the meeting or at the time the materials are distributed to a majority of the Board. Written materials presented at a meeting by staff or a member of the Board will be available to the public at that time, or after the meeting if supplied by an outside party. Agenda-related materials are available from the District Secretary's Office, 1600 Franklin Street, Oakland, California, or on the District's website.

District Ordinance No. 13 prohibits non service animals at District facilities unless specifically authorized by law.

To accommodate individuals with severe allergies and environmental illnesses, meeting participants should refrain from wearing scented products to the meeting.