

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

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**MEETING DATE:** 6/8/2022

**Staff Report No.** 22-350

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**TO:** AC Transit Board of Directors  
**FROM:** Linda A. Nemeroff, District Secretary  
**SUBJECT:** Amendments to Board Policy 100

### ACTION ITEM

#### **RECOMMENDED ACTION(S):**

Consider approving amendments to Articles 1 through 3 of Board Policy 101 - Board of Directors Rules for Procedure.

#### **STRATEGIC IMPORTANCE:**

There is no strategic importance associated with this report as it pertains to the Board's administrative procedures.

#### **BUDGETARY/FISCAL IMPACT:**

There is no budgetary or fiscal impact associated with this report.

#### **BACKGROUND/RATIONALE:**

Board Policy 101 sets forth the Board's administrative rules and procedures and the policy is regularly updated to reflect changes in the law and the needs of the Board. Because Board Policy 101 is extensive and can be difficult to digest, staff plans to bring amendments to it on a flow basis. The policy has been reviewed by the District Secretary and General Counsel and the following amendments are being proposed to address changes in Transit District Law that went into effect on January 1, 2022, and other minor amendments and clarifications. It should be noted that Article 2 (Board of Directors) is only partially amended as the Board plans to have a discussion regarding the selection of President and Vice President at the Board Retreat at the end of August.

Article 1 (The Agency) was amended to reflect AC Transit's designation as a "rapid transit district".

Article 2 (Board of Directors), Section 2.1 to 2.7, was reviewed and minor amendments are recommended with respect to the repeal of Public Utilities Code section 24935 concerning the establishment of bonds for appointed officers and to make reference to the District's recently adopted Records Retention Policy.

Article 3 (Board Appointed Officers) was reviewed and amended to reflect a change in Transit District Law limiting outside employment by Board Officers without prior Board approval. The District Secretary's responsibilities were updated to with regard to the management of board policies. And finally, section 3.7 was

amended to clarify that the Board and individual Board members cannot direct the work of staff or otherwise involve themselves in personnel matters with District employees other than the Board Officers who report directly to the Board.

Staff is requesting adoption of the proposed amendments.

**ADVANTAGES/DISADVANTAGES:**

Given the recent changes in Transit District Law, staff believes the proposed amendments are reasonable and align the Board Policy with existing law.

**ALTERNATIVES ANALYSIS:**

There are no practical alternatives to the course of action recommended in this report.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

Board Policy 101 was last amended in 2021.

**ATTACHMENTS:**

1. Redline Version of Articles 1 through 3 of Board Policy 100.

**Prepared by:**

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**In Collaboration with:**

Jill Sprague, General Counsel

**Approved/Reviewed by:**

Linda A. Nemeroff, District Secretary

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