

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 12/11/2019

Staff Report No. 13-369a

TO: AC Transit Board of Directors
FROM: Linda A. Nemeroff, District Secretary
SUBJECT: Amendment to Board Policy 110

ACTION ITEM

RECOMMENDED ACTION(S):

Consider approving amendments to Board Policy 110 - Public Hearing Process for the Board of Directors.
[Requested by Vice President Ortiz - 9/25/2019]

STRATEGIC IMPORTANCE:

The act of amending the policy has no strategic importance.

BUDGETARY/FISCAL IMPACT:

The amendments proposed to the policy will result in a reduction in costs associated with the translation and publication of legal notices.

BACKGROUND/RATIONALE:

The District Secretary and General Counsel were asked to review and amend the requirements for holding public hearings. A summary of the substantive amendments are as follows:

- Section IV.A. Public Hearings: amended to specify that **one** public hearing shall be scheduled on significant matters and, if necessary, the Board may determine that it and/or staff may hold additional hearings.
- Section IV.A.1. Fare Increases: amended to clarify that an increase in price is the driving factor for holding a hearing.
- Section IV.A.4.e. Exceptions. iii: amended to extend the length of time an emergency service change may be in effect without requiring a public hearing from six months to 12 months.
- Sections IV.B.2. Legal Publication of Notice: amended to reflect existing law that legal notice of the hearing be published in a newspaper of general circulation and to add that laws governing legal noticing requirements prevail over Board policy requirements.
- Section IV.B.4. Other Notices: authorizes the General Manager to determine other methods of public engagement.

ADVANTAGES/DISADVANTAGES:

The advantage of aligning the District with legal requirements associated with public hearings is in reduction of costs associated with the translation and publication of legal notices. Additional advantage is reduction in staff's time associated with preparing reports and coordinating public hearings. Staff did not identify any disadvantages related to the proposed amendments.

ALTERNATIVES ANALYSIS:

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

PRIOR RELEVANT BOARD ACTION/POLICIES:

None

ATTACHMENTS:

1. Proposed Amendment of Board Policy 110

Prepared by:

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Approved/Reviewed by:

Linda A. Nemeroff, District Secretary

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