



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Board of Directors - Regular Meeting

VIRTUAL MEETING

Phone (669) 900 6833

Webinar ID: 984 8717 5063

Wednesday, November 10, 2021 at 5:00 PM

<https://bit.ly/3n4qYlr>

MEMBERS OF THE BOARD OF DIRECTORS

ELSA ORTIZ, PRESIDENT (WARD 3)

JOEL YOUNG, VICE PRESIDENT (AT-LARGE)

JOVANKA BECKLES (WARD 1)

JEAN WALSH (WARD 2)

MARK WILLIAMS (WARD 4)

DIANE SHAW (WARD 5)

H. E. CHRISTIAN PEEPLES (AT-LARGE)

BOARD OFFICERS

MICHAEL A. HURSH, GENERAL MANAGER

JILL A. SPRAGUE, GENERAL COUNSEL

LINDA A. NEMEROFF, DISTRICT SECRETARY

1. CALL TO ORDER

The Alameda-Contra Costa Transit District Board of Directors held a meeting on Wednesday, November 10, 2021, at 5:00 p.m.

The meeting was called to order at 4:01 p.m. for the purpose of Closed Session. All Board members were present. The Board convened in Closed Session to discuss Items 8A-8D as listed on the agenda. Closed Session concluded at 4:46 p.m.

President Ortiz called the Board of Directors meeting to order at 5:03 p.m

2. ROLL CALL

Present: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

3. PRESENTATION

- 3.A.** Update from the Alameda County Transportation Commission on the San Pablo Avenue Corridor Project. [Requested by Director Walsh - 3/10/2021]

[21-522](#)

Presenters: Alameda County Transportation Commission
Tess Lengyel, Executive Director
Cathleen Sullivan, Director of Planning

Tess Lengyel, Executive Director of the Alameda County Transportation Commission, introduced the item and Director of Planning Cathleen Sullivan presented an overview of the Phase 1 and Phase 2 project elements, saying that discussions with the City of Berkeley will continue about an extension of the project into the City as well as bike lane access.

Public Comment:

Sheela Gunn-Cushman requested that blind bus riders not be forgotten in regard to bus stop removal and intersection wayfinding in the scope of the San Pablo Avenue Corridor Project. Gunn-Cushman requested that safety continue to be prioritized.

Jefferson shared some concerns and ideas encouraging AC Transit to expand service by prioritizing bus service with limited/lowered priority towards service with BART.

Board Discussion:

Director Shaw asked how successful staff has been in working with business owners and chambers of commerce in identifying options to address loading issues that may result from the construction of bus-only lanes. Ms. Sullivan advised that staff has had mixed success during Phase I because there are no organized business groups along San Pablo Avenue. She added that there would be more door-to-door outreach interactions during the next phase of the project to explain the benefits of the project while also learning more about the specific needs of businesses in terms of loading access.

Director Peebles commented that there is a huge difference between Contra Costa County and Alameda County in terms of bike routes. He also pointed out that changes in elective representation within cities will also impact the project and expressed support for the extension of the bus lane into Berkeley and was also glad to see bus bulbs included in the project.

Director Walsh asked where the bike lanes would be. Ms. Sullivan reported that the outside travel lane would be converted to a bus-only lane and the curb space would be a protected bike lane. Director Walsh asked if there were plans for a shared bus/bike lane. Ms. Sullivan advised that outreach with merchants and store fronts was intended to better understand loading needs, adding that curb space may need to be used for loading, which may cause spaces to be shared for bus/bike or pedestrian/bike in order to add a loading zone.

The item was presented for informational purposes only.

4. PUBLIC COMMENT

[Written comment received prior to the meeting is incorporated hereto as Exhibit A.]

Katy Scott-Smith, People's Transit Alliance, East Bay Democratic Socialists of America (PTA-EBDSA), expressed support for hazard pay for front line workers and promoted attendance at the hazard pay support rally. Scott-Smith noted that the Berkeley City Council offered support for a fare free pilot program for bus service on Sundays but noted that some Berkeley Councilmembers and residents expressed displeasure with the District's handling of bus service in Berkeley during the pandemic.

Dori Goldberg, PTA-EBDSA, expressed support of retroactive hazard pay for AC Transit front line workers and advocated the building of a better transit system which treats workers fairly and with dignity.

Sheela Gunn-Cushman expressed support for hazard pay for front line workers. Gunn-Cushman noted her concern about buses failing to show up, leaving riders without buses. Gunn-Cushman pointed out that onboard announcements continue to be inefficient and suggested that QR codes be added at bus stops for the benefit of visually impaired riders.

Matthew Lewis, PTA-EBDSA, expressed support for hazard pay for front line workers. Lewis noted the importance of restoring service to pre-pandemic levels in Berkeley, especially West Berkeley, and on Sundays. Lewis promoted working with the City of Berkeley to restore local service levels.

Sultana Adams, D3 Bus Operator, Assistant Shop Steward, urged the Board to motivate management to provide hazard pay to front line workers. Adams commented on the efforts and risk that front line workers continue to face on the job.

Connie McFarland, Bus Operator, expressed support for hazard pay for front line workers and reiterated comments from previous Board meetings emphasizing why front line workers deserve hazard pay.

5. MODIFICATIONS TO THE AGENDA

President Ortiz reported that Item 7.H. (Bus Stop Violation) was pulled off the agenda at the request of Director Walsh.

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

Public Comment:

There were no public comments offered.

MOTION: PEEPLES/WILLIAMS to receive, approve or adopt the items on the Consent Calendar as indicated, with the exception of Item 6.F. which was pulled off the Consent Calendar. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

6.A. Consider approving Board of Directors minutes of October 13, 2021. [21-509](#)

MOTION: PEEPLES/WILLIAMS to approve the Board of Directors minutes of October 13, 2021. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

6.B. Consider approving Board of Directors/Board Officer Retreat minutes of September 29, 2021. [21-439](#)

MOTION: PEEPLES/WILLIAMS to approve the Board of Directors/Board Officer Retreat minutes of September 29, 2021. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

6.C. Consider the adoption of Resolution No. 21-041 making the necessary findings and re-authorizing the AC Transit Board of Directors and all District Advisory, Oversight, and Inter-Agency Liaison Committees to hold remote teleconference meetings during a declared state of emergency, subject to the requirements of the Brown Act, through December 10, 2021. [21-053b](#)

MOTION: PEEPLES/WILLIAMS to adopt Resolution No. 21-041 making the necessary findings and re-authorizing the AC Transit Board of Directors and all District Advisory, Oversight, and Inter-Agency Liaison Committees to hold remote teleconference meetings during a declared state of emergency, subject to the requirements of the Brown Act, through December 10, 2021. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

6.D. Consider receiving the FY 2021-22 First Quarter Travel and Meeting Expense Report for Directors and Board Officers. [21-484](#)

MOTION: PEEPLES/WILLIAMS to receive the FY 2021-22 First Quarter Travel and Meeting Expense Report for Directors and Board Officers. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

-
- 6.E.** Consider receiving the Accessibility Advisory Committee minutes of September 14, 2021. [21-516](#)

MOTION: PEEPLES/WILLIAMS to receive the Accessibility Advisory Committee minutes of September 14, 2021. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.F.** Consider receiving the Quarterly Report on the District's involvement in external planning processes. [21-469](#)

Item 6.F. was pulled off the Consent Calendar for a comment from Director Peeples who requested that future reports acknowledge the fact that rail projects such as the Link 21 Program consume a lot of funding to the detriment of poor people who use bus service.

Public Comment:

There were no public comments offered.

MOTION: PEEPLES/WILLIAMS to receive the Quarterly Report on the District's involvement in external planning processes. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.G.** Consider receiving the Monthly Report on Investments for September 2021. [21-523](#)

MOTION: PEEPLES/WILLIAMS to receive the Monthly Report on Investments for September 2021. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.H.** Consider receiving the FY 2021-22 First Quarter Employee and Non-Employee Out-of-State Travel Report. [21-491](#)

MOTION: PEEPLES/WILLIAMS to receive the FY 2021-22 First Quarter Employee and Non-Employee Out-of-State Travel Report. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.I.** Consider approving of the FY 2022-23 Annual Budget Development Process and Calendar. [21-481](#)

MOTION: PEEPLES/WILLIAMS to approve the FY 2022-23 Annual Budget Development Process and Calendar. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.J.** Consider authorizing the General Manager or his designee to file and execute applications and funding agreements with the Federal Transit Administration (FTA) for the Fiscal Year (FY) 2021 Buses and Bus Facilities Program to rehabilitate or replace maintenance lifts at the District's Central Maintenance Facility (CMF). [21-517](#)

MOTION: PEEPLES/WILLIAMS to authorize the General Manager or his designee to file and execute applications and funding agreements with the Federal Transit Administration (FTA) for the Fiscal Year (FY) 2021 Buses and Bus Facilities Program to rehabilitate or replace maintenance lifts at the District's Central Maintenance Facility (CMF). The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.K.** Consider receiving the FY 2021-22 First Quarter Surplus and Obsolete Materials Report. [21-482](#)

MOTION: PEEPLES/WILLIAMS to receive the FY 2021-22 First Quarter Surplus and Obsolete Materials Report. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.L.** Consider receiving the Quarterly Report on the Status of Active Contracts and Spending Amounts over \$250,000. [21-483](#)

MOTION: PEEPLES/WILLIAMS to receive the Quarterly Report on the Status of Active Contracts and Spending Amounts over \$250,000. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.M.** Consider receiving the Monthly Legislative Report. [21-124](#)

MOTION: PEEPLES/WILLIAMS to receive the Monthly Legislative Report. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.N.** Consider adopting the District's 2022 Federal and State Legislative Programs. [21-541](#)

MOTION: PEEPLES/WILLIAMS to adopt the District's 2022 Federal and State Legislative Programs. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.O.** Consider receiving the Disadvantaged Business Enterprise (DBE) Semi-Annual Payment Report for the period of April 1, 2021 through September 30, 2021. [21-524](#)

MOTION: PEEPLES/WILLIAMS to receive the Disadvantaged Business Enterprise (DBE) Semi-Annual Payment Report for the period of April 1, 2021 through September 30, 2021. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 6.P.** Consider authorizing the General Manager to execute documents through the State of California State Consortium Contract for the procurement of fourteen (14) non-revenue vehicles to replace older vehicles that have surpassed their useful life. [21-452](#)

MOTION: PEEPLES/WILLIAMS to authorize the General Manager to execute documents through the State of California State Consortium Contract for the procurement of fourteen (14) non-revenue vehicles to replace older vehicles that have surpassed their useful life. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

7. REGULAR CALENDAR

External Affairs Items - Chair Williams

- 7.A.** Consider receiving the FY 2021-2022 First Quarter Report of the External Affairs, Marketing, and Communications Department for July-September 2021. [21-518](#)

Executive Director of External Affairs, Marketing and Communications Beverly Greene presented the staff report.

Public Comment:

Carol Tolliver noted concerns about Line 97 and the impact of road construction in San Lorenzo which affects bus stop signage. Tolliver commented that bus stops have been removed and requested the issuance of temporary signage.

Sheela Gunn-Cushman commented that the use of the Clipper Card makes sense for everyday bus riders, but others will have less use because the cost of purchasing the card itself is expensive and not merited. Gunn-Cushman added that the customer service number should lead to a more local service agent because the out-of-state service agents do not seem to know enough about our local transit service to help callers. Gunn-Cushman suggested the use of QR Codes for rider support.

Board Discussion:

Director Shaw appreciated staff's work and emphasized the importance of the customer experience. Director Shaw further commented on the Customer Feedback information in the staff report and asked to see more detail about improving service based on the feedback around pass-ups.

Director Shaw commented on a complaint about inadequate signage at the Salesforce Transit Center and asked if staff is working on improving wayfinding. Ms. Greene advised that staff is working with the Transbay Joint Powers Authority to improving signage. Director Shaw further asked clarifying questions about the statistics presented in the staff report's attachment that were addressed by Ms. Greene.

Director Walsh suggested that customer service agents promote Clipper card when issuing day passes to customers, adding that it could improve the Clipper usage goal.

Director Walsh was also concerned with the high number of calls about pass-ups, no-shows and late arrivals and suggested having a goal to drive the numbers down. Ms. Greene responded that staff has already established such goals and that the number

has been trending downward over the last several years.

MOTION: ORTIZ/PEEPLES to receive the FY 2021-2022 First Quarter Report of the External Affairs, Marketing, and Communications Department for July-September 2021. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 7.B.** Consider receiving report on the current AC Transit Ward boundaries as aligned with 2020 the U.S. Census data. [21-029b](#)

District Secretary Linda Nemeroff presented the staff report.

Public Comment:

No public comment was offered.

Board Discussion:

There was no discussion.

MOTION: PEEPLES/SHAW to receive report on the current AC Transit Ward boundaries as aligned with 2020 the U.S. Census data. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

Finance and Audit Items - Chair Shaw

- 7.C.** Consider adopting Resolution No. 21-044 to defer the implementation of the January 1, 2022 scheduled Transbay fare increase by six months to July 1, 2022. [17-234g](#)

There was no presentation of the staff report. Chief Financial Officer Chris Andrichak was present to address questions.

Public Comment:

Katy Scott-Smith, PTA-EBDSA, asked the Board to vote down a fare increase and suggested that the matter be brought back in six months with an assessment of ridership levels before consideration of any fare increase.

John Minot, East Bay Transit Riders Union (EBTRU), expressed support of the deferral of the fare increase.

Matthew Lewis, PTA-EBDSA, expressed support for the deferral of the fare increase and promoted the idea that the Board cancel any fare increase or require the matter to come before the Board before any fare increase is implemented. Lewis also expressed disappointment the Berkeley Mayor's treatment of Director Beckles at the Berkeley City Council meeting.

Board Discussion:

MOTION: ORTIZ/WALSH to adopt Resolution No. 21-044 to defer the implementation of

the January 1, 2022 scheduled Transbay fare increase by six months to July 1, 2022.

MOTION TO AMEND: SHAW/BECKLES to defer implementation of the Transbay fare increase for one year to January 1, 2023.

Discussion was had on the amendment. Director Walsh pointed out that staff was recommending a July 1, 2022 implementation to correlate with the local fare increase scheduled to go into effect on the same date. She added that, according to the staff report, a January 1st implementation date also made it difficult to coordinate outreach because of the holidays. Chief Financial Officer Chris Andrichak added that staff wanted to defer for six-months to match the local fare schedule. Director Peeples agreed with Director Walsh and suggested the matter to be brought back to the Board as more information becomes available on office occupation in San Francisco and how work-from-home schedules develop over time. Following discussion, the Motion to Amend was withdrawn.

MOTION: ORTIZ/WALSH to adopt Resolution No. 21-044 to defer the implementation of the January 1, 2022 scheduled Transbay fare increase by six months to July 1, 2022. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 7.D.** Consider receiving the Year-End Financial Statements and Independent Auditor's Report for the Fiscal Year Ended June 30, 2021. [21-520](#)

Acting Controller Ken Myers presented the staff report saying that the District had been issued a clean opinion by the District's external auditors with the exception of one item to which corrective action had already been taken.

Public Comment:

No Public Comment was offered.

Board Discussion

There was no discussion.

MOTION: PEEPLES/WALSH to receive the Year-End Financial Statements and Independent Auditor's Report for the Fiscal Year Ended June 30, 2021. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

Planning Items - Chair Peeples

- 7.E.** Consider receiving a report on the District's plans and timeline for redesigning the service network. [21-508](#)

[Written comment received prior to the meeting is incorporated into the file by reference.]

Planning Manager Michael Eshleman presented the staff report. Director of External Affairs and Community Relations was also present to address questions concerning the public outreach process.

Public Comment:

John Minot, EBTRU, offered comments about the re-design plan presented by staff. Minot was appreciative on focus of resources towards service resumption and staff hiring.

Sheela Gunn-Cushman agreed with Minot's comments and point-of-view about the District's plan and timeline for redesigning the service network. Gunn-Cushman noted the importance of the inclusion of public input through use of multimedia and called for the District to work to ensure all scheduled buses arrive for waiting passengers.

Board Discussion:

Director Shaw believed that restoration of the old service was not a viable solution, stressing the need to get a better idea of where service is needed, where riders need to go as well as new pilots and service areas. She further asked that staff reach out to HUD, social services and other organizations to figure what riders need. Mr. Eshleman commented that staff will be doing more research and data gathering in preparation for service restoration and redesign.

Director Peeples agreed with staff's analysis with the exception of Transbay, saying that while 55% of the service has been restored, ridership remains at 9%. He added that he would not support an increase in the service at this time, saying that local service is where the resources need to be so that essential workers can get to work.

Director Walsh agreed with staff's approach and asked if Director Peeples' figures were correct, to which staff replied that they were, with ridership being at roughly 10 or 11 percent. Mr. Eshleman added that there was a key distinction between lines that are solely Transbay and others that are interlined with local service.

MOTION: ORTIZ/WILLIAMS to receive report on the District's plans and timeline for redesigning the service network. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 7.F.** Consider receiving a report on the District's planned service changes associated with the December 2021 Sign-up. [21-519](#)

[Written comment received prior to the meeting is incorporated into the file by reference.]

Transit Schedules Manager Ajay Martin presented the staff report.

Public Comment:

No public comment was offered.

Board Discussion:

Director Peeples was glad staff was building back service and working with operations and bus operators to improve running times to make sure the service works better.

Director Walsh asked for clarification of the changes, which were minor changes and which lines were being restored. She also asked what kind of outreach would be made to riders to notify them of the changes. Mr. Martin made additional comments on the amount of service that would be brought back in December. Executive Director Beverly Greene advised that there would be extensive communications with riders about the December service changes.

MOTION: BECKLES/WILLIAMS to receive a report on the District's planned service changes associated with the December 2021 Sign-up. The motion carried by the following vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

- 7.G.** Consider receiving a report on the Rockridge BART Station Transfer Point - Alternatives Analysis and Feasibility Study. [Requested by Director Peeples 11/11/2015, 10/23/2019 and Director Walsh 6/9/2021]

[21-470](#)

[Written comment received prior to the meeting is incorporated into the file by reference.]

Senior Transportation Planner Sean Diest Lorgion presented the staff report.

Public Comment:

John Minot, EBTRU, commented on the staff presentation and offered suggestions and further considerations to improve passenger transfers.

Sheela Gunn-Cushman commented on the impracticality of bus rider transfers from a disabled rider perspective and noted that additional reporting about driver communication that aids riders with disabilities with transfers is required.

Steven Jefferson, Bus Operator, offered comments from a bus operator's perspective, noting that after a bus leaves the curb, it cannot stop. Jefferson added that a transfer station would create more convenience and provide safety for operators and riders.

Board Discussion:

Director Beckles asked that staff take into account the lived experiences of riders, especially those who are visually impaired or have another type of disability and to consider feedback from operators as well.

Director Shaw asked if staff thought of different/cheaper ways to address the transfer problem that wouldn't cost so much and asked if staff had conducted an origin/destination study. Mr. Diest Lorgion advised that an origin/destination study had not been conducted, but staff did look at different alternatives within the surrounding

Rockridge area in order to make it passenger transfers easier, while staying close to BART, especially on the east side of BART where the disability access is better.

Director Walsh commented favorably on the excellent report and asked if staff has information on the number of people that transfer at this location. Mr. Diest Lorgion commented that prior to 2011, the route was a single line and when it was studied in 2006, there were rough estimates that 2,400 riders would be impacted by splitting the line at Rockridge BART. Director Walsh noted her desire to eliminate transfers due to the impact of having the change buses, not only on Line 51, but all other lines as well. She hoped the Board would consider this down the road.

Director Walsh commented on the benefits to riders of using a connection protection feature which would let the bus operator know when another connecting bus was arriving, and asked why it wasn't being used. Mr. Diest Lorgion reported that staff piloted the use of connection protection within the District Computer Aided Dispatch System, but there were many issues with it that staff is still working to resolve. Chief Operating Officer Salvador Llamas added that staff is working with the software vendor to figure out how best to maximize use of the connection protection system, how much interaction with the system is required by the bus operators and also to address on-time service issues that could result from holding a bus at every stop to wait for a connecting bus. Chief Information Officer Ahsan Baig provided additional information about programming the feature in the CAD/AVL system.

Director Peeples commented on the Line 51 report which was produced by staff more than a decade ago and involved transportation engineers from Alameda, Oakland and Berkeley. He added that there were 2,400 that would be affected, but many of them were traveling from Alameda to Berkeley, saying that many people figured out that they could transfer to Line 6 in downtown Oakland and get to Berkeley faster. He strongly supported the use of technology to ensure that passengers did not miss their connection and felt that having the 51A and 51B operate out of the same division to use the technology was a good idea. He further believed that interlining the 51A and 51B was a bad idea because the conditions of the original Line 51 study have not changed primarily because of traffic problems in Berkeley.

Director Peeples wanted to know why the cost to do an east side stop on College Avenue for the 51A and 51B was so expensive. Staff explained there was a lot of work and capital costs associated with an east side stop on College and in order for the 51A buses make a right turn on Shafter to loop around and get back onto College Avenue. Director Peeples asked if the City of Oakland or the Rockridge Merchants Association had weighed in on the proposal, to which staff advised that it had not yet discussed the plan with businesses or the city as of yet. Director Peeples encouraged staff to have a dialogue with the city and neighboring merchants.

MOTION: WALSH/BECKLES to receive report on the Rockridge BART Station Transfer Point - Alternatives Analysis and Feasibility Study. The motion carried by the following

vote:

Ayes: Ortiz, Young, Walsh, Beckles, Williams, Shaw, Peeples

Operations Items - Chair Beckles

- 7.H.** Consider receiving a report on bus only lane and bus stop violation enforcement. [Requested by Director Walsh - 8/11/21] [21-474](#)

Item 7.H. was pulled off the agenda by Director Walsh and will be rescheduled to a later date.

- 7.I.** Consider receiving the Quarterly Operations Performance Report for AC Transit Fixed Route Services during the First Quarter (Q1) of Fiscal Year 2022. [21-455](#)

Training and Education Manager Michael Flocchini presented the staff report.

Public Comment:

There were no comments offered.

Board Discussion:

Director Shaw commented on the on-time performance statistics and asked about the significant decrease in performance reflected in the report. Mr. Flocchini explained that multiple variables affect on-time performance, but most recently, it has been the increase in ridership coupled with operator absenteeism. A similar question was raised about the decrease in log-on rate, which was attributed to an upgrade in the Clever Devices system. Director Shaw saw the reduction in on-time performance as quite discouraging and asked for a detailed analysis of data to determine the percentage of incidents beyond operators' control and also the percentage of occasions when operators did not log on. Director Shaw further commented that metrics and data are a valuable element for service improvement and expects to see improvements in the future. Director Shaw asked about the timeline to begin reporting projected service improvements. Chief Financial Officer Sal Llamas explained that it generally takes around six months to a year to collect data and establish goals for performance indicators.

Director Walsh commented that the number of available operators is concerningly low and urged staff to address the unscheduled leave. Director Walsh further commented on the Protective Services portion of the report and was pleased to see that reporting systems are being configured to better capture data from the Sheriff's Offices. Director Walsh also felt that more work needed to be done in terms of the Sheriff's contract goals. Director Walsh also requested that future charts reference the goals and KPIs for ease of viewing.

Mr. Flocchini briefly addressed Director Beckles' comment about the staff recognition program and extended an invitation to tour the Training Center.

Board Administrative Matters - President Ortiz

- 7.J.** Consider adopting the 2022 regular Board meeting schedule taking into consideration the District's holiday schedule and any days requested by Directors to be included in the holiday schedule; and reschedule regular meetings if necessary. [21-488](#)

Assistant District Secretary Jelena Harada presented the staff report.

Public Comment:

No public Comment was offered.

Board Discussion:

There was no discussion.

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.

There was nothing to report out of closed session.

8.A. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9 (a))

Katisha Adams vs. AC Transit, WCAB Case Nos. ADJ8196618; ADJ9597565

Quarterly Litigation Report:

- Galpern v. AC Transit, U.S. District Court (No.Cal.Dist.), No. 20-cv-02572-TSH;
 - White v. AC Transit, U.S. District Court (No.Cal.Dist.), No. 20-cv-03804-TSH;
 - Dollene Jones v. AC Transit Retirement Board, et al., U.S. District Court (No.Cal.Dist.), No. 20-cv-00385-SI;
 - Dollene Jones v. AC Transit Retirement Board, et al., ACSC No. RG20-050706; and
 - Claim of Farmers Insurance Exchange (21-AL00077).
- Report regarding violations at the District's Emeryville and Hayward facilities during this reporting period.

8.B. Conference with Legal Counsel – Potential Litigation (Two Cases)

(Government Code Section 54956.9(b))

8.C. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representative:

- General Manager Michael Hursh;

- Executive Director of Human Resources Sebron Flenaugh III;

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

Unrepresented Employees

8.D. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

9. AGENDA PLANNING

Directors are limited to two agenda planning requests per meeting. Each item requested shall have the concurrence of at least one other Director.

9.A. Review of the Agenda Planning Pending List.

[21-018s](#)

Director Walsh requested a detailed plan to restore service based on the established priorities and operator availability. (Shaw concurred)

10. GENERAL MANAGER'S REPORT

10.A. General Manager's Report for November 10, 2021.

[21-020s](#)

The report was presented for information only.

11. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

Members of the Board commented on the events they attended since the last Board Meeting.

12. ADJOURNMENT

Next Meeting: December 8, 2021 at 5:00 p.m.

There being no further business to come before the Board of Directors, the meeting adjourned at 7:44 p.m. The next meeting of the Board is scheduled for December 8, 2021 at 5:00 p.m.

Respectfully submitted,

/s/

Linda A. Nemeroff

District Secretary

Exhibit A

Board of Directors Meeting

November 10, 2021

Item 4. Public Comment:

User: Guest User

Comment: I wonder when or if the bus stops on the 97 line in San Lorenzo/San leandro (towards bayfair bart) on hesperian Blvd. between Paseo grande and sycamore are permanently being removed due to construction in that area or only temporary. If the stops will be reopened, is there a possibility signage could be placed at the missing bus stops so the riding public can be made aware?

Created at: 11-3-2021 02:55 PM