



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Board of Directors - Regular Meeting

CLOSED SESSION 4:15 PM for Agenda Items 7A-7D

VIRTUAL MEETING

Phone (669) 900 6833

Webinar ID: 984 8717 5063

Wednesday, June 22, 2022 at 5:00 PM

<https://bit.ly/3QGD6MK>

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)

MURPHY MCCALLEY (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, June 22, 2022, at 5:00 p.m.

The meeting was called to order at 4:16 p.m. for the purpose of Closed Session. All Board members were present. The Board convened in Closed Session to discuss Items 7A-7D as listed on the agenda. Closed Session concluded at 4:30 p.m.

President Ortiz called the Board of Directors meeting to order at 5:02 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT

Eddie, D3 Facilities Mechanic, expressed views and criticism about Covid-19 vaccination efficacy and the Board's vaccine mandate.

Sultana Adams, D3 Operator, asked the Board to consider adding a Covid-19 testing option to the current mask mandate as an alternative service to District employees who have not gotten vaccinated.

Troy Clark, D4 employee, expressed support and reasons for a testing option for District staff who have not been vaccinated for Covid-19.

Connie McFarland expressed several benefits for the implementation of a Covid-19 testing option. McFarland added that the lack of a testing option adds to the Human Resources Department's challenge in hiring new employees.

4. MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda.

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

There were no public comments offered.

MOTION: YOUNG/PEEPLS to receive, approve or adopt the items on the Consent Calendar as indicated with the exception of Item No. 5.N. which was removed from the Consent Calendar by Director Beckles. The motion carried by the following vote:

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

5.A. Consider approving Board of Directors minutes of June 8, 2022. [22-095](#)

MOTION: YOUNG/PEEPLS to approve the Board of Directors minutes of June 8, 2022.
The motion carried by the following vote:

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

5.B. Consider receiving the Retirement Board minutes of May 12, 2022. [22-349](#)

MOTION: YOUNG/PEEPLES to receive the Retirement Board minutes of May 12, 2022. The motion carried by the following vote:

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

- 5.C.** Consider authorizing members of the Board of Directors to attend the National Association of City Transportation Officials' (NACTO) 2022 Designing Cities Conference on September 7-10, 2022 in Boston, Cambridge, and Somerville, Massachusetts. [22-371](#)

MOTION: YOUNG/PEEPLES to approve authorization of the members of the Board of Directors to attend the National Association of City Transportation Officials' (NACTO) 2022 Designing Cities Conference on September 7-10, 2022 in Boston, Cambridge, and Somerville, Massachusetts. The motion carried by the following vote:

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

- 5.D.** Consider authorizing the General Manager, or his designee, to submit project requests to the Alameda County Transportation Commission (ACTC) for the 2024 Comprehensive Investment Plan (CIP) and Metropolitan Transit Commission's (MTC) One Bay Area Grant 3 (OBAG 3) funding programs. [22-353](#)

MOTION: YOUNG/PEEPLES to approve the authorization of the General Manager, or his designee, to submit project requests to the Alameda County Transportation Commission (ACTC) for the 2024 Comprehensive Investment Plan (CIP) and Metropolitan Transit Commission's (MTC) One Bay Area Grant 3 (OBAG 3) funding programs. The motion carried by the following vote:

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

- 5.E.** Consider receiving the Monthly Report on Investments for March 2022. [22-354](#)

MOTION: YOUNG/PEEPLES to receive the Monthly Report on Investments for March 2022. The motion carried by the following vote:

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

- 5.F.** Consider receiving the Bi-Monthly budget update for the period of July 2021 through April 2022 of FY 2021-22. [22-355](#)

MOTION: YOUNG/PEEPLES to receive the Bi-Monthly budget update for the period of July 2021 through April 2022 of FY 2021-22. The motion carried by the following vote:

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

- 5.G.** Consider review of Board Policy 322 - Reserve Policy with no amendments. [22-278](#)

MOTION: YOUNG/PEEPLES to receive the review of Board Policy 322 - Reserve Policy with no amendments. The motion carried by the following vote:

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

- 5.H.** Consider approving the award of a firm-fixed-price construction contract to Ray's Electric of Oakland, California for \$2,691,330 for the construction of the battery-electric bus infrastructure and installation of the battery-electric bus chargers at Division 2 Emeryville. [20-380b](#)

MOTION: YOUNG/PEEPLES to approve the award of a firm-fixed-price construction contract to Ray's Electric of Oakland, California for \$2,691,330 for the construction of the battery-electric bus infrastructure and installation of the battery-electric bus chargers at Division 2 Emeryville. The motion carried by the following vote:

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

- 5.I.** Consider approving the award of six contracts for Temporary Personnel Placement Services (as outlined in the staff report), each with an initial base period of three-years with two one-year options to extend the contract, up to a cumulative maximum term of five-years. [22-358](#)

MOTION: YOUNG/PEEPLES to approve the award of six contracts for Temporary Personnel Placement Services (as outlined in the staff report), each with an initial base period of three-years with two one-year options to extend the contract, up to a cumulative maximum term of five-years. The motion carried by the following vote:

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

- 5.J.** Consider the adoption of Resolution 22-025 approving the new classification of Procurement & Materials Analyst and the revised classifications of Director of Procurement and Materials Management and Assistant Director of Procurement and Materials Management. [22-356](#)

MOTION: YOUNG/PEEPLES to approve the adoption of Resolution 22-025 approving the new classification of Procurement & Materials Analyst and the revised classifications of Director of Procurement and Materials Management and Assistant Director of Procurement and Materials Management. The motion carried by the following vote:

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

- 5.K.** Consider authorizing the General Manager to bind the District's 2022-2023 Commercial Property Insurance and Deadly Weapons Response insurance programs. [22-309](#)

MOTION: YOUNG/PEEPLES to approve authorization of the General Manager to bind the District's 2022-2023 Commercial Property Insurance and Deadly Weapons Response insurance programs. The motion carried by the following vote:

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

- 5.L.** Consider approving the District's participation in Phase I of the Metropolitan Transportation Commission's Regional Institutional Pass Pilot Program. [22-352](#)

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

MOTION: YOUNG/PEEPLES to approve the District's participation in Phase I of the Metropolitan Transportation Commission's Regional Institutional Pass Pilot Program. The motion carried by the following vote:

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

- 5.M.** Consider authorizing the General Manager to negotiate and execute multiple sole source contracts with GIRO, Inc. for Hastus Software Licenses, Professional Services for Hastus upgrade, and Cloud Hosting Services. [22-370](#)

MOTION: YOUNG/PEEPLES to approve the authorization of the General Manager to negotiate and execute multiple sole source contracts with GIRO, Inc. for Hastus Software Licenses, Professional Services for Hastus upgrade, and Cloud Hosting Services. The motion carried by the following vote:

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

- 5.N.** Consider extending the current contract with the Contra Costa Sheriff for six months from July 1 to December 31, 2022. [21-360a](#)

Director Beckles removed Item 5.N. from the Consent Calendar to inquire about the status of the audit with regard to the scope and timing for completion. Staff reported that the procurement process did not yield any bidders and that the audit would instead be handled by the District's external audit firm, Crowe. Director Walsh requested that matters concerning the Sheriff's contracts be placed on the regular calendar in the future due to their importance and sensitivity.

There were no public comments offered.

MOTION: PEEPLES/YOUNG to approve the extension of the current contract with the Contra Costa Sheriff for six months from July 1 to December 31, 2022. The motion carried by the following vote:

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

- 5.O.** Consider the adoption of Resolution No. 22-026 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 July 22, 2022. [21-053I](#)

MOTION: YOUNG/PEEPLES to approve the adoption of Resolution No. 22-026 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 July 22, 2022. The motion carried by the

following vote:

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

6. REGULAR CALENDAR

External Affairs Items - Chair Peeples

- 6.A.** Consider receiving the Monthly Legislative Report and approval of legislative positions.

[22-116](#)

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

External Affairs Representative Steven Jones presented the staff report. He added that in addition to the recommendations outlined in the report, staff was also recommending a change in position to SUPPORT on AB 919 and SB 1161.

Public Comment:

Public Speakers expressed support, appreciation, and enthusiasm for the District's work on SB917 (Seamless Transit Transformation Act), and other state legislation. Public Speakers included:

Adina Levin, Seamless Bay Area

David Sorrell, Association for Community Transportation-Northern CA Chapter

John Minot, East Bay Transit Riders Union

Board Discussion:

With regard to staff's reporting on another regional measure, President Ortiz suggested that staff keep a close eye on regional proposals as they may change significantly when they go to the legislature, citing the example of Regional Measure 3 which was initially proposed to only give \$50 million to AC Transit while other transit agencies were proposed to receive significantly more. President Ortiz advised that it was her advocacy efforts in Sacramento and with local legislators that led to the District receiving \$260 million.

Director Walsh asked if the potential administrative burdens of SB 1230 warranted a SUPPORT IF AMENDED position instead of the current WATCH position. Mr. Jones explained that in the interest of making sure the District is not overly burdened, staff wanted to continue to track the bill, saying that a WATCH position was the appropriate position at this point. He added that there were also concerns about funding. President Ortiz asked what amendments could be made to change the District's position. Mr. Jones advised that AC Transit sent a letter to the legislature indicating AC Transit's support in concept for the bill but remained concerned about the statewide application and administration of the program particularly with the purchase of transit passes. He added that if the local air district is not responsible for administering the program, there is a concern that those administrative burdens might be placed on transit operators. These concerns were shared with the author of the bill.

Director Walsh further commented on SB 917, conveying her understanding that there had been recent amendments and wanted to know when staff would be able to brief the Board on those amendments. Mr. Jones advised that staff would prioritize its review of the amendments and report back to the Board. He added that ultimately the bill needed to protect AC Transit's interests and the communities it serves. Director Walsh hoped the District could move to a support position based on the recent amendments. President Ortiz shared that the BART Board was expected to support the bill but wanted to know the position of the other 12 transit agencies involved. Mr. Jones reported that the Napa Valley Transportation Authority is supporting the legislation along with BART, but he was unaware of any other transit agencies that have expressed support.

A motion was made by Director Shaw and seconded by President Ortiz to receive the report and approve staff's recommendations, including the change to a SUPPORT position on AB 919 and SB 1161.

Director Walsh offered an amendment to the motion to include a report back from staff on the amendments to SB 917 at the next Board meeting. The amendment was accepted. Chair Peeples noted that he recently spoke on his own behalf at the Senate Transportation Committee meeting and was the sole speaker against SB 917, saying that what he really wanted to know was how much service AC Transit would need to cut in order to provide service to counties that are unwilling to support transportation. He added that at this point in the legislative process, critical pieces of legislation come back to the Board fairly quickly.

MOTION: SHAW/ORTIZ to receive the report and approve staff's recommendations, including the change to a SUPPORT position on AB 919 and SB 1161. Staff is to report back on recent amendments to SB 917 at the next meeting. The motion carried by the following vote:

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

Planning Items - Chair Beckles

- 6.B.** Consider receiving a report on AC Transit's Zero Emission Transit Bus Technology Analysis covering a performance period from July to December 2021. [22-308](#)

Director of Project Controls and Systems Analysis William Tonis presented the staff report.

There were no public comments offered.

Board Discussion:

Director Peeples congratulated the staff on the effort and the quality of work that has gone into the study.

Director Shaw asked about issues related to batteries and chargers, characterizing them as growing pains of the new technology but wanted to know if the staff had a sense of direction as to what is rising as the preferred technology. Director Shaw also asked if the staff's intervention in addressing the issues would increase the actual costs of the technologies. Staff would continue to evaluate the performance and report on the ZEB Technology analysis.

Vice President Young asked why the legacy fuel-cell busses were included in the report as they appear to be the worst-performing. Vice President Young also wanted to know if staff had observed a difference in the degradation of batteries across different technologies. Vice President Young thanked the staff for their leadership in the field.

President Ortiz asked staff to forward the report to the U.S. Department of Energy as they were interested in it.

MOTION: PEEPLES/YOUNG to receive a report on AC Transit's Zero Emission Transit Bus Technology Analysis covering a performance period from July to December 2021. The motion carried by the following vote:

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

6.C. Consider approving the AC Transit Zero Emission Bus Transition Plan.

[22-319](#)

Chief Operating Officer Salvador Llamas presented the report.

There were no public comments offered.

Board Discussion:

Director Shaw commented about the funding for the District's zero-emission bus (ZEB) infrastructure and thought that the availability of funding might dictate the composition of the fleet. Looking at the costs of battery-electric versus fuel-cell infrastructures, Director Shaw felt that the fuel-cell technology might prevail because its infrastructure costs are lower. Chief Operating Officer Salvador Llamas advised that the lack of infrastructure funding, specifically the charging infrastructure, is holding the District back from deploying more zero-emission busses because the District's charging facilities are at capacity. He agreed that investment in infrastructure would expedite the transition to zero-emission fleet. Mr. Llamas also clarified that the costs presented in the report include the costs of future facility upgrades that would need to follow the bus technology upgrades.

Director Peeples thanked the staff for their work and for presenting the transition plan and made a motion to approve the AC Transit Zero Emission Bus Transition Plan as presented. Further discussion ensued.

Vice President Young thanked the staff for their effort on the path to meeting the District's zero-emission goals and asked if there was a clear picture of the fleet

technology ratio at the end of the transition in 2040. Mr. Llamas explained that aside from trying to balance the 70% to 30% split between the fuel-cell and battery electric busses, it was too early to tell because of variables such as clean corridors, facility footprints, deployment capacities, and staffing.

Vice President Young further commented that the ZEB fleet composition has changed from mostly battery-electric to 70%fuel-cell and asked what has contributed to the shift in the ratio. Mr. Llamas explained that the fuel cell technology has proven to be more responsive to the demands of the community in the past several years because the hydrogen buses would refill faster and be available almost immediately.

President Ortiz commented that the Federal Government is focused on providing funding for the battery-electric technology and assumed that the funding for that infrastructure would be available to the District.

Director Beckles commented that for the public's interest, the report should have included a visual presentation.

Vice President Young seconded the motion on the floor.

MOTION: PEEPLES/YOUNG to approve the AC Transit Zero Emission Bus Transition Plan. The motion carried by the following vote:

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

Operations Items - Chair Young

- 6.D.** Consider approving amendments to Board Policy 471- Cancellation of Scheduled Service Policy [Continued from the April 13, 2022 Board of Directors meeting].

[22-194a](#)

Director of Transportation Derik Calhoun presented the staff report.

There were no public comments offered.

Director Walsh commented on the need to minimize cancelled service and went on to share her thoughts regarding some of the changes to the policy:

1) In the Purpose Section, Director Walsh suggested that language stricken from the policy be retained concerning the impact and inconvenience of cancelled service to the rider (last sentence).

2) With regard to Transbay versus Local Service Cancellation Priority, Director Walsh pointed out that the policy appears to consider overall ridership, but noted that some Transbay lines, such as Line F, have seen a return of nearly 80% of pre-pandemic

ridership. She added that she would not want to cancel a transbay bus with 50 riders over a local bus with 15-minute service and fewer riders and asked if this would happen if staff's recommendations were adopted. Mr. Calhoun advised that staff considers the highest ridership first and strives not to cancel service, but the policy change would prioritize local service over transbay. Director Walsh also felt the policy should focus more on ridership and frequency and less on riders' racial background.

3) Director Walsh suggested that the District not cancel any service that runs less frequently than 30 minutes.

4) Director Walsh suggested a clarification to Section VI.A.7 to reflect that two or more trips in a row shall not be cancelled.

5) Director Walsh believed that the scope of the General Manager's authority granted by the policy was too broad and suggested that the Board receive notice when the General Manager is not following the policy.

Chair Young suggested that Director Walsh edit the policy and present it to the Board. Director Walsh requested that staff take her suggested changes and return to the Board at a later date with an amendment and would motion same at the appropriate time.

Director Shaw agreed with most of the changes but felt any changes to the General Manager's authority to adjust service during an emergency or when ridership patterns change was an overreach. President Ortiz agreed. General Manager Hursh appreciated the support to retain his authority and gave the example of the Warriors parade where there was a need to run additional service.

Director Shaw thought that supplementary service should be the only service that is not cancelled.

Director McCalley agreed with most of the comments but did not want to micromanage. He asked if there was a way to receive a report on cancelled service. Mr. Hursh advised that staff was working on a report and more information on missed service would be provided in the Quarterly Operations Performance Report.

Director Walsh believed that the Board should know about instances when policy was not being followed. President Ortiz explained that flexibility is being given to the General Manager to act appropriately when he needs to cancel service and that the Board was not responsible for operating the agency. Director Peebles added that the Board is making a general statement of what the policy should be and that it was the General Manager's job to respond when there is an accident, fire or emergency, not the Board and not a Board member. Director Walsh withdrew her suggested amendment with respect to this area of the policy.

Director Beckles agreed with the language of the amendment pertaining to the General

Manager's authority proposed by staff but also supported the other amendments suggested by Director Walsh.

Director Walsh offered an additional amendment to Section 2, Persons Affected, to say: "Anyone riding, managing, or operating AC Transit's service."

President Ortiz motioned the approval of staff's amendments to the policy, and it was seconded by Director Shaw.

A Substitute Motion was offered by Director Walsh and was seconded by Director Beckles.

SUBSTITUTE MOTION: WALSH/BECKLES to approve the policy with the following changes:

- 1) Section I. Purpose - to retain the language regarding minimizing impacts and inconvenience to the rider (last sentence).
- 2) Section II, Persons Affected, amended to read: "Anyone riding, managing, or operating AC Transit's service."
- 3) Section IV.A.4. amended to read: "Service that runs 30 minutes or longer shall not be cancelled."
- 4) Section IV.A.7. to update the language to add clarify.
- 5) Section V. General Manager's Authority: to accept the changes recommended by staff.

The motion carried by the following vote:

Ayes: Beckles, Walsh, McCalley, Shaw

Nays: Ortiz, Young, Peeples

Board Administrative Matters - President Ortiz

- 6.E.** Consider receiving a report on ways to alleviate the number of agenda planning items requested of staff and provide direction with respect to amending the current policy. [Requested by Vice President Young - 9/22/21]

[22-324](#)

District Secretary Linda Nemeroff presented a report on ways to alleviate the number of agenda planning requests and provided staff's suggestions for modifying the Board Policy. She added that staff would take the feedback provided by the Board and use it to draft an amendment to the policy that would be presented to the Board at a future meeting for consideration.

Public Comment:

John Minot, East Bay Transit Riders Union, noted that agenda planning requests do create a large amount of work for staff, but that this work is needed for the Board to have adequate information for deliberative discussion.

Sultana Adams echoed the sentiment of Minot and Jovanka Beckles, stating that facts need to be compiled for debate.

Board Discussion:

Vice President Young explained his request for this item to be brought to the Board for discussion in response to comments and concerns received over an extended period of time from staff regarding their observations about agenda planning.

General Manager Michael Hursh noted that staff faces unprecedented challenges in performing their duties during a period that includes a pandemic and staffing challenges and asked the Board to recognize the challenge of completing an increasing number of agenda planning requests while managing District operations.

President Ortiz commented on the need for Board members to provide clarity up front in order to minimize the need for additional instructions with respect to their agenda planning requests, adding that care should be taken by Board members not to make agenda planning requests that intrude into District operations, which is outside of the purview of the Board.

Director Shaw recognized the observations of the staff on this matter and agreed that advanced staff discussion would help clarify a Board member's request prior to submission. Director Shaw found the idea of placing follow-up matters in the General Manager's Report acceptable.

Director Beckles expressed concern about the recommendation that agenda planning requests must be endorsed by four (4) board members, "to ensure that a request has the interest of the majority of the Board". Director Beckles noted that such a condition represents a Board vote to control whether the Board will even take up a topic before it can be discussed as a group.

Director Walsh presented ideas on this matter, including the need for clarity of communication, perhaps including direct communication between the Board and staff. Director Walsh advocated for staff flexibility in prioritizing agenda planning reports with their District duties, saying that the Board should discuss developing solutions that do not overburden staff by recognizing their limitations in order to achieve a better working relationship between staff and the Board.

Director Walsh suggested that some reports should be designed as "routine reports" which would regularly come to the Board and would inclusively answer Board questions that otherwise would be made as agenda requests. Director Walsh added that some reports should occur automatically, such as the results of a pilot program which would describe, "what happened, what did we learn, and how do we proceed?" Also, Director Walsh recommended including a report of how much staff time is needed to complete an agenda request and continue reporting agenda requests by department rather than by Board member.

Director McCalley commented that a distinction would need to be made between an AP request or just a “question” for clarification. This would help ascertain a need to for staff to devote resources to reply with a Staff Report or an email reply.

Vice President Young suggested that the development of a policy whereby the Board is copied on communications between the staff and the Board.

- 6.F.** Discussion regarding agenda items for the annual joint meeting [22-365](#)
between the Board of Directors and Accessibility Advisory Committee
and approve the draft agenda.

District Secretary Linda Nemeroff gave an overview of the draft agenda for the annual joint meeting.

There were no public comments offered.

Director Walsh requested that a discussion about the roles and responsibilities of the Committee be added to the agenda. No other items were requested.

MOTION: PEEPLES/SHAW to approved the draft agenda with the inclusion of an additional item regarding the role and responsibilities of the Committee. The motion carried by the following vote:

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

- 6.G.** Update on the activities of the Special Limited-Purpose Board Officer [22-393](#)
Evaluation and Compensation Committee. (verbal)

Committee Chairperson McCalley presented a status report on the activities of the Special Limited-Purpose Board Officer Evaluation and Compensation Committee.

7. CLOSED SESSION/REPORT OUT

There was nothing to report out of closed session.

7.A. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9 (a))

- Bridgette Toles v. AC Transit, WCAB Case No. ADJ8691354

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

(Government Code Section 54956.9(b))

7.C. Conference with Labor Negotiators

(Government Code Section 54957.6):

Agency Designated Representative:

- General Manager Michael Hursh;

- Labor and Employee Relations Representative;

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

Unrepresented Employees

7.D. Public Employee Performance Evaluation

(Government Code Section 54957)

Title: General Manager, General Counsel, District Secretary

8. 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.

8.A. Review of Agenda Planning Pending List.

[22-065k](#)

Director Beckles requested that the Board consider approving a COVID testing option for unvaccinated employees at the next meeting. (Director Walsh concurred)

President Ortiz requested a letter in support of the Lakehouse Housing Project on the East 12th Street Project. (Peeples concurred)

President Ortiz requested an update of the classification specifications for the Board Officers. (Young concurred)

Vice President Young requested a review of the safety procedures at Board meetings, facilities and District offices to evaluate the existing procedures and consider any suggestions for improvement of safety. (Ortiz concurred)

9. GENERAL MANAGER'S REPORT

9.A. General Manager's Report for June 22, 2022.

[22-041k](#)

The report was provided for information only.

10. BOARD/STAFF COMMENTS

(Government Code Section 54954.2)

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

11. ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 7:36 p.m. The next meeting of the Board is scheduled for July 13, 2022, at 5:00 p.m.

Respectfully submitted,

/s/

Linda A. Nemeroff
District Secretary