

**AGENDA**  
**Board of Directors Meeting**  
**Alameda-Contra Costa Transit District**  
2<sup>nd</sup> Floor Board Room  
1600 Franklin Street  
Oakland, California 94612

**Wednesday, October 28, 2009**  
**6:00 p.m.**

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<b>Board of Directors:</b>	Ryan "Rocky" Fernandez, President (Director Ward IV)
H. E. Christian Peeples, Vice President (Director at Large)	Elsa Ortiz, Director Ward III
Joe Wallace, Director Ward I	Jeff Davis, Director Ward V
Greg Harper, Director Ward II	Joel B. Young, Director at Large

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Please set cell phones and pagers on silent mode as a courtesy to those in attendance

**Roll Call**

**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. Speakers wishing to address a specific agenda item will be invited to address the Board at the time the item is being considered. All individuals addressing the Board should limit their comments to 2 minutes.

**Presentation by Manuch Nikanjam, Consulting Engineer on Fuels Technology - Chevron**  
Regarding the AC Transit/Chevron/Cummins Cleaner Fuels Demonstration Program.

**Presentation - Steve Palmer, Vice President - Van Scoyoc Associates, Inc.**  
Regarding: Federal legislative activities.

**Introduction of Thomas Prescott, Labor Attorney, by General Counsel Ken Scheidig**

**Consent Calendar**

Items listed under the Consent Calendar are considered to be routine and may be enacted by one motion/one vote. If discussion is desired, an item may be removed from the Consent Calendar and will be considered individually.

**1. Operations Committee (October 14, 2009 Meeting) Recommendations:**

**Receive**

- a. Operations Committee minutes of September 9, 2009.
- b. Report the District's Extraboard Policies and comparison to other transit agencies (Requested by Vice President Peeples – 1/23/08) (GM Memo No. 09-237).

**Approve**

- c. Adoption of **Resolution No. 09-032** creating the new classifications of Transportation Supervisor Assistant, Sr. Human Resources Administrator, and Electrical Support Worker (GM Memo No. 09-147).

**2. Operations Committee (September 9, 2009 Meeting) Recommendations:**

**Receive**

- a. Report on procedures for operators related to potential criminal activity, and report on a new program to reduce customer disturbances on school trips (Requested by Vice President Peeples – 11/12/2008) (GM Memo No. 09-177).

**3. External Affairs Committee (October 14, 2009 Meeting) Recommendations:**

**Receive**

- a. External Affairs Committee minutes of September 9, 2009.
- b. Legislative Report (GM Memo No. 09-235).

**Approve**

- c. State Advocacy Program for 2010 (GM Memo No. 09-231).
- d. Federal Advocacy Program for 2010 (GM Memo No. 09-232a).

**4. Finance and Audit Committee (October 14, 2009 Meeting) Recommendations:**

**Approve**

- a. Adoption of **Resolution No. 09-056** authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the seller's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith (GM Memo No. 09-242).

**5. Board Matters**

- a. Consider approving Board of Directors minutes of October 12, 2009.
- b. Consider approving Board of Directors minutes of October 14, 2009.
- c. Consider approving Board of Directors minutes of October 19, 2009.

**Regular Calendar**

6. Consider receiving report regarding the process to implement the Draft 2009 Revised Service Adjustments Plan and provide feedback on the public input process (GM Memo No. 09-217c).
7. Consider approving expenditure to partially fund a traffic signal on Mission Boulevard at Gurdwara Road (GM Memo No. 09-251).
8. Consider affirming Board direction to divert Congestion Mitigation and Air Quality funds from the Bus Rapid Transit (BRT) Project to operations and provide direction to staff regarding the formation and composition of the Funding Task Force (GM Memo No. 09-247).

Staff Contact: Nancy Skowbo, 891-4716

9. Consider receiving report regarding the equity of service reductions in Special District 1 and 2 and ensure Measure AA/BB/VV and future District 1 parcel tax money is properly allocated (Requested by Directors Harper and Ortiz – 9/9/09)(GM Memo No. 09-230a).

Staff Contact: Lewis Clinton, Jr., 891-4752

10. Consider receiving report on District vehicles, adoption of amendments to Board Policy 422 – Vehicle Use Policy, and continue to November 18, 2009 for a further report on the draft administrative regulation implementing Board Policy 422 (Requested by Director Harper – 5/27/09; Vice President Peeples/Director Ortiz – 8/26/09) (GM Memo No. 09-178a) [Operations Committee recommendation of October 14, 2009 to adopt Board Policy 422 with the requested amendments. Staff to provide additional information as requested by the committee].

Staff Contacts: Joe DeProspero, 891-7147  
Ken Scheidig, 891-7178

11. Consider receiving report regarding AC Transit's position on AB 744 (Torrico) and internal communications on legislation (Requested by Vice President Peeples) (GM Memo No. 09-239).

Staff Contact: Jim Gleich, 891-7185

12. Consider Adoption of **Resolution No. 09-059** appointing a public member representative to the Alameda-Contra Costa Transit District Retirement Board, or continue the matter to future Board meeting to conduct interviews and select a replacement (DS Memo No. 09-274).

Staff Contact: Linda Nemeroff, 891-7284

13. Consider abolishing the Board's special compensation committee (GC Memo No. 09-272).

Staff Contact: Ken Scheidig, 891-7178

14. Report on actions(s) taken during Closed Session [Will be reported after the conclusion of Closed Session.]

## **Board/Staff Comments (Government Code Section 54954.2)**

### **Agenda Planning**

#### **CLOSED SESSION:**

**Conference with Legal Counsel – Existing Litigation:**  
(Government Code Section 54956.9 Subdivision (a))

*Moreno v AC Transit*, ACSC Case No. HG08409706, Claim No. 08-1490

**Public Employment: (Government Code Section 54957)**  
Title: Acting General Manager

**Labor Negotiations – Board Officers: (Government Code Section 54957.6)**  
Committee Negotiators: Director Davis, Chair  
Director Wallace  
Director Young

**Labor Negotiations – Board Officers: (Government Code Section 54957.6)**  
Spokesperson: Gregory Fox, Esq.

**Public Employee Performance Evaluation: (Government Code Section 54957)**  
Title: General Manager  
Title: General Counsel  
Title: District Secretary

**Adjournment**

Linda A. Nemeroff  
District Secretary