

San Francisco Bay Area Rapid Transit District

2150 Webster Street, P. O. Box 12688, Oakland, CA 94612-2688



BOARD OF DIRECTORS DRAFT MINUTES OF THE 1,979TH MEETING THURSDAY, APRIL 24, 2025

Members of the Board of Directors

Mark Foley, President (District 2)

Melissa Hernandez, Vice President (District 5)

Matthew Rinn (District 1)

Barnali Ghosh (District 3)

Robert Raburn (District 4)

Elizabeth Ames (District 6)

Victor Flores (District 7)

Janice Li (District 8)

Edward Wright (District 9)

MEETING DESCRIPTION

A Regular Meeting of the Board of Directors was held on April 24, 2025, convening at 9:01 a.m. via simultaneous teleconference at the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612 and Sheraton Grand Sacramento Hotel, 1230 J St., Sacramento, California 95814. President Foley presided, April B. A. Quintanilla, District Secretary.

1. CALL TO ORDER

President Foley called the Meeting to order at 9:01 a.m.

A. Roll Call.

Directors Present in Oakland: Directors Ames, Flores, Ghosh, Li, Raburn, Rinn, Wright, and Foley.

Director Present via Teleconference: Vice President Hernandez.

Absent: None.

B. Pledge of Allegiance. Blake Engstrom led the Pledge of Allegiance.

C. Introduction of Special Guests. i. BART "Take Our Kids to Work Day" Participants.

President Foley welcomed the special guests in attendance, recognizing the large group of children and their families participating in BART's "Take Our Kids to Work Day" event. President Foley gave opening remarks and noted that approximately 300 children and 190 families were reported as participating in the event.

A photo of the Board, staff, and "Take Our Kids to Work Day" participants was taken.

Public Comment

The following individuals addressed the Board:

Michai Freeman
Aleta Dupree
Glenn Overton

President Foley announced that the order of agenda items would be changed.

12. BOARD MATTERS

C. In Memoriam.

President Foley brought the item before the Board.

Director Raburn gave remarks in memory of Christine Arsenault, Chair of the BART Accessibility Task Force (BATF). Director Raburn highlighted Christine's dedication to elevating the status and visibility of individuals with disabilities, not just symbolically, but through substantive reforms that improved accessibility across the BART system and recognized Christine's impact of fostering a culture of heightened sensitivity to individual needs throughout BART operations.

Public Comment

The following individuals addressed the Board:

Doreen Giacopini
Sam Buman
Hillary Brown
Clarence Fischer
Wendy Wheeler
Glenn Overton
Aleta Dupree

Discussion

The item was discussed, with the following highlights:

Director Ghosh reflected on her personal experience meeting Christine Arsenault earlier in the year, shortly after joining the Board. Director Ghosh shared that although their interaction was brief, it was immediately clear that Christine was a leader and an intelligent, warm, and engaging person. Director Ghosh recalled their shared Canadian connection, their discussion about the importance of housing near transit, and a memorable moment when Christine was celebrating a friend's birthday. Director Ghosh expressed how Christine's passing was deeply felt, especially as a new Board Member who had looked forward to collaborating with her more closely.

Director Ghosh thanked the other BATF members for their continued advocacy and support and expressed hope that the Board and the agency can live up to Christine's high standards and expectations for accessibility and equitable transit.

2. REPORT OF THE BOARD PRESIDENT

President Foley announced that the July 24, 2025 and August 28, 2025 Board Meetings will be canceled, allowing both staff and Board Members time for a summer break. President Foley also announced the departure of April Quintanilla, District Secretary, who will be leaving BART at the beginning of May.

President Foley offered remarks and expressed appreciation for April's leadership and service. President Foley noted that April stepped into the Office of the District Secretary during a challenging period and brought calm, clarity, and professionalism, significantly helping to stabilize the department. President Foley commended April's demeanor, approach, and contributions as exceptional and valued across the organization and he wished her success as she transitions to her next chapter.

District Secretary Quintanilla addressed the Board to offer farewell remarks and expressed gratitude to the Board, District Staff, the public, and the District Secretary's Office (DSO) team for the trust and support they placed in her. April expressed appreciation for the opportunity to contribute to BART and wished the organization continued success.

Discussion

The item was discussed, with the following highlights:

Director Li expressed sadness upon learning of April's departure and acknowledged the challenges April faced during her tenure, including navigating transitions within the District Secretary's Office and adapting operations during the COVID-19 pandemic to comply with evolving state laws for public meetings.

Director Ghosh shared heartfelt appreciation, stating that April felt like the "BART Board Mom," providing both guidance and care to the Board. Director Ghosh recalled how influential April was in her early days as a new Board Member, making her feel welcomed and supported. Director Ghosh wished April the best in her next chapter and expressed support and encouragement for her transition.

Director Wright expressed that he was happy for April in her next steps but sad for BART at her departure. Director Wright commended April for the professionalism and thorough preparation she brought to the role. As a newer Board Member, Director Wright emphasized how much April helped ease his transition and he assured her that her contributions were recognized and highly valued.

Director Flores expressed gratitude to April for the structure, guidance, and warm welcome she provided, particularly to new Board Members. Director Flores thanked April for her dedicated public service, highlighting the important and often behind-the-scenes work that secretaries and clerks perform in legislative bodies. Director Flores recognized the significant impact April had in supporting the Board and interfacing with the public; emphasized how much she would be missed; and wished her success in her next chapter.

Director Raburn offered praise for April's dedication and service, indicating that April was an exemplary Board Appointed Officer. Director Raburn highlighted April's professionalism, honor, and tireless work ethic, even in her final days at BART. Director Raburn expressed gratitude to April and noted how fortunate her family and future colleagues would be to have her.

Director Rinn expressed appreciation to April for her essential role in helping new Board Members, including himself, transition into their positions. Director Rinn described April as "incredible and critical" to his onboarding experience and noted that she not only assisted directly, but also connected him to the correct staff members. Director Rinn indicated that April's professionalism, responsiveness, and thoroughness gave him confidence that any issue he raised would be addressed efficiently. Director Rinn expressed sadness at April's departure while recognizing and respecting her decision, and affirmed that she would always remain part of the BART family.

Director Ames described April as a warm, welcoming, and composed professional who never appeared stressed, regardless of the workload. Director Ames shared an example of how April played a key role in connecting her with BART executives for responses to public complaints, including a notable case involving homelessness in South Hayward. Director Ames expressed both sadness at April's departure and happiness for her future, applauding her decision to move closer to home and prioritize family. Director Ames thanked April for her service and emphasized that she will be greatly missed by all.

Public Comment

The following individuals addressed the Board:

Glenn Overton
Aleta Dupree
Omar Farmer

3. BOARD COMMITTEE REPORTS

President Foley brought the item before the Board.

Michael Jones, Deputy General Manager, provided an update on the Bond Oversight Committee Meeting held on April 18, 2025, noting that the Committee held a Strategic Planning session, similar in format to the Board's own February 2025 Workshop.

Public Comment

No comments were received.

4. CONSENT CALENDAR.

President Foley brought the following Consent Calendar items before the Board.

- A. Approval of Minutes of the Meetings of April 10, 2025.
- B. Proposed Amendments to Transit Security Advisory Committee (TSAC) Bylaws.
- C. Resolution Authorizing the Submittal of BART to Antioch Operating Funds (Year 7) Application, and Supporting Documents, for the Fiscal Year 2024-2025 Low Carbon Transit Operations Program (LCTOP).
- D. Recruitment and Relocation Assistance for District Secretary.
- E. BART Police Department 2024 Use of Specialized or Military Equipment Annual Report.

Director Raburn moved to approve the Consent Calendar by one motion.

Director Rinn seconded the motion.

Public Comment

Aleta Dupree and Omar Farmer addressed the Board.

Discussion

The item was discussed, with the following highlight:

Director Raburn commended Omar Farmer, Chair of the TSAC, for submitting a detailed memo summarizing the proposed changes to the bylaws and expressed appreciation for Chair Farmer's leadership.

Action

Upon motion by Director Raburn and second by Director Rinn, the Board took the following actions by unanimous roll call vote.

Vote Summary:

Moved / Seconded: Director Raburn / Director Rinn

Aye: Directors Ames, Flores, Ghosh, Hernandez, Li, Raburn, Rinn, Wright, and Foley.

No: 0

Abstain: 0

Absent: 0

Result: 9-0, motion carried by unanimous roll call vote.

- A. The Minutes of the Meetings of April 10, 2025, were approved. *(Vote: 9-0)*
- B. The Board of Directors adopted the attached proposed amendments to the Transit Security Advisory Committee Bylaws. (The proposed amendments are attached and hereby made a part of these Minutes.) *(Vote: 9-0)*
- C. Resolution No. 5612, In the Matter of Authorizing the Submittal of BART To Antioch Operating Funds (Year 7) Application, and Supporting Documents, for FY 24-25 Low Carbon Transit Operations Program (LCTOP), was adopted. *(Vote: 9-0)*
- D. The General Manager or his designee was authorized to execute a national recruitment and relocation assistance agreement, if necessary, to assist the District in the identification of qualified candidates both inside and outside of California for the position of District Secretary in conformance with established District procedures. *(Vote: 9-0)*
- E. Consistent with the requirements of BART Ordinance No. 2022-1, the Board of Directors of the San Francisco Bay Area Rapid Transit District made the following findings for the 2024 Military Equipment Annual Reporting period:

First, the specialized or military equipment listed in the Annual Report was necessary because no reasonable alternatives can achieve the same officer and civilian safety objectives.

Second, the existing military equipment use policy would safeguard the public's welfare, safety, civil rights, and civil liberties in regard to the specialized or military equipment listed.

Third, the listed equipment continued to be reasonably cost-effective compared to available alternatives that could achieve the same objective of officer and civilian safety.

Fourth, prior specialty or military equipment use complied with the military equipment use policy that had been in effect during the prior year.

Consistent with the findings made above, BART's Board of Directors had determined, based on the information provided in the 2024 Military Equipment Annual Report, that the benefits to the community of using the specialized or military equipment described in the report outweighed the costs associated with their use and that civil liberties and civil rights were, concurrent with their use, adequately safeguarded by the policies adopted within BART Police Policy 711. The Board of Directors therefore authorized and approved of the continued use of the specialized or military equipment identified in the 2024 Military Equipment Annual Report for an additional one-year period. (*Vote: 9-0*)

5. GENERAL MANAGER'S REPORT

Robert Powers, General Manager, reported on ridership, the University of California (UC), Berkeley Clipper® BayPass, Congresswoman Lateefah Simon's recent BART tour, Senate Bill (SB) 63, BART's participation in Earth Day, Dispatcher Appreciation Week, the "May the 4th Ride," train event, All Aboard Bay Area Transit Day, and the BART Finance Department's receipt of an Award for Excellence in Financial Reporting for the third consecutive year issued by the Government Finance Officers Association (GFOA).

General Manager Powers gave remarks regarding District Secretary Quintanilla, noting not only her professionalism but also her fun, light-hearted nature and sense of humor. General Manager Powers emphasized April's positive energy and close collaboration with leadership and the joy of working with he, and thanked April for her service on behalf of the entire BART family.

Public Comment

The following individuals addressed the Board:

Glenn Overton
Pierluigi Oliverio
Hillary Brown
Barney Smits
Aleta Dupree

Discussion

The item was discussed, with the following highlights:

Director Rinn expressed appreciation for the General Manager's update, especially the positive news on ridership growth. Director Rinn also highlighted a recent social media post noting a reported 50% decrease in crime on the BART system during the first three months of the year. Director Rinn emphasized the importance of publicizing such improvements, particularly since safety concerns are frequently raised by riders. Director Rinn acknowledged the teamwork across BART departments, including BART PD and system management, in contributing to this progress.

Kevin Franklin, Chief of Police, confirmed that crime overall is trending downward, noting that the previously cited 50% decrease, particularly for property crime, may contain a data error. Chief Franklin indicated that the Police Department is reviewing the figures and will issue corrected data once verified.

Director Ghosh expressed support for the UC Berkeley Clipper® BayPass program, referring to it as a model for the future of transit access. Director Ghosh shared excitement about the overwhelming student approval of the program and emphasized the importance of such initiatives in encouraging lifelong transit ridership.

Director Ames expressed concern about frequent public comments regarding the BART to San José project, particularly around topics such as environmental clearance procedures, the use of an environmental addendum, and technical issues involving traction power substations, smoke on trains, and fire alarm systems. Director Ames recommended preparing a briefing document or memo for the Board, possibly as part of the BART-Santa Clara Valley Transportation Authority May 2, 2025 meeting materials, to provide accurate background and responses to recurring questions, especially for newer Board Members.

6. PUBLIC COMMENT

President Foley called for public comment, an opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda.

The following individuals addressed the Board:

Linda Olivenbaum
Priscilla Hine
Glenn Overton
Laverne Buffett
Barney Smits
Aleta Dupree

7. INDEPENDENT POLICE AUDITOR'S UPDATE

A. Independent Police Auditor's Quarterly Update.

President Foley brought the item before the Board.

Patrick Caceres, Interim Independent Police Auditor (IPA), presented the item.

Interim IPA Caceres presented Tyler Cunningham, Senior Police Officer, with the 2024 Positive Outcome Award issued by the Office of the Independent Police Auditor and recognized her exemplary service, including use of de-escalation techniques, professionalism, and sound judgment. Interim IPA Caceres specifically noted Officer Cunningham's calm and effective response to a March 7, 2024 incident, in which she safely removed a person experiencing a mental health crisis from the BART tracks at Ashby Station, preventing harm and ensuring minimal service disruption. Interim IPA Caceres indicated that Officer Cunningham is a Field Training Officer and instructor and that her work is a model for building public trust and community-centered policing.

Officer Cunningham addressed the Board to express her gratitude for receiving the award.

Discussion

The item was discussed, with the following highlights:

Chief Franklin echoed the praise, describing Officer Cunningham as “the future of the department” and commending her leadership in training new officers and setting a high standard for community interaction.

President Foley thanked Officer Cunningham for her life-saving actions and highlighted the significance of her service as a representation of the positive impact BART employees have.

Director Raburn thanked Interim IPA Caceres for the comprehensive report and for highlighting the value of de-escalation in law enforcement. Director Raburn emphasized that while not every BART Police Officer may always have every specialized tool on hand, each Officer does have the capacity to de-escalate situations, which is an essential first step in resolving conflict without force.

Public Comment

Glenn Overton addressed the Board.

Action

No Board action was taken, as the item was presented for information only.

8. INSPECTOR GENERAL'S REPORT

A. Inspector General's Update.

President Foley brought the item before the Board.

Claudette Biemeret, Inspector General, presented the item.

Public Comment

Glenn Overton and Aleta Dupree addressed the Board.

Discussion

The item was discussed, with the following highlights:

Director Rinn thanked Inspector General Biemeret for her report and requested more information about how the public can access data mentioned in her update, inquiring specifically about the status of oversight recommendations and whether this information is available via a public-facing dashboard.

Director Raburn expressed support for the Office of the Inspector General’s shift in audit focus from employee compensation to inventory management, recognizing it as a strategically valuable pivot. Director Raburn inquired whether the dashboard mentioned earlier was connected to a specific software tool, MissionMark.

Director Ames expressed interest in the upcoming audit on change orders, as well as the audits related to overtime and inventory management. Director Ames referred to a recent financial spreadsheet shared by the Chief Financial Officer and noted that BART had reportedly spent \$66 million on overtime, underscoring the urgency and importance of auditing this area.

Director Ghosh expressed appreciation for the work of Inspector General Biemeret and extended appreciation to Interim Independent Police Auditor Caceres, noting that during his regional presentations, he consistently highlights the work of both the Office of the Inspector General and the Office of the Independent Police Auditor as central to BART's accountability and public trust.

Action

No Board action was taken, as the item was presented for information only.

9. ADMINISTRATION ITEMS

Janice Li, Chairperson

Director Li, Chairperson of the Administration Committee, had no report and no items were presented.

10. ENGINEERING AND OPERATIONS ITEMS

Elizabeth Ames, Chairperson

- A. Authorization for BART Police Department Headquarters Procurement.
 - i. Procurement of Technology Hardware/Software, Office Furniture, and Moving Services.
 - ii. Single Source Procurement with Dailey and Wells Communications, Inc. for Radio Console Equipment.

Director Ames, Chairperson of the Engineering and Operations Committee, brought the item before the Board.

Sylvia Lamb, Assistant General Manager, Infrastructure Delivery, and Joy Sharma, Chief Infrastructure Delivery Officer, presented the item.

Public Comment

No comments were received.

Discussion

The item was discussed, with the following highlights:

Director Ghosh thanked both presenters for providing historical context on the project's development phases, which is especially helpful for newer Board Members who were not involved in earlier decisions. Director Ghosh also expressed appreciation for visible progress and raised a concern regarding the public perception of "change orders," acknowledging their often-negative connotation.

Director Raburn inquired about funding sources for the procurement items, specifically whether the interest income from Measure RR funds was currently available or anticipated in the future.

Director Raburn made the following motions as a unit:

1. That the General Manager be authorized to execute purchase orders, using the procurement methods discussed herein, for the procurement of technology hardware/software, office furniture and moving services required for the new BART Police Department Headquarters in an amount not-to-exceed \$6,000,000.00.
2. That, pursuant to Public Contract Code Section 20227, the Board of Directors finds that Dailey and Wells Communications, Inc. is the single-source supply for the District's radio console equipment, and that this procurement is for the sole purpose of duplicating or replacing equipment currently in use throughout the District; and that the General Manager be authorized to enter into direct negotiations and to execute agreements with Dailey and Wells Communications, Inc. in an amount not to exceed \$2,900,000.00 for the procurement of radio console equipment needed for the new BART Police Department Headquarters.

Director Li seconded the motions.

Director Ames requested clarification regarding the project budget for furniture and equipment, given the \$6 million procurement being considered, and emphasized the importance of ensuring that spending remains aligned with the overall budget, particularly as it relates to change order management.

Action

Upon motion by Director Raburn and second by Director Li, the Board took the following actions by unanimous roll call vote, by the required two-thirds vote.

1. The General Manager was authorized to execute purchase orders, using the procurement methods discussed herein, for the procurement of technology hardware/software, office furniture and moving services required for the new BART Police Department Headquarters in an amount not-to-exceed \$6,000,000.00. (The Executive Decision Document is attached for reference and hereby made a part of these Minutes.)
2. Pursuant to Public Contract Code Section 20227, the Board of Directors found that Dailey and Wells Communications, Inc. is the single-source supply for the District's radio console equipment, and that this procurement is for the sole purpose of duplicating or replacing equipment currently in use throughout the District; and the General Manager was authorized to enter into direct negotiations and to execute agreements with Dailey and Wells Communications, Inc. in an amount not to exceed \$2,900,000.00 for the procurement of radio console equipment needed for the new BART Police Department Headquarters.

Vote Summary:

Moved / Seconded: Director Raburn / Director Li

Aye: Directors Ames, Flores, Ghosh, Hernandez, Li, Raburn, Rinn, Wright, and Foley.

No: 0

Abstain: 0

Absent: 0

Result: 9-0, motion carried by unanimous roll call vote, by the required two-thirds vote.

11. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION ITEMS

Robert Raburn, Chairperson

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, had no report and no items were presented.

12. BOARD MATTERS

A. Board Member Reports.

B. Roll Call for Introductions.

President Foley called for Items 12-A, Board Member Reports, and 12-B, Roll Call for Introductions.

Director Raburn reported that he had attended a Bay Area Council Transportation Committee meeting featuring Senator Jesse Arreguín, the Capitol Corridor Joint Powers Authority (JPA) meeting in Suisun City, the celebration of life event for Christine Arsenault in Walnut Creek, the Sierra Club California climate policy meeting in Sacramento, and the BART tour with Congresswoman Lateefah Simon.

Director Flores reported that he had attended the Bay Area Council Transportation Committee meeting and a Privacy Self-Defense Workshop hosted by Secure Justice; conducted fare gate outreach at Lake Merritt Station; given a speech at a California Faculty Association rally opposing cuts to higher education; attended East Bay Critical Mass, a community event promoting children biking in Berkeley; joined BART Police Department (BPD) staff at MacArthur Station to conduct outreach for National Child Abuse Prevention Month; and attended the BART tour with Congresswoman Lateefah Simon.

Director Ames reported that she had met with Adrian Armande, Director of the California Education Resource Center and Statewide Outreach, and BART's Chief Information Officer (CIO) regarding the California School of the Blind's use of BART and a demonstration of new assistive technologies aimed at improving accessibility and the customer experience.

Director Ghosh reported that she had attended the Bay Area Council Transportation Committee meeting and the Women in Transportation Seminar (WTS) event for newly elected officials, featuring Senator Jesse Arreguín; participated in a "Role in the Region" briefing with Cal Athletics; and attended the Spring Mega Mixer hosted by the Bayfront Chamber of Commerce and the BART tour with Congresswoman Lateefah Simon. Director Ghosh also announced the upcoming mobility fair at El Cerrito Station, which will include participation from BART staff and the El Cerrito Transit-Oriented Development (TOD) team, and noted that several Board Members would be attending a Transform event later in the day, recognizing the organization as a strong transit ally and advocate.

Director Wright reported that he had attended the ribbon-cutting ceremony for San Francisco's new West Park Sunset Dunes, a community space project, and presented to the San Francisco Legislation Club on BART's post-pandemic progress. Director Wright also announced an upcoming Town Hall event, co-hosted with a San Francisco Supervisor, at the Youth Art Exchange Studios in the Mission District focused on priorities, challenges, and progress at the 16th and Mission Plazas.

Vice President Hernandez reported that she had attended the Alameda County Transportation Commission (ACTC) meeting, where East Bay Economic Development Alliance presented an informative report.

Public Comment

No comments were received.

13. CLOSED SESSION

A. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Titles: Interim District Secretary and District Secretary

Government Code Section: 54957(b)(1)

B. CONFERENCE WITH LABOR NEGOTIATORS

Designated Representatives: President Foley, Vice President Hernandez, and Director Flores

Titles: Interim District Secretary and District Secretary

Government Code Section 54957.6

President Foley brought the item before the Board and indicated that the Board would enter Closed Session under Items 13-A (Public Employee Employment/Appointment) and 13-B (Conference With Labor Negotiators).

Public Comment

No comments were received.

The Board Meeting recessed at 11:57 a.m.

The Board reconvened in Closed Session at 12:06 p.m.

Directors Present in Oakland: Directors Ames, Flores, Ghosh, Li, Raburn, Rinn, Wright, and Foley.

Directors Present via Teleconference: Vice President Hernandez.

Absent: None.

Vice President Hernandez exited the Meeting.

The Board Meeting recessed at 2:13 p.m.

14. **OPEN SESSION**

The Board reconvened in Open Session at 2:16 p.m.

Directors Present in Oakland: Directors Ames, Flores, Ghosh, Li, Raburn, Rinn, Wright, and Foley.

Directors Present via Teleconference: None.

Absent: None.

A. Announcements from Closed Session, if any.

President Foley announced that the Board had concluded its Closed Session and indicated that, pursuant to Government Code Section 54957.1, the Board of Directors announces the appointment of Robert Franklin as Interim District Secretary, effective May 5, 2025. President Foley noted that the vote on the appointment was eight Directors voting in support and one Director not present.

Public Comment

Robert (Bob) Franklin addressed the Board.

President Foley congratulated Bob Franklin on his appointment as Interim District Secretary.

15. **ADJOURNMENT**

The Meeting adjourned at 2:17 p.m. in honor of Christine Arsenault.

April B. A. Quintanilla
District Secretary

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

AB-716 AB730 Advisory Committee Bylaws

ARTICLE I - NAME

The name of this committee shall be TRANSIT SECURITY ADVISORY COMMITTEE, "TSAC".

ARTICLE II — **OBJECTIVE**

This committee shall serve to provide recommendations to the BART Board of Directors and BART staff. The purpose of the committee is to evaluate the procedures for, issuance of prohibition orders and to recommend a course of training for personnel charged with issuance and enforcement of prohibition orders. **In addition, the Committee's role will be to review the scope of training and policy recommendations.**

Specifically, in accordance with Section 99172 (a) (1) of the Public Utilities Code, the TSAC shall:

1. Provide recommendations, in consultation with the County Mental Health Director, regarding the type and extent of training that should be undertaken by individuals with responsibility for issuance and enforcement of prohibition orders, with an emphasis on training designed to assist in identifying and interacting with persons who are homeless or who have psychiatric, developmental, or other disabilities;
2. Identify, in consultation with the County Mental Health Director, services and programs to which persons who are homeless or who have psychiatric, developmental, or other disabilities maybe referred by transit district personnel prior to or in conjunction with issuance of a prohibition order;
3. Monitor the issuance of prohibition orders to assist BART in ensuring compliance with Section 51 of the Civil Code; and
4. Provide BART's Board of Directors and the California State Legislature with an annual report summarizing the number of prohibition orders issued by BART during the preceding year, including, but not limited to, the types and numbers of citations by category, and the number of exclusion orders appealed, the appeals granted, the reasons granted, and other relevant information directly related to those orders.

ARTICLE III — MEMBERS

Section 1. Maximum Membership

The membership of this Committee shall be composed of no less than **five (5)** ~~seven (7)~~ and no greater than ~~seven (7)~~ **nine (9)** representatives. Each member shall be appointed by the BART BOARD of DIRECTORS. Alternates: two alternates shall be appointed by the BART Board with no more than one alternate per category. All alternates are strongly encouraged to attend all meetings. Alternates are not eligible to vote unless filling in for an appointed member that is absent. An alternate is designated by the Chairperson. Staff will notify alternate that attendance will be needed for the next meeting.

Transit Security Advisory Committee Board Bylaws. Originally adopted: 10/11/12. Amended: 6/25/19; and 9/26/19 Board of Directors meeting. **Effective on 01/01/2025.**

Section 2. Membership Representation

Representation will be composed of the following categories:

- A. Mental Health Representative: At least one (1) member with experience working with individuals ~~with who are unhoused and/or living with~~ psychiatric, developmental, or other disabilities.
- B. Youth Advocates Representative: At least one (1) member with experience, ~~active or retired,~~ as a youth advocate within the region of the BART system.
- C. Law Enforcement: At least one (1) member with experience, ~~active or retired,~~ as a sworn peace officer within the region of the BART system.
- ~~D. Transit Oriented Community Representative: At least one (1) member who lives/has lived in a transit-oriented community. (Define with committee and BART legal team)~~
- D. At-Large Representatives: There shall be ~~three (3) or four (4)~~ four (4) or five (5) at-large Representatives, preferably users of the BART system, ~~including those who have been impacted by prohibition orders, or those who have lived experience with housing instability.~~

Section 3. Composition of Committee

Other than Mental Health Representative, the Youth Advocates Representative, and the Law Enforcement Representative, which are mandated by Section 99172 of the Public Utilities Code, no group shall be entitled to representation on the TSAC.

Section 4. Resignations

Any member may resign by filing a written or verbal resignation with staff, chair or the BART Board of Directors. ~~*In the event of 3 consecutive unexcused absences member forfeits membership~~

Section 5. Term of Membership

The term of each member shall be two (2) years. Terms shall begin ~~by the date of the Board of Director's confirmation on January 1, 2013 and end on December 31, 2014~~ unless Section 99172 is amended to apply to BART beyond the January 1, 2015 sunset date. Members may be considered for re-appointment if the Section 99172 of the Public Utilities Code is so amended.

~~Section 6. Meeting Attendance: Each committee member may be absent from three (3) regular meetings each calendar year for any reason. If a committee member is absent four (4) or more times from a regular meeting during a calendar year, the committee member shall forfeit their membership on the Transit Security Advisory Committee."~~

~~Section 6.~~ 7. Removal of Members

BART's Board of Directors may remove any member of the TSAC ~~only with or without cause, with-~~
~~or without cause. (Advisement by BART legal, political appointees at will.)~~

Transit Security Advisory Committee Board Bylaws. Originally adopted: 10/11/12. Amended: 6/25/19; and 9/26/19 Board of Directors meeting. ~~Effective on 01/01/2025.~~

Section ~~7~~ 8. Appointment of Vacancies

In the event of a vacancy, the BART Board of Directors shall appoint a replacement member to fill the term of the vacancy **forthwith**. (~~Advisement by BART legal~~)

ARTICLE IV — OFFICERS

Section 1, Officers and Duties

The officers of the TSAC shall be a Chair and a Vice Chair, these officers shall perform the duties prescribed by these Bylaws and by the parliamentary authority adopted by the TSAC. The officers may serve as liaisons to the BART Board of Directors.

- a. Chair. The TSAC shall elect from its membership a Chair who shall preside at all meetings of the TSAC. The Chair or his designee shall act as the preliminary spokesperson for the TSAC and will perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the TSAC.
- b. Vice Chair, The Committee shall elect from its membership a Vice Chair who, in the absence or inability of the Chair to serve, shall have all of the powers of the Chair and shall perform all of those duties. The Vice Chair will perform such other duties from time to time as may be requested by the Chair.

Section 2. Nomination Procedure

At the first regular Committee meeting, a Chair and a Vice Chair shall be selected. It shall be the duty of this Committee to nominate candidates who are members of the TSAC for the officers of Chair and Vice Chair.

Section 3. Election of Officers

The Chair and Vice Chair shall be elected by majority vote to serve for one (1) year. Those elected may serve beyond one (1) year if successors have not been elected. The election shall occur at the first meeting of the calendar year.

The Chair and Vice Chair can be removed from office upon a vote of two-thirds of the TSAC.

ARTICLE V — MEETINGS

Section 1. Committee Meetings

~~Regular~~ Meetings will be ~~held as~~ called by the Chairperson as frequently as necessary to achieve the objectives set forth in Section II above. ~~but in no event shall~~ The committee will hold no less than ~~four~~ **(4) eight (8)** regular meetings in a calendar year. Notice of the times and locations of the meetings will be set by the BART staff liaison at least 72 hours prior to the meeting.

Section 2. Special Meetings

Special meetings may be called at any time by the Chair or by a majority of the TSAC members. BART staff will provide written notice required for all special meetings, with such notice may be discussed by the Committee at a special meeting.

Section 3. Meetings Open to the Public

All regular and special meetings of the TSAC shall be conducted in accordance with the requirements of the Ralph M. Brown Act (Government Code 54950 et seq.). Meeting agendas shall be posted by BART staff in a public place and distributed to all members at least 72 hours before the meeting for regular meetings and 24 hours before the meeting for special meetings.

Section 4. Quorum

A majority of the members then appointed to the TSAC shall constitute a quorum for the purposes of conducting business.

Section 5. Voting

Each member of the TSAC has a single vote.

Section 6. Actions

All actions of the TSAC shall be by motion passed by a majority of the members present and voting.

Section 7. Adjournment

The TSAC may adjourn any meeting to a time and place specified in the motion of adjournment, but not beyond the next regular meeting, if any.

ARTICLE VI ~~VIII~~ — LIAISON WITH BART

There shall be an ongoing liaison between BART staff and the TSAC. The BART General Manager shall designate a BART staff person to serve as liaison. The staff liaison shall prepare meeting notices, agendas, and minutes as required. BART staff shall provide information, technical assistance, and facilitation assistance during all TSAC meetings. The BART staff liaison shall serve as the custodian of records.

ARTICLE VII ~~IX~~ — PARLIAMENTARY AUTHORITY

The rules contained in the current edition of The Standard Code of Parliamentary Procedure **by Alice Sturgis** shall govern the TSAC in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the TSAC may adopt. **Bylaws and any special rules of order of the TSAC should be reviewed at least every two (2) years.** ~~(Advisement by BART Legal.)~~

ARTICLE VIII ~~X~~ — AMENDMENT OF BYLAWS

These bylaws may be amended or repealed at any time by majority vote of the BART Board of Directors after consultation with or by recommendation of the TSAC committee.

ARTICLE VIV ~~XI~~ — TERM OF COMMITTEE

The TSAC shall remain in existence until discharged by action of the BART Board of Directors or the sunset of Section 99172 of the Public Utilities Code.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <div style="float: right; border: 1px solid black; padding: 2px; margin-top: 5px;"> DocuSigned by: <i>Michael Jones</i> 47000790F2D7463... </div>		GENERAL MANAGER ACTION REQ'D:		
DATE: 3/10/2025 4/18/2025		BOARD INITIATED ITEM: No		
Originator/Prepared by: David Silva Dept: PM/CM - Facilities <div style="float: right; border: 1px solid black; padding: 2px; margin-top: 5px;"> DocuSigned by: <i>David Silva</i> 7C1ECBD3A2C842F... </div> Signature/Date: <div style="text-align: right;">4/12/2025</div>	General Counsel <div style="float: right; border: 1px solid black; padding: 2px; margin-top: 5px;"> DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D... </div> <div style="text-align: right;">4/14/2025 []</div>	Controller/Treasurer <div style="float: right; border: 1px solid black; padding: 2px; margin-top: 5px;"> Signed by: <i>Joseph Brach</i> 7D9A7C6E7348456... </div> <div style="text-align: right;">4/14/2025 []</div>	District Secretary <div style="text-align: right;">[]</div>	BARC <div style="float: right; border: 1px solid black; padding: 2px; margin-top: 5px;"> DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3... </div> <div style="text-align: right;">4/14/2025 []</div>

Authorization for BART Police Department Headquarters Project Technology, Furniture and Moving Services Procurement

PURPOSE:

To obtain Board authorization to procure technology, office furniture and moving services for the new BART Police Department Headquarters (BPDHQ) in an amount not to exceed \$6,000,000.

DISCUSSION:

In August 2024, the BART Board of Directors authorized the General Manager to award Contract 6M4861 for the Progressive Design-Build of BART Police Department Headquarters to Swinerton / Gensler / SKA.

Apart from Contract 6M4861, BPDHQ will require a significant amount of District-furnished hardware/software technology and office furniture. Examples of this technology include, but are not limited to, desktop computers, monitors, laptops, telephones, 911 telecommunications backend equipment, time collection devices, and supporting networking equipment. BPDHQ will also require the procurement of office furniture and moving services to move existing furniture, equipment, evidence storage, and other items from the current police headquarters to the new BPDHQ building at 2000 Broadway. Project staff intends to procure such goods from vendors via the National Association of Procurement Officials (NASPO) and through California Multiple Award Schedules (CMAS), which are authorized by California Public Contract Code section 10298 or through services procurements pursuant to the District's Budget Resolution and subject to the District's

equity programs. Any other procurements on a single source or competitive basis would be conducted through separate, subsequent board actions.

Project staff seeks authorization in the amount of \$6,000,000 to procure the aforementioned technology and office furniture as well as moving services required for the new BART Police Department Headquarters utilizing the procurement authorities mentioned above.

The Office of the General Counsel will review and approve any agreement or purchase order terms and conditions as to form. The Procurement department will review such agreements and purchase orders for compliance with its procedures.

FISCAL IMPACT:

Funding in the amount of \$6,000,000 to procure technology, office furniture and moving services for the BART Police Department Headquarters at 2000 Broadway, Oakland is included in the total Project budget for FMS# 17AY001 – BART Police Headquarters BPDHQ.

The table below lists funding assigned since project inception date of 11/01/2023, including \$146,500,000 of BART funds released by a January 2, 2025 disbursement of the BART Rail Car Replacement Project TIFIA Loan.

Funding Sources				
Project	Project Description	Fund Group	Fund Description	Amount
17AY001	BART Police Headquarters BPDHQ	BART	Measure RR Interest Earnings	\$26,500,000
17AY001	BART Police Headquarters BPDHQ	BART	BART Funds (TIFIA Loan)	\$146,500,000
17AY001	BART Police	Federal	USDOT Regional	\$450,000

	Headquarters BPDHQ		Infrastructure Accelerator Grant	
Total Project Funding				\$173,450,000

As of March 4, 2025, the table below lists the current budget for the project:

Project	Budget	Expense	Encumbrance	Pre- Encumbrance	Available Budget
17AY001	\$173,450,000	\$30,531,399	\$8,351,606	-	\$134,566,996

The Chief Financial Officer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

ALTERNATIVES:

The Board may elect not to approve the procurement of District-furnished equipment and moving services. If these items were to instead be procured/provided under a Change Order to Contract 6M4861, it would likely result in an increased overall cost to the project and could potentially have schedule implications.

RECOMMENDATION:

It is recommended the Board adopt the following motion.

MOTION:

The General Manager is authorized to execute purchase orders, using the procurement methods discussed herein, for the procurement of technology hardware/software, office furniture and moving services required for the new BART Police Department Headquarters in an amount not-to-exceed \$6,000,000.

