

# **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 1,967<sup>TH</sup> MEETING THURSDAY, OCTOBER 24, 2024**

Members of the Board of Directors  
Bevan Dufty, President (District 9)  
Mark Foley, Vice President (District 2)  
Debora Allen (District 1)  
Rebecca Saltzman (District 3)  
Robert Raburn (District 4)  
Melissa Hernandez (District 5)  
Elizabeth Ames (District 6)  
Lateefah Simon (District 7)  
Janice Li (District 8)

## **MEETING DESCRIPTION**

A Regular Meeting of the Board of Directors was held on October 24, 2024, convening at 9:06 a.m. in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California. President Dufty presided; April B. A. Quintanilla, District Secretary.

### **1. CALL TO ORDER**

President Dufty called the Meeting to order at 9:06 a.m.

#### **A. Roll Call.**

Directors Present in Oakland:	Directors Ames, Foley, Hernandez, Li, Raburn, Saltzman, and Dufty.
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Directors Present via Teleconference:	None.
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Absent:	None. Directors Allen and Simon entered the Meeting later.
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#### **B. Pledge of Allegiance: Director Ames led the Pledge of Allegiance.**

#### **C. Introduction of Special Guests.**

- i. Janelle Chan, Chief Executive Officer, East Bay Asian Local Development Corporation (EBALDC).
- ii. Ted Dang, Founding Board Member, EBALDC.

President Dufty announced that Janelle Chan, Chief Executive Officer (CEO) of EBALDC, and Ted Dang, Founding Board Member of EBALDC, would join the Meeting later in the day, particularly for the discussion on station renaming.

### **2. REPORT OF THE BOARD PRESIDENT**

President Dufty informed attendees that, due to the lengthy agenda and closed session matters, public comments would be limited to two minutes per speaker.

### **3. BOARD COMMITTEE REPORTS**

There were no Board Committee Reports.

#### **4. CONSENT CALENDAR**

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

- A. Approval of Minutes of the Meeting of October 10, 2024.
- B. Appointment of BART Police Citizen Review Board Members - Districts 5 and 7.
- C. Procurement with NWN Solutions Corporation, as a National Association of State Procurement Officials (NASPO) Provider, for VMware Virtualization Software Support.
- D. Resolutions of the Board of Directors of the San Francisco Bay Area Rapid Transit District Authorizing the Filing of an Application for Alameda County Transportation Commission Administered Funding.
- E. Authorization to Execute Contracts with Freight Brokerage Companies for Importation Services of Revenue Vehicle Spare Parts.
- F. Resolutions Fixing the Employer's Contribution to California Public Employees' Retirement System (CalPERS) Medical for the American Federation of State, County and Municipal Employees (AFSCME), Amalgamated Transit Union (ATU), Service Employees International Union (SEIU), and Non-Represented Employees.
- G. Recruitment and Relocation Assistance for Chief Transportation Officer.
- H. Change Orders to Contract No. 15EJ-180, 34.5 kV Cable Replacement and Fiber Optic Installation, A-Line, ACO to AUC, with DMZ Builders, for Installation of the New Traction Power Conduits on New Supports and Replacement of Fiber Optic Cables.
- I. Authorize the General Manager to Enter into Agreement No. 6M3719 with CISCO Systems, Inc., for the Purchase of Optical Chassis Refresh Services for Implementation of Clipper® 2.0 Project.
- J. BART's Annual Surveillance Report - 2024.
- K. Property Agreements to Implement Dublin/Pleasanton Station Access Improvement Project (Iron Horse Trail).

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

Director Hernandez seconded the motion.

Veronica Kincaid, candidate for the District 7 seat on the BART Police Citizen Review Board (BPCRB) and Nichin Sreekantaswamy, candidate for the District 5 seat on the BPCRB, addressed the Board. The candidates introduced themselves and shared their backgrounds and motivations for joining the BPCRB.

Director Hernandez highlighted Nichin Sreekantaswamy's unique skillset and representation of the Tri-Valley community, praising his potential contributions.

Director Simon entered the Meeting in Oakland.

### Public Comment

Aleta Dupree and Glenn Overton addressed the Board.

Director Simon expressed support for Veronica Kincaid's nomination, applauding her dedication to public health, safety, and community service.

### Action

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

*Vote Summary:*

*Moved / Seconded: Director Raburn / Director Hernandez*

*Aye: Directors Ames, Foley, Hernandez, Li, Raburn, Saltzman, Simon, and Dufty.*

*No: 0*

*Abstain: 0.*

*Absent: Director Allen.*

*Result: 8-0, motion carried by unanimous roll call vote.*

- A. The Minutes of the Meeting of October 10, 2024, were approved. *(Vote: 8-0)*
- B. The Board of Directors ratified the appointment of Nichin Sreekantaswamy as the District 5 representative and Veronica Kincaid as the District 7 representative on the BART Police Citizen Review Board for the current terms expiring on June 30, 2026. *(Vote: 8-0)*
- C. The General Manager was authorized to purchase VMware software as a service and support from NWN Solutions Corporation for a three (3) year term for an amount not to exceed \$2,054,701.80. *(Vote: 8-0)*
- D. Resolution No. 5597, A Resolution of the Board of Directors of the San Francisco Bay Area Rapid Transit District Authorizing the Filing of an Application for Alameda County Transportation Commission Administered Funding for the Enhancing Fiber Optic Cable Security And Resilience in Alameda County and Committing Any Necessary Matching Funds and Stating Assurances to Complete the Project, was adopted; Resolution No. 5598, A Resolution of the Board of Directors of the San Francisco Bay Area Rapid Transit District Authorizing the Filing of an Application for Alameda County Transportation Commission Administered Funding for the Fire Alarm System Replacement at Hayward BART Parking Structure and Committing Any Necessary Matching Funds and Stating Assurances to Complete the Project, was adopted; and Resolution No. 5599, A Resolution of the Board of Directors of the San Francisco Bay Area Rapid Transit District Authorizing the Filing of an Application for Alameda County Transportation Commission Administered Funding for the North Berkeley TOD Access Road and Committing Any Necessary Matching Funds and Stating Assurances to Complete the

Project, was adopted. The General Manager was authorized to apply for discretionary funding available through the Alameda County Transportation Commission (“Alameda CTC”) Comprehensive Investment Plan (“CIP”). BART will submit three 2026 CIP applications requesting a combined total of \$3.8M. Out of the \$3.8M request, \$1.5M would be allocated to “Enhancing Fiber Optic Cable Security and Resilience in Alameda County;” \$300,000.00 to “Fire Alarm System Replacement at Hayward Parking Structure;” and \$2.0M to “North Berkeley TOD Access Road.” *(Vote: 8-0)*

- E. The General Manager was authorized to execute multiple contracts with freight brokerage companies for the import of Fleet of the Future (FOTF) and eBART fleet spare parts, as the District has demand, for an aggregate amount not-to-exceed \$2,000,000.00. *(Vote: 8-0)*
- F. Resolution No. 5600, Fixing the Employer Contribution Under the Public Employees’ Medical and Hospital Care Act at an Equal Amount for Employees and Annuitants With Respect to a Recognized Employee Organization Group 001 AFSCME Local 3993, was adopted; Resolution No. 5601, Fixing the Employer Contribution Under the Public Employees’ Medical and Hospital Care Act at an Equal Amount for Employees and Annuitants With Respect to a Recognized Employee Organization Group 004 Amalgamated Transit Union, was adopted; Resolution No. 5602, Fixing the Employer Contribution Under the Public Employees’ Medical and Hospital Care Act at an Equal Amount for Employees and Annuitants With Respect to a Recognized Employee Organization Group 005 SEIU Local 1021, was adopted; Resolution No. 5603, Fixing the Employer Contribution Under the Public Employees’ Medical and Hospital Care Act at an Equal Amount for Employees and Annuitants With Respect to a Recognized Employee Organization Group 006 Non-Represented Employees, was adopted; Resolution No. 5604, Fixing the Employer Contribution Under Section 22902 of The Public Employees’ Medical and Hospital Care Act With Respect to a Recognized Employee Organization Group 001 AFSCME Local 3993, was adopted; Resolution No. 5605, Fixing the Employer Contribution Under Section 22902 of The Public Employees’ Medical and Hospital Care Act With Respect to a Recognized Employee Organization Group 004 Amalgamated Transit Union, was adopted; Resolution No. 5606, Fixing the Employer Contribution Under Section 22902 of The Public Employees’ Medical and Hospital Care Act With Respect to a Recognized Employee Organization Group 005 SEIU Local 1021, was adopted; and Resolution No. 5607, Fixing the Employer Contribution Under Section 22902 of The Public Employees’ Medical and Hospital Care Act With Respect to a Recognized Employee Organization Group 006 Non-Represented Employees, was adopted. The Board President was authorized to sign the resolutions on behalf of the Board. *(Vote: 8-0)*
- G. 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 Chief Transportation Officer in conformance with established District procedures. *(Vote: 8-0)*
- H. The General Manager was authorized to execute Change Order No. 030 Part 2 and Change Order No. 037 Part 2 for Contract No. 15EJ-180 34.5kV Cable Replacement and Fiber Optic Cable Installation A-line, Coliseum to Union City Substations, in the aggregate amount not to exceed \$682,800.61. *(Vote: 8-0)*

- I. The General Manager was authorized to enter into Agreement No. 6M3719 with Cisco Systems, Inc. of San Jose, CA, for the procurement of Cisco Optical Chassis Refresh Services in an amount not to exceed \$1,300,000.00. *(Vote: 8-0)*
- J. BART's Board of Directors determined and found, based on the information provided in the 2024 Surveillance Annual Report, that the benefits to the community of using the seven (7) surveillance technologies 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. The Board approved upon the stated findings the continued use of the seven (7) surveillance technologies described in the 2024 Surveillance Annual Report. *(Vote: 8-0)*
- K. The Board of Directors authorized the General Manager or his designee, to enter into a purchase and sale agreement with Alameda County for parcels L-3012-1A and L3013-1A, a property exchange agreement and a license agreement with Zone 7 for parcels L-3011-1A, L- 3014-1A, L-3016-1A, L-3011E1, L-3014E1, L3016E1, L-3001L1, L-3001E1, and L-3002E1, and a license agreement with the City of Dublin to construct improvements on, and use, land owned by the City. The Board of Directors authorized the General Manager or his designee to execute any and all agreements and other documents in order to effectuate the preceding motion. *(Vote: 8-0)*

## 5. **CLOSED SESSION**

### A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): one case

### B. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of Case: Jeanette Lovan v. BART

Case No.: 23CV036534

Government Code Section: 54956.9(d)(1)

### C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Titles: General Manager, General Counsel, District Secretary, Independent Police Auditor, and Inspector General

Government Code Section: 54957

#### D. CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: President Dufty, Vice President Foley, and Director Simon

Titles: General Manager, General Counsel, District Secretary, Independent Police Auditor, and Inspector General

Government Code Section: 54957.6

President Dufty brought the item before the Board and indicated that the Board would enter Closed Session under Items 5-A (Conference with Legal Counsel – Anticipated Litigation); 5-B (Conference with Legal Counsel – Existing Litigation); 5-C (Public Employee Performance Evaluation); and 5-D (Conference with Labor Negotiators).

##### Public Comment

Aleta Dupree addressed the Board.

The Board Meeting recessed at 9:22 a.m.

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The Board reconvened in Closed Session at 9:25 a.m.

Directors Present in Oakland:	Directors Ames, Foley, Hernandez, Li, Raburn, Saltzman, Simon, and Dufty.
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Directors Present via Teleconference:	None.
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Absent:	None. Director Allen entered the Meeting later.
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Director Allen entered the Meeting in Oakland.

*Item 5-D, Conference with Labor Negotiators, did not occur.*

The Board Meeting recessed at 1:10 p.m.

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## 6. **OPEN SESSION**

The Board reconvened in Open Session at 1:16 p.m.

Directors Present in Oakland: Directors Allen, Ames, Foley, Hernandez, Li, Raburn, Saltzman, Simon, and Dufty.

Directors Present via Teleconference: None.

Absent: None.

### A. Announcements from Closed Session, if any.

President Dufty indicated that the Board had concluded its Closed Session and that there were no announcements to be made.

### B. Compensation and Benefits for General Manager, General Counsel, District Secretary, Independent Police Auditor, and Inspector General. For action.

*Item 6-B was not heard or acted upon.*

## 7. **GENERAL MANAGER'S REPORT**

### A. Report of Activities, including Updates of Operational, Administrative, and Roll Call for Introductions Items.

*Item 7 was not heard or presented.*

## 9. **ADMINISTRATION ITEMS**

Janice Li, Chairperson

*Item 9-A was heard after Item 6, Open Session.*

### A. Authorization to Enter into Loan Agreement with the Build America Bureau.

Director Li, Chairperson of the Administration Committee, brought the item before the Board.

Pamela Herhold, Assistant General Manager, Performance and Budget, and Priya Mathur, Director of Funding Strategy, presented the item.

### Public Comment

No comments were received.



## Discussion

The item was discussed, with the following highlights:

Director Saltzman moved that Resolution No. 5596, Resolution of the San Francisco Bay Area Rapid Transit District Authorizing and Approving a U.S. Department Of Transportation (“USDOT”) Transportation Infrastructure Finance And Innovation Act Of 1998 (“TIFIA”) Loan to the San Francisco Bay Area Rapid Transit District (“District”) In the Original Aggregate Principal Amount Not To Exceed \$544,642,843 Million (Excluding Interest That Is Capitalized) for the Reimbursement of Rail Car Replacement Project (“Project”) Costs Incurred by The District; Authorizing the Execution and Delivery of a TIFIA Loan Agreement Pursuant to Which Such TIFIA Loan Is to be Incurred, and a Junior Master Indenture, First Supplemental Junior Indenture, and Sixth Supplemental Indenture to a Senior Indenture, Pursuant to Which San Francisco Bay Area Rapid Transit District Junior Sales Tax Revenue Bonds, 2024 TIFIA Series (“TIFIA Bonds”) Are to Be Issued; Authorizing Execution and Delivery of Certain Documents in Connection With the Incurrence and Security of the TIFIA Loan and Issuance of the TIFIA Bonds; Delegating to the General Manager of the District (Or His Designee) Power to Determine Final Terms of Such Loan and Such Bonds and to Complete Said Documents; and Authorizing Certain Other Matters Relating Thereto, be adopted; that further the General Manager or his designee be authorized to request a disbursement of an initial principal amount of \$150,000,000.00; and that any subsequent disbursement requests will return to the Board for its consideration and approval.

Director Simon seconded the motion.

Director Ames expressed concern about the need for such a large line of credit without a detailed expenditure plan for the entire amount and expressed opposition to the motion.

Director Allen voiced concerns about the long-term commitment and potential burden of the loan, questioning the appropriateness of the loan at this time, given BART's budget deficits.

## Action

Upon motion by Director Saltzman and second by Director Simon, the Board took the following actions by roll call vote.

1. Resolution No. 5596, Resolution of the San Francisco Bay Area Rapid Transit District Authorizing and Approving a U.S. Department Of Transportation (“USDOT”) Transportation Infrastructure Finance And Innovation Act Of 1998 (“TIFIA”) Loan to the San Francisco Bay Area Rapid Transit District (“District”) In the Original Aggregate Principal Amount Not To Exceed \$544,642,843 Million (Excluding Interest That Is Capitalized) for the Reimbursement of Rail Car Replacement Project (“Project”) Costs Incurred by The District; Authorizing the Execution and Delivery of a TIFIA Loan Agreement Pursuant to Which Such TIFIA Loan Is to be Incurred, and a Junior Master Indenture, First Supplemental Junior Indenture, and Sixth Supplemental Indenture to a Senior Indenture, Pursuant to Which San Francisco Bay Area Rapid Transit District Junior Sales Tax Revenue Bonds, 2024 TIFIA Series (“TIFIA Bonds”) Are to Be Issued; Authorizing Execution and Delivery of Certain Documents in Connection With the Incurrence and Security of the TIFIA Loan and Issuance of the TIFIA Bonds; Delegating to the General Manager of the District (Or His Designee) Power to Determine Final Terms of Such

Loan and Such Bonds and to Complete Said Documents; and Authorizing Certain Other Matters Relating Thereto, was adopted.

2. Further the General Manager or his designee was authorized to request a disbursement of an initial principal amount of \$150,000,000.00. Any subsequent disbursement requests will return to the Board for its consideration and approval.

*Vote Summary:*

*Moved / Seconded: Director Saltzman / Director Simon*

*Aye: Directors Foley, Hernandez, Li, Raburn, Saltzman, Simon, and Dufty.*

*No: Directors Allen and Ames.*

*Abstain: 0.*

*Absent: 0.*

*Result: 7-2, motion carried by roll call vote.*

## 11. **BOARD MATTERS**

*Item 11-B was heard after Item 9-A, Authorization to Enter into Loan Agreement with the Build America Bureau.*

- B. Guiding Policy for Consideration in Station Renaming and Station Renaming Applicant Process - Lake Merritt BART Station. (Director Raburn's Request)

Director Raburn brought the item before the Board, emphasizing the Lake Merritt Station's historical and cultural significance to the Oakland Chinatown community.

Janelle Chan, CEO of the East Bay Asian Local Development Corporation (EBALDC), and Ted Dang, Founding Board Member of EBALDC, addressed the Board and shared insights into Oakland Chinatown's historical background and the community's relationship with BART.

President Dufty suggested that individuals who are unwilling to testify but support the proposal could stand to show their support, and announced that public comment would be limited to one minute per speaker so that Board could complete its scheduled agenda.

### Public Comment

The following individuals addressed the Board:

Janette

Helen

Joshua Simon

Glen Overton

Alfred Wong

Carl Chen

Tony Trinh

Paul Sieto

Wong Le  
Roy Chan  
Aleta Dupree  
Yavette

### Discussion

The item was discussed, with the following highlights:

Director Raburn submitted the following Roll Call for Introductions (RCI) request:

Rename Lake Merritt Station to Oakland Chinatown Station with the proposed deadline to coincide with the opening of the senior housing.

Director Li seconded Director Raburn's RCI request.

Director Simon also seconded Director Raburn's RCI request.

Director Simon expressed strong support, concurred with the proposal, and expressed appreciation for the community's years-long effort to make this happen.

Director Li voiced strong support for recognizing Chinatown's cultural legacy and for supporting affordable housing in the community.

Director Saltzman exited the Meeting.

Director Ames expressed concern over potential costs associated with renaming the station and its implications for future requests, suggesting that alternative recognition methods, such as thematic elements at the station, could be considered instead.

Director Allen requested consideration of the cost implications of station renaming and any broader criteria to address potential future requests.

Vice President Foley expressed support for renaming the station and requested that future discussions include a clear process for navigating station renaming procedures.

### Action

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

## **8. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION ITEMS**

Robert Raburn, Chairperson

A. Update on BART Polling Results and Regional Transportation Revenue Measure.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee brought the item before the Board.

Rodd Lee, Assistant General Manager, External Affairs; David Martindale, Director of Marketing and Research; Curt Below, CEO of FM3 Research, Inc.; and Amanda Cruz, Director of Government and Community Relations, presented the item.

### Public Comment

The following individuals addressed the Board:

Glenn Overton  
John Arantes

Director Allen exited the Meeting.

Adina Levin  
Aleta Dupree  
Bryan Culbertson

### Discussion

The item was discussed, with the following highlights:

Director Li highlighted the need for BART to maintain strong regional collaboration, especially with the Metropolitan Transportation Commission (MTC).

Director Ames voiced concern over the proposed citizen initiative, inquiring about the feasibility and timeline for gathering signatures.

President Dufty expressed support for regional collaboration and emphasized the importance of strengthening BART's standing in San Mateo County through direct engagement with local leaders.

Director Hernandez inquired about potential polling questions to clarify funding allocations for specific goals, such as station preservation.

Director Raburn expressed concern over misinformation in public narratives and stressed the need for a broad educational campaign to correct misconceptions.

### Action

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

Directors Raburn and Simon exited the Meeting.

## 9. ADMINISTRATION ITEMS

Janice Li, Chairperson

- B. Amendment No. Four (4) to the San Francisco Bay Area Rapid Transit District Money Purchase Pension Plan.

Director Li brought the item before the Board.

Diana Iwata, Deputy Director of Human Resources, presented the item.

President Dufty moved that the Board approve and authorize the Board President to execute Amendment No. 4 to the 2019 Restatement of the San Francisco Bay Area Rapid Transit District Money Purchase Pension Plan (MPPP) revising Section 3.01(b), which will increase the deferral amount from \$37 to \$40, effective January 1, 2025 through December 31, 2026 for AFSCME, ATU, and SEIU and add a new Section 3.05 "Mandatory Accrued Vacation Leave Cashout Contribution," which will require vacation accrual payouts to be deposited into the Money Purchase Pension Plan (MPPP) upon retirement or promotion to a classification that requires the cashing out of accrued vacation leave for SEIU employees.

Vice President Foley seconded the motion.

### Public Comment

No comments were received.

### Action

Upon motion by President Dufty, and seconded by Vice President Foley, the Board approved and authorized the Board President to execute Amendment No. 4 to the 2019 Restatement of the San Francisco Bay Area Rapid Transit District Money Purchase Pension Plan (MPPP) revising Section 3.01(b), which will increase the deferral amount from \$37 to \$40, effective January 1, 2025 through December 31, 2026 for AFSCME, ATU, and SEIU and add a new Section 3.05 "Mandatory Accrued Vacation Leave Cashout Contribution," which will require vacation accrual payouts to be deposited into the Money Purchase Pension Plan (MPPP) upon retirement or promotion to a classification that requires the cashing out of accrued vacation leave for SEIU employees, by unanimous roll call vote.

*Vote Summary:*

*Moved / Seconded: President Dufty / Vice President Foley*

*Aye: Directors Ames, Foley, Hernandez, Li, and Dufty.*

*No: 0*

*Abstain: 0.*

*Absent: Directors Allen, Raburn, Saltzman, and Simon.*

*Result: 5-0, motion carried by unanimous roll call vote.*

Director Raburn re-entered the Meeting in Oakland.

## 10. **ENGINEERING AND OPERATIONS ITEMS**

Lateefah Simon, Chairperson

- A. Award of Contract No. 60CC-100A, Construction of Operation Control Center Modernization.

President Dufty brought the item before the Board.

Michael Jones, Deputy General Manager, highlighted the significance of the modernization project, noting it as a positive development for enhancing operational wellness and functionality at the Operations Control Center.

Director Li moved that the General Manager be authorized to award Contact No. 60CC-100A, Construction of Operation Control Center Modernization, to Clark Construction for the total bid price of \$18,469,252.65, pursuant to notification to be issued by the General Manager and subject to the District's Protest Procedures.

President Dufty seconded the motion.

### Public Comment

Sal Cruz and Aleta Dupree addressed the Board.

### Action

Upon motion by Director Li and second by President Dufty, the General Manager was authorized to award Contact No. 60CC-100A, Construction of Operation Control Center Modernization, to Clark Construction for the total bid price of \$18,469,252.65, pursuant to notification to be issued by the General Manager and subject to the District's Protest Procedures, by unanimous roll call vote.

*Vote Summary:*

*Moved / Seconded: Director Li / President Dufty*

*Aye: Directors Ames, Foley, Hernandez, Li, Raburn, and Dufty.*

*No: 0*

*Abstain: 0.*

*Absent: Directors Allen, Saltzman, and Simon.*

*Result: 6-0, motion carried by unanimous roll call vote.*

## 11. **BOARD MATTERS**

- A. Review of the BART Citizen Oversight Model and Proposed Revisions to the Model.  
Presenters: George Perezvelez, Chair, BART Police Citizen Review Board; Russell Bloom, Independent Police Auditor; and Kevin Franklin, Chief of Police.

President Dufty brought the item before the Board.

George Perezvelez, Chair, BART Police Citizen Review Board (BPCRB); Russell Bloom, Independent Police Auditor; and Kevin Franklin, Chief of Police, presented the item.

### Discussion

The item was discussed, with the following highlights:

Deputy General Manager Jones proposed a consultant model in lieu of creating a new staff position, allowing flexibility while addressing the BPCRB's needs.

President Dufty expressed agreement with the consultant approach and supported a solution that would quickly provide the BPCRB with needed support.

Director Raburn advocated for flexibility in staffing support and raised concerns about overly prescriptive language in the proposals.

Director Li supported an advisory role for BPCRB in hiring of the Chief of Police, but agreed it should remain non-prescriptive, respecting the General Manager's ultimate authority.

Director Ames expressed concern about the budget increase request and requested further breakdowns, suggesting budget considerations align with BART's annual process instead of ad hoc adjustments.

Director Hernandez expressed support for the BPCRB's advisory role in the Chief of Police hiring, while acknowledging the need to respect the General Manager's discretion.

Vice President Foley urged a timely review process to prevent delays, while acknowledging the need for careful language refinement and stakeholder input.

### Public Comment

Hansel Avila and Aleta Dupree addressed the Board.

### Action

No Board action was taken.

#### C. Board Member Reports.

President Dufty called for Item 11-C, Board Member Reports.

Director Raburn reported that he had attended a Pulse of Oakland presentation in Oakland, regarding a poll assessing the city's current performance.

#### D. Roll Call for Introductions. There were no additional Roll Call for Introductions items.

## **12. PUBLIC COMMENT**

President Dufty called for general 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.

Aleta Dupree addressed the Board.

## **11. BOARD MATTERS**

*Item 11-E was heard after Item 12, Public Comment.*

E. In Memoriam.

President Dufty called for Item 11-E, In Memoriam.

Director Hernandez requested that the Meeting be adjourned in honor of Peter Snyder, former BART Director for District 5 and the first mayor of the City of Dublin. Director Hernandez gave remarks about former Director Snyder's legacy as a regional leader and committed public servant.

President Dufty expressed gratitude to the Communications/Media and IT staff for their efforts in enhancing public visibility of the Board's work.

## **13. ADJOURNMENT**

The Meeting adjourned at 5:12 p.m. in honor of The Honorable Pete Snyder.

April B. A. Quintanilla  
District Secretary