

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 1,988TH MEETING THURSDAY, SEPTEMBER 25, 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 September 25, 2025 in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California. President Foley presided, with Bob Franklin as Interim District Secretary.

1. CALL TO ORDER

President Foley called the meeting to order at 9:00 a.m.

A. Roll Call.

Directors Present in Oakland: Directors Ames, Flores, Ghosh, Li, and Raburn, Vice President Hernandez and President Foley.

Directors Present via Teleconference: Director Wright (Just Cause).

Absent: Director Rinn.

B. Pledge of Allegiance: Vice President Hernandez led the Pledge of Allegiance.

a. Introduction of Special Guests. There were no special guests.

2. REPORT OF THE BOARD PRESIDENT

President Foley shared that the San Mateo County station liaison recommendations will be brought forward at the October 9, 2025 BART Board meeting and added a reminder that the October 23, 2025 BART Board meeting will focus on the upcoming budget.

Public Comment

Barney Smits and Aleta Dupree addressed the Board.

3. BOARD COMMITTEE REPORTS

There were no reports.

Public Comment

No public comments on this item were received.

4. CONSENT CALENDAR

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

- A. Approval of Minutes of the Meeting of September 11, 2025. Board requested to authorize.*
- B. Approve Agreement No. 6M2121 with the City and County of San Francisco Public Works for Pit Stop Public Toilet program, which will serve Civic Center, 16th St Mission, and 24th St. Mission stations. Board requested to authorize.*
- C. Award of Invitation for Bid No. 9143A, to Amsted Rail Company Inc., for the purchase of axle bearings. Board requested to authorize.*

Discussion

Vice President Hernandez moved approval of the Consent Calendar Items, with Director Raburn seconding the motion.

Public Comment

There were no comments on this item.

Action

Upon motion by Vice President Hernandez to approve the Consent Calendar, and seconded by Director Raburn, the Board took the following action by unanimous roll call vote:

Vote Summary:

Moved / Seconded: Vice President Hernandez/Director Raburn.

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

No: 0

Abstain: 0

Absent: Director Rinn

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

The following action was taken:

- A. Authorized the Approval of the Minutes of the Meeting of September 11, 2025.
- B. Authorized the approval of Agreement No. 6M2121 with the City and County of San Francisco Public Works for Pit Stop Public Toilet program, which will serve Civic Center, 16th St Mission, and 24th St. Mission stations.
- C. Authorized the award of Invitation for Bid No. 9143A, to Amsted Rail Company Inc., for the purchase of axle bearings.

5. GENERAL MANAGER'S REPORT

President Foley introduced this item, turning it over to General Manager Bob Powers, who provided the following updates:

Report of Activities, including updates of Operational, Administrative, and Roll Call for Introductions Items.

- A. Ridership
 - o September ridership has been strong, with over 210,000 riders on Tuesdays, Wednesdays, and Thursdays. Mondays have also recently been strong.
 - o Tap to Ride usage has increased, now up to 9% of BART's ridership.
- B. There is a meeting on Transit Oriented Development at the Fremont Station later today to engage the community from 4:30pm to 6:30pm for an in-station open house. He thanked Director Ames for her leadership. There will be another public open house the morning of October 8. Materials are also online.
- C. The General Manager also announced a pilot for new faregate tones for blind and low vision riders at Rockridge, Civic and Ashby. Feedback is welcome, including from BATF and other key stakeholders on the sounds the gates generate to communicate successful Clipper transactions.
- D. Oakland Ballers won the championship of Pioneer League. Their home, Raimondi Park, is a short ride from the West Oakland BART station. There will be a parade on Sunday October 5 with the BART mobile and the Ballers.
- E. There will be a press event on September 26 at 1pm at the West Dublin Pleasanton BART station to celebrate the completion of the new fare gate installation project, ahead of time and on budget.

- F. Chief Kevin Franklin announced that Deputy Chief Ja'Son Scott will be retiring September 26 after 13 years with the department. He was recruited as a Sergeant, experienced with Oakland Police Department. He started the Shop with a Cop and Gang Resistant programs. As Deputy Police Chief, he led the Progressive Policing Bureau.
- G. The Deputy Chief thanked everyone for their support and described the growth of BART Police, pushing BART forward to be a leader in the community. He thanked all for letting BART Police go out into the community and creating partnerships. He will see everyone out in the community, where he will continue to stay involved. He closed by saying that BART is the safest and most efficient way to travel around the Bay Area and he was thankful to being part of the team.
- H. Directors Ames, Raburn, Li, Ghosh, and Flores, Vice President Hernandez, and President Foley also thanked Deputy Chief Scott for his commitment and dedication to BART.

President Foley thanked General Manager Powers and opened the floor to public comment on the reports.

Public Comment

Glen Overton, Aleta Dupree, and Barney Smits addressed the Board.

Action

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

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.

Glen Overton, Clarence Fischer, Barney Smits and Aleta Dupree addressed the Board.

7. OFFICE OF INSPECTOR GENERAL'S REPORT

A. Office of Inspector General Overtime Audit. *For Information and possible action.*

President Foley turned the agenda item over to Director Wright to lead. Director Wright, who is the Vice Chairperson of the Audit Committee, introduced the item. Claudette Biermeret presented the item, along with Greg Matayoshi, a principal consultant with Tap International. The presentation included 3 findings and the following 5 recommendations:

1. BART Management should address the factors driving overtime in positions with continued high levels of overtime use and for those positions with employees who earned overtime pay amounts of double or more their regular pay. These factors include challenges to hiring and promotion and the work rules governing overtime work.
2. BART management should develop and implement cost-effective processes or tools to improve overtime cost management, including overtime budget forecasting, monitoring, and analysis of the reasons for overtime work, automated scheduling, and performance measures for the efficiency and effectiveness of the timekeeping system.
3. With the assistance of BART's risk managers, BART management should assess and report to the Board on the risk of and extent that overtime work has led to industrial injury at BART, if any.
4. BART management should address deficiencies in the time review and approval process to better prevent and detect time theft schemes, and ensure BART has sufficient anti-fraud policies, procedures, and systems.
5. BART management should strengthen fraud prevention practices in the areas recommended by best practices, including anti-fraud education and awareness, proactive audit procedures, and ethics and organizational culture.

Joe Beach, Chief Financial Officer, provided BART staff's response in addressing all the findings in the recommendations.

Public Comment

John Arantes, Glen Overton and Aleta Dupree addressed the Board.

Discussion

The item was discussed with the following highlights:

Director Raburn highlighted the negative trend in the overtime line item. He seeks total dimensions of each area investigated to see which item would deliver the greatest impact. He sought a collaborative process in addressing these initiatives between staff, the Inspector General and BART's Labor partners.

Director Flores questions how overtime costs relate to necessary operations and sought more information about the causes for overtime, to be transparent with the public and labor.

Vice President Hernandez suggested that BART's overtime should be compared with peer agencies' overtime costs, as well as to comparable years of service (not covid years).

Director Li doesn't think the budget structure takes into account that overtime is needed at times and no system is perfect. She said that this audit doesn't prove that overtime is a problem, but it does show that they systems can be improved. Some of the issues raised may be approached with policy or through collective bargaining, or to delve into areas more deeply. She has 3 recommendations: reconvene the Labor Negotiating Committee, provide more commentary of overtime in the quarterly financial reports, and present staff's response to the recommendations at the Audit Committee.

Director Ames wanted to know the root causes of overtime, as well as the categories of overtime. She wanted to know how projects budget overtime and how managers approve overtime.

Director Ghosh said there were complications with this report, given the unique nature of BART and the lack of some information from where overtime is generated. Overtime is not inherently bad, as sometimes it is about keeping the BART system safe, responding to emergencies, and undertaking initiatives in-house. Without the full story, it is challenging to come up with conclusions, trade-offs, forecasting, and identifiable issues. She is curious about the new reporting fields for overtime reason codes.

Director Wright associated himself with Director Li's recommendations, particularly about bringing back the Labor Negotiating Committee, folding in overtime use metrics into quarterly reporting, and including the reason codes. Once staff changes are implemented, he would appreciate it coming back to the Audit Committee with impacts of the changes.

President Foley closed the discussion with comments about why overtime is used (planned in advance, emergency, holiday overtime,...) to see if BART has a staffing issue or if it is more efficient to use existing staff. He has a concern about making this discussion about employee pay. Instead, it should be about cost controls and controlling overtime, not criticizing employees for a collectively bargained benefit.

8. ADMINISTRATION ITEMS

Janice Li, Chairperson

There were no items for this committee.

9. ENGINEERING AND OPERATIONS ITEMS

Elizabeth Ames, Chairperson

Chairperson Ames brought forward the following items:

- A. Award of Contract No. 17BY-110A to provide and install two (2) 300KVA Uninterruptable Power Supply (UPS) systems at the Lake Merritt Administration Building (LMA) to Blocka Construction, Inc. *Board requested to authorize.*

Rachel Russell, Senior Project Manager presented on this item.

Public Comment

Glen Overton addressed the Board on this item.

Action

Director Raburn moved approval of this item, with President Foley seconding the motion. The Board took the following action by unanimous roll call vote:

Vote Summary:

Moved / Seconded: Director Raburn/President Foley

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

No: 0

Abstain: 0

Absent: Director Rinn

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

The following action was taken:

The Board authorized the award of Contract No. 17BY-110A to provide and install two (2) 300KVA Uninterruptable Power Supply (UPS) systems at the Lake Merritt Administration Building (LMA) to Blocka Construction, Inc.

B. BART Police Department Headquarters Update. *For information.*

Chairperson Ames handed this next item over to BART staff. David Silva, Project Manager with the Office of Infrastructure Delivery presented on the item.

Public Comments

Glen Overton and Jerry Grace addressed the Board.

Discussion

The item was discussed with the following highlights:

Director Raburn asked about the dates of the move in for BART Police, and what happens at the MET Building, once BART Police relocate. Kasheica McKinney discussed plans with existing tenants and the developers Exclusive Negotiating Agreement.

Director Ghosh expressed her praise for the project.

Action

As this was an information item, no action was taken.

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

Robert Raburn, Chairperson

Chairperson Raburn introduced the following item:

Regional Transit Coordination - Regional Mapping and Wayfinding Update. *For information.*

Val Menotti, Assistant General Manager, Planning and Development; Hannah Lindelof, Group Manager, Policy Planning; and Jumana Nabti, Manager of Access Programs, presented on the item.

Public Comment

Clarence Fischer, Glen Overton, and Jerry Grace addressed the Board on this item.

Discussion

The item was discussed with the following highlights:

Director Li spoke generally about her participation in the MTC Regional Network Management committee, dating back to the Blue Ribbon Task Force, which led to the framework for this committee. She said it was helpful solidifying relationships amongst policy makers, both on the General Manager and Board Member levels. She thanked Bob Powers for his work breaking down perception of BART being isolationist, through his chairing of the Regional Network Management council and the Clipper Executive Board, champions of regional coordination.

President Foley asked about the scale of the fully funded implementation, as well as the coloring schemes when they conflict with a particular agencies color for one of their lines of service. He questioned about digital signs as well and about the integration between apps and physical signs. He suggested adding a printing date to the material, as a point of reference. Lastly, he asked how legends are translated into different languages.

Director Ghosh asked about how digital collateral shows up. She questions if the proposed way to show the frequency of service is communicative or helpful. She thinks the bus bay numbering is helpful. She asked about the location for the pilots for San Mateo County and Santa Clara County, which staff said were going to be Millbrae and the Palo Alto Transit Center. She lastly questioned about accessibility feedback, which included color contrast of letters and font size and requested additional information about accessibility initiatives.

Director Ames had questions about the timed meets for the Big Sync, the coordination of transit agency line schedules. She asked what happens during commute times, when traffic and other factors may impact schedules.

Director Raburn thanked staff for their leadership and all of their outreach. He reiterated that consistency in mapping and logos should be universal, as public commenters suggested. He clarified that there are over 21,000 transit stops. Director Raburn encouraged staff to explore creative ways to depict frequency of service, which can vary by time of day and day of week.

Action

As this was an information item, no action was taken.

Director Raburn closed the committee.

11. BOARD MATTERS

- A. Board Member Reports.
- B. Roll Call for Introductions.
- C. In Memoriam.

President Foley called for Items 10-A, Board Member Reports; 10-B, Roll Call for Introductions; and 10-C, In Memoriam. The following Directors provided updates:

Director Ames:

September 16: Attended Ohlone College Student Transfer Day.

September 21: Tabled at Newark Days.

September 23: Attended a City of Union City Council meeting, speaking against an expressway that passes near the Union City BART station.

She added an In Memoriam for Gail Blalock, wife of long serving BART Director Tom Blalock.

Director Wright:

September 16: He spoke to the Harvey Milk Club regarding finance challenges with Bay Area transit.

September 19: Participated with San Francisco Supervisor Sauter in a walk-through at Powell Station and Hallidie Plaza to discuss the partnership with San Francisco to improve that area. Thanked Brad Dunne and Tim Chan for assistance.

Director Ghosh:

September 14: Joined the Speed Run on BART, which occurred during Transit Month.

September 17: Participated in Bike East Bay's annual Biketopia event with Heath Maddox and Kamala Parks.

Attended a rally in El Sobrante for Harjit Kaur, a 73 year old community member who was deported by ICE. She worked at Sari Palace in Berkeley and is safely home in India now. Director Ghosh thanked Congresswoman Simon and Congressman Garamendi for their leadership in this case.

Director Raburn:

September 11: Co-sponsored Alameda County Asian Pacific Am Democratic Caucus at the Pacific Lighthouse

September 13: Participated in the 2nd Oakland Chinatown Night Market

September 17: Attended the Capitol Corridor meeting in Suisun.

September 18: Gave a Role in Region presentation for the Oakland Rotary #3 along with Director Flores.

September 20: Took part in the Creek to Bay Cleanup at Bay Fair, giving gratitude to Greg Lombardi and crew.

September 20: Attended Asian Health Services Gala.

Public Comment

Jerry Grace, Glen Overton, and Jaime San Nicolas addressed the Board.

12. CLOSED SESSION

The Board went into closed session at 1:13pm for the following item:

A. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

Jeremiah David Jenkins v. San Francisco Bay Area Rapid Transit District.

Alameda County Superior Court case no. 24CV081424

13. OPEN SESSION

A. Announcements from Closed Session, if any.

The Board returned to open session at 1:43pm. There were no announcements from Closed Session.

14. ADJOURNMENT

President Foley adjourned the meeting at 1:43pm.

Bob Franklin
Interim District Secretary