

San Francisco Bay Area Rapid Transit District

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



BOARD OF DIRECTORS MINUTES OF THE 1,987TH MEETING THURSDAY, SEPTEMBER 11, 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)

Adopted: September 25, 2025

MEETING DESCRIPTION

A Regular Meeting of the Board of Directors was held on September 11, 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 9:02 a.m.

A. Roll Call.

Directors Present in Oakland: Directors Ames, Flores, Ghosh, Li, Raburn, Rinn and Wright, and President Foley.
Vice President Hernandez entered the meeting at 9:13 a.m.

Directors Present via Teleconference: None.

Absent: None.

Before the pledge of allegiance, President Foley paused and reflected that today is Patriot Day, the national day of service and remembrance in honor of those who lost their lives on September 11, 2001. He wanted to recognize those who gave the ultimate sacrifice in the recognition of our country. He had lapel pins made of BART with the American flag, as well as in honor of Hispanic Heritage Month.

B. Pledge of Allegiance: Director Flores led the Pledge of Allegiance.

a. Introduction of Special Guests.

President Foley introduced Inez Gonzalez, the new Independent Police Auditor. She introduced herself, and is looking forward to working for BART and meeting everyone.

2. REPORT OF THE BOARD PRESIDENT

President Foley shared a slide show of historic pictures of the BART System, as the date is September 11, 2025, which is BART's 53rd Anniversary. A ballot measure in 1962 passed to authorize about an \$800 million bond to finance 71.5 mile high-speed transit system that would connect 33 stations and 17 communities in 3 counties. The first day of official revenue service was on September 11, 1972. At that point service ran from Fremont to Oakland, which included 28 miles of track and 12 stations. BART carried 100,000 riders during the first week of service on eight 2-and 3-car trains. Today BART has 131 miles of trackway and over 200,000 riders a day and is a backbone of moving the Bay Area in an environmentally safe way.

President Foley announced that the Board agenda had been updated with a slide deck for the service interruptions, which will be discussed during the General Manager's Report.

He is considering re-establishing Liaison Appointments for San Mateo County Stations. These appointments would bring back the program for Directors to adopt a San Mateo County BART Station, as San Mateo County residents are not represented by an elected BART Board member. The program was previously in effect from May 13, 2010 through December, 2016. These appointments would serve as a point of contact between constituents of San Mateo County and the District. President Foley plans on bringing the appointments before the Board of Directors for your consideration and ratification on September 25, 2025.

Public Comment

Aleta Dupree, Barney Smits, and Alan Mond 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 item before the Board.

A. Approval of Minutes of the Meeting of August 14, 2025.

Board requested to authorize.

B. Oracle Enterprise Planning and Budgeting Cloud Services Agreement.

Board requested to authorize.

C. Request Authorization for Retention of Jackson Lewis P.C. as Special Counsel.

Board requested to authorize.

D. Review of the Directors' Use of District Property for Fiscal Year 2025.

Board requested to accept.

E. Award of Contract No. 6M3745 to Galls LLC for the Procurement of Train Operators Uniforms.

Board requested to authorize.

F. Authorize Single Source Contract No. 6M3731C (with two options to extend) with Semperit Industrial Products, Inc for Handrails Replacement, Repair and Services. (Two-thirds vote required.)

Board requested to authorize.

Discussion

Director Raburn moved approval of the Consent Calendar Items, with Director Rinn seconding the motion.

Public Comment

Aleta Dupree addressed the Board for this item.

Action

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

Vote Summary:

Moved / Seconded: Director Raburn / Director Rinn.

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

No: 0

Abstain: 0

Absent: 0

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

The following action was taken:

- A. Approved Minutes of the Meeting of August 14, 2025.
- B. Authorized the Oracle Enterprise Planning and Budgeting Cloud Services Agreement.
- C. Authorized the Retention of Jackson Lewis P.C. as Special Counsel.
- D. Accepted the review of the Directors' Use of District Property for Fiscal Year 2025.
- E. Authorized the award of Contract No. 6M3745 to Galls LLC for the Procurement of Train Operators Uniforms.
- F. Authorized the Single Source Contract No. 6M3731C (with two options to extend) with Semperit Industrial Products, Inc for Handrails Replacement, Repair and Services. (Two-thirds vote required.)

5. GENERAL MANAGER'S REPORT

- A. 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.

- Ridership
 - August 2025 ridership: was 10% above budget and 10% more than a year ago.
 - Tap and Ride, which was unveiled on August 20, is up to 7% of all BART trips.
 - The new Faregate installation is now complete at all 50 stations, 4 months ahead of schedule.
 - A Ribbon Cutting event will occur at West Dublin/ Pleasanton on Friday September 26 at 1pm.
 - Let's Glow! Anime Festival had 4,500 people attended – four times the average ridership for the station.
 - September is Transit Month, including an event on September 14 for a community speed run with a goal under 6 hours. All Aboard Transit, where GMs ride transit will be on September 23.
 - Hispanic Heritage Month is from September 15 to October 15. BART will be hosting an event October 15 with a panel featuring Vice President Hernandez, Director Flores, and BART Police Chief of Staff Olivia Jackson. Lunch will follow on the first floor of BART's Headquarters.
- B. Service Disruptions Update.
 - a. August 29, 2025 - Transbay Tube Incident
 - i. Shane Edwards, Assistant General Manager Operations, provided the update.
 - b. September 5, 2025 – Computer Equipment Incident
 - i. Sylvia Lamb, Assistant General Manager, Infrastructure Deliver, provided the report.

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

Public Comment

Clarence Fischer, Aleta Dupree, Glen Overton, Andres Larios, Barney Smits, Alan Mond, Laurata Pechuqui and Melanie Woodrow addressed the Board.

Discussion

The item was discussed with the following highlights:

Director Raburn wanted to issue a public apology, empathetic about the anxiety that passengers must have felt being stuck in the tube in smoke-filled cars. He had questions about communication protocols and wanted BART to convey clear communications about what is happening and what to do.

Director Ames also felt communication protocols need to be addressed, and wanted to know about lessons learned and how communication protocols would be updated. She had questions about air recirculation on cars and in tunnels, as well as about train deployment when smoke is present. She questioned if the network issue was the result of software updates, and suggested that staff enlist outside subject matter experts to assist with this problem.

Director Flores also issued an apology and is committed to being accountable, emphasizing his commitment to delivering a quality product and keeping BART riders safe. He specifically wanted to know potential causes for the blown isolator. He asked about rider communications during these incidents, as some riders reported not hearing announcements. He requested staff to make sure car audio speakers were properly working and if digital displays on trains could convey emergency information. He questioned the process to upgrade switches for the computer network, to avoid repeat of additional problems, and if there are other strategies to prevent occurrences during the installation of the 41 switches remaining.

Director Li apologized to impacted riders. She referenced her participation in the transbay tube drill on a smoke-filled train, which was scary even without the fear of the unknown. She said BART can't be in this position again to not begin revenue service. She said the modernization of the aging system is a must have, but never at the expense of revenue service.

Director Wright also apologized to riders and those impacted by the spill over effects of not having service. He empathized with those on a smoke filled car, as he experienced this in a transbay drill . He also questioned the timing of communications, as well as whether there are communication protocols and standards. He expressed hope that the item will come back when the cause analysis is complete, as well as with any changes made on communication protocols. He acknowledged that mistakes are made, but that we must learn from them. He said BART needs a whole of agency focus on maintenance and state of good repair.

Director Ghosh aligned herself with much of the comments already made, but didn't hear enough about the impacts the incidents were having on BART riders. She said it is not only the quality of the announcement that are important, but also what is said is what matters. She had questions about the audio system itself. She supports the clarity of displays on trains, and the predictability of preventative maintenance. Director Ghosh did note the overall success of BART service in the Quarterly Performance Report, despite these two incidents.

Director Rinn echoed many comments and extended his apologies. He also supports display screens on trains, and suggested providing information via mobile devices through geotagging or the BART Watch app.

Vice President Hernandez asked if BART can text riders, similar to how cities can text residents through an opt-in service. She asked about emergency training for train operators and whether BART can increase the frequency of their training.

President Foley acknowledged the impact these service disruptions have on our riders, the finances, and BART's reputation. He put an emphasis on how BART will respond to this: how BART can do and communicate better and prevent these incidents from recurring. He asked about roll-back plans during software upgrades.

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.

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

7. ADMINISTRATION ITEMS

Janice Li, Chairperson

- A. Authorize the General Manager to Request a Second Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) Loan Disbursement in an Amount up to \$394,642,843. Board requested to authorize.

Chairperson Li introduced the item and turned the presentation over to staff.

Pamela Herhold, Assistant General Manager for Performance and Budget; Joe Beach, Chief Financial Officer; and Priya Mathur, Director of Funding Strategy, presented the item.

Public Comment

There were no requests to address the Board.

Discussion

Director Raburn asked whether it is possible to pay back the loan early, if the funds are not needed, and what would the costs be if this occurs. Staff said the loan can be prepaid early without penalty.

Director Flores moved approval of the item. President Foley seconded the motion.

Action

Upon motion by Director Flores to approve, and seconded by President Foley, by unanimous roll call vote, the Board authorized the General Manager to Request a Second Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) Loan Disbursement in an Amount up to \$394,642,843

Vote Summary:

Moved / Seconded: Director Flores / Director Ghosh.

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

No: 0

Abstain: 0

Absent: 0

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

8. ENGINEERING AND OPERATIONS ITEMS

Elizabeth Ames, Chairperson

A. Quarterly Service Performance Review - Fourth Quarter Fiscal Year 2025 (QPR). *For information.*

Chairperson Ames introduced the item, turning it over to Assistant General Manager Shane Edwards and Chief of Police Kevin Franklin to give the presentation.

Public Comments

Aleta Dupree addressed the Board.

Discussion

Director Li praised the report on safety, customer satisfaction, ridership and on-time performance numbers. She said these numbers for ridership growth and high satisfaction are more important than public opinion polls. She wanted to celebrate the success and to share the information.

Director Flores asked about bike thefts, whether they were spread out over the system or at specific stations. Staff said they were occurring at a couple of stations. He also asked about the attrition in Police Officers. The Chief said the training has been challenging, as have lateral moves by police officers. He also thanked staff for the positive trends shown in the QPR.

Director Raburn thanked the BART family for the work that led to the changes in the report. He referenced progressive policing outcomes and its positive impacts. He noted the significant decrease in the number of trains delayed.

Director Wright echoed the commendations about the success in the quarter. He noted that success should not be overshadowed by recent incidents. He thanked staff for their work which led to the all-time highest customer satisfaction rating, as well as the decrease in crime.

Chairperson Ames commented about the challenge of keeping BART Police staffed, and the great customer satisfaction rate. She acknowledged the Let's Glow Anime Festival contributed to high ridership and satisfaction. She noted the increased cleanliness of stations.

Director Ghosh also acknowledged the customer experience is primary goal and that it was great to see that reflected in the successful numbers for the quarter. The riders are the best ambassadors, which are communicating the day-to-day service successes. She also wanted to highlight that BART should be preparing for the weather season coming up, which presents challenges to BART, and keeping customer satisfaction levels high, as the rainy season can increase delays. She asked staff to be mindful of the balance between the increased ridership and crowded train car conditions.

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

Robert Raburn, Chairperson

A. Award of Agreement 6M7326 to California Strategies & Advocacy, LLC for State Legislative Advocacy Services and Agreement 6M7327 to the Picard Group for Federal Legislative Advocacy Services. *Board requested to authorize.*

Director Raburn introduced this item and provided some history and anecdotes about the services that have been provided by these firms over the years.

President Foley moved approval of the item. Director Flores seconded the motion.

Public Comment

There were no public comments for this item.

Action

Upon motion by President Foley to approve, and seconded by Director Flores, by unanimous roll call vote, the Board authorized the Award of Agreement 6M7326 to California Strategies & Advocacy, LLC for State Legislative Advocacy Services and Agreement 6M7327 to the Picard Group for Federal Legislative Advocacy Services.

Vote Summary:

Moved / Seconded: President Foley/Director Flores

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

No: 0

Abstain: 0

Absent: 0

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

Jim Lites of California Strategies & Advocacy and Emily Bacque Da Silva of the Picard Group thanked the Board.

B. Senate Bill 63 and State Legislative Matters. *For information.*

Rodd Lee, Assistant General Manager, External Affairs, and Amanda Cruz, Director of Government and Community Relations, presented the item for information only.

Public Comment

Aleta Dupree addressed the Board.

Discussion

The item was discussed with the following highlights:

Chairperson Raburn wanted to acknowledge San Francisco Mayor Lurie, San Jose Mayor Mahan, Oakland Mayor Lee and Berkeley Mayor Ishii for writing letters and moving the loan forward. He also acknowledged staff's tremendous work.

Director Flores asked if the January 10 deadline ensures that BART will receive the bridge funding in time, and not risk running out of funds for the next Fiscal Year. Joe Beach said there was no danger of running out of funds.

Director Wright added his gratitude to the officials that Director Raburn brought up, and also thanked the Transbay Coalition, San Francisco Transit Riders and many elected officials, as well as Governor Newsom for his commitment to investing in transit.

Director Ghosh acknowledged that advocates who stepped up, like the Transbay Coalition, Seamless Bay Area, San Francisco Transit Riders Union, Mayor Ishii who wrote a letter, BART Directors, and the growing acknowledgement of the importance of public transit.

Director Ames appreciates BART staff and the support for the loan and public transit. She noted it is becoming a grass roots movement, and also thanked the support from Governor Newsom.

Raburn closed the committee.

10. 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

August 21: Attended San Jose's Annual Chamber of Commerce Barbeque.

September 6: Participated in BART's "Let's Glow!" anime festival at the Warm Springs Station.

September 8: Attended the Emergency Transit Rally in San Francisco.

September 8: Attended the Alameda County Transportation Commission meeting.

Director Wright

September 8: Thanked Labor for attending the Advocacy for Transit Funding Rally in San Francisco

Began outreach for the renovation and reimagining project for 16th Street BART Station plazas.

Asked to adjourn the meeting in memory of Congressman, Assemblymember, State Senate, the Senate Pro Tem, California Democratic party Chair and San Francisco Port Commissioner John Burton.

Director Flores

Gave some Role in the Region presentations at the Emery Go Board of Directors and for the Berkeley Lorin District.

Tabled at the Oakland-Chinatown Street Fest.

Participated and tabled at the Oakland Pride Parade.

Attended the Emergency Transit Rally.

Attended Alameda County Mayors Conference with Director Raburn.

Director Ghosh

Did a panel at the Silicon Valley Bicycle Coalition with San Mateo County Supervisor Noelia Corzo.

Described her transit experiences in Seattle with buses and Sound Transit. Reported on the murals visible from the train as it was travelling.

Mentioned there is a vacancy on the AC Transit Board, with Director Peeples passing.

Director Raburn

Director Raburn attended the following events:

August 16: Mayor Barbara Lee's Chinatown Celebration with Oakland Chinatown Improvement Council.

August 20: Oakland Chamber of Commerce East Bay Women in Leadership to honor Ching Hua Wang, President Summit Medical University.

August 21: San Mateo County Fare Gate Press Conference, San Bruno.

August 22: Unionist of the Year Dinner.

August 23: Bay Fair Community Based Transportation Plan outreach event.
August 25: Role in the Region presentation at Hayward Rotary.
August 26: Role in the Region presentation at Fruitvale Merchants in Spanish.
August 27: Greenbelt Alliance event at Preservation Park, Oakland.
September 1: Fairyland's Big Birthday Party and stroller-path parade from BART.
September 3: California Rail Safety event at Davis.
September 7: Oakland Pride Breakfast, Parade and tabling
September 8: Emergency Transit Funding Rally, San Francisco Civic Center
September 10: Role in the Region presentation at Alameda County Special Districts Assoc.
September 10: Role in the Region at San Leandro Rotary
September 10 Alameda County Mayors' Conference, African-American Museum and Library
Wants to announce that September 20 is 41st Annual Creek to Bay Day cleanup along Estudillo Canal, meeting up at Bay Fair at 9am.

President Foley

August 28: Attended the Contra Costa County Block Party.
September 1: Attended his 35th Anniversary Dinner with his wife.
September 10: Attended the Contra Costa Mayors' Conference, and saw El Cerrito City Councilmember Rebecca Saltzman

In Memoriam

Rodd Lee delivered an In Memoriam to the storied life and career of Dr. Andy Franklin, the father of Chief of Police Kevin Franklin. Dr. Franklin was a big BART support, and rode BART on opening day with his family. Chief Franklin thanked BART and the Board for the recognition celebrating the life of his father.

President Foley ended the open session saying that there are cupcakes for the public to celebrate the 53rd Anniversary of BART.

11. CLOSED SESSION

Public Comment

Aleta Dupree addressed the Board.

The Board went into closed session at 12:37pm

A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Titles: General Manager, General Counsel, Independent Police Auditor, and Inspector General
Government Code Section: 54957

12. OPEN SESSION

A. Announcements from Closed Session, if any.

The Board returned to open session at 3:11pm. There were no announcements from Closed Session.

13. ADJOURNMENT

The meeting was adjourned at 3:11pm.

Bob Franklin
Interim District Secretary

