

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 1,994nd MEETING THURSDAY, JANUARY 8, 2026

Members of the Board of Directors

Melissa Hernandez, President (District 5)
Edward Wright, Vice President (District 9)

Matthew Rinn (District 1)
Mark Foley (District 2)
Barnali Ghosh (District 3)
Robert Raburn (District 4)
Elizabeth Ames (District 6)
Victor Flores (District 7)
Janice Li (District 8)

MEETING DESCRIPTION

A Regular Meeting of the Board of Directors was held on January 8, 2026 in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California. President Hernandez presided, with Bob Franklin as District Secretary.

1. CALL TO ORDER

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

A. Roll Call.

Directors Present in Oakland: Directors Ames, Flores (entered at 9:08 a.m.), Foley, Ghosh, Li, Raburn, Rinn and Vice President Wright, and President Hernandez.

Directors Present via Teleconference: None.

Absent: None.

B. Pledge of Allegiance:

President Hernandez led the Pledge of Allegiance.

C. Introduction of Special Guests:

There were no special guests.

2. REPORT OF THE BOARD PRESIDENT

There was no report.

Public Comment

Barney Smits addressed the Board.

3. BOARD COMMITTEE REPORTS

There were no committee reports given.

Public Comment

There were no public comments.

4. CONSENT CALENDAR

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

- A. Approval of Minutes for the December 4, 2025 BART Board meeting. Board requested to authorize.
- B. Approval of Minutes for the December 18, 2025 BART Board meeting. Board requested to authorize.
- C. Title VI Civil Rights Program 2025 Triennial Update. Board requested to approve.
- D. Award Software Licenses for Antivirus Detection and Security Tools to Allied Network Solutions. Board requested to authorize.
- E. Amendment to Resolution No. 5613 Authorizing Investment of Monies in the Local Agency Investment Fund. Board requested to authorize.
- F. Update to District General Investment Policy. Board requested to approve.
- G. Amendment to Agreement No. 6M1112 with Glynn, Finley, Mortl, Hanlon & Friedenberg LLP for Increase in Funding for Legal Services. Board requested to authorize.
- H. Results of the Single Audit for the Fiscal Year Ending on June 30, 2025. Board requested to approve.

- I. Award Agreement No. 6M2116 for Independent Audit Services for Fiscal Years 2026-2030. Board Requested to authorize.
- J. Amendment to Agreement with Ogletree Deakins for Increase in Funding for Legal Services. Board requested to authorize.
- K. Resolution Authorizing BART Accessibility Task Force to Hold Remote Meetings. Board requested to adopt.
- L. Federal Legislation for Consideration - H.R. 6298 (Friedman). Board requested to approve.

Public Comment

There were no public comments on this item.

Vote Summary

Moved by: Director Rinn/ Seconded by Director Raburn.
Aye: Directors Ames, Foley, Ghosh, Li, Raburn, and Rinn, Vice President Wright, and President Hernandez.
No: 0
Abstain: 0
Absent: Director Flores
Result: 8-0-0, motion carried by roll call vote.

5. GENERAL MANAGER'S REPORT

President Hernandez introduced this item, which included Report of Activities, including updates of Operational, Administrative, and Roll Call for Introductions Items. She then turned it over to General Manager Bob Powers, who provided the following updates:

He reminded the Board that February 12, 2026 will be the BART Board workshop.

Ridership for December 2025 was about 6% above budget and 13.5% higher than last December.

Year to date: ridership is 7% above budget.

Tap and Ride increased to 13% of all BART trips, thanks to airport travel during the holiday season.

The Clipper 2 Launch went live on December 10, with 4% of the transactions on BART, as well as 20% of discounted trips have been on BART. There have been ticket vending machine challenges with the rollout. The Clipper Executive meeting in December addressed customer service issues and the associated improvements. More details will be discussed at the January Clipper Executive Board meeting.

National Geographic has expressed interest in the Harris's Hawk at the El Cerrito Del Norte BART station to film it in action, to address pigeon problems at the station. The General Manager will let the Board know when the documentary is available for viewing.

With the heavy rains, there will be single-tracking between Hayward and South Hayward BART stations for tree removal to ensure rider safety.

This years New Year's plan was authored by the Chief Transportation Officer and the BART Police Department. Staff was out in force at West Oakland, Embarcadero and Montgomery BART stations to ensure that all riders were aware of the service plan, especially at 1:40, when the last train departed West Oaklad. Things went very well.

The GM introduced BART Police Chief Franklin, who welcomed the new Deputy Police Chief Antwinette Turner, to oversee the progressive policing and community engagement bureau. She expressed how grateful she was to return to the organization which she considers home and looks forward to the work ahead of her to make BART the most safe, clean and reliable transit system in the country.

Director Raburn mentioned his concern for the State's continuous appropriations of funds and hopes that the Governor is feeling the same level of concern. The General Manager added that staff will continue to discuss with other transit operators and MTC, as well as at the press conference on January 9, 2026 with State officials and will keep the Board posted.

Public Comments

Barney Smits and Aleta Dupree addressed the Board.

Action

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

6. REPORT FROM THE OFFICE OF THE INSPECTOR GENERAL

Office of the Inspector General Activities - For Information.

Claudette Biemeret, Inspector General, and Jorge Oseguera, Deputy Inspector General, provided the report.

The Construction Contract Change Order Audit was released in December 2025 and is scheduled to come to the full Board on January 22, 2026. It is being provided in advance of the scheduled February 19, 2026 Audit Committee meeting to ensure its timely release. The report looked at general compliance to the policy and found opportunities to strengthen controls and improve efficiency.

The Link 21 report was also released in December, 2025, and is scheduled to go to the Audit Committee on February 19, 2026 and hopefully to the BART Board on February 26, 2026. This audit results are on track, but there may be some opportunities for cost savings.

The Inventory Audit is another initiative underway and is scheduled to be ready for BART management to review by end of March, 2026. This audit examines process improvements, data integrity and loss prevention.

The Workers Compensation Audit has been initiated, but there is still more data to obtain, and the OIG will release the draft for response once complete.

The Take Home Audit of District Non-revenue Vehicles has been expanded to all rolling stock and the OIG is continuing to work on this review.

Additionally there is a Service Disruptions Review, which was initiated on November 26, and is intended to complement BART's internal efforts. It will be an independent review on a system level of what happened, why it happened and how it can be prevented in the future.

In summary, there are ten investigations in progress of the 40 complaints that have been received since July, 2025, including 19 that were declined, 8 that were forwarded to other offices, and 8 that are being investigated.

There is also an investigation that is looking at transparency and communications of the BART to San Jose Phase 2 Project - not the technical components of the project, but about how communications can be improved.

There will be a follow up to false claims report, which resulted in \$1.7million returning to the District.

Lastly, it was reported that the OIG is hiring a new Investigative Auditor.

Public Comments

Barney Smits and Aleta Dupree addressed the Board.

7. PUBLIC COMMENT

President Hernandez 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.

Aleta Dupree and Barney Smits addressed the Board.

8. ADMINISTRATION ITEMS

Janice Li, Chairperson, brought forward the following item:

Adopt a Resolution Ratifying the Agreements to Extend the Collective Bargaining Agreement (CBA) and Create a Successor Agreement with the BART Police Officers' Association (BPOA). *Board requested to adopt.*

Pam Herhold, Assistant General Manager, Performance and Budget, introduced David Coleman, Director of Labor Relations, who gave the presentation.

Public Comments

Skyler Parker addressed the Board on this item.

Discussion

Director Raburn expressed enthusiasm for the changes to the Retiree Medical Benefit Trust, and asked about the budgetary impact for this change, which gives staff the funding flexibility in the coming year.

Vote Summary

Moved by Director Raburn/ Seconded by President Hernandez.

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

No: 0

Abstain: 0

Absent: 0

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

9. ENGINEERING AND OPERATIONS ITEMS

Elizabeth Ames, Chairperson, introduced the following item for this committee.

Federal Transit Administration (FTA) Sole Source Procurement Contract 6M8231 with B&C Transit, Inc. for Replacement of the Automatic Train Operation (ATO) Subsystem of the GEALOC Automatic Train Control (ATC) System. *Board requested to authorize. TWO-THIRDS VOTE REQUIRED*

Shane Edwards, AGM of Operations, introduced Myat San, Chief Engineer, and Scott Burke, Group Manager of Design and Construction CBTC, who presented on the item.

Public Comments

Glen Overton and Aleta Dupree addressed the Board on this item.

Discussion

Director Rinn asked questions about installation and implementation, to ensure it doesn't impact revenue service. Director Ames asked about the timeline and its relation to Computer Based Train Control system project.

Vote Summary

Moved by Director Raburn/ Seconded by Director Flores.

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

No: 0

Abstain: 0

Absent: 0

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

10. BOARD MATTERS

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

President Hernandez 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 Rinn mentioned that Walnut Creek Chamber of Commerce awards recognized BART as the best transportation option.

Vice President Wright invited everyone to attend the rescheduled activation event at the 16th Street/Mission BART Plaza on Saturday, January 10, which was a collaboration between BART, the mayor's office, the Office of Economic and Workforce Development, the SFPD, Department of Public Works, the Department of Emergency Management, the American Indian Cultural District, the city's ambassador program and Mission Loteria.

Director Raburn reported that he attended the 17th Annual Three Kings Event with BART Police at the Fruitvale Station on January 6, 2026.

President Hernandez reminded everyone about the February 12 BART Board workshop to discuss the fiscal cliff.

Public Comment

Glen Overton provided public comment on this item.

11. ADJOURNMENT:

President Hernandez adjourned the meeting at 10:22 a.m.

Bob Franklin
District Secretary