

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
2150 Webster Street, P.O. Box 12688, Oakland, CA 94604-2688

Transit Security Advisory Committee Meeting Minutes
Tuesday, October 22, 2024

A regular meeting of the Transit Security Advisory Committee (TSAC) was held on October 22, 2024, convening at 9:01 a.m., and was held in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612. The meeting was called to order by Chair Omar Farmer, with Mag Tatum, Recording Secretary.

Members Present: Members Oleksii Chuiko, Omar Farmer, Monica Gonzalez, Kishan Naik (Alternate), Julia Owens, and Armando Sandoval.

Members Absent: Member Gloria Garmon.

1. Call to Order.

The regular meeting was called to order at 9:01 a.m.

2. Approval of Minutes of the Meeting of September 24, 2024.

Member Owens moved that the meeting minutes of **September 24, 2024**, be approved. Member Gonzalez seconded the motion. The motion failed by roll call vote. Ayes – 3: Members Farmer, Gonzalez, and Owens. Noes – 0. Abstain – 2: Members Chuiko and Sandoval. Absent – 1: Member Garmon. Vacant – 1. The motion failed.

Chair Farmer continued the Approval of Minutes of the Meeting of September 24, 2024, to a future TSAC meeting.

3. Public Comment.

Chair Farmer called for public comment. Aleta Dupree addressed the Board and provided written Public Comments.

4. Amendments to the Transit Security Advisory Committee (TSAC) Bylaws.

Member Sandoval moved that the Amendments to the Transit Security Advisory Committee (TSAC) Bylaws, be approved.

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~~. 7. Removal of Members

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

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 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.)~~

Member Chuiko seconded the motion. The motion passed by roll call vote. Ayes – 5: Members Chuiko, Farmer, Gonzalez, Owens, and Sandoval. Noes – 0. Abstain – 0. Absent – 1: Members Garmon. Vacant – 1.

Aleta Dupree addressed the Board.

5. Review of Monthly Statistics for Prohibition Orders for September 2024.

Ja'Son Scott, Deputy Chief, BART's Police Department, brought the matter of reviewing, the Monthly Statistics for Prohibition Orders for **September 2024**, before the Committee. The reports were discussed.

Aleta Dupree addressed the Board.

6. Strategic Planning.

a. Review of TSAC Observations and Recommendations.

Chair Farmer brought up the matter of Strategic Planning and Review of TSAC Observations and Recommendations, before the Committee. The report was discussed and continued to a future TSAC meeting, as a standing item.

Aleta Dupree addressed the Board.

7. TSAC Outreach Strategies (Member Farmer's Request).

Chair Farmer brought up the matter of the matter of TSAC Outreach Strategies, before the Committee. The item was discussed.

Aleta Dupree addressed the Board.

8. Review of BART's Organizational Chart (Chair Farmer's Request).

Chair Farmer brought up the matter of the Review of BART's Organizational Char, before the Committee. The item was discussed.

Aleta Dupree addressed the Board.

9. Staff Comments.

Chair Farmer called for staff comments. Mag Tatum, BART's Office of the District Secretary, addressed the Board.

10. New Business/Announcements/Comments.

Chair Farmer called for Committee Member announcements and comments.

Members Chuiko and Farmer provided additional information to the Committee.

Next Meeting Agenda Items and Date:

Member Farmer brought the matter of the Next Meeting Agenda Items and Date before the Committee. The next meeting is scheduled for November 12, 2024, at 9:00 a.m.:

The following items were proposed for the next agenda:

- Review of the TSAC Outlook Calendar.
- Review Statistics for Prohibition Orders (Quarterly Report).
- Review of TSAC Observations and Recommendations.
- Committee Member Announcements/Comments.

The following items were proposed as future agenda items:

- Presentation – Informational Session from BART Police Department's Zone Commanders.
- Presentation – Overview of Age and Ethnicity of Prohibition Orders Reports.
- Presentation – BART Police Department's Monthly or Quarterly Reports.
- Presentation – BART Police Department's Progressive Policing and Community Engagement Bureau (PPCEB)
- Presentation – BART Police Department's Community Oriented Policing and Problem Solving (COPPS)
- Presentation – Prohibition Order Program.
- Presentation – Ralph M. Brown Act Training
- Presentation – Update on the Annual Prohibition Orders Report.
- Presentation – BART's "Not One More Girl" Initiative
- Presentation – Review of TSAC Observations and Recommendations
- Presentation – BART's Departmental Presentations: 1) Mili Choudhury, Senior Manager Social Services, 2) Tera Stokes-Hankins- Chief Transportation Officer, 3) Russell Bloom - Independent Police Auditor, and 4) Alicia Trost - Chief Communications Officer

11. Adjournment.

The Meeting was adjourned at 11:51 a.m.

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, ~~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 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 frequently as necessary to achieve the objectives set forth in Section II above, but in no event shall the committee hold less than ~~four (4)~~ **ten (10)** 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 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 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 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 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.