

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 1,997th MEETING THURSDAY, FEBRUARY 26 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 February 26, 2026 in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California. President Melissa Hernandez presided, with Bob Franklin as District Secretary.

1. CALL TO ORDER

President Hernandez called the meeting to order at 9:11 a.m.

A. Roll Call.

Directors Present in Oakland: Directors Ames, Flores, Foley, Ghosh, Li (arrived at 9:21am), Raburn, Rinn and Vice President Wright (arrived at 9:38am), and President Hernandez.

Absent: None.

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

C. Introduction of Special Guests: None.

2. REPORT OF THE BOARD PRESIDENT

President Hernandez provided a report on the Sacramento Advocacy Trip, which included the following highlights:

- On Tuesday and Wednesday, January 27 and 28, seven Directors, alongside the General Manager, staff, labor leaders and our state advocates, had a series of legislative meetings in Sacramento.
- There were almost 30 meetings, which included:
 - Members of the Bay Area delegation
 - Chairs of the Assembly and Senate Transportation Committees
 - Chairs of the Assembly and Senate Budget subcommittees responsible for transit
 - Staff for Legislative leadership in both houses
 - Staff for key policy committees (Transportation, Budget, Housing and Public Safety)
 - The Governor's Office and California State Transportation Agency
- Meetings also included Republican members with the Vice Chairs and staff for the Transportation Committees and Budget Committees.
- The focus of this trip was to educate members about the New BART and efforts to grow ridership and reduce costs as well as advocate for our budget priorities, including the state loan to Bay Area transit agencies.
- She thanked the advocacy team at California Strategies and BART's Government & Community Relations team for putting together another successful advocacy trip.

She also provided an update on the Governor's Bill Signing:

- Last Thursday, BART hosted Governor Newsom at BART's Daly City shop in Colma to sign Assembly Bill 117, which authorizes up to a \$590 million loan to MTC to support operations at BART, AC Transit, Caltrain and Muni.
- A slide deck was displayed with a few photos from that day, which ended with the Governor signing AB 117 onboard a train car.
- President Hernandez opened the bill signing ceremony by welcoming the Governor and guests to BART.
- BART was joined by several members of the Legislature, the chair of MTC, labor leaders, representatives from our transit partners, and BART employees to celebrate this historic moment.

- With the Governor and Legislature’s early budget action, BART, along with our other transit partners, now have the certainty that loan funds will be available to help get BART through the near term as BART looks to secure sustainable funding for the longer term.
- She thanked to the Governor’s Office, the Department of Finance, Bay Area Caucus, and MTC for their months of hard work and efforts to negotiate a loan agreement.
- She also thanked fellow Board members, the General Manager and Deputy General Manager, CFO, External Affairs, and BART’s state advocates for their persistent advocacy and leadership on this issue.

Public Comment

Aleta Dupree and Barney Smits addressed the Board on this item.

3. BOARD COMMITTEE REPORTS

Audit Committee Chairperson Rinn gave a report on the Audit Committee Meeting on February 19, 2026.

There were 5 presentation items on the agenda:

1. The committee heard a presentation of the Inspector General’s Audit of Construction Change Orders performed and presented by GPP Analytics. The presentation was the same as given to the Board of Directors on January 22, 2026.
2. The OIG presented its Performance Audit of the Link21 Program covering August 2019 to June 2024. All 24 recommendations were accepted by management and are on track for implementation. The OIG will present the audit to the full board at a future date.
3. The OIG presented investigative reports on Force Account Tagging, in which the District recovered \$1.7 million, and Communication Gaps in the BART to Silicon Valley Phase 2 project.

The OIG also presented its year-to-date Summary of Investigations. One of the four allegations was substantiated.

4. Internal Audit presented its audit of the District’s Driver License Monitoring Program. All 14 of the audit recommendations have been implemented.
5. Finally, the OIG presented its Fiscal Year 2026 Semiannual Report.

Public Comment

Aleta Dupree addressed the Board.

4. CONSENT CALENDAR

President Hernandez brought the Consent Calendar forward. Director Raburn moved approval with Director Rinn seconding the motion.

Director Ghosh introduced BART Police Civilian Review Board candidate Eliana Machefsky, who addressed the Board, as did BPCRB Chair Dana Lang.

Consent Calendar items:

- a) Draft Minutes for BART Board meeting on January 22, 2026
- b) Draft Minutes for BART Board meeting on February 12, 2026
- c) Appointment of BART Police Civilian Review Board Member - District 3.
- d) Award of Single Source Contract with Wabtec/TransTech for OEM Current Collector Shoe Assembly Paddles for the District’s Fleet of the Future (FOTF) vehicles. (Two-thirds vote required.)
- e) Award of Single Source Contract With KONI NA LLC for OEM Vertical Dampers for the District’s Fleet of the Future (FOTF) vehicles. (Two-thirds vote required.)
- f) BART Police Department 2025 Use of Specialized or Military Equipment Annual Report.

Public Comment

Aleta Dupree addressed the Board.

Vote Summary

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

5. GENERAL MANAGER'S REPORT

President Hernandez introduced General Manager Bob Powers, who gave the following report:

Ridership is 8% above budget for February so far.

He provided an update on the Governor signing the bill for the State loan, acknowledging Michael Jones (Deputy General Manager), Joseph Beach (Chief Financial Officer), and Ray Fields, (Vice President of SEIU)

He mentioned the Lafayette ground breaking for access improvements, a new bike station and a pedestrian pathway project.

He also acknowledged Congresswoman Lateefah Simon, who secured funding for BART, including \$850k to upgrade lighting and \$850k for Adeline Street upgrades.

He also appeared on the radio show, KQED forum.

Director Li asked for an update on the morning's commute. The Assistant General Manager of Operations Shane Edwards gave an update on the systems network failure between West Oakland and 24th Street/Mission. Additional information was provided on the fire near the West Oakland BART station underneath BART trackway that occurred on Sunday, February 21.

Director Ghosh mentioned the need for clearer communications on the trains during service interruptions.

Director Raburn requested a root cause analysis to be performed on what happened, which staff said would occur.

Director Wright wants to focus on the response to service interruptions, and BART's communications of outages. He asked if signage can be placed in the free area of stations during outages, to alert passengers of delays before they paid and entered through the faregates.

Director Ames also asked questions about the encampment fire near Hayward on February 15. GM Powers said Union Pacific and BART are partnering together to clear encampments along the corridors underneath BART tracks.

Director Foley suggested using onboard train displays for messages, especially for those unaware of conditions or unable to hear audible announcements.

Director Wright asked if faregates can be block passengers from entering BART, while allowing people already in stations to exit, so passengers are prevented from paying to enter BART if service is disrupted. The General Manager will find out if the faregates are capable of providing this service.

Director Raburn mentioned the Hawyard – Union City disruption on February 15 and the fire that interfered with Transbay service. He mentioned that BART worked with the City of Oakland on an encampment policy to prioritize clearing encampment around transit facilities and hubs. It is still pending with the Oakland City Council. BART's Chief of Police said this policy will be helpful as another tool for dealing with this issue. Director Raburn

asked if a statewide adoption of this policy would be helpful to reduce delays, including a policy to clear abandoned vehicles.

Aleta Dupree, Glen Overton, Barney Smits and Robin addressed the Board on this item.

6. ADMINISTRATION ITEMS

President Hernandez provided the background for the Administration Item. She turned the item over to Janice Li, Chairperson for the Committee, to discuss the following item:

A. Initially Approve the Fiscal Year 2027 Alternative Service Plan. *For information and possible action.*

Chairperson Li introduced this item, which was a continuation of the subject from the February 12, 2026 BART Board workshop.

Pam Herhold, Assistant General Manager, Performance and Budget; Michael Eiseman, Director of Financial Planning; and John McCormick, Director of Operations Planning, presented the item.

Aleta Dupree, Glen Overton, Katie Marcel and Robin addressed the Board on this item.

The following discussion was held:

Director Raburn reemphasized that preparing for this fiscal cliff is not just beginning now - BART's focus over the past 3.5 years has been addressing this upcoming, potential budget deficit. Now, the future includes a revenue measure with five counties and this alternative service plan is a path that represents a desired outcome. He noted that the loan is contingent upon a revenue measure passing, with the draconian alternative being the only option if the sales tax measure doesn't pass. This will include service cuts, layoffs, fare increases and drawing into reserves. The Alternative Service Plan is not sustainable, but a contingency option. Director Raburn moved the item.

Director Rinn seconded the motion.

Director Foley said that although no one is happy with the Alternative Service Plan, it is a necessary and precautionary step to take in the event the measure fails. He wants to avoid any station closures if possible. He said that the criteria for closing stations should be broader than ridership, and include impacts upon communities. He asked if the Pension and OPEB obligations are met in the Alternative Service Plan, even if the system closes in Phase 3. Staff said it is the intention to fund future obligations.

Director Rinn acknowledged the Board's difficult fiduciary responsibility to balance a budget. The difficult decisions – layoffs, station closures, reduced service – will all need to come back to the Board for approval. This is not intended to scare, but to be responsible, transparent, and honest. He thanked staff for providing the necessary information for upcoming Board decisions.

Director Flores thinks this alternative service plan is a responsible compromise to prepare for both scenarios. Even with the alternative service plan, there are still no guarantees that station will not close. He believes it is important to support this plan, so that conversations can continue in the community.

President Hernandez thanked staff for meetings with City Managers and their staffs, as economic development and city plans (which would increase ridership) have impacts upon ridership, BART service, and community plans.

Director Ghosh said that without funding from the regional measure, keeping BART running is unsustainable. It would just be putting BART on life support, while seeking funding. She does not think Phase 1 fully takes into

account all the details and impacts of service cuts and fare increases. She is not in favor of station closures, but it might be necessary. If necessary, it has to be done in a fiscally responsible way and to give people ample lead time. She requested more information about use of reserves, including in the Fiscal Year 2028 budget and a better understanding of the impacts of fare increases.

Chairperson Li reiterated the need to take a deeper dive into the use of reserves in future iterations of the budget that staff will present.

Vice President Wright says the alternative budget is scary but not as a tactic but a financial reality. He said that station closures in July 2027 instead of January 2027 if the measure fails is besides the point. BART cannot cut its way out of this crisis. The Alternative Service Plan is the best-case scenario, as it at least provides some service in the short term. It buys time to see if there is a way to balance the budget and to fight for another day, which the public will decide with its vote in November on the regional revenue measure.

Director Li reiterated that the Board is not taking action to change service today with the alternative service plan, but to provide a framework in case the revenue measure fails. If so, there are many steps ahead in the public process, including passing a balanced budget and engaging in a Title VI process. This is a road map of what BART can do now.

Vote Summary

Moved by: Director Raburn/ Seconded by Director Rinn.

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

No: Director Ames

Abstain: 0

Absent: 0

Result: 8-1-0, motion carried by roll call vote.

7. ENGINEERING AND OPERATIONS ITEMS

Staff deferred Item 7A to a future meeting.

8. PUBLIC COMMENTS

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

9. BOARD MATTERS

A. Board Member Reports.

Director Raburn gave the following report of events he attended:

January 26 Mayors' Economic Forecast, Oakland Marriott.

January 27-28 Legislative Loan Lobbying, Sacramento.

January 29 Oakland Rotary Hayward Maintenance Complex Tour.

January 29 Best of San Leandro, Speedway at Bay Fair.

January 31 Planning and Conservation League's California Environmental Assembly, King Hall, UC Davis.

February 1 Black History Month 1-800 Happy Birthday Oscar Grant exhibit opening.

February 12 Lake Merritt BART renaming public meeting, Madison Park Apartments. Oakland Chinatown received unanimous support.

February 18 CCJPA Board Meeting at BHQ.

Director Flores provided the following updates for events in which he participated:

January 26: Mayors' Economic Forecast, Oakland Marriott.

January 27-28: Legislative Loan Lobbying, Sacramento.

January 28: attended the celebration for supervisor Bas' first year in office.

January 30: attended Representative Simon's rider safety act press conference.

January 31: Oakland Chinatown's Lunar New Year's bazaar.

February 19: transit loan signing, followed by Lateefah Simon's town hall at Oakland Asian cultural center.

February 25: Defining Year presentation to Oakland Lions' Club.

February 28: BART participation in the Black Joy parade with Bridgitte Cook, a former assistant to Oakland City City Councilmember Lynette McElhaney, as the honorary Grand Marshall.

Director Ghosh gave the following report of events that she attended:

January 27-28 Sacramento Advocacy trip.

February 2: Participated in the tunnel exercise with Director Flores, the Inspector General and safety staff. She thanked all the volunteers who participated and worked in the middle of the night to improve BART safety and prepare for an emergency

February 11: Alameda County Mayors' Conference hosted by Berkeley Mayor Ishii, which included a presentation on homelessness.

February 18: Audit Committee, which included a presentation by the Office of the Inspector General on the Silicon Valley extension project, which will be going to BART and VTA committees.

February 25: Gave a presentation on the Alternative Service Plan and BART improvements to the Rotary Club in Berkeley.

B. Roll Call for Introductions.

Director Foley asked the General Manager to develop materials for Town Hall and educational events and opportunities throughout the BART District for Directors to share information about the Alternative Service Plan adopted at the February 26, 2026 BART Board meeting and how it will impact BART's budget and service in the future. The RCI was seconded by Director Raburn.

C. In Memoriam. There was no "in memoriam" at this meeting.

10. CLOSED SESSION

The Board entered into closed session at 11:52 am for the following item:

A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

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

Number of cases: 1

Joe Kunzler addressed the Board on this item.

11. OPEN SESSION

The Board returned to open session at 12:21 pm. No announcements were made.

12. ADJOURNMENT

President Hernandez adjourned the meeting at 12:21pm.

Bob Franklin
District Secretary