



# EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...	<b>GENERAL MANAGER ACTION REQ'D:</b>		
<b>DATE:</b> 7/1/2024		7/5/2024	<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Robert Franklin <b>Dept:</b> Customer Dev & Station Access	<b>General Counsel</b>	<b>Controller/Treasurer</b>	<b>District Secretary</b>	<b>BARC</b>	
DocuSigned by: <i>Robert Franklin</i> AFF4529E1F0D45C...	DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D...	DocuSigned by: <i>Shirley Gan</i> EE11C8CEEEA04FD...		DocuSigned by: <i>Val Menotti</i> AA8F1409A8F748E...	
<b>Signature/Date:</b> 7/3/2024	7/3/2024 [ ]	7/3/2024 [ ]	[ ]	7/3/2024 [ ]	

## To Request Board Authorization to Amend BART Accessibility Task Force By-Laws

### PURPOSE:

To request Board authorization for the General Manager to amend the BART Accessibility Task Force (BATF) By-Laws by making several changes intended to facilitate full attendance and participation.

### DISCUSSION:

The BATF is one of BART’s eleven advisory committees which contain members of the public. The BATF’s purpose is to advise the BART Board and staff on matters concerning the accessibility of the BART system. The BATF is governed by a set of by-laws, which have been approved by the BART Board. Therefore, the BART Board has the sole authority to approve proposed amendments to the BATF by-laws. For BATF members to suggest or initiate any change to the BATF by-laws, BATF members must follow a process according to the BAFT by-laws Article X, which states:

*ARTICLE X – BY-LAWS AMENDMENTS The by-laws may be proposed for amendment or repeal by a motion that is made and seconded and passed by a three-fourths (3/4) vote of members present at any regular or special meeting. In addition, written notice of the proposed amendment must be aegendized and distributed given at the meeting prior to that at which action will be taken. The notice must contain both the original language and the proposed amending language to the bylaws. The proposed by-laws change must be*

*reviewed by the BART legal staff and will be made final upon approval by the BART Board of Directors or their designee. In addition to the procedure above, any by-law may be altered, amended or annulled at any time by a majority vote of the BART Board of Directors after consultation with or by recommendation of the BATF and approval of BART legal staff.*

The BATF has proposed some changes to help facilitate how meetings are run. BATF members originally discussed potential changes at its March 28, 2024 meeting. Based on member suggestions, BART staff proposed language for these changes at the April 25, 2024 BATF meeting, when the item was postponed until its May 23, 2024 meeting, when members provided their thoughts on the proposed language. At its June 27, 2024 meeting, the BATF once again agendaized proposed changes to the BATF by-laws. The changes below were supported by more than 3/4ths of the BATF membership, which is the threshold for advancing the item to the BART Board for consideration. BART staff liaisons to the BATF committee are also supportive of the proposed changes. BART's Legal staff has approved the language for the following changes:

1. **Shorten the time to recruit new BATF members** - Make it easier to fill vacancies (Article IV.c.)

Current language:

Out of **four** consecutive meetings, an interested applicant must attend **three** and then apply for membership.

*Proposed language:*

*Out of **three** consecutive meetings, an interested applicant must attend **two** and then apply for membership. **Prospective members may attend these two meetings in-person or remotely.***

2. **Term Limits for Officers** - Give more members a chance to serve as committee leaders.

Current language:

Term of Office: The officers of the BATF shall serve for one year or until the next election is held.

Proposed language:

***Term of Office:*** *The officers of the BATF shall serve for one year or until the next election is held. Officers shall serve for no more than 2 consecutive terms in the same office, unless no other member is interested in serving in that role. After a one-year break, members may serve in any officer role again. (Article VI)*

3. **Placing Items on Agendas** - Clarify how items are placed on the agenda (Article VIII.A):

Current language:

Members may contact the chair to have items put on the agenda. Also, each meeting agenda shall have an item when members may ask to put items on future agendas.

The Chair shall schedule items on the agenda in consultation with the staff liaison. Staff shall be responsible for distributing the final agenda and preparing or compiling the associated agenda materials for each meeting.

*Proposed language:*

*Members may contact the chair to have items put on the agenda. Also, each meeting agenda shall have an item when **Officers and BATF** members may ask to put items on future agendas. **The BATF staff liaison shall be responsible to work with BATF Officers, BATF members and BART departments to schedule items on the agenda, prepare the agenda, compile the associated agenda materials and distribute the final agenda for each meeting***

4. **Clarification to completing ethics training as a new appointed member and taking ethics training required every two years (Article III.B):**

Current language:

Complete ethics training required by the State of California.

*Proposed language:*

*Complete ethics training required by the State of California within six months of being appointed to the BATF and every two years for active BATF members.*

Attached to this EDD are the current BATF by-laws with the tracked proposed changes (Attachment A) and a new version of the by-laws incorporating all the changes above (Attachment B).

FISCAL IMPACT:

There is no fiscal impact for these proposed amendments.

ALTERNATIVES:

Do not approve some or all of these proposed changes.

RECOMMENDATION:

It is recommended that the Board approve the following motion:

MOTION:

The General Manager is authorized to amend the BART Accessibility Task Force By-Laws by accepting the proposed changes, as shown in "Attachment B *BATF 2024 By-Laws with All Proposed Changes Included.*"