



ADDITIONAL **PUBLIC COMMENT**

BART Board Meeting **September 22, 2022**

**The attached public comments were received after the
deadline and will be posted on the following webpage
after the Board Meeting:**

<https://bart.legistar.com/Calendar.aspx>

Please see the District Secretary with any questions.



PUBLIC COMMENT

BART Board Meeting

September 22, 2022

Item 4-B

From: [Joe A. Kunzler](#)
To: lhill@bayareacouncil.org
Cc: [BART Board](#); [Rebecca Saltzman](#); [Bevan Dufty](#); [Janice Li](#); [Lateefah Simon](#)
Subject: Understand you oppose mask requirements
Date: Wednesday, September 21, 2022 10:59:06 PM
Attachments: [09-22-2022 Public Comment.pdf](#)

Hi there Bay Area Council and BART Directors;

Understand the Bay Area Council wants to shape the future. OK? Read your letter to the BART President as part of the attachment so I'll take you up on that.

I'm going to quote to you Alicia Trost and you can [verify the transcript here](#):

I'm sitting here thinking, is our job to protect the most vulnerable? Yes. Can we actually create our own mandate? The answer to that is yes. You can't just say it, you actually have to give yourself the legal authority. So yeah, I worked behind the scenes with our board to make sure they knew that. And I basically put my foot down, and I'm in a meeting yesterday with all men, two of them have no children. And they're like, they just want to take the easy way out, but everyone else is doing it. And now we're free of the enforcement. And I just couldn't I just couldn't do it. I'm like, "No, we have people relying on us. We live in the Bay Area, they support mask mandates. Let's do this. Let's be the first agency in the country to adopt our own mask mandate, not behind any state order."

And so that's what's going on right now. And I do think that it's only because I'm a woman and only because I'm a mother that I recognize that why do we have to settle with this? **Why do we have to say, we're just going to let the mask mandate go away when we know that we have to protect the most vulnerable?**

The most vulnerable are asking for the mask mandate to stay. This is not a choice of this or that security priority, BART can do *both*.

The proposed criteria is insufficient also. Public health authorities at all levels (CDC, CA DPH, Bay Area Health Officers) have refused to push for mask mandate reinstatement, even at High Community Levels. Our public health authorities have unfortunately proven to be untrustworthy and unwilling partners in mitigating COVID spread.

Also am concerned with CDC metrics for "High" levels, as their Community Levels metric heavily emphasizes hospital capacity, which is a lagging indicator. By the time hospital capacity is strained, cases are already high and good people die - especially the most vulnerable.

It is absolutely unfair that so much responsibility has been placed on the shoulders of BART. It is unfair that BART is alone in its commitment to public health, when there is so much pressure to just fall in line with everyone else. But now more than ever, to protect everybody it's especially important for BART to continue its mask mandate.

Anywhere there is a mask requirement in place matters and saves lives. We know the pandemic isn't over, as 94% of counties in the U.S. are experiencing high or substantial transmission, we continue to lose hundreds of people to COVID every day, COVID was the 5th leading cause of death in California even with 70% of Californians fully vaccinated as of July 2022, and anywhere from 5-20% of COVID survivors go on to develop Long COVID.

Mask requirements continue to be crucial to keeping public transit accessible for disabled/high risk people and seniors, as they travel to essential medical appointments, work, or to see loved ones. Disabled people and seniors continue to be disproportionately impacted and dying. And as Long COVID can even impact those at low risk of hospitalization

and death, keeping mask requirements in places benefits everybody.

There you go. I fight clean. Oh and my people? We're coming down the valley. Enjoy the attachment.

How we shape the future will come down to the pilot in the box.

Fly safe, stay vaxxed and masked;

JOE SENDS



PUBLIC COMMENT

BART Board Meeting

September 22, 2022

Item 4-B

From: [no-reply](#)
To: [BART Board](#)
Subject: Comment for the BART Board of Directors
Date: Sunday, September 18, 2022 9:34:05 AM

First Name: Lisa
Last Name: Hubbell
Email: lhubbell@sonic.net
Phone: 5105282468
City: Berkeley
State: CA
Zip: 94703
Subject: Masking suggestion
Comment:

As much as I would appreciate BART continuing the mask mandate, it is clear that BART lacks either the resources or the intention to enforce it. About half of the riders I see continue to wear masks. When I board, it often takes walking through the entire car to find one "safe" seat that is not within 3-4 feet of an unmasked rider.

Here is a suggestion I hope you will implement: make announcements to reserve a section of each car for riders wearing masks. This could be one end of the older cars, or within 3 feet of seats designated for seniors and persons with disabilities.

This would help to facilitate your mandate to make BART accessible to everyone, while making allowances for those who now ignore announcements about wearing masks.

Thank you for considering this suggestion,
Lisa Hubbell

From: [Tony T.](#)
To: [Robert Raburn](#); [Debora Allen](#)
Cc: [BART Board](#); [District 7](#)
Subject: Board Meeting - 9/22/2022 Mask Mandate Extension (Opposition)
Date: Monday, September 19, 2022 10:31:35 AM

Dear Mr. Raburn and the Board,

Last night on CBS's current affairs show, 60 Minutes, Scott Pelley interviewed the president of the United States. Joe Biden finally admitted (where the rest of us who are not in a progressive cult have been saying for months now) in a Sunday broadcast interview with 60 Minutes that the covid pandemic is over*, stating:

“We still have a problem with COVID. We’re still doing a lotta work on it. It’s — but the pandemic is over. if you notice, no one’s wearing masks. Everybody seems to be in pretty good shape. And so I think it’s changing. And I think this is a perfect example of it.”

* <https://www.youtube.com/watch?v=MIQz0fsX38U>

In red states, masks have been gone for around two years with the majority of people not wearing them. And despite the predictions (and fantasies) of many on the BART board and the political left, conservatives were not dropping dead in the streets; far from it. Yet here we are. ***If someone who you voted for said it's over, then why does BART still need to continue on with the charade of a mask mandate?***

The mask rate has been dropping regardless of the BART edict. The rate is much less than what BART's observers calculate. It has been dropping since the federal judge in Florida declared the mask mandate on modes of transport by USDOT unconstitutional back in April. During the recent heat wave, I personally saw fewer people wearing masks throughout the metro system because it was uncomfortable and unbearable, just like the board's decision making. In addition, I did NOT wear a mask riding the rails since you have jammed through the edict. I am proud to stand in defiance of such ridiculous measures under threat of fines, expulsion and imprisonment.

As of September 7th, 2022, The Metropolitan Transit Authority of New York* ditched its mask mandate. Masks are optional on all transit services within the coverage area. I remembered that the Board, particularly Mr. Dufty and Mrs. Salty, stated that more agencies throughout the country would add mask mandates during the last meeting and that BART would be a leader in public safety for the rest of the country to follow. As of today, September 19th, 2022, the Bay Area remains an outlier in the entire country. Fewer agencies are tightening and more and more are loosening. If it's optional for the city that was hit hardest by the virus then why is the Bay Area, which had twice as many deaths from drug overdoses than from COVID, not doing the same?

* <https://new.mta.info/coronavirus>

Due to the cowardice of the BART board and elected leadership throughout the entire Bay Area, the region ranks last in the post-COVID recovery. As a result of the failed leadership on BART and municipalities, hedge funds are betting big that San Francisco is due for an

economic reckoning. San Francisco is built on a foundation of economic sand due to the visible signs of weakening real estate and the rumblings of the CMBS market.

It is clear that real damage is in commercial real estate. Mass office vacancies in San Francisco have not been repaired and the city's downtown recovery has ranked dead-last out of 60 US metropolitan areas. Commercial property value losses are now estimated to average around 40%. In some cases, bids for office space in downtown San Francisco are coming in at 60%-70% less than they would have in 2019. Your fear has caused people not to go back to the office and in fact caused an exodus of the inner urban areas. This along with the board members' indifference to public safety. BART as a transportation network should have made that as a priority along with the mayors instead of coddling on to the wet blanket known as COVID and sucking your thumbs like Linus in the Snoopy cartoons,

Elected officials have not respected the people before the pandemic, during the pandemic, and currently when people are trying to move from it. It shows as I heard there is a big exodus. The board needs to respect people's personal decisions as you have not since the original federal court ruling in April. **You will stop these beatings because the morale is not improving.** END THE MANDATES Thursday. If not then there will be consequences at the ballot box in November.

<https://www.zerohedge.com/political/san-francisco-shuts-down-n-out-burger-refusing-be-vaccination-police-government>

https://twitter.com/TheG_Till/status/1550462228406607872

Kind Regards,

Antonio T.

From: [Joe A. Kunzler](#)
To: [BART Board](#)
Cc: [Alicia Trost](#); [Rebecca Saltzman](#); [Janice Li](#); [Bevan Dufty](#); [General Manager](#)
Subject: Resolution 5522
Date: Monday, September 19, 2022 6:56:41 PM
Attachments: [image.png](#)

19 Sept. 2022

RE: Resolution 5522

Dear BART Board of Directors;

Joe Kunzler here. Well, here we are again. Apparently, some of you want to consider taking down the mask mandate.

I want to start with the positive. If you decide to give in to the mob, at least you have an Executive Director who has the authority to stop it with some metrics that are imperfect but tolerable.

That's about all that is positive. That said, [the mob Andy Slavitt tweeted about](#) better not win Thursday. The disability community is sick and tired of having to repeat ourselves time and again.

So I want you to please keep the mask mandate anyway. Then I want you to mull making it permanent, please.

Please consider the following

Why? Try a few things you might want to *please consider openly* unless the fix is in you're giving in to the mob:

1) Let's start with BART HQ. In a couple of weeks will be APTATransform. I want to be very careful how I say this, but it's a baaaaaaaaaaaaaaaaaaaaad look after your star player employee [went on TransitCenter to stand up to the mob](#) for all of us and then get all nervous about the mask mandate. A few weeks before APTATransform.

Safe to say, the pro-masking folks, the staffer, and most Boardmembers are all varying degrees of uncomfortable up here about this subject. So please have a serious gut check on this one, especially considering the strategic timing of APTATransform. You've got *responsibilities* to the transit community; I ask the Board to continue to take cues from your staff on fulfilling those leadership responsibilities since your staff fulfills them and then some, please. I'm being *very polite* at the request of said star player employee for now.

2) Asking the disability community to drop everything - family, work, self-care - and run to the BART Board is getting tiresome and hurtful. We know the mob will come, so we have to make the personal choice to tell our stories again and get on the firing line. It's a personal choice and one knowing there's a risk of direct counterfire on us for simply having the civic courage to tell our electeds the truth.

I've got people on my team who wanna remain strident. So here I am.

3) According to [the National Library of Medicine](#),

wearing a mask in public is essential as the current studies have well established

its effectiveness. For exhalation isolation, both surgical and N95 masks are shown to be effective in reducing the spread of respiratory diseases. Still, the former is more accessible and comfortable to wear compared to the latter. For inhalation protection, air filtering respirators such as N95 masks can filtrate contaminants, bacteria and other matters from reaching nose and mouth, and are more efficient in virus penetration inhibition than surgical masks.

4) Masking is just better for public health. The science supports masking, alongside filtration and vaccination. A system of systems. That's a good defense strategy.

Start tearing at one of the systems, the others are at higher risk. We've seen this at Community Transit, where the mask mandate went, and the vax mandate has been under *sustained* attack this summer.

5) Are You tired of COVID? That's fine; we'll talk about the flu. Masking against the flu plus the flu vaccine has been proven to be effective against the flu. For starters, Healthline, Mayo Clinic, and the University of Florida, Mayo Clinic, and the University of Florida all recommend masking. **Flu does kill tens of thousands nationally annually:**

How Many Americans Die From The Flu Each Year?

Estimated number of deaths due to influenza in the U.S. by season*



* Preliminary data for 2017-2018, 2018-2019 and 2019-2020 seasons.

Source: Centers for Disease Control and Prevention



Forbes statista

It's my understanding hundreds of Californians die from the flu annually also. There you go.

6) A no-politics test shows masks work on YouTube: <https://youtu.be/qDeP7-rUZmo?t=405>. Why would you NOT want your riders to protect themselves and each other with masking?

7) You have on consent an agenda item that states:

In the Matter of Re-Authorizing the District's legislative and subordinate legislative bodies to utilize the provisions enacted by AB 361 to meet remotely with teleconferenced meetings during a re-proclaimed emergency as authorized by law in accordance with Government Code Section 54953(e) and other applicable provisions of the Ralph M. Brown Act for an additional period of thirty (30) days from the adoption of this Resolution.

The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

So a state of emergency for you, but not the disability community. Tell me how this makes sense. Go ahead, try.

Concluding Thoughts

Repealing the mask mandate should mean repealing the state of emergency. Or lose all credibility. This conversation is weeks before APTATransform and there's your star player to think about. Despite the loyalty to your star player and the reams of science that are pro-masking; some of you want to undo all your hard work *for* public health, which must be a collective action not left to individual choices & means to make public health measures effective.

Make it make sense. Please.

There you go;

Joe A. Kunzler
growlernoise@gmail.com

From: [Lea McGeever](#)
To: [BART Board](#)
Cc: [Alicia Trost](#); [Rebecca Saltzman](#); [Janice Li](#); [Bevan Dufty](#); [General Manager](#); [Raia Small](#)
Subject: Resolution 5522
Date: Monday, September 19, 2022 9:53:04 PM
Attachments: [image.png](#)

19 Sept. 2022

RE: Resolution 5522

Dear BART Board of Directors;

I really wish public health wasn't being yo-yo'ed but here we are again with the threat of masking being removed.

If you decide to give in to political pressure instead of centering public health, at least you have an Executive Director who has the authority to stop it with some metrics that are imperfect but tolerable.

The disability community is sick and tired of having to repeat ourselves time and again.

For their sake and mine, I want you to please keep the mask mandate anyway. Then I want you to consider making it permanent, please.

Asking the disability community to drop everything - family, work, self-care - and run to the BART Board is getting tiresome and hurtful. We know the anti-masking fanatics will come, so we have to make the personal choice to tell our stories again and get on the firing line. It's a personal choice and one knowing there's a risk of direct counterfire on us for simply having the civic courage to tell our electeds the truth.

Also, according to [the National Library of Medicine](#),

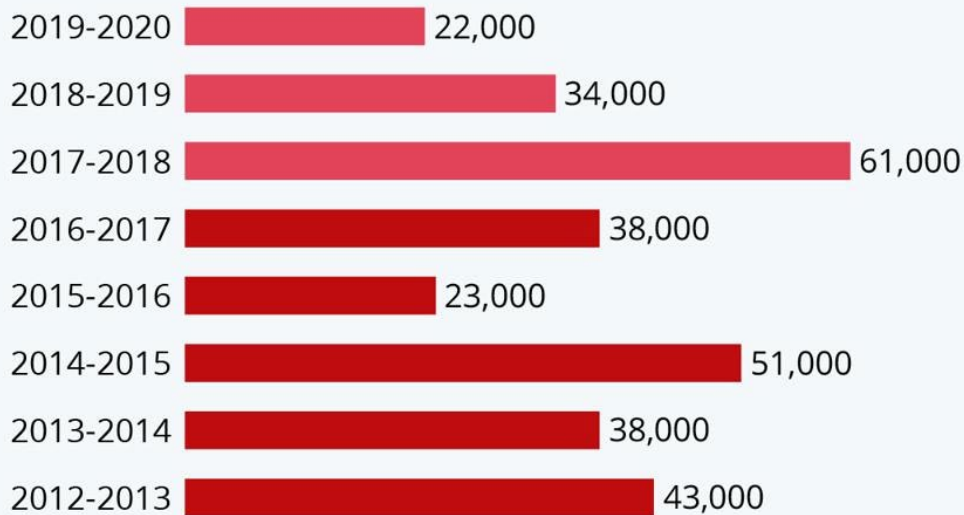
wearing a mask in public is essential as the current studies have well established its effectiveness. For exhalation isolation, both surgical and N95 masks are shown to be **effective in reducing the spread of respiratory diseases**. Still, the former is more accessible and comfortable to wear compared to the latter. For inhalation protection, air filtering respirators such as N95 masks can filtrate contaminants, bacteria and other matters from reaching nose and mouth, and are more efficient in virus penetration inhibition than surgical masks.

Masking is just better for public health. The science supports masking, alongside filtration and vaccination. A system of systems. That's a good defense strategy.

Are you tired of COVID? We can also talk about the flu. Masking against the flu plus the flu vaccine has been [proven to be effective](#) against the flu. [For starters, Healthline, Mayo Clinic, and the University of Florida, Mayo Clinic](#), and the [University of Florida](#) all recommend masking. **Flu does kill tens of thousands nationally annually:**

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It's my understanding hundreds of Californians die from the flu annually also.

Some of you want to undo all your hard work *for* public health, which must be a collective action not left to individual choices & means to make public health measures effective. Please don't undo out protections. Please keep the mask mandate.

Lea McGeever with Senior and Disability Action
San Francisco

From: [Joe A. Kunzler](#)
To: [BART Board](#)
Subject: Re: Resolution 5522
Date: Tuesday, September 20, 2022 12:54:12 PM
Attachments: [image002.png](#)
[image.png](#)

You are very welcome.

I should also add for the Board that this event is going down soon:



Senior & Disability TRANSIT CANDIDATES FORUM

**Monday
October 3
5-7 pm**

On Zoom; in-person screenings too
Event includes captioning. Interpretation on request
Register at bit.ly/SeniorDisabilityTransit

Candidates for AC Transit and BART Board of Directors are invited to talk about issues facing seniors and people with disabilities, including masking, service levels, accessibility and Paratransit.

Please attend & share your questions!

Co-sponsored by Center for Independent Living, Community Resources for Independent Living, East Bay Gray Panthers, Center for Elders' Independence, Senior Services Coalition of Alameda County, Causa Justa :: Just Cause, Seamless Bay Area, and TransForm CA.



Email info@sdaction.org or call (415) 546-1333 for more information

It'd be a bad look to repeal the mask mandate now. Especially now. Extend the mask mandate please.

JOE SENDS

On Tue, Sep 20, 2022 at 11:59 AM BART Board <BoardofDirectors@bart.gov> wrote:

Joe, thank you for your email. Your email will be forwarded to the Board and District staff.
Thank you.

From: Joe A. Kunzler <growlernoise@gmail.com>
Sent: Monday, September 19, 2022 6:56 PM
To: BART Board <BoardofDirectors@bart.gov>
Cc: Alicia Trost <ATrost@bart.gov>; Rebecca Saltzman <Rebecca.Saltzman@bart.gov>;
Janice Li <jli@bart.gov>; Bevan Dufty <Bevan.Dufty@bart.gov>; General Manager
<generalmanager@bart.gov>
Subject: Resolution 5522

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Make it make sense. Please.

There you go;

Joe A. Kunzler

growlernoise@gmail.com

From: [Laura Hill](#)
To: [Board Meeting](#)
Subject: Public Comment
Date: Wednesday, September 21, 2022 9:58:05 AM
Attachments: [LoO BART Mask Mandate.pdf](#)

Good morning,

On behalf of the Bay area Council, please see the attached letter in opposition to the mask mandate on BART. This is in relation to item 4(B) on the Thursday, September 22nd Board meeting agenda.

If possible, if you could confirm receipt of this email that would be much appreciated.

Thank you very much. Please don't hesitate to contact me if there are any questions or if further information is needed. I am available anytime on my cell: (314) 956-4425 or here via email.

LH



September 21, 2022

Rebecca Saltzman
President
Bay Area Rapid Transit Board of Directors
P.O. Box 12688
Oakland, CA 94604-2688

Dear President Saltzman and Members of the Board of Directors,

On behalf of the Bay Area Council, representing over 300 major employers across the Bay Area, I am writing to urge you to lift the mask requirement on BART. The Bay Area Council was a vocal supporter of mask requirements when our society needed additional protections during the height of the pandemic. However, with high vaccination and low hospitalization rates, I strongly encourage the Board to consider current public health guidance and allow transit riders to choose whether they would like to wear a mask on transit. Doing so will free up time for BART security and support personnel, attract riders to the system, and bolster the local economy – all without threats to public health and safety.

Federal agencies imposed a mask mandate for passengers on most modes of transportation at the outset of the pandemic and in April 2022 the Transportation Security Administration (TSA) lifted this requirement. Today, there are no longer any federal, state, or local directives that require masks to be worn on public transportation. Furthermore, it has been over two and a half years since COVID-19 was declared a National Emergency and much has changed since then. Vaccines are readily available and have been for over a year and a half: Over 80% of California's population has received at least one dose and nearly 75% are considered fully vaccinated. COVID-19 hospitalizations are also down in California, falling below 2,600 patients this month.

BART is one of the few transit agencies still enforcing this outdated requirement and is doing so without sound justification. Nearly all transit agencies throughout the nation have lifted their mask mandates, including Los Angeles Metro and New York City Transit Authority in the most populous cities in the nation. Additionally, most local transit operators in the Bay Area no longer require masks on trains, buses, and ferries. This contributes to concerns of an overall disjointed system and causes confusion and unnecessary hassle for the many riders who transfer between multiple transit systems during their daily commutes.

To your credit, BART implemented many COVID-19 safety measures other than the mask mandate that are still in effect today. For example, all BART cars are equipped with virus-trapping MERV-14 air filters and air in cars is replaced and filtered every 70 seconds, along with the implementation of enhanced cleaning methods. These measures are more than enough to ensure the safety of all transit passengers who commute throughout the Bay Area, given California's high level of vaccinations and low hospitalization rates.

Finally, removing BART's mask mandate will allow BART Transit Ambassadors and other personnel who have been tasked with mask education and enforcement to provide support and security in greater areas of need. Reports on the Transit Ambassador program detailed 12,000 educational contacts and over 1,000 masks distributed during just its first year in operation, which are time and resources that Ambassadors and other personnel could shift to more pressing needs.

Thank you for your consideration. Should there be any questions or need for more information, please contact Laura Hill, Bay Area Council Policy Director, at lhill@bayareacouncil.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Wunderman', with a stylized, flowing script.

Jim Wunderman
President and CEO, Bay Area Council

From: [Elizabeth Zambelli](#)
To: [BART Board](#)
Subject: Please don't let the mask mandate expire
Date: Wednesday, September 21, 2022 3:00:26 PM

Dear Board of Directors:

Please do not let the mask mandate expire. Lots of medically vulnerable people rely on BART, and this would make it exponentially more dangerous for us to take BART.

Please do the right thing, save lives, and keep the mask mandate in place.

Sincerely,
Elizabeth Zambelli

From: [Shawna Reeves](#)
To: [BART Board](#)
Subject: please keep the mask mandate
Date: Wednesday, September 21, 2022 4:00:36 PM

Dear Directors:

Tomorrow night is a big night, as you decide whether or not to extend the mask requirement for BART. The mask requirement is a simple public health tool that makes many of us feel safe. It's not all in our heads -- the Bay Area continues to be in the CDC's high transmission tier. Not everyone has access to high quality masks. When you require masks on BART, you ensure that safety for all riders is achieved even when the best they can do is wear a cloth mask or a surgical mask (the reality for many low income riders). One-way masking is not effective for wearers of those types of masks, but when we ALL mask, protection greatly increases.

I implore you to do the right thing tomorrow night and keep the mask mandate in place.

Thank you so much. Yours truly,

Shawna Reeves
Oakland, CA
408-394-2154

From: [Joe A. Kunzler](#)
To: [BART Board](#)
Cc: [General Manager](#)
Subject: Resolution 5522 and Strategic Problems
Date: Wednesday, September 21, 2022 4:01:20 PM

21 Sept. 2022

RE: Resolution 5522 and Strategic Problems

Dear BART Board;

Writing you again, asking you please continue your leadership of the transit community by retaining the mask mandate until March and if not March, then at least January.

There are serious questions if public health experts have taken a look at the proposed criteria General Manager Powers would be given. It's problematic at best. First, a CDC surge should be replaced with wastewater testing in the Bay Area. Second, hospitalizations are a lagging indicator versus wastewater. Third, other jurisdictions have found masks recommended doesn't work that well - masks mandatory backed up by ENFORCEMENT does.

Then there's the matter of your Comms Director is going to APTATransform and the upcoming disability forum. Time to hold fast.

Finally, I want to stress what your Comms Director said on TransitCenter:

"I do think that it's only because I'm a woman and only because I'm a mother that I recognize that why do we have to settle with this? Why do we have to say, we're just going to let the mask mandate go away when we know that we have to protect the most vulnerable? "

Seriously, why? Answer that.

JOE SENDS

From: [Raia Small](#)
To: [Rebecca Saltzman](#); [Janice Li](#); [Lateefah Simon](#); [Bevan Dufty](#); [Elizabeth Ames](#); [BART Board](#)
Subject: Please keep the mask mandate on BART!
Date: Wednesday, September 21, 2022 5:33:30 PM

Dear President Saltzman and Directors Li, Simon, Dufty, Ames, and McPartland,

I am writing to thank you for voting to keep the mask mandate in place the last time this issue came up. Seniors, disabled people, and other high-risk communities are incredibly grateful that our rights were more important to you than following the dominant narrative that pandemic mitigations are a thing of the past.

I'm writing again to urge you to keep the BART mask mandate in place to and not pass over this authority to the BART General Manager.

I understand that there are several possible criteria in place to reinstate the mask mandate, if it's passed over to the GM:

- A) local health officer in any of the counties reinstates masking;
- B) CA DPH reinstates masking;
- C) CDC reinstates mask mandates on public transit;
- D) if any city has a COVID surge as defined by the CDC.

I am concerned about these criteria, as public health authorities at all levels (CDC, CA DPH, Bay Area Health Officers) have refused to push for mask mandate reinstatement, even at High Community Levels. Our public health authorities have, unfortunately, proven to be untrustworthy and unwilling partners in mitigating COVID spread.

I am also concerned with CDC metrics for "High" levels, as their Community Levels metric heavily emphasizes hospital capacity, which is a lagging indicator. By the time hospital capacity is strained, cases are already high.

It is absolutely unfair that so much responsibility has been placed on the shoulders of BART. It is unfair that BART is alone in its commitment to public health, when there is so much pressure to just fall in line with everyone else. But now more than ever, as the federal government continues its push to normalize mass infection, disability, and death, with President Biden declaring the pandemic "over," it's especially important for BART to continue its mask mandate.

We know the pandemic isn't over, as 94% of counties in the U.S. are experiencing high or substantial transmission. We continue to lose hundreds of people to COVID every day, and COVID was the 5th leading cause of death in California-- even with 70% of Californians fully vaccinated as of July 2022. And anywhere from 5-20% of COVID survivors go on to develop Long COVID.

Mask requirements continue to be crucial to keeping public transit accessible for disabled/high risk people and seniors, as we travel to essential medical appointments, work, or to see loved ones. Disabled people and seniors continue to be disproportionately impacted and dying.

And as Long COVID can even impact those at low risk of hospitalization and death, keeping mask requirements in places benefits everybody.

I have heard from so many SDA members who appreciate the fact that BART has a mask mandate in place. I, too, appreciate this, as a high-risk person who lives in Oakland and works in San Francisco.

I have so appreciated your support of mask requirements, access for disabled people and seniors, community care, and public health, and I am calling on you to continue to do so, as COVID is far from over.

Can I count on you to vote to keep the mask mandate at tomorrow's meeting?

Sincerely,

Raia Small
(she/her)
Organizer and educator,
Senior and Disability Action
P.O. Box 423388
San Francisco, CA 94142
(415) 546-1333



PUBLIC COMMENT

BART Board Meeting

September 22, 2022

Item 7

From: [aleta dupree](#)
To: [BART Board](#)
Subject: Comments from the overhead
Date: Monday, September 12, 2022 12:59:23 PM

Secretary April Quintanilla, please forward this message to the full BART Board for the Evening Meeting of 22 September, 2022.

Greetings President Rebecca Saltzman and Members.

Aleta Dupree for the record, she, her.

I bring you my various thoughts concerning BART, given that there is no Agenda posted at this time.

Acrimonious and Adversarial.

I reflect on your most recent Board Meeting, which convened on 8 September, 2022, where I did attend and offered Public Comment on Zoom. I am very concerned about what I perceived as acrimony, both among you, and others in the Meeting Space as well. Such leads me to believe that the Meeting space is becoming unsafe. For me as a person who does not meet societally established definitions, such puts me at greater risk than others.

I ask of you, and anyone who is employed by BART, not to hold things personal against one another. For I believe that in order for BART to function, teamwork is essential. I understand that you as a Board will not always agree on everything. I don't agree with you on everything myself. But can we be a BART where everyone concerned can work together? You see, when I approach BART, whether that be through the fare gate, or at one of your Meetings, I come with a desire to build up, rather than to tear down. I would like when I leave any place on BART, that I have left BART a little better than before. This I try to do wherever I go. For I do not seek to be a thorn in your side, but instead to offer my experiences and insights, with the hope that something better will come of that. It is because I approach you from this most important perspective, that BART is The Peoples System.

"A Matter of Time."

I consider my various and at times prolific speaking and writing to you. I assure you that I am not trying to run the clock, or keep you from your lunch, or perhaps watching the next episode of your favorite streaming television program. I enjoy watching live streams of airplane spotting myself. I do not use your Meetings as a way to air my dirty laundry. If I have issues with a BART trip, I can always contact the appropriate staff member to look toward equitable resolution.

I do speak often because there are many issues concerning BART that are brought up at your Meetings. I feel the need to speak of how these various Agenda items affect me personally, because ultimately BART is about serving the Public, which includes me. Because BART is an organization made up of many interdependent parts, therefore virtually anything that happens at BART can affect me. Besides, I get three minutes per item, so the time that I speak to you is clearly defined. If I think I am not able to sum up my thoughts in three minutes, I prioritize and say what I can in three minutes, and then send you a message, either before or after the Meeting.

Looking back, seeing forward.

I did get to attend the BART 50th Anniversary Celebration at the Lake Merritt Station. I was there for about an hour, and met some of you, though the music was quite loud and found it best to move on to the other side. I have my history of serving in a field artillery unit in Operation Desert Storm, and then working in air cargo at two different airports. And when works outside on the tarmac there is exposure to operating aircraft engines, of which hearing protection is absolutely essential. I did though consider my time in Denver, and the 50th Anniversary branding of the Denver Regional Transportation District. And even in Lake Merritt, I heard the inspiring words of John Denver, and his signature work Rocky Mountain High.

I feel that during my short time at the celebration, I was able to see a visual representation of what BART is all about. I contemplated the words of Nelson Rockefeller, "wherever we look upon the earth, the opportunities take shape within the problems." I saw the diversity of the Public that BART serves, including people who do not fit societally established definitions. I looked out upon the sea of people with a sense of pride, not the pride of a shareholder, but of a sense of equitable ownership that cannot be bought or sold. I believe that I saw BART at it's finest that day, a place steeped in the ideals of equity, welcome, and inclusion. I saw the model of the BART track, and considered the words of Gerry Rafferty, and inspired to practice the ideal of getting Right Down the Line. I said to myself and shared with others, "one can never have enough Grand Central Terminal", which is located in New York City. And so before, during, and after my time at the celebration that day, I knew this truth was clearly evident. I once again was clearly shown, more so than BART being 50 years of age, that BART is indeed The Peoples System.

Thank you.

From: [aleta dupree](#)
To: [BART Board](#)
Subject: Comments from the signal box
Date: Friday, September 16, 2022 11:14:58 AM

Secretary April Quintanilla with thanks please forward this message to the full BART Board for the Nighttime Meeting of 22 September, 2022.

Greetings Board President Rebecca Saltzman and Members.

Aleta Dupree for the record, she, her.

I bring you my thoughts regarding the work of the San Francisco Bay Area Rapid Transit District.

“I am not a broken record.”

I first mention to you my feelings concerning the idea of BART being a system of Public Transportation serving the People of Bay Area Soil, whomever they may be. I think back to my first Meeting with you, on 25 May, 2017. I began by learning about Meeting procedure, and filling out blue speaker cards. I did wear a skirt and spoke mostly about the Clipper Program.

I did get to meet some of you that day, and at the end of the Meeting I also did get to meet Grace Crunican, who at the time served as your General Manager. I remember leaving that day, and something came to mind, I realized that BART was not just a system of vehicles and infrastructure, but more so an institution that is for and about the People.

I assure you that when I speak the words “The Peoples System”, and I do speak them often, it is not about me trying to make a distinctive tagline for myself, or because I like hearing myself speak. I admit to you though that I do very much enjoy saying, “The Peoples System.” But I also enjoy hearing others say, “The Peoples System”, as well. You see, it is because the words “The Peoples System” are not specifically my words, but words that exemplify the importance of People and the overarching values of equity, welcome, and inclusion.

You see, I never get tired of saying and thinking about “The Peoples System.” I do submit to you, that at times riding on BART can be tiring, and has its ups and downs. I think that when one does anything often and repeatedly that it can feel old and worn out. I’m sure there are many who walk quickly through Grand Central Terminal, a legendary and historic commuter railroad terminal in New York City, not hardly stopping to see the sights and hear the sounds. That is understandable when the routine matters of the day take necessary priority. I too find riding on buses and trains gets old at times. And so I think to myself, BART is more that just a ride to achieve the goals of my personal agenda. The meaning becomes deeper, and new things are discovered as I continue to contemplate and share of the distinctive ideal that BART is indeed The Peoples System.

“Inside the Simulator.”

I consider the various ways of communicating feelings and ideas to one another, and the importance of this ideal, it’s not just what you say, but how you say it. I have noticed what I perceive to be forms of anger coming from some of you, and from the gallery as well. Such deeply concerns me, and causes me to wonder if the Meeting Space is becoming unsafe, especially for people like myself who do not meet societally established definitions.

I consider the importance of airplane simulators. I am not referring to the home consoles that people often use to simulate flying airplanes on their large format flat screen television sets. I am referring here to the complex multi million dollar infrastructure that is used in recurrent training for air transport pilots. And I have found that the simulator training sessions are not only about evaluating the technical performance of flying airplanes, such as performing proper rotations into the air. Such training sessions also consider the importance of crew resource management, and handling increased workload, especially when there is an emergency situation, such as an aircraft engine failing in flight. And it is teamwork that can often make the difference as to whether the aircraft will return

safely to the ground and hopefully without any injuries or fatalities.

And so I have come to see anger as self serving, and a diversion from the ideals of cooperation and teamwork. I do think of myself being in a simulator before I approach you in your Board and Committee Meetings. There are things I say you may not agree with, but I'd like to think I have a fairly respectable way of saying them. I choose not to be upset, but to think of how I can channel my energy into building a better BART. I wish there was a proverbial BART simulator of some kind, and something everyone at BART and the approaching Public could avail themselves of.

“The Full Potential.”

I consider that about two weeks ago, shortly before the BART 50th Anniversary Celebration, I was at home, and I had many tasks to do in the kitchen. It was in the mid morning, getting quite hot outside, and despite my awareness of conservation, I launched into these tasks all at once. Such challenged my multitasking skills, and resource management. So with the electric range, oven, dishwasher, hot water heater, and air conditioning all going at once, I tested the bounds of what could be done, and later in the day knowing I was doing my part in the hot afternoon to converse.

And so I looked at the electricity report for the next day, as that data is normally and regularly available to me at that time. I noticed that I had taken a high fifteen minute demand draw for the day of about 7 kilowatts, when that is usually about 4. I wasn't surprised, thought in looking back, the kitchen did get uncomfortably hot. I had no regrets, but I did find it to be a time of lessons learned.

Yet about a decade ago, I performed at test in my all electric home. I turned on all the heavy loads in the house, in a safe manner, and went outside to the meter. For a short time my instantaneous demand draw was about 25 kilowatts, as evidenced by the spinning disk of the analog electric meter I had at the time. Today I have a smart meter with a digital display, such gives me the same information, although displayed in a different form.

And so when I fly on airplanes, and I see the white bars on the pavement, then shortly afterward the engines are turned up to full power. Such is necessary achieve the goal of V1, Rotate. And that rolling bus contraption does what it's designed to do, to take us up into the air. Soon the engines are turned back, and things quiet down, and we settle in for the journey to the other side.

So how do we built a BART that will achieve its full potential. There is a time and place for everything, and awareness is essential. I do enjoy when BART trains start up, and I consider the time of V1, Rotate. Gerry Rafferty comes to mind, and I practice the ideal of Right Down the Line. I am reminded of Grand Central Terminal, the under running third rail, and through the Park Avenue Tunnel and into the light. I look toward a BART that will operate totally on renewable energy, and that example followed to power other systems of Public Transportation, including some of legendary and stately ideals.

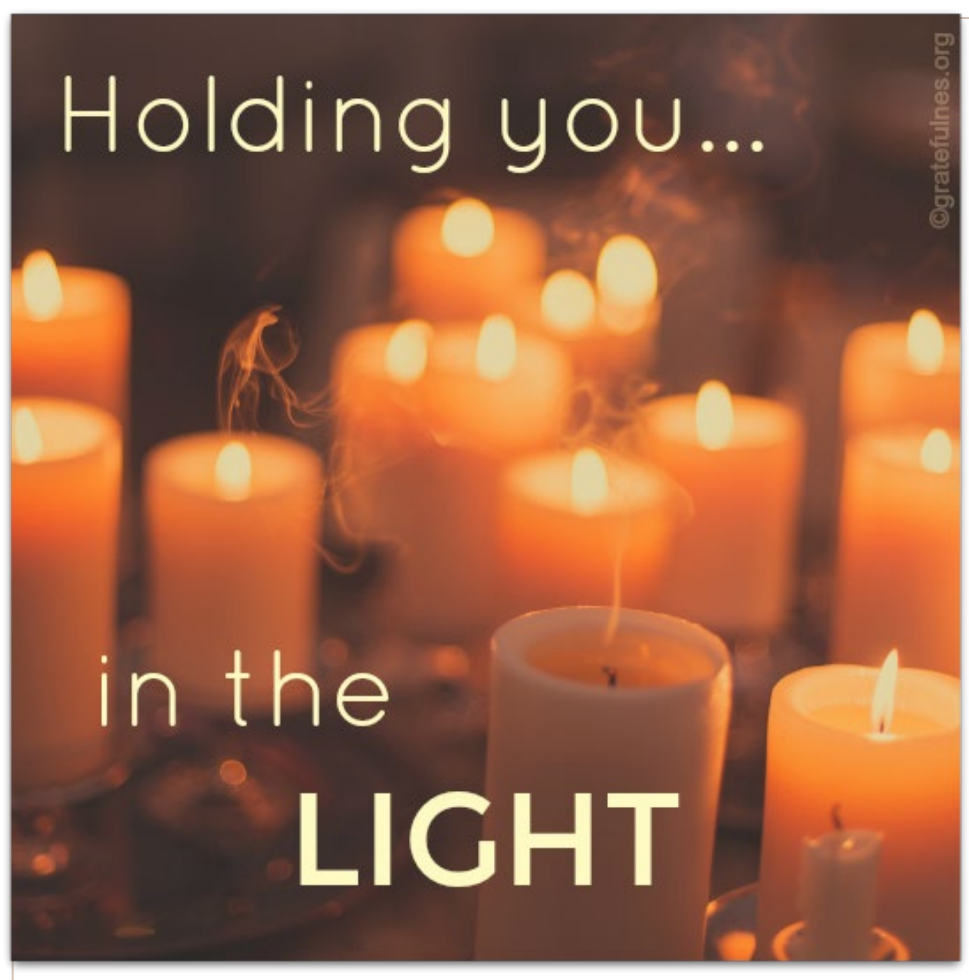
I ask of you, and everyone in the BART family to put acrimony and bitterness aside and instead collaborate and cooperate. I ask that when we disagree, you disagree with me based on the substance of things that I say, and not because I am different. I pose this question to you. Can we have a BART where everyone thinks and practices the ideal of BART being The Peoples System, whether thought about silently or spoken about openly? Such I hope will be our common journey, and our ultimate goal.

Thank you.

From: [Nelly Guerrero](#)
To: [Board Meeting](#)
Subject: BART Richmond Red Line
Date: Monday, September 19, 2022 10:19:02 AM

Good morning. I am a Richmond Red Line passenger and have been for the last 30 years. Friday, September 16, 2022, there was a major delay with the outbound trains. While the accident and fatality that occurred are unfortunate, I notice that the Richmond line is always compromised when there are delays. I ride to and from Richmond and Civic Center, San Francisco. Friday, I arrived at Civic Center station and heard the announcement that there were delays. I decided to take a train riding back to Glen Park. At Glen Park the sign said there would be a Richmond train in 22 minutes. Fifteen minutes had gone by and the minutes on the sign for Richmond had increased. More time went by and then a notice that the Richmond train had been canceled came out. Prior to this, I must have seen the Antioch, Berryessa and Dublin Line go by about five times and no Richmond train. Why is the Richmond train always compromised when there are delays? Both the Richmond line and the Antioch line ride through the four stations in Oakland—West Oakland, 12th Street, 19th Street and McArthur. If the Antioch line can be through why is a Richmond train not provided for the Richmond passengers? I have seen this pattern for years. Richmond passengers are treated as though we do not pay our fair share of the fair to ride and park. I live in Hercules, CA. A transit center was built in Hercules by BART. Hercules citizens had to pay taxes to have this transit center built. I pay my share to BART but receive lousy service in comparison to the Antioch line. Well, the Antioch line provides service to persons who live in Walnut Creek, Lafayette, Moraga. BART should not dismiss Richmond passengers. Richmond passengers are working, blue collar person that need to get to work on time and home in the evenings to be there for their families. Richmond passengers do not have maids and nannies. I work in a law office and I know persons that ride the Antioch train. Richmond passengers are not third-class citizens and BART needs to provide better service for Richmond line passengers. Have you seen the parking garage which I pay to park my car? The garage is filthy. It smell like a urinal. The other day I took the elevator because my hip hurt. There was poop against the wall in the elevator. BART also needs to provide better cleanliness in the parking garage. I can assure you, I am not the only passenger that feels BART does not provide the Richmond passengers with just and fair treatment.

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for all of you board members that still support the hercules extension
under ground that is needed all four stations, north richmond, san
pablo, hilltop richmond parkway and hercules as you more forward with
the extension to another-city you know what that city is and the infill
station, hercules extension and livermore extension is still needed but,
hercules extension is needed first and it should not take another ten
years over for you to extend to hercules which is still in bart original
plans so will hear more this year and yes all four bart stations to
hercules from richmond are needed underground, it will help that area
and all of bart

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From: [Charles S. Lewis III](#)
To: [BART Board](#); [Rebecca Saltzman](#)
Subject: Keep Masks Indefinitely
Date: Thursday, September 22, 2022 8:17:55 AM

Today's vote is your chance to stay ahead of the winter surge. Extend the mask mandate - indefinitely, if possible.

The pandemic is NOT over and mask mandates save people from the frightening prospects of death or Long COVID.

Don't wait for the next big "wave" of infections to reinstate it this time - keep the system-wide mask mandate in place and protect the lives of BART riders, employees, and visitors.

[Sent from Yahoo Mail on Android](#)

From: [Tina Broder](#)
To: [Rebecca Saltzman](#); [Bevan Dufty](#); [Janice Li](#); [Elizabeth Ames](#); [BART Board](#); [Lateefah Simon](#)
Subject: please keep BART mask mandate in place
Date: Thursday, September 22, 2022 10:15:50 AM

Dear BART Board Members,

My name is Tina and I'm a member of Senior and Disability Action (SDA). I am writing to urge you to keep the BART mask mandate in place, and not pass over this authority to the BART General Manager. I understand that there are several possible criteria in place to reinstate the mask mandate, if it's passed over to the GM:

- a) local health officer in any of the counties reinstates masking
- b) CA DPH reinstates masking
- c) CDC reinstates mask mandates on public transit
- d) if any city has a COVID surge as defined by the CDC

We are concerned about these criteria, as public health authorities at all levels (CDC, CA DPH, Bay Area Health Officers) have refused to push for mask mandate reinstatement, even at High Community Levels. Our public health authorities have unfortunately proven to be untrustworthy and unwilling partners in mitigating COVID spread.

We are also concerned with CDC metrics for "High" levels, as their Community Levels metric heavily emphasizes hospital capacity, which is a lagging indicator. By the time hospital capacity is strained, cases are already high.

It is absolutely unfair that so much responsibility has been placed on the shoulders of BART. It is unfair that BART is alone in its commitment to public health, when there is so much pressure to just fall in line with everyone else. But now more than ever, as the federal government continues its push to normalize mass infection, disability, and death, with President Biden declaring the pandemic "over," it's especially important for BART to continue its mask mandate. Anywhere there is a mask requirement in place matters and saves lives. We know the pandemic isn't over, as 94% of counties in the U.S. are experiencing high or substantial transmission, we continue to lose hundreds of people to COVID every day, COVID was the 5th leading cause of death in California even with 70% of Californians fully vaccinated as of July 2022, and anywhere from 5-20% of COVID survivors go on to develop Long COVID.

Mask requirements continue to be crucial to keeping public transit accessible for disabled/high risk people and seniors, as they travel to essential medical appointments, work, or to see loved ones. Disabled people and seniors continue to be disproportionately impacted and dying. And as Long COVID can even impact those at low risk of hospitalization and death, keeping mask requirements in places benefits everybody.

We have so appreciated your fervent support of mask requirements, access for disabled people and seniors, community care, and public health, and we are calling on you to continue to do so, as COVID is far from over.

Can we count on you to vote to keep the mask mandate at today's meeting?

Thank you for your time and for listening to me on this very important topic.

Sincerely,
Tina Broder, MSW, MPH

From: [no-reply](#)
To: [BART Board](#)
Subject: Comment for the BART Board of Directors
Date: Thursday, September 22, 2022 2:08:44 PM

First Name: Cris

Last Name:

Email: 14ureno@gmail.com

Phone:

City:

State:

Zip:

Subject:

Comment: Face masks should no longer be required there hasn't been an increase without them required so why do we still require them many months after the state no longer required them



PUBLIC COMMENT

BART Board Meeting

September 22, 2022

Item 8-C

From: [David D](#)
To: [Carl Holmes](#)
Cc: [Bevan Dufty](#); [BART Board](#)
Subject: VTA BART Independent study of tunnel designs
Date: Thursday, September 22, 2022 2:05:47 PM
Attachments: [Comments re Independent study.pdf](#)

Hello Carl,

Following up on various thoughts and comments about VTA's independent study of twin bore vs single bore. Find attached comments below.

David

TO: VTA Board of Directors
FROM: David Dearborn
SUBJECT: Independent Study Twin vs Single-bore

September 22, 2022

Summary Comment

From the memorandum to the Board from Chair Jones, Directors Liccardo and Perales, the current independent study appears to be an updated peer review of the latest design within constraints that limit by design a twin bore with mined stations and access.

The following presents a path forward that would comply with FTA best practices, offer the Project Management Oversight Committee PMOC and the public a boost in confidence regarding this project.

FTA Best Practices

The 2001 revised FTA Best Practices Procurement Manual, 1.3.3.9 Transit Oriented Joint Development Projects, speaks to designs and properties that favor TOD development and transit revenue.

People are asking for a fair, open and transparent evaluation of a twin bore design that would allow for mined stations, access ways and crossovers that meet the service and safety needs of BART from Berryessa to Santa Clara, complete with easy, intuitive access to TOD development on both sides of Santa Clara Street, Diridon, and 28th Street stations. TOD transit design is not conditional on a single bore design.

An Honest Look

To be completely fair, open and compliant with Federal and State policies and best practices for contracting and procurement, information for both single-bore and twin bore designs should include but not be limited to the following:

- estimated time to complete the design-build process,
- number of TBM(S), sources and lead-time to delivery,
- rough phased schedule for tunneling, track, access and underground station work,
- roughly quantify cu yds of total soil removed, concrete, and tons of steel for above,
- tons of construction related greenhouse gases GHG produced by materials and work,
- brief description/discussion of design flexibility offered by each concept,
- briefly describe street, sidewalk and building frontage area disrupted by station and sidewalk access construction; provide examples in similar environs,
- rough cost of tunneling; track and track support structure; station and access construction.

Not Complicated

From the public information and various designs developed to date, invitations for best twin bore concept could be limited to no more than 25 pages; and be submitted within 90 days.

Requesting proposals for twin bore designs and construction supervision would remove Federal, State and public concerns that VTA has restricted competition for best value for BART, transit riders, funding agencies and most importantly, the environment.

Run Concurrently

This process could run concurrently with VTA staff and design-build team as they continue to explore design improvements for service and cost reduction. Effectively this could be part of the \$235M used to develop best and lowest practical cost design.

No EIR Required

If a twin bore solution &/or proposal were to warrant design modifications within the Board and FTA approved alignment, VTA could submit a simple FTA form stating "Finding Of No Significant Impacts", or FONSI and continue to advance the project with twin bore and mined stations, crossovers and access. (note: FONSI, Impact refers to environmental impact)

Benefits

- Twin bore and TOD can proceed with mined access ways to mix use high rise , existing residential, City Hall, SJU and south side development.
- It would offer wider, safer center platform area with shorter intuitive street level access to sidewalk or off-street in building ticketing;
- provide full BART operating, safety and maintenance compatibility;
- offer greater degrees of freedom for Diridon Station intermodal access and TOD development as well as Little Portugal Station design flexibility;
- deliver the project in less time saving 29,000 tons of GHG /yr when in service;
- save 60,000 tons of GHG in construction related GHG emissions over single-bore;
- and assuage various concerns expressed by community and stakeholders.

Conclusion

SPUR, SVLG, Bay Area Council, BART Directors, City of San Jose DOT, environmental advocates and others would be encouraged by an open, fair and competitive search for best twin bore design that would service TOD, BART compatibility and Downtown for the next 100 years.

Thank you for giving this your full and serious consideration,

Respectfully,

David Dearborn

cc:

ltolkoff@spur.org

jbaker@svlg.org

rjeffris@bayareacouncil.org

BoardofDirectors@bart.gov

"Carl Holmes" CHolmes@bart.gov

"Zenk, Jessica" <jessica.zenk@sanjoseca.gov>

"PMOC" Jena.Montgomery@atkinsglobal.com

DOTCFO@dot.gov

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ekamisher@bayareanewsgroup.com