

San Francisco Bay Area Rapid Transit District

*2150 Webster Street, P. O. Box 12688,
Oakland, CA 94604-2688*



COMMITTEE MEETING AGENDA

Tuesday, November 28, 2023

1:00 PM

via Teleconference Only. Zoom Link:

<https://us06web.zoom.us/j/84108878542>

Link21 Equity Advisory Council

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

Link21 Equity Advisory Council (Meeting 7)
November 28, 2023

NOTICE OF MEETING AND AGENDA

Link21 Equity Advisory Council (EAC)

November 28, 2023

1:00 pm – 3:30 pm

Committee Members: Ameerah Thomas, Angela E. Herring, Beth Kenny, Clarence R. Fischer, Cory Mickels, David Sorrell, David Ying, Elizabeth Madrigal, Fiona Yim, Gracyna Mohabir, Harun David, Landon Hill, Linda Braak, Mica Amichai, Samia Zuber, Taylor Booker, Vanessa Ross Aquino

Pursuant to the Link21 EAC bylaws as a non-Brown Act body, this meeting and public participation will be via teleconference only. Presentation materials will be available via Legistar at <https://bart.legistar.com>

Link21 provides services/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address any agenda items. A request must be made within one and five days in advance of the EAC meeting, depending on the service requested. Please contact Link21 via email at EAC@Link21.com or via telephone at 855-905-Link (5465) for information.

You may join the EAC Meeting via Zoom by calling 833-548-0282 (toll free) and entering access code 841 0887 8542; logging in to [zoom.com](https://zoom.us) and entering access code 841 0887 8542; or typing the following Zoom link into your web browser:
<https://us06web.zoom.us/j/84108878542>

If you wish to make a public comment

1) Submit written comments via email to EAC@Link21.com using “public comment” as the subject line. Your comment will be provided to the EAC and will become a permanent part of the file. Please submit your comments as far in advance as possible. Emailed comments must be received before 12:00 p.m. on November 27, 2023, to be included in the record.

2) Call 833-548-0282, enter access code 841 0887 8542, dial *9 to raise your hand when you wish to speak, and dial *6 to unmute when you are requested to speak; log in to [zoom.com](https://zoom.us), enter access code 841 0887 8542 and use the raise hand feature; or join the EAC Meeting via the Zoom link <https://us06web.zoom.us/j/84108878542> and use the raise hand feature. Public comment is limited to two (2) minutes per person.

AGENDA

I. Call to Order (For Information)

- a. Tim Lohrentz, Equity Programs Administrator, BART Office of Civil Rights

II. Roll Call (For Information)

- a. Tim Lohrentz, Equity Programs Administrator, BART Office of Civil Rights

III. Public Comment (For Information)

- a. Opportunity to comment on items not on the agenda.
- b. (Two minutes per speaker)

IV.

Meeting Topics

- A. Approval of October 17, 2023, Meeting Minutes (For Action) (5 minutes)

Tim Lohrentz, Equity Programs Administrator, BART Office of Civil Rights

- B. Follow-up to Previous EAC Feedback (For Information) (15 minutes)

Tim Lohrentz, Equity Programs Administrator, BART Office of Civil Rights

Attachment: Follow-Up to Previous EAC Feedback Memo

- C. EAC Bylaws Update & Proposed Amendments (For Action) (20 Minutes)

Ben Duncan, Facilitator

Tim Lohrentz, Equity Programs Administrator, BART Office of Civil Rights

Attachment: EAC Bylaws Update and Proposed Amendments Memo

- D. Proposed Anti-Displacement Sub-Group (Working Group or Subcommittee) (For Information)

Frank Ponciano, Facilitator

Break (10 min)

- E. Fare Presentation & Discussion (For Information) (50 minutes)

Frank Ponciano, Facilitator

Sadie Graham, Link21 Program Director

Metropolitan Transportation Commission (MTC) Fare Integration: Mike Eiseman, Director of Financial Planning, BART

California Integrated Travel Project (Cal-ITP): Jim Allison, Manager of Planning, Capitol Corridor Joint Powers Authority (CCJPA)

Link21: Alisa Zhu, Senior Consultant, Steer

- F. Link21 Engagement & Outreach Approach (For Information) (30 minutes)

Frank Ponciano, Facilitator

Nicole Franklin, Link21 Engagement and Outreach Manager, BART

- G. Public Comment (For Information)

Opportunity to comment on items on the agenda.

(Two minutes per speaker)

Attachments: [Items I to VI Slide Presentation 112823](#)
 [Item IV.A. EACMtg6Summary 101723](#)
 [Item IV.B. EACMtg112823 MEMO Feedback](#)
 [Item IV.C. EACMtg112823 MEMO Bylaws](#)

V. Next Meeting Date: January 16, 2024, at 1:00 pm (For Information)

VI. Adjournment (For Action)



Equity Advisory Council (EAC) Meeting #7

November 28, 2023

Agenda Item I: Call To Order

Virtual Meeting Details



Meeting is being
recorded



Includes
Closed
Captioning



Technical
Support
Use raise hand
button

Agenda Item II: Roll Call

Agenda Item III: Public Comment

Agenda Item IV: Meeting Topics

AGENDA ITEM A: Action Item

AGENDA ITEM A: Approval of October 17, 2023, Meeting Minutes

AGENDA ITEMS B-E: Agenda Review

AGENDA ITEM B: Follow-up to Previous EAC Feedback

AGENDA ITEM C: EAC Bylaw Updates & Proposed Amendments

AGENDA ITEM D: Proposed Anti-Displacement sub-group (Working Group or Subcommittee)

AGENDA ITEM E: Fare Presentation & Discussion

AGENDA ITEM F: Link21 Engagement & Outreach Approach

AGENDA ITEM B:

Follow-up to Previous EAC Feedback

AGENDA ITEM C:

EAC Bylaw Updates & Proposed Amendments

EAC Bylaws Amendments: Seeking Approval

- **Process:** First reading, October meeting agenda opportunity for input, survey for further assessment
- **Survey Responses:**
 - Six EAC members responded to survey, all signaling support for the amendments
 - Confirming some process commitments
 - Participation in the EAC (attendance, contribution in and out of meetings, participation in office hours etc.) will be considered as part of re-appointment process
 - Consistent with the EAC Charter, recruitment and re-appointment processes will maintain commitment to initial EAC foundational vision: to have socio-economic, demographic and geographic representation as well as technical and lived experience diversity to inform the Program and align with equity goals.
- **Decision-Point:** Motion, Second, discussion, vote

AGENDA ITEM D:
Proposed Anti-Displacement sub-group
(Working Group or Subcommittee)

Topics for Today

1. Recap of recent EAC anti-displacement discussions
 - October EAC meeting
 - November office hours
2. Proposed EAC anti-displacement sub-group (Working Group or Subcommittee)

October EAC Meeting

Approved EAC Anti-Displacement Focus Statement:

“For anti-displacement, the EAC will explore topics including, but not limited to, transit-oriented development and race and ethnicity.” [vote 8-7]

Intent:

- Establish the EAC’s intentions.
- Allow the EAC to directly shape the discussion.
- Focus discussion on what’s important to the EAC.
- Opportunity to go deep into select topics.
- Better able to learn from the EAC’s expertise and experience.
- Improves Link21’s anti-displacement efforts.

Feedback on Focus Statement

October EAC meeting & November office hours:

- Too simplistic; too narrow
- Other topics are important too
- Doesn't include equity goals or values related to anti-displacement
- Needed more time to consider
- Interest in sub-group to have deeper conversation

Response = Simultaneous dual-track approach:

- Existing Focus Statement to inform January 2024 EAC meeting agenda; can be modified in the future or end when topics covered (after January 2024 meeting or future meeting)
- New sub-group (Working Group or Subcommittee) to dive deeper into issues raised by the above feedback

Proposed Anti-Displacement sub-group (Working Group or Subcommittee)

- Purpose:** Advise the Link21 team and EAC on anti-displacement.
- Authority:** Will not make major decisions on behalf of the full EAC; will make recommendations to the Link21 team and the full EAC.
- Task:** Develop draft anti-displacement goals and principles for full EAC approval (initial task proposed by the Link21 Team; may be modified by the working group).
- Members:** Volunteers; 3-9 members recommended.
- Meetings:** Held during “off months” between full EAC meetings.
- Type:** Working Group or Subcommittee (to be determined; based on EAC input at today’s meeting).

Seeking EAC Input on Options

| Option A WORKING GROUP | Option B SUBCOMMITTEE |
|---|--|
| Informal | Formal |
| Does not require EAC vote to form | Requires EAC vote to form |
| Meetings not public | Public virtual meetings |
| Focused on specific task | Broader focus on anti-displacement topic |
| Short-term; 2-3 meetings | Longer term; meets until not needed |
| Created by Link21 after Nov 2023 EAC Meeting | Created by EAC vote at Jan 2024 EAC Meeting |
| Members volunteer after Nov 2023 EAC Meeting | Members volunteer at/after Jan 2024 EAC Meeting |
| First meeting Dec 2023 / Jan 2024 | First meeting Feb 2024 |

10-MINUTE BREAK

AGENDA ITEM E:

Fare Presentation & Discussion



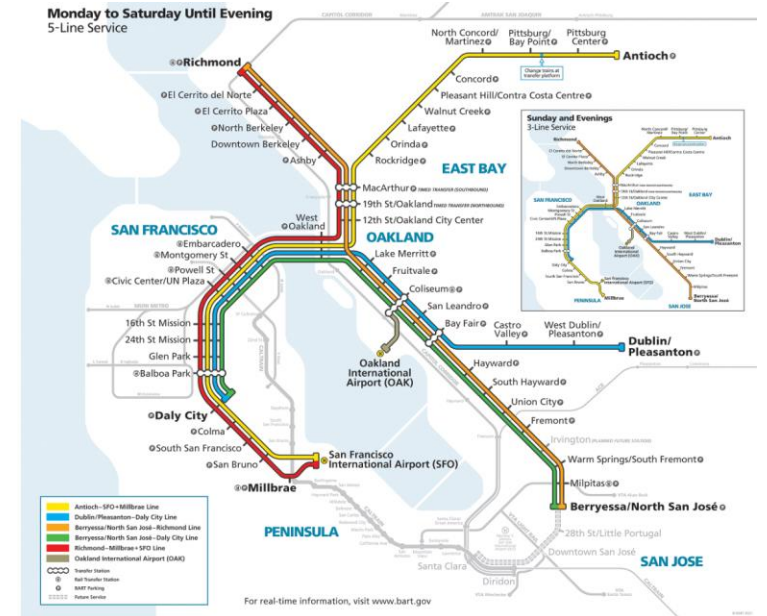
BART & Bay Area Fare Policy / Fare Payment

November 28, 2023

BART fare structure

In 2019, BART fares covered over 2/3rds of the system's operating cost. Since COVID-19, fare revenue has dropped by 60%

- Distance-based fares, with surcharges/speed differential applied to certain trips
 - Trips up to 6 miles are \$2.15
 - Average fare is \$4.30, or about \$0.26 per mile travelled
- Intended to reflect value in distance traveled: Longer trips are more expensive per trip, but less expensive per mile traveled
- Discounts:
 - Senior/Disabled – 62.5%;
 - Youth 50%;
 - Clipper START (low-income discount program): 20%, going to 50% in January



Bay Area Fare Structures

The Bay Area is served by over two dozen transit operators with a range of fares and fare structures

Standard Price

- \$1.50 to \$1.80 per ride: Petaluma Transit, Sonoma County Transit, Vacaville City Coach, Santa Rosa City Bus, Napa Vine, FAST, WestCAT, Marin Transit
- \$2.00 to 2.05 per ride: CCCTA, SolTrans, Tri Delta Transit, Union City Transit, LAVTA, Samtrans
- \$2.25 to \$2.50 per ride: AC Transit, SFMTA, VTA

Zone Based Fares

- Caltrain
- Golden Gate Transit
- SMART
- Sonoma County Transit

Distance/Route Based Fares

- ACE
- BART
- Golden Gate Ferry
- WETA



Bay Area Fare Integration Work Underway

Led by MTC and BART staff, fare integration work is an example of transit agencies working together.


- Fare Integration Task Force has provided executive staff-level oversight of fare policy initiatives
- The Task Force endorsed a **Transit Fare Policy Vision Statement** in November 2021
 - Four key actions:
 1. *Clipper BayPass Pilot*
 2. *No-Cost/Reduced-Cost Interagency Transfers*
 3. All agency transit pass or cap/accumulator
 4. Develop vision for a shared zone or distance-based fare for region

FARE INTEGRATION TASK FORCE



Bay Area Clipper START Program

- Clipper START offers discounts on transit rides in the 9-county Bay Area for Bay Area residents 19-64 with household incomes below 200% of federal poverty level)
- Launched in 2021
- Starting in January 2024, will offer 50% off on all operators on Clipper



To qualify, you must...

- [Be a resident of the San Francisco Bay Area](#) ⓘ
- [Be 19-64 years old](#) ⓘ
- [Not have an RTC Clipper Card for people with disabilities](#) ⓘ
- [Have a household income of 200% of the federal poverty level or less](#) ⓘ

[Apply Now](#)

Clipper: Backbone for Regional Network Management



22 Transit Operators



Mobile Phone Partners



Support regional and operator-specific fare initiatives



Clipper Executive Board provides program direction

SONOMA COUNTY

NAPA COUNTY

SOLANO COUNTY

MARIN COUNTY

CONTRA COSTA COUNTY

ALAMEDA COUNTY

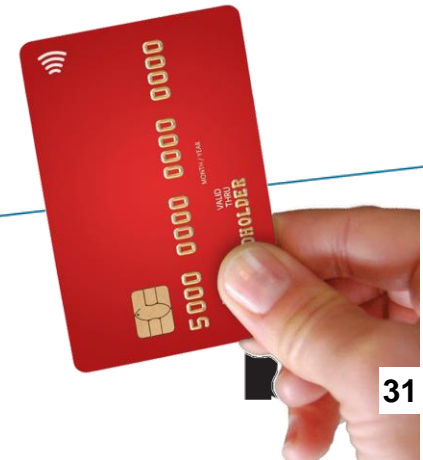
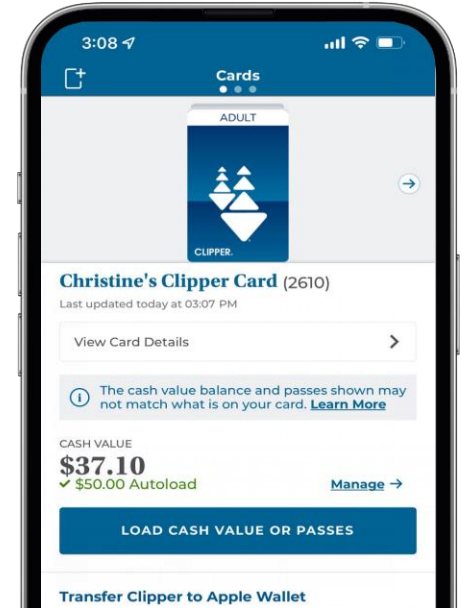
SAN MATEO COUNTY

SANTA CLARA COUNTY

Next Generation Clipper – Coming in 2024

Key Customer Benefits:

- All new equipment
- Option to pay with credit/debit cards (open payments)
- Consistent inter-agency transfer discounts
- Other targeted fare discounts and promotions
- Improved app and customer service





Capitol Corridor Joint Powers Authority

Fares Overview

November 28, 2023

Link21 Equity Advisory Council



Fares on Capitol Corridor Today

Cash accepted



Ticket Options

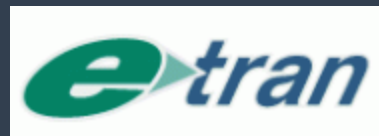
- Types available
 - Single ride
 - 10-ride pass (discounted)
 - Monthly unlimited
- Discounts
 - 10%: veteran
 - 15%: senior, student, disabled
 - 50%: child

Amtrak sets fare types, discounts, and cash policies

Today's CCJPA Ticketing System

- Uses the Amtrak ticketing structure
- Not interoperable with closed loop systems like Clipper or Connect
 - But Clipper cards can be purchased on Capitol Corridor without the \$3 fee
- CCJPA collaborates with Amtrak on fare prices

Capitol Corridor tickets allow free transfers to:



California Integrated Travel Project (Cal-ITP)

- Statewide initiative to align transportation payment infrastructure
- Led by the California State Transportation Agency (CalSTA) and the California Department of Transportation (Caltrans)
- CCJPA is a fiscal sponsor of Cal-ITP
- CCJPA Tap2Ride pilot is a part of Cal-ITP





Tap2Ride Pilot

- ~350 volunteer participants
- Pay by tapping on and tapping off using an “open loop” system
- Works with credit and debit cards
- Compatible with CashApp and Venmo debit cards that are available for free
- Does not replace other payment options (e.g., Ticket Kiosks)

Benefits

- Spreads multi-trip fare payments over time
- Automated discounts
- Allows for fare capping
 - I.e., stops charging after # of trips per week
- Lower administrative costs than the Amtrak system

Moving Forward with Cal-ITP

- CCJPA is gathering insights from the Tap2Ride pilot
 - Plan to expand to more volunteers in 2024
- Continued Cal-ITP work by CalSTA and Caltrans to develop mechanisms that allow for simple, common payment methods
- Scale from statewide, coordinated efforts can support:
 - Development of mechanisms that make contactless payments and cash more compatible
 - Standardized and automated discounts across operators
 - More accessible banking options for people statewide

Link21 is coordinating with Cal-ITP staff for a future EAC agenda topic

Link21 Planning: Fare Assumptions

Meet Our Team



Alisa Zhu

Senior Consultant,
Steer

Link21 Planning: Fare Assumptions

- Policy decisions around future Link21 fares will be determined in collaboration with stakeholders and the Metropolitan Transportation Commission (MTC)
- Fare Assumptions in Link21 modeling include:
 - Follow Metropolitan Planning Organizations (MPO) adopted plans:
 - In the Bay Area: MTC Plan Bay Area (PBA) 2050's change in fare policy for all operators within Bay Area:
 - Distance-based fare structure*
 - 50% discount on fares offered for low-income riders
 - Rest of the Megaregion: other MPOs assume fares remain the same in real terms as 2021 prices

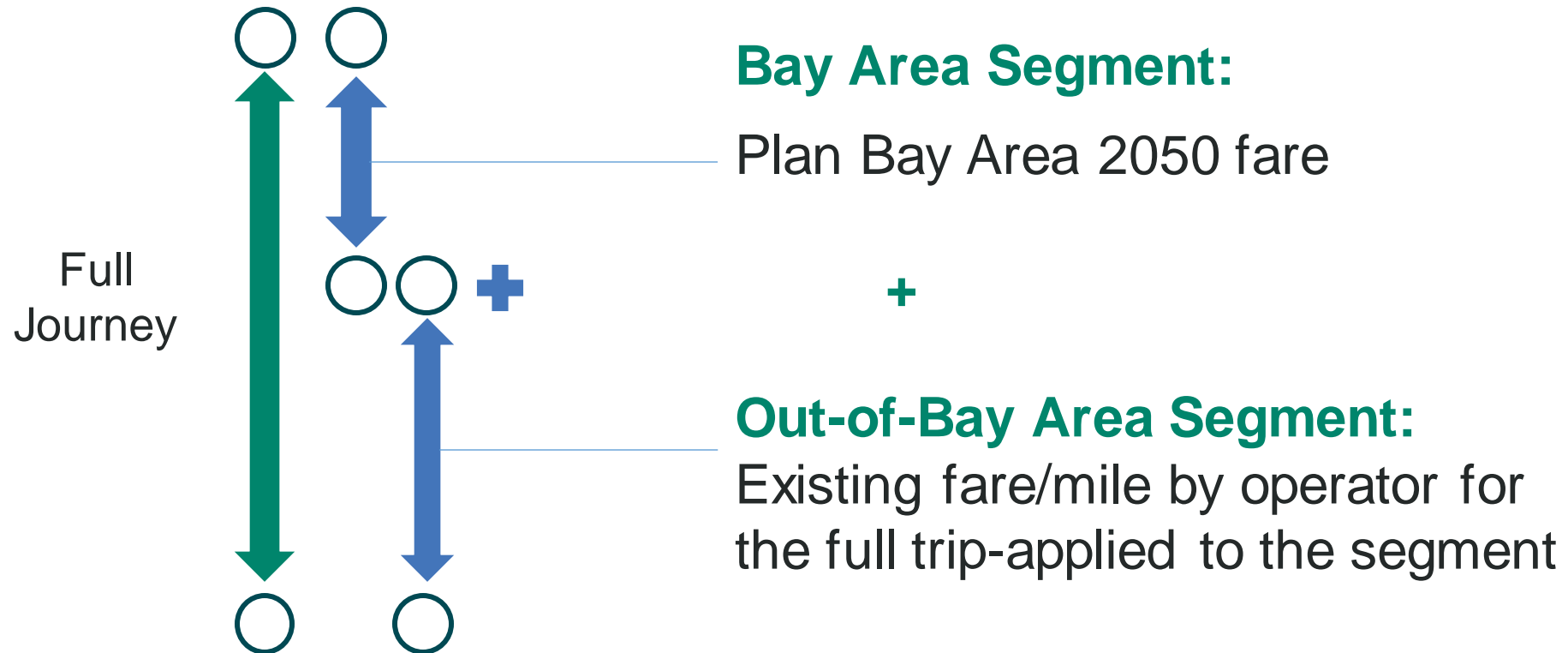
*Fare is calculated based on distance traveled

Link21 Proposal: Baseline Fare Assumptions

Three Types of Baseline Fares

| Within Bay Area | Outside Bay Area | Crossing into Bay Area |
|---|--|---|
| <ul style="list-style-type: none">• Aligned with PBA 2050• Same fare by distance for all rail operators | <ul style="list-style-type: none">• Aligned with MPO adopted plans• Use current fares• Operators have different fare/mile | <ul style="list-style-type: none">• New hybrid fare combining Bay Area fare for Bay Area leg plus existing operator fare/mile for leg outside Bay Area |

Hybrid Approach: Crossing into the Bay Area



Link21: Future Baseline Fare Assumptions

Full Fare

| Fare Type | Origin-Destination | Miles | Existing Fare | Fare Assumption in 2050 |
|------------------------|----------------------------|-------|---------------|-------------------------|
| Within Bay Area | Oakland – Martinez | 27 | \$16.00 | \$5.71 |
| Within Bay Area | Oakland – DT San Francisco | 8 | \$3.85 | \$3.62 |
| Outside Bay Area | Sacramento – Vacaville | 35 | \$15.00 | \$15.00 |
| Crossing into Bay Area | Sacramento – Oakland | 82 | \$29.00 | \$22.78 |

Transit users receive 30% discount on fares due to the new distance-based fare structure in PBA 2050




Means-Based Fare

| Fare Type | Origin-Destination | Miles | Existing Fare | Fare Assumption in 2050 |
|------------------------|----------------------------|-------|---------------|-------------------------|
| Within Bay Area | Oakland – Martinez | 27 | \$16.00 | \$2.86 |
| Within Bay Area | Oakland – DT San Francisco | 8 | \$3.85 | \$1.81 |
| Outside Bay Area | Sacramento – Vacaville | 35 | \$15.00 | \$15.00 |
| Crossing into Bay Area | Sacramento – Oakland | 82 | \$29.00 | \$18.89 |

In addition to the distance-based fare approach, low-income transit users receive further discount on fares.

Impact of Fare Assumptions for Link21

Adopting MTCs Plan Bay Area 2050 new transit fare structure for all trips (Regional Rail and BART) in the Bay Area:

-  Same fare for same distance, regardless if it is Regional Rail or BART in the crossing.
-  Ridership and user benefits are expected to increase.
-  Noticeable benefits for low-income transit users.

AGENDA ITEM F:

Link21 Engagement & Outreach Approach

Meet Our Team



Nicole Franklin

Engagement & Outreach
Manager, BART



Leah Robinson-Leach

Engagement & Outreach
Delivery Manager, HNTB



Kim Pallari

Engagement & Outreach
Project Manager, HDR

Multi-Faceted Engagement



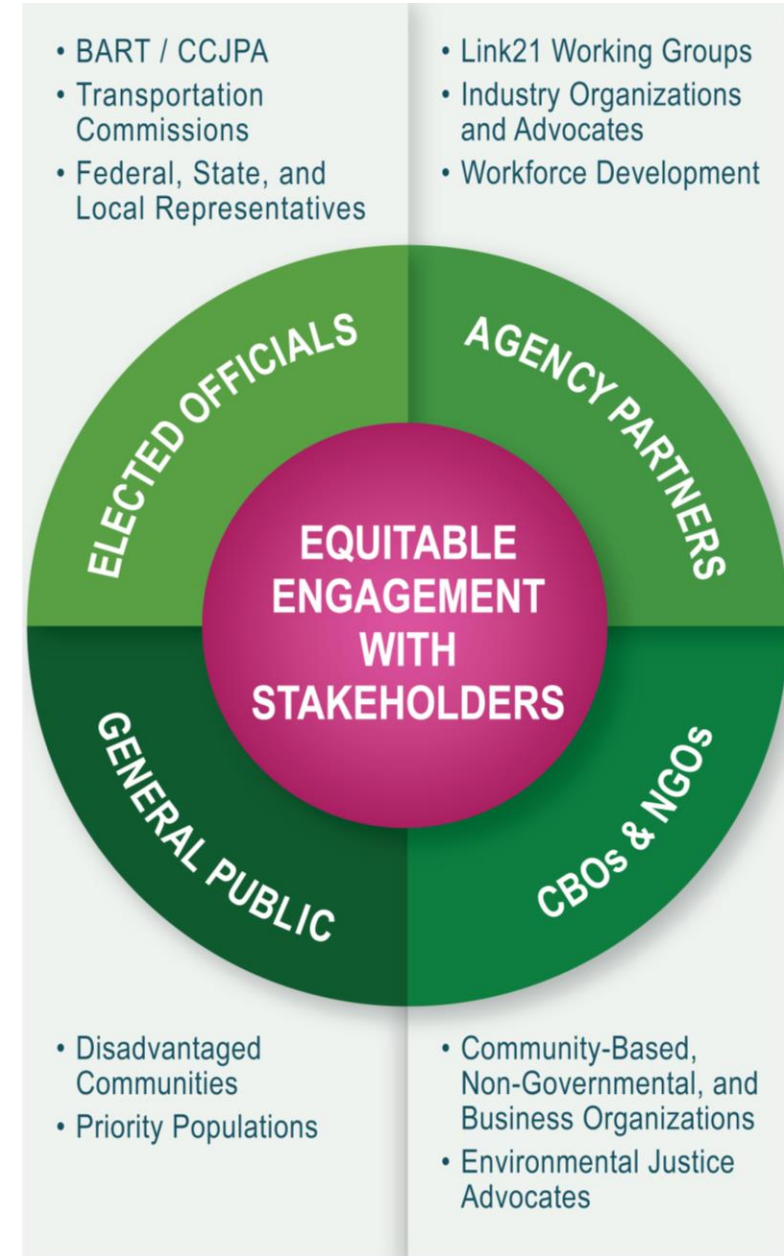
Communication Tactics

- Informational/Education Materials
- Interactive Website
- Social Media/Media Relations
- Electronic Notifications



Engagement Tactics

- Stakeholder Partnerships
- Briefings/Presentations/Community Tabling Events
- In-person and Virtual Public Meetings/Workshops
- Survey/Polling



Dynamic & Layered Engagement Activities

Briefings/Presentations

- Board Briefings
- Elected Official Briefings
- Tribal Meetings
- Youth Commission Meetings
- Agency Presentations
- Industry Presentations

Megaregional Outreach

- Virtual Webinars/Office Hours
- Interactive On-Demand Online Open House
- Website
- Social Media

CBO Activities (Co-Created)

- Interviews/Neighborhood Tours
- Neighborhood Tabling
- Community Mapping
- Briefings/Presentations
- Neighborhood Open Houses

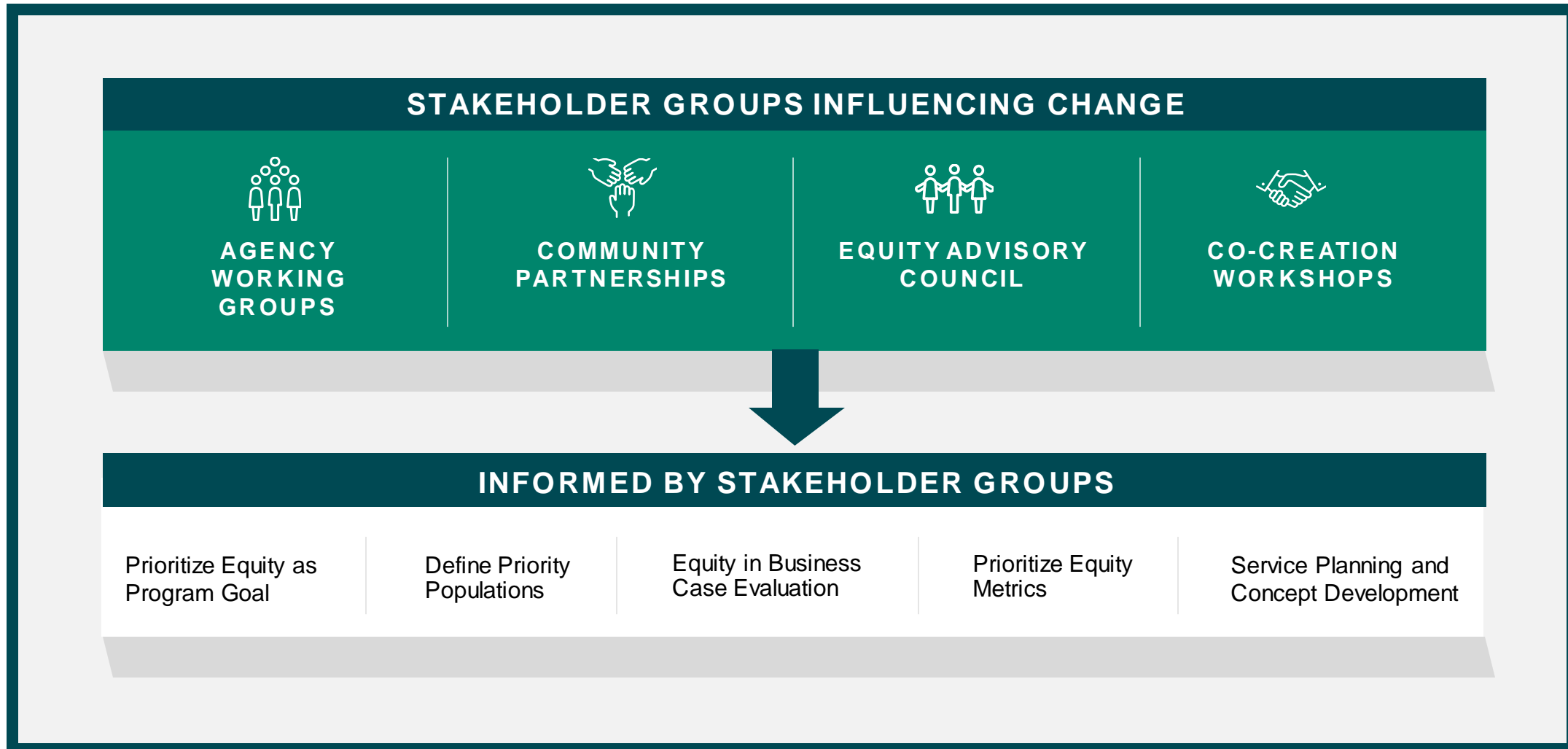
Equity Advisory Council

- Bi-monthly Meetings, Office Hours

Grassroots Tabling

- Train Station Outreach
- Community Events
- University Events
- Tribal Powwow Events




Equity Embedded in Link21 Program








2023 Engagement Highlights

140 unique events with over 6,300 connections

Events, Presentations & Briefings

-  **14** Equity Advisory Council Meetings & Office Hours
-  **63** Government/Agency Events
-  **63** General Public & Targeted Community Events (In-Person, Virtual & Online)

Communications

-  **21** Electronic Stakeholder Updates & Email Notifications
-  **20** Social Media Posts
-  **7,719** Link21 Subscribers
-  **119** Comments Received this Year
-  **1,563** Summer Online Open House Participants



What We've Heard – Key Themes

Input focused on service improvements and desire for integrated train network

Access, Connections, and Community

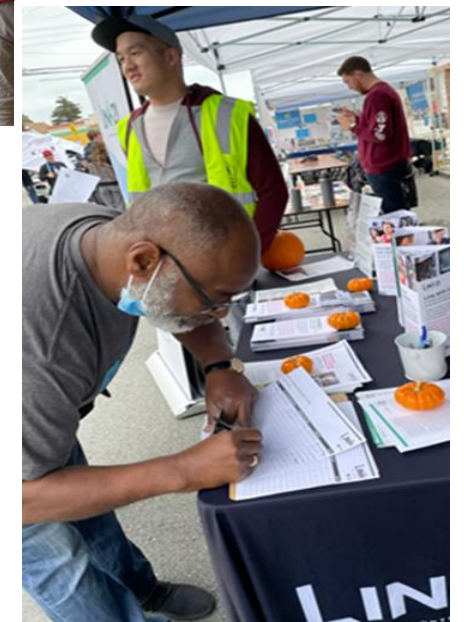
- Ability to **easily access stations** by bike, walking, or other transit
- **Minimize transfers** and provide better **megaregional connections**
- New **community connections**

Service Improvements

- **Faster, increased service** frequency, hours of operation, and weekend service
- **Better integration** between rail operators (service, transfers, fares)

Concerns

- Improved **safety and security**
- **Impacts to communities**, displacement
- Ridership and **cost**



Community Relationship Managers

① Winter Consulting: East & South Bay



Corinne Winter



Rachel Montoya
Gabrielson

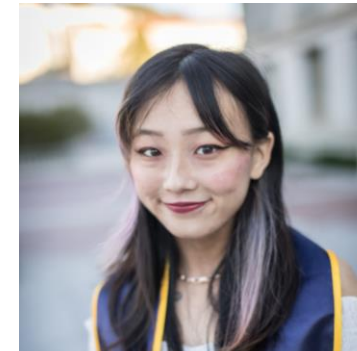
② Civic Edge Consulting: San Francisco & Peninsula



Lisbet Sunshine



Marianne Glaser



Emmy Kim

③ Varner PR: San Francisco & Oakland



Eddrick Osborne



Lesile Forestant



Sandra Varner

Community Relationship Managers

4 Imagen: Central Valley



Luis Molina



Virginia Madueno

5 Urban Planning Partners: East Bay



Lynette Diaz



Carla Violet



Ivana Rosas

6 Sagent Marketing: Sacramento Valley



Anne Staines



Christine Chua

7 Rainwater & Associates: North Bay



Marie Rainwater

Partnership with Community: The Unity Council

Co-Creation

- Round 1 & 3

Community Tabling

- The Unity Council's Resources Fair

Key Leader Interview

- Maria Sanchez, Program Manager, Fruitvale Business Improvement District



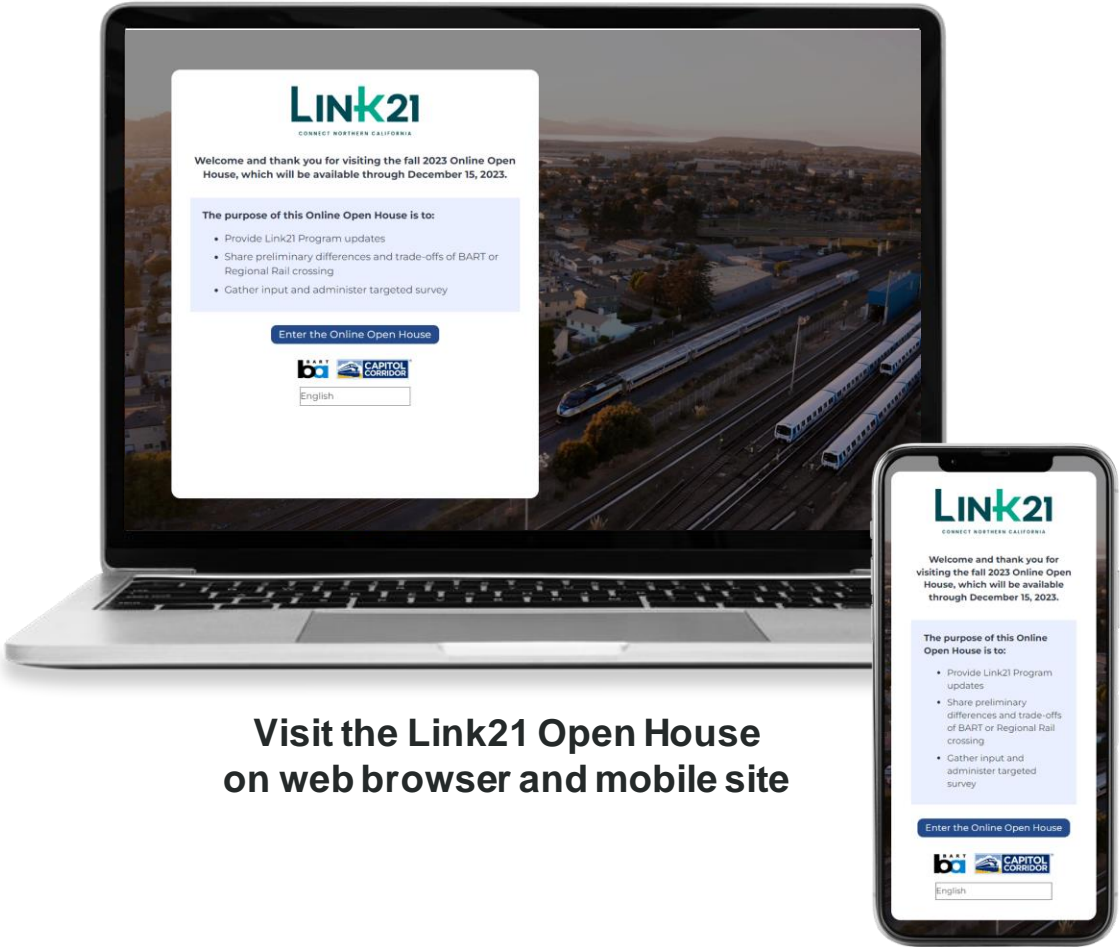
Join the Conversation!



Link21OpenHouse.com

Available 24/7 through December 15

- Learn how a new BART or Regional Rail train crossing between Oakland and San Francisco will benefit riders and communities, plus how the two options differ.
- Conveniently participate from either your desktop or mobile device.
- Your input will help us identify either a new BART or Regional Rail crossing recommendation for further study to meet the region's evolving future travel needs.



Visit the Link21 Open House
on web browser and mobile site

Key Activities Fall 2023 – May 2024



ONGOING ACTIVITIES

Targeted & Megaregional Collaboration

- Jurisdictions and agency partners
 - Elected Officials, Management, Staff
- Transit and community advocacy
- Equity Advisory Council

Planning

- Ridership modeling
- Cost estimating
- Service planning
- Concept assessment and refinement
- Link21 recommendation identification

PROGRAM MILESTONES

Fall 2023: Targeted & Megaregional Outreach

- Provide Program update
- Share preliminary differentiators and trade-offs
- Gather input

Early 2024: Targeted & Megaregional Outreach

- Share evaluation results & recommendation
- Gather input

Spring 2024: Stage Gate 2 Milestone

- Preliminary Project recommendation
(concept with options – technology choice)

Community Based Engagement

How Link21 is moving forward:

WHAT

- Anti-Displacement Toolkit
- Business Case Evaluation Criteria and Equity Metrics
- Community Benefits Development
- Service Consideration
- Station Area Design

HOW

- Equity Advisory Council
- Co-Creation
- Community Specific Workshops and Working Groups
- Grassroots Tabling
- Online and Virtual Engagement

Your Input

- Have you participated in a Link21 outreach event?
- What were your impressions?
- How would you like to participate in Link21 events moving forward?
- What are creative ways you have engaged with communities?
- What communities and or community-based organizations should we engage with?

AGENDA ITEM G:

Public Comment

Agenda Item V: Next Meeting Date

Agenda Item VI: Adjournment

Link21 Equity Advisory Council (Meeting 6)

October 17, 2023

DRAFT Link21 Equity Advisory Council (EAC) Meeting #6

October 17, 2023

6:00 pm – 8:45 pm

A Zoom transcript of this meeting is included at the end of this document.

Presentation slides from this meeting can be found via BART Legistar.

AGENDA

I. Call to Order (For Information)

A regular meeting of the Link21 Equity Advisory Council (EAC) was held Tuesday, October 17, 2023, convening at 6:00 pm via teleconference pursuant to the Link21 EAC Bylaws and consistent with Assembly Bill No. 361. This meeting was called to order by Tim Lohrentz (Equity Programs Administrator, BART Office of Civil Rights).

Tim Lohrentz gave instructions on the virtual meeting, accessing the presentation materials online, public comment, and members' remarks.

II. Roll Call (For Information)

EAC Present Members

| | | |
|---------------------|--------------------|---------------------|
| Ameerah Thomas | David Ying | Landon Hill |
| Angela E. Herring | Elizabeth Madrigal | Linda Braak |
| Beth Kenny | Fiona Yim | Samia Zuber |
| Clarence R. Fischer | Gracyna Mohabir | Taylor Booker |
| Cory Mickels | Harun David | Vanessa Ross Aquino |

EAC Absent Members

| | | |
|---------------|--------------|-------------|
| David Sorrell | Mica Amichai | Stevon Cook |
|---------------|--------------|-------------|

Participating Link21 Staff & Consultants

| | | |
|--------------|-----------------------|--------------------------|
| Ben Duncan | Darin Ranelletti | Mark Anthony Sebarrothin |
| Brian Soland | Frank Ponciano | Stefania Diaz |
| Camille Tsao | Iris Osorio-Villatoro | Tim Lohrentz |

III. Public Comment (For Information)

Javieree PruittHill, with BART's Office of Civil Rights, welcomed EAC members and acknowledged that he is available to provide his support to Tim and the Link21 Team.

IV. Meeting Topics

A. Agenda Item A: Approval of August 22, 2023, Meeting Minutes (For Action)

Tim Lohrentz (Equity Programs Administrator, BART Office of Civil Rights) mentioned that BART staff Andrew Tang, Link21 Business Case Manager, had one change to the minutes to correct the number of trains per hour in the Regional Rail concepts to ten (10). EAC Member Clarence Fischer motioned to approve the meeting minutes with the changes that were presented and EAC Member Vanessa Ross Aquino seconded the motion. Tim announced that the August 22, 2023, EAC meeting minutes were approved by a unanimous vote.

B. Agenda Item B: Follow-Up to Previous EAC Feedback (For information)

Tim Lohrentz provided a report back regarding the Link21 Team Composition Survey results. He explained that the Link21 team conducted an internal survey of staff demographics that was completed by 88% of the full team (287 respondents). Tim continued that the Link21 team closely mirrors the racial/ethnic makeup of the Megaregion with two exceptions: a lower percentage of staff identifying as Latino or Hispanic and a higher representation of staff identifying as white. He said the survey also shows that a lower percentage of the Link21 team identifies as disabled compared to the Megaregion, and because of this, the Link21 team has incorporated different ways to represent the disability community by engaging with organizations that represent them. Tim continued that gender results from the survey were similar between the Link21 team and the Megaregion. Tim then spoke on the topic of co-creation and how the Link21 team partnered with more than 30 community-based organizations (CBOs) to develop the equity metrics for the business case. He stated that this engagement process gave people of various demographic identities the opportunity to directly shape the equity metrics.

EAC Member Taylor Booker mentioned that she attended one of the Link21 tabling events where she received some great feedback. She then acknowledged and thanked the project team for the good work that has been completed so far, particularly in relation to CBOs in the region.

C. Agenda Item C: Proposed Amendments to EAC Bylaws

Facilitator Ben Duncan introduced the EAC members to various proposed amendments to the EAC Bylaws. Ben mentioned that during this first reading of the EAC Bylaw Amendments, the Link21 team hopes to solicit feedback from the

EAC members so that the team can incorporate it and bring the amendments back to the next meeting where a final vote will be held to approve the amendments. Ben explained to the EAC members that there are four primary proposed amendments: staggered terms, renewal of terms, subcommittees and working groups, and office hours. He said that staggered terms will help to maintain institutional memory by ensuring that not all members of the EAC are rotated out at the same time. He continued that, instead, half of the members will have their two-year terms extended to three years. He informed the EAC that the Link21 team will send them a survey for them to express their interest and availability. Ben explained that the Link21 team has also proposed new language in the Bylaws that allows members the potential for reappointment for a second term. He also informed the EAC that the Link21 team is proposing to codify subcommittees and Office Hours into the Bylaws with more detail on how they are formed and defined.

EAC Member Clarence R. Fischer asked the Link21 team to consider the wording of the EAC Bylaw Amendments related to membership. Clarence stated that four or five years from now, there might not be enough community members interested in joining the EAC, and because of that, the EAC Bylaw Amendments should have some sort of flexibility so members can do a third term provided the public interest isn't there to recruit new members.

Ben Duncan explained to EAC Member Clarence R. Fischer that this is the kind of feedback that the Link21 team is looking for. He also stated that the Link21 team has built into the process the ability to amend the Bylaws at any point so they are able to adjust the Bylaws as needed.

Facilitator Frank Ponciano noted that EAC member David Sorrell was unable to join the EAC Meeting 6 but submitted comments regarding the Proposed Amendments to the EAC Bylaws.

The comments are as follows:

1. David would be in support of as well as committed to the staggered term schedule for the committee members to ensure that there is continuity in the committee,
2. David would be in support of ensuring that committee members have both professional and/or lived experiences of the greater 21-county region,
3. David would be happy to support the subcommittees as needed so that any task that can be supported in between meetings can be addressed and acted upon and hopefully help with any outstanding timelines with Link21.

D. Agenda Item D: Proposed Meeting Schedule for 2024

Tim Lohrentz provided an overview of the proposed 2024 meeting dates and instructed EAC members to send an email to the EAC email address about any conflicts that they may have. The proposed EAC meeting dates are as follows:

| Meeting | Date | Time |
|------------|--------------------|------------------|
| Meeting 7 | January 16, 2024 | 1:00 pm- 3:45 pm |
| Meeting 8 | March 19, 2024 | 6:00 pm- 8:45 pm |
| Meeting 9 | May 21, 2024 | 1:00 pm- 3:45 pm |
| Meeting 10 | July 16, 2024 | 6:00 pm- 8:45 pm |
| Meeting 11 | September 17, 2024 | 1:00 pm- 3:45 pm |
| Meeting 12 | November 19, 2024 | 6:00 pm- 8:45 pm |

Tim Lohrentz also informed the EAC that additional Office Hours dates are included in the meeting packet under Agenda Item D.

E. Agenda Item E: Link21 Concept Trade Off & Benefits

Brian Soland (Link21 Manager of Rail Planning, BART) introduced himself to the EAC and led a presentation on the initial benefits and tradeoffs that have been identified so far for the Link21 concepts. Brian explained that the project team is approaching Stage Gate 2 (Spring 2024), where train technology will be decided on by the Capitol Corridor Joint Powers Authority (CCJPA) and BART Boards. Brian briefly recapped the concepts and explained that the Link21 team is comparing the similarities and differences in passenger experience to frame the tradeoffs and benefits of each concept. He stated that the benefits and tradeoffs will be explored through five key differentiators: equity, service, connections, system performance (network integration), delivery, and funding.

EAC Member Clarence R. Fischer proposed having a discussion with Brian Soland offline. Clarence also stated that the fares for Capitol Corridor are on average seven to nine times more expensive than BART fares once discounts for disabled and senior community members are considered. He stated that BART offers a 62.5 percent discount while Capitol Corridor offers a 15 percent discount, creating a financial equity problem. He explained that after getting in contact with Union Pacific's dispatch center in Omaha, Nebraska, he was unsure as to whether Regional Rail can run trains five minutes apart like BART does, provided they were given the rolling stock and personnel. Clarence expressed nervousness about how Link21 could provide a future without knowing if Union Pacific can promise 15-minute headways.

Brian Soland stated that fares are something that would need to be reconsidered from what they are today. He also included that the current fares for Capitol Corridor are more for intercity service and longer distances, so a relook at the fares would be essential for the shorter services that Link21 would be adding.

Camille Tsao (Link21 Program Lead, Capitol Corridor) added that Link21 is aware that Capitol Corridor fares are higher than other rail operators in the Megaregion and it's something that the Link21 team will investigate further.

Camille also stated that Capitol Corridor is looking into switching over to a new payment platform with fare-capping. She explained that Capitol Corridor does not own their right-of-way, unlike BART, which gives BART the ability to provide two-minute headways. She clarified that Capitol Corridor needs permission from Union Pacific to run trains, but at the crossing itself, trains could run closer together.

Frank Ponciano requested that Camille Tsao or Brian Soland define headway.

Brian Soland explained that headway is how frequently trains would pass through a station or the time between trains. Brian also mentioned that he would be happy to talk offline with Clarence R. Fischer regarding any lingering questions he might have.

EAC Member Vanessa Ross Aquino asked if the Link21 team could consider creating a seamless fare transferring system for people transferring from Capitol Corridor onto BART or Caltrain. Vanessa asked, if it was not possible, whether Link21 would consider creating a seamless system for seniors or families who are having to navigate different kinds of payments.

Brian Soland stated that fare integration is something that the Bay Area has come a long way in with the integration of the Clipper Card across various agencies, but acknowledged that there is certainly some more integration that can happen considering Capitol Corridor does not use Clipper Card. He also stated that MTC has some fare integration efforts that are currently underway.

Camille Tsao confirmed that Capitol Corridor will not be a part of the Clipper payment system, but Capitol Corridor is piloting an open payment system that will allow for contactless credit card payment. She also mentioned that the next version of Clipper is trending toward the same technology.

EAC Member Angela E. Herring asked if there is a cash option for BART or Capitol Corridor. Angela mentioned that in the past, when people purchased paper tickets for BART or Capitol Corridor, riders could do so with cash or credit cards. Angela stated that she wants to ensure that there is equity for a person who does not have access to a credit card.

Brian Soland stated that all BART ticket vending machines take cash.

Camille Tsao said she will get back to the EAC Members on whether tickets for Capitol Corridor can be purchased with cash.

Frank Ponciano asked for an update on the pilot program to make debit cards available that was brought up at the last EAC meeting.

Camille Tsao explained that you will not need to have a credit card to ride Capitol Corridor and will need to follow up with the EAC once she has more information. She confirmed that the Link21 team is taking into consideration that not all customers have bank accounts and credit cards, so there will still be a way for people who do not have a credit card to pay.

Frank Ponciano asked if there are ways to purchase a ticket other than purchasing it online or through the mobile app.

Camille Tsao confirmed that individuals can also purchase tickets in person at a ticket machine but was unsure if cash is a payment option.

EAC Member Angela E. Herring stated that the information regarding the card payment for train tickets is the same information that has been given in previous EAC meetings. She also mentioned that she has asked the same question regarding equity. Angela also stated that when it comes to equity, if there are two partners that are working together, BART and Capitol Corridor, they should have the same type of payment services.

EAC Member Harun David stated that BART has limited stations where you can purchase tickets directly with cash, with one of the stations being Montgomery, but at all other stations, people must purchase a three-dollar Clipper card along with their ticket. He pointed out that sometimes, people only have a limited amount of cash at hand and so when they input the three dollars into the machine, it automatically deducts the Clipper card fee, and some people may not want that. Harun also mentioned that while it is a good thing that Clipper works across multiple agencies, paying a new fare when transferring to a different system really affects low-income people, students, and all those that are struggling to get by. Harun mentioned that there is a lot to be done so that the integration can work with the local transit system, but at its current state, it is not user friendly.

Camille Tsao acknowledged everything that has been said by the EAC members and mentioned that the Link21 team may consider having someone from MTC come talk about their efforts to develop a means-based fare program that is specifically meant to help those with lower incomes. Camille reiterated that moving towards a contactless payment system is going to have a positive impact on affordability because it is going to help design a fare structure that is user friendly for people that use multiple forms of transit.

EAC Member Clarence R. Fischer knows that Capitol Corridor is in the process of developing a new system but would like to know if there is a measurement that the project team is using to know when they have reached the goal. Clarence asked what is prohibiting Capitol Corridor from accepting Clipper Card, and what is prohibiting agencies like BART from taking other regions' equivalents to Clipper Card.

Camille Tsao explained that the pilot has already started this year but that she cannot answer the specifics of why these different payment systems don't work with one another.

EAC Member Linda Braak stated that she feels it is unreasonable to expect agencies to share payment technology with each other because of how technology is adopted by an agency and paid for within that agency. Linda also added that she would like to bring more attention to safety within transit systems. She stated that while the EAC often focuses on the price of fares, she personally would be willing to pay a little bit more to be on a clean ride where she feels safe. She felt that without addressing safety concerns, wide-scale adoption of transit would not happen. She emphasized the potential in driving ridership up amongst the population of people willing to pay more in order to boost overall ridership and be able to afford to offer lower fares as an agency.

Brian Soland acknowledged the different concerns that came up regarding fares and safety, and reiterated that for a future EAC meeting topic, the Link21 team will be taking a deeper dive into the topics of equity in fares as well as safety.

Tim Lohrentz announced that the focus of Link21's Fall outreach will be regarding tradeoffs and benefits, which will start in November through December. Tim explained that there will be an online open house that can be accessed virtually. He highlighted two virtual events, the first one being a community meeting which will happen November 1 from 6:00 pm- 7:30 pm, and an Office Hours with the public on November 6 from 6:00 pm- 7:00 pm. He explained that these community meetings will provide EAC members and members of the public with an opportunity to ask any questions they may have. Tim also brought up the Fall 2023 and Early 2024 program milestones.

Frank Ponciano added one last comment that was made by David Sorrell where he mentioned that he would like a PDF of the materials that were used on agenda item E (unless there are no changes to the tradeoffs that were previously discussed) and that he intends to attend the open house event.

Break (10 min)

Facilitator Frank Ponciano announced a 10-minute break.

F. Agenda Item F: Approval of EAC Anti-Displacement Focus Statement

Frank Ponciano moved to the next agenda item and opened the discussion on approval of the EAC anti-displacement focus statement. Frank let everyone know that Mentimeter was going to be used for this portion of the conversation. Frank also provided a brief recap of the EAC anti-displacement conversation to date, as well as Link21's approach on evaluating displacement risk and identifying corresponding strategies.

Darin Ranelletti (Link21 Manager of Land Use Planning, BART) introduced himself and explained how the Link21 team is currently in the process of drafting and refining the anti-displacement toolkit while the team evaluates potential program concepts. Darin explained that after Stage Gate 2 in 2024, Link21 will work with communities to identify and define specific project details, such as track alignments and stations where the toolkit resource will be used to identify specific anti-displacement strategies. He stated that the strategies will then be implemented with the project. Darin also stated that data and analysis will be incorporated throughout the process alongside feedback from stakeholders who will inform the project team about the toolkit and strategies.

Frank Ponciano reiterated to the EAC that the focus of the conversation is to finalize and approve the anti-displacement focus statement. Frank clarified that the purpose of the focus statement is to identify the anti-displacement topics that the EAC wants to focus its discussion on. Frank also presented Link21's authority to implement different types of anti-displacement strategies and

provided a brief recap of the September anti-displacement hours where EAC members reviewed and voted on a total of fifty-seven anti-displacement topics.

Darin Ranelletti then went through each category of potential topics for the focus statement: displacement risks, anti-displacement strategies on physical development space, anti-displacement strategies aimed to protect and empower people, and anti-displacement implementation approaches.

Frank then explained that of the topics that were identified during the EAC Office Hours, the Link21 team is interested in identifying the 1 to 2 topics that are most important to the EAC to discuss, given its mandate. Frank stated that once those have been identified, the EAC can explore them in further detail and provide additional direction to the program team.

Darin Ranelletti then reiterated that this would be an opportunity for the EAC to drive the work on what the EAC itself will focus on. He also added that the Link21 team will still study and pursue a variety of anti-displacement topics and strategies, but for the purpose of the focus statement, the EAC members will pick one or two topics that they will contribute to as a body.

EAC Member Vanessa Ross Aquino asked why the topic of community engagement is at the bottom of the list and how the Link21 team came up with the ordering of the list. She stated that if it were up to her, community engagement would be higher up in the list so that community members feel more comfortable interacting with others.

Frank Ponciano explained that EAC topic list is not ordered in any way. He added that just because community engagement is placed at the bottom of the list, it does not denote the importance of community engagement.

EAC Member Harun David stated that these topics relate to one another, and they all focus on the historical aspects that have led to the present day. Harun stated that the EAC may want to come up with solutions to mitigate some of the historical wrongs that have resulted in anti-displacement. Harun mentioned that the topic he would focus on is affordable housing. He stated that the entire reason the EAC is discussing bringing people to work from the Central Valley to the Bay Area is because housing in the Bay Area is too expensive to live there, so people have had to move. He explained that most transit agencies own large chunks of land, and they can develop affordable housing on that land to prevent some people from having to move farther away to afford the cost of living. Harun also mentioned that he would like to focus on coordination with government agencies because most unused land belongs to the government, and these lands can be leased to local housing entities to build affordable housing. Harun also explained that currently, most of the housing that is being built is only mandated to have 30% affordable housing for the low-income community. Harun believes that housing should be 70% low-income and only 30% should go to affluent people. He feels that additionally, seniors, people with disabilities, and low-income communities should be prioritized.

EAC Member Landon Hill asked if race and ethnicity was one of the topics of discussion during the last two EAC office hours that was not selected to be a part of the final list of topics. Landon noted that when Black folks are not centered in changes, they often do not benefit from them. Landon stated additionally that he was unclear on what the statement ultimately is and how it will help Link21 and the EAC move forward.

Frank Ponciano explained that the focus statement is a way to establish an issue, or set of issues, for the EAC to focus on. He emphasized that the focus statement is a starting place for the EAC to begin discussing anti-displacement.

Darin Ranelletti also added that it's up to the EAC to determine how much they would like to focus on these topics, as well as the timeframe that they will commit to them. Darin explained that regarding whether race and ethnicity was voted on as a subject in the Office Hours, Link21 collected all topics from feedback and questions from the EAC received to date. He also recognized that the topics brought up to date were not the only ones relevant to anti-displacement. He informed Landon that the closest topic to race and ethnicity was structural and systemic inequities. He explained that if racial inequities are something that the EAC would like to focus on, this is something that we can add to the list of topics.

EAC Member David Ying mentioned that he would be in support of adding race to the list of topics. He also added that non-English speakers should be added as well since the region has so many people who are not fluent in English. David added that if he had to choose from the current list of EAC topics, he would support transit-oriented development and affordable housing construction. He said his reasoning was that station development is Link21's biggest opportunity to promote equity, especially since land use drives transportation behavior. If more affordable housing is built, it will result in better outcomes for low-income people and priority groups who use transit.

Frank Ponciano confirmed that race and ethnicity and non-English speakers were added as topics in the Mentimeter exercise.

EAC Member Cory Mickels asked for clarification on whether EAC members were supposed to raise their hands to vote for their preferred topics.

Frank Ponciano explained that the Mentimeter will be used first to narrow down topics to form the proposed focus statement, and Tim will then call a vote to ratify the focus statement on anti-displacement. Frank then explained to the EAC how to use the Mentimeter exercise, the results of which are included in this document on page 12.

EAC Member Ameerah Thomas expressed that some of the topics in the Mentimeter poll seem to be an actual process (community engagement, for example) while others are primarily focused on populations or interventions, raising questions around what the populations, strategies, outcomes, and results are associated with each of these topics. She stated that some of these topics, like anti-racism, for example, are foundational to the way she thinks about anti-

displacement. She concluded that all these considerations make it difficult for her to rate some topics over others in this exercise.

Frank Ponciano acknowledged that it has been a difficult process to narrow down the list of 57 potential topics to the topics left in the exercise. He explained to the EAC that the Link21 team is working on many of these topics and has teams for topics like community engagement and anti-displacement, for example. He also assured the EAC that they are welcome to provide input on any aspect of the program regardless of the outcome of the statement. He asked the EAC to think about the focus statement as a way to decide what to focus on as an EAC while work continues on most of these topics.

Darin Ranelletti added that focusing on one or two topics is not to the exclusion of related topics or issues that might be on the list and emphasized that equity is core and central to everything the EAC does. He stated that if transit-oriented development were to be selected, for example, the EAC would discuss how topics like race and ethnicity and populations (e.g. people with disabilities, seniors, and youth) should be taken into account in the context of transit-oriented development.

Frank Ponciano discussed the Mentimeter results and explained that the EAC will take a vote on the anti-displacement focus statement formed from the results. He then passed the conversation back to Tim Lohrentz so that he could facilitate the vote.

Tim Lohrentz called out a voice vote for each EAC member that was present to state whether they are in favor or not in favor of the statement that was presented to be the focus statement. He read the statement as follows: for anti-displacement, the EAC will focus on transit-oriented development and race and ethnicity.

EAC Member Angela E. Herring asked whether it should be reflected in the focus statement that everything the EAC is going to do is going to include a metric of race and ethnicity.

Darin Ranelletti explained that the Link21 team will continue to gather feedback from the EAC on the conversation going forward. He also explained that it will be up to the EAC to decide and give Link21 guidance on how they choose to include race and ethnicity in the anti-displacement work.

EAC Member Ameerah Thomas stated that the focus statement needs to be grounded in principles as opposed to treating principles and policies like two separate topics. She added that it is important to acknowledge the historical context of how populations have been historically impacted by policies. She said she voted no because the statement is too simplified, not because she is uninterested in exploring these topics.

EAC Member Cory Mickels proposed adjusting the focus statement to read as: for anti-displacement, the EAC will explore topics including but not limited to

transit-oriented development and race and ethnicity. Cory felt the change would allow the EAC flexibility to potentially touch on other issues.

Tim Lohrentz allowed for the addition to be made since it was consistent with the process so far, and Clarence R. Fischer seconded the motion.

EAC Member Landon Hill asked if the Link21 team can provide the EAC with a timeline for the discussion of the topics to help address some of the concerns with the statement at the next EAC meeting regarding anti-displacement.

Frank Ponciano explained that the timing component was not added to the focus statement itself because the Link21 team wanted the timeline to be something the EAC determines. The EAC could default to one year for the focus statement or make the determination to move on to another focus statement once the EAC feels that a particular topic has run its course.

Darin Ranelletti also added the conversation on anti-displacement can be approached in a different way if the EAC is not comfortable with this approach and the vote turns out to be unsuccessful.

EAC Member Beth Kenny expressed that they related to what Ameerah stated on race, ethnicity, and historically impacted groups. They also asked if there is a way to include a framework, timeline, and two possible solutions/approaches to consider with that framework and timeline in mind.

EAC Member Ameerah Thomas asked if it would be possible for EAC members that are interested to create a draft of the focus statement and bring it back to the EAC for a vote or merging of statements.

Frank Ponciano stated that from a procedural standpoint, the EAC would then have to vote to suspend the current vote and spend some time in between this meeting and the November meeting modifying the statement and preparing it for a new vote. Frank asked Tim Lohrentz how to best proceed.

Tim Lohrentz recommended voting on the statement presented and finding alternatives to the focus statement if it failed to pass, adding that the suggestion made by Ameerah may be one way to do that. Tim then proceeded to call out the vote on the following statement: for anti-displacement, the EAC will explore topics including but not limited to transit-oriented development and race and ethnicity. He announced that the statement passed 8-7. Tim then mentioned that the team may want to revisit the focus statement considering the outcome of the vote.

Frank Ponciano expressed that the team is still open to gathering feedback and considering changes to the focus statement.

Javieeree PruittHill asked Frank Ponciano for permission to speak to this topic, and stated that anti-displacement is very layered itself, so there is a lot to consider when voting on this focus statement. He suggested categorizing these topics further to make it possible for EAC members to consider them more succinctly.

Frank Ponciano then requested input from the EAC regarding preferences for future EAC conversations on anti-displacement in order to inform the Link21 team's planning efforts. Frank noted based on the polling results, case studies were the most popular option, followed by panel discussions with government agencies/outside organizations/community members, and then Link21 staff research presentations.

Darin Ranelletti expressed his gratitude for all the EAC member participation and noted that he was looking forward to continuing to work with everyone on this important topic.

Mentimeter

What topic(s) related to anti-displacement should the EAC focus on?

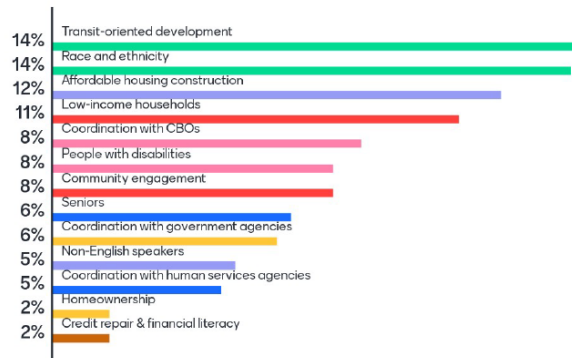


Figure 1. "What topic(s) related to anti-displacement should the EAC focus on?" Mentimeter poll

How would you rank your interest in the following methods?

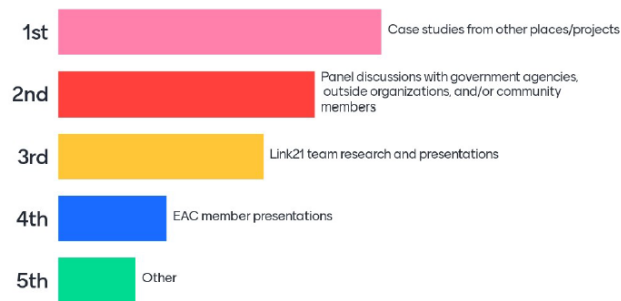


Figure 2. “How would you rank your interest in the following methods?” Mentimeter poll

G. Public Comment (For Information)

Tim Lohrentz opened the public comment period for items on this meeting’s agenda. Tim explained that public comments will be limited to two minutes per person.

EAC Member Taylor Booker asked if the Link21 team will create new partnerships with existing community-based organizations. She mentioned that she knows that there are many CBOs that were listed but that there might be other CBOs that can make it possible to host focus groups within the community.

Tim Lohrentz responded to Taylor by letting her know building new partnerships is a great idea and that the Link21 team would be reaching out to Taylor to speak more about her suggestions offline.

Javieree PruittHill asked if the co-creation process had been socialized with the EAC.

Tim Lohrentz answered that the Link21 team has not yet gone into depth in the process of co-creation, so it may be a good topic to consider for a future meeting.

V. Next Meeting Date: November 28, 2023 (For Information)

Tim Lohrentz announced that the next meeting will be Tuesday, November 28, at 1 pm. He also announced to the EAC that the first meeting of 2024 will be Tuesday, January 16 at 1 pm.

VI. Adjournment (For Action)

EAC Member Clarence R. Fischer motioned to adjourn the meeting and several EAC members seconded the motion. The EAC unanimously motioned to adjourn at 8:42 pm.

EAC Meeting Zoom Transcription Meeting #6 – October 17, 2023

This is a Zoom transcript of the meeting.

Tim Lohrentz

Okay if we can go to the next slide. Hello all. It is Tuesday, October 17, at 6:02pm now calling the Equity Advisory Council meeting number six to order. I'm Tim Lohrentz, the Equity Programs Administrator of Link21 for the BART Office of Civil Rights, and I want to extend a warm welcome to members of the public today as well as to our Equity Advisory Council members on behalf of the Link21 team. Next slide, please. Before we do a roll call and a quick agenda review and hear public comments, I want to make sure we all are on the same page about how we will conduct a Zoom meeting today or tonight. First, please keep yourself on mute when not speaking. If you'd like to make a comment, please raise your hand or come off mute. If on the phone, you can press star six to unmute and star nine to raise your hand, pressing star six again will again mute yourself. Keep in mind the mute button is on the bottom left of the screen if you're on Zoom. Next to that is the start video button. If you need to change your name, you can click on participants button and then click rename. The reactions icon on the bottom bar of your window allows you to raise your hand or provide responses such as thumbs up, applause and others. This meeting is being recorded, closed captioning or live transcript is available to all at the top of your screen. Be sure to take advantage of this if it helps your participation. Chat is available to panelists in case you are having any technical difficulties and need assistance from our tech support. For comments related to the meeting, we ask that you unmute yourself to speak whenever possible instead of using chat. Next slide, please. We will begin this Equity Advisory Council meeting with a roll call of our Council members in attendance. When you hear your name is called, please unmute yourself and let us know that you are in attendance tonight by saying here. The names will be called in alphabetical order. Let's begin with Ameerah Thomas. Angela E. Herring.

Angela E. Herring

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=145810>Here.

Tim Lohrentz

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=147570>Beth Kenny.

Beth Kenny

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=149330>Here.

Tim Lohrentz

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=150930>Clarence R. Fischer

Clarence R. Fischer

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=152954>Here. Cory

Tim Lohrentz

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=155258>Cory Mickels. David Sorrell. David Ying.

David Ying

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=165128>Here.

Tim Lohrentz <https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=166800>
Elizabeth Madrigal.

Elizabeth Madrigal

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=168744> Here.

Tim Lohrentz

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=170240> Fiona Yim.

Fiona Yim

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=171736> Here.

Tim Lohrentz

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=173300> Gracyna Mohabir.

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<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=175164> Here.

Tim Lohrentz

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=177300> Harun David. Landon Hill.

Harun David.

Harun. Here.

Tim Lohrentz

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=188876> Harun?

Harun David

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=189426> Here.

Frank Ponciano

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=190028> Harun is here. Landon Hill is present as well.

Tim Lohrentz

Okay. Great. Linda Braak.

Linda Braak

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=200110> Here.

Tim Lohrentz

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=202750>Mica Amichai. Samia Zuber.

Samia Zuber

Here.

Tim Lohrentz

Stevon Cook. Taylor Booker. Vanessa Ross Aquino.

Vanessa Ross Aquino

<https://grain.com/share/recording/709eacd0-21f4-4ca8-9619-03f53cd03fc9/hWCkMQ6DpThoAPzUNJh9fn0k9MoTZ17MmDGJBdbE?referrer=docx&t=227086>Yep, present.

Tim Lohrentz

Thanks all for your attendance, and welcome to the Equity Advisory Council of the Link21 program. Next slide. We will now move on to hearing public comments on topics not on today's agenda, but relevant for this council. Keep in mind, public comment is limited to two minutes per person. If you are on the phone and would like to provide a verbal public comment, please dial six to unmute yourself. You may unmute yourself now.

Cory Mickels

Hi. Sorry. This is Cory Mickels. Was my name called on a roll call?

Tim Lohrentz

Yes, it was. We have you as present now. Thank you.

Cory Mickels

Okay.

Tim Lohrentz

Anyone on the phone like to unmute yourself to provide a public comment?

Taylor Booker

Hi, Tim. This is Taylor Booker, EAC member as well. Just making sure that you have me as present on the roll call. Thank you.

Tim Lohrentz

Thank you, Taylor. We'll have you as present now. Thanks. If there are no comments for those who dialed in, we will now see if anyone participating via Zoom would like to provide a public comment. You can do so by raising your hand.

Frank Ponciano

All right, Tim, we have one person.

Tim Lohrentz

Okay, Javierree PruittHill. And if you can introduce yourself before you speak.

Javierree Pruitt Hill

Hey, good afternoon or good evening, folks. Javierree PruittHill, manager of Title Six and Environmental Justice in the Office of Civil Rights here at BART. I have the pleasure of working with Tim and Sadie on the Link21 program. I just want to welcome everyone and provide my support to Tim and the team as you guys continue to traverse forward. I've heard nothing but wonderful things about the group thus far, about the committee and the council and the consultants. So thank you, everyone, for providing your subject matter expertise as we endeavor on this one in a lifetime project or program for the Bay Area. Thank you.

Tim Lohrentz

Thanks, Javieeree. Anyone else raising your hand? Okay, next slide. We'll move on now to looking at the meeting topics for tonight's EAC meeting. Next slide, please. Our first item on the agenda is the approval of the EAC meeting minutes from August 22, 2023. These were sent out in the meeting packet. If you had a chance to look at them. There is one small change to the minutes made by Link21 Business Case Manager, Andrew Tang. This is on page five and the 6th paragraph down. And on the third line of that paragraph, there are two instances of the word four on that line. The second instance should be changed to ten. The sentence now reads, he said that all four of the regional rail concepts have ten regional rail trains per hour and so forth. Are there any other changes to the minutes? If not, does anyone have a motion to approve the meeting minutes with the change?

Clarence R. Fischer

As noted, Clarence Fischer moves that we move the minutes as with the change read and presented to us.

Vanessa R. Aquino

I second .

Tim Lohrentz

Thank you for the motion and the second. For all those in favor, raise your hand if you're in favor of approving the minutes. Okay, thank you. That motion passes. Next slide. We can look at the other agenda items for tonight. We'll start with a regular feature. It's our follow up to previous EAC feedback. Then we will have a reading of the EAC bylaws updates and proposed amendments. This is not a vote. It's just a reading of item D, the proposed meeting schedule for 2024. Item E, which is a lengthier topic. Link21 Concepts Trade Offs and Benefits we'll have a break in between E and F. Item F will be approval of the EAC anti displacement focus statement. Next slide please. Please refer to your virtual meeting packet and look at the agenda item for B with the EAC Feedback Memo. This is also available on Legistar. There are several items of importance, especially related to our anti-displacement efforts. There is one item which I would like to report on at this meeting. Next slide, please. In a prior meeting, an EAC member asked about the diversity of the staff involved with developing the business case equity metrics. The work to develop Link21 equity metrics was cross functional and involved many different parts of the team. So to support answering this question, Link21 conducted an internal survey of staff. 287 people, comprising about 88% of the full team, completed the survey. They provided information on their race, ethnicity, gender and disability status. These are all demographic characteristics that we've heard the EAC identify as important considerations for diversity, equity and inclusion. In the coming slides, we'll show you the results compared to the Megaregion demographics for these demographic characteristics. Overall, we found the makeup of the Link21 team tends to resemble the composition of the Megaregion. A few things about the survey to keep in mind information reflects team composition in June 2023, does not account for staff who previously but are no longer working on Link21 or those who joined the team after that survey date. Results don't reflect the amount of time a person works on Link21 or their level of influence. And before I move on, it's very important to mention that the development of Link21 equity metrics was not just an internal exercise. Communities that have been marginalized were key participants in defining Link21 equity metrics. Notably, Link21 partnered with over 30 community-based organizations to host cocreation events. These events gave over 600 community members a direct role in shaping what equity metrics should be a part of the business case. Using small breakout rooms allowed these participants to provide in-depth guidance. Additionally, a poll of 1500 low-income individuals and people of color also directly shaped how equity is incorporated into the business case. Next slide, please. For race ethnicity, we found that the Link21 team closely mirrors the makeup of the Megaregion. With two exceptions. There is a lower percentage of staff identifying as Latino or Hispanic on the Link21 team. You'll notice 28% in the Megaregion and 12% on the Link21 team. There is a higher representation of staff identifying as White on the Link21 team, 52% of the Link21 team compared to 40% population in the Megaregion. And because of the very specific way that the Census approaches race ethnicity, there is no parallel data for some options. Next slide, please. We found that a lower percentage of Link21 team identifies as disabled compared to the Megaregion. The Link21 team understands that the lived experience of people with disabilities needs to be incorporated into our work. As you'll see in a couple of slides, one of the ways we do this is by engaging with organizations that represent disability communities in Link21 engagement, including a co-creation of the equity metrics. Next slide, please. Gender results are similar between Link21 team and the Megaregion. Because the Census only has two options for gender, there is not parallel data for responses for non-binary, prefer not to say, and other. Next slide please. As I mentioned a few slides ago, it is very important to note that the development of equity metrics for the business case was truly co-created with communities. For example, we partnered with 30 CBOs, you can see their logos here, and almost 700 community members during two-hour co-creation workshops. By using small breakout rooms, co-creation allowed us to have in depth conversation with community members that informed the development of the equity metrics. You can also see the list of all the organizations in the packet of materials in the EAC Feedback Memo. We intend to continue working with community groups like these to define important aspects of Link21 as work continues. Thank you. I'd like

to pause here to see if there's any comments or questions from EAC members. I can't see all the hands, so I'm not sure if anyone has a hand up.

Frank Ponciano

We've got Taylor Booker.

Tim Lohrentz

Go ahead, Taylor.

Taylor Booker

Thanks for the breakdown. I just wanted to just give my kudos to all of these wonderful organizations that you have listed here and working with the input because I do work very closely with quite a few of them on our call and just the screen particularly BMagic. I did go to one of the side tabling events for EAC and for the Link21 program. So they gave some really great feedback and wanted me to bring that to this group and they enjoy working. So I just wanted to give the kudos to the team for partnering with the organizations listed.

Tim Lohrentz

Thanks Taylor. Anyone else? Okay, now we can move to the next slide please. So this is the reading of the proposed bylaw updates and proposed amendments. And for this we're going to turn it over to Ben Duncan.

Ben Duncan

Thanks Tim. Good to see folks, or at least I see you, Vanessa. I see you Harun and some names on the screen, but I'll imagine all you all's beautiful faces. So Ben Duncan with the Link21 program team, and I'll just spend a few minutes introducing some proposed amendments to the EAC bylaws. And really to start with, the bylaws really are our outline of the operations of the Equity Advisory Council. And hopefully folks had a chance to at least reacquaint yourselves with the bylaws and the proposed amendments that you received in your packet for tonight. When we initially developed these, we did build in the process to amend the bylaws. And so we're starting that process this evening that includes, as Tim just referenced, a first reading, which is, this is our space today. We'll get a little bit of reflection tonight, folks have immediate responses, but primarily we're going to solicit your feedback between now and our next meeting. We'll take that and incorporate that feedback. We'll bring back to our next meeting with some reconciliation of what we've heard, and we'll ask for a final vote to confirm those amendments based on your input and based on our existing bylaws with a three quarters majority vote. And I'll just note as we get to our first year together as a council that we've heard from you all, we've learned from what's worked, and we've seen some real opportunity to ensure that as we collectively move forward together, that we're doing so with the structures in place to maximize your input, we can go to the next slide. And so there's really four areas that are outlined in the proposed amendments, again, that you all received in your packet. And I won't formally read it unless, Tim, you tell me I should actually read the exact language or if it's helpful for anyone in the group, but rather, I'll speak at a high level to the purpose of each of these proposals that we're putting forward. So the first is that we've updated language regarding staggered terms. And ultimately, the goal is to ensure that we are not basically rotating all members of the EAC off at the same time, which really helps us maintain institutional memory. It maintains our continuity. So with this proposed amendment, half of the members would have their initial two year term extended to three years. And we'll use a survey that we'll send to you all for you all to express your interest and availability in doing so. So really, half the members go into a three year term, which will create that initial staggering. In the same vein, we've proposed some language to allow for members to have their terms renewed. And I recognize two or three years might seem like a long time for an appointment, but Link 21 is a long process with our commitment to meet six times a year, it might not feel as long as it sounds, but most importantly, we just want members to have a choice for reappointment to a second term. And as we get into next year, we'll be asking you if you're interested to fill out a renewal form. And again, you can read that language that I'm kind of summarizing in your packet. And then for each of these, just to affirm this point, the program is remaining committed to maintaining the intentional geographic and sociodemographic diversity along with the skills and the expertise that all of y'all reflected as you applied initially so we can continue that really important representation for the program amongst this group, really committing to the idea that the members of the EAC will and will maintain, or do and will maintain a reflection of priority populations who both bring the expertise from lived experience, but also the expertise from the professional experience that so many of you reflect. And then we built into the charter initially with a vision for an authority for the Equity Advisory Council to establish subcommittees. And now we're working to codify that into our bylaws with language around how subcommittees are formed and defined, but also adding language for work groups and adding language to our office hours, which is a structure that many of you have participated in and utilized. And really, just all of these are in service to making sure that we have multiple mechanisms for you all to give input for you all to build your capacity to engage and to ensure that as we do our work together, you have as many opportunities to meaningfully provide input to the program. So I'm going to stop there again, Tim or others, if you'd like me to formally read the language, I'm happy to do it. I know you have it in your

packet, but why don't I stop there for any questions, for clarity or if there's any immediate reflections that people want to share. Otherwise, we'll be seeking out feedback between meetings from you all to inform what we bring back for our second reading and vote of the committee. So I'll stop there. Thank you.

Tim Lohrentz

Thanks, Ben. And are there any initial responses to these proposed changes? As Ben said, we will follow up by communication in between meetings, but we want to see if there's any initial response. Now at this time, I saw a flash of Clarence's hand. It went up quick though.

Clarence R. Fischer

Okay. This computer has a mind of its own. It's there and then it's gone. Okay. My only thing that I would ask to potentially think about to get into the wording. I don't think this would ever be a problem, because initially, I know you had dozens of people expressing their interest to be on the EAC committee, but let's just say that in four years from now, five years from now, there's not enough public people to say, I want to become part of this. And all of a sudden we have, of the 20 members or 18 who are going to be termed out after their potential second meeting. And there's only two new people who express an interest of having some sort of flexibility instead of just having the committee, then go down to twelve people of having something in reserve where some members could do a third term provided public interest isn't there to say, I want to be on the committee. I don't think it'll happen, but just in case, I hope it doesn't happen.

Ben Duncan

Clarence, I think that's the type of feedback that we're going to be asking for both now which will capture and between meetings the only couple of things I would say. One, I certainly hope that doesn't happen. And two, we have built into the process the ability to amend our bylaws at any point in time so we can make a choice as a body whether you want to build in that kind of protective just in case language now or whether you want to as a group kind of explore that in the future. But I appreciate you raising it and certainly we'll capture it for the notes. We can draft some potential language that folks can review as we think about our bylaws.

Clarence R. Fischer

Okay, thank you. Yep, thank you.

Frank Ponciano

So, Ben, I do want to hope you don't mind me, we have a Council member who is not with us today, David Sorrell, who did submit some comments on this item and I'd like to read it into the record. Three comments, in fact. One of them says he would be in support of, as well as committed to the staggered term schedule for our committee members as to ensure that there is continuity with the committee. Second comment says he would be in support of ensuring that committee members have both professional and or lived experiences of the greater 21 county region. And the last comment says, happy to support the subcommittees as needed so that any task that can be supported in between meetings can be addressed and acted upon and hopefully help with any outstanding timelines with Link21. Those again are comments from David Sorrell. Give it back to you, Ben.

Ben Duncan

Yeah, thank you. Thank you, Frank, and thanks David and extensia for contributing that. So I guess I'll just open up if there are any other questions or comments. Otherwise we'll continue on with our agenda and Clarence thanks we'll draft some language that we can bring back that kind of reserves the right for additional appointment as needed. All right, back to you all. Thanks.

Tim Lohrentz

All right, thank you Ben, and thank you Clarence, for your comment. And David Sorrell we're going to move to the next item, which is our 2024 schedule of meetings. And we don't have a slide for this, but it was in their packet. And I think for this one, if you do have any issues with particular dates, maybe the best way to handle that is by the EAC email and letting us know by email if there are some issues with dates that have been proposed. And with that, we're going to move to the next item, which is agenda item E. This is the Link21 concepts, tradeoffs and benefits discussion with our team. Our presenter tonight will be Brian Soland, the Manager of Rail Planning at BART, and in addition, Camille Tsao is also here as Program Lead for Capitol Corridor in case there's questions related to Capitol Corridor rail. So, Brian, why don't you start and please introduce yourself as well.

Brian Soland

Hi everyone, Brian Soland here. I'm sure I've introduced myself to the EAC before and happy to be back. Not sure if I presented on a topic yet, but very pleased to be here. I've been working on the Link21 team since February of this

year, and I'm leading the planning engineering work. Excited to present to you today on some of the initial benefits and tradeoffs that we've identified so far and some important work that we'll be presenting to the public coming up next month. I guess with that, I will go ahead and present. So if you recall a few meetings ago, there was a presentation about the Stage Gate process and how that's used to define decisions and work toward decisions for this transformative project, Link21 is advancing. The stage gate that we're approaching now is Stage Gate two. We are identifying a train technology. So whether the crossing technology will be BART in the crossing or Regional Rail in the crossing, as well as a general sense of the extents of an initial project for Link21, this decision will go to the Capitol Corridor and BART Boards in the Spring of next year. So a lot of work leads up to these decisions. But one of those key ones, as I mentioned, is the crossing technology. There are some key benefits and tradeoffs between that that we're beginning to identify and that informs a decision around the crossing technology. So it's an important time for the project. Next slide. This is just a bit of a recap, I think, for this group. I think we all know these concepts pretty well. I'm not going to spend a lot of time going through them. These concepts, we're not choosing one in particular and saying, oh, this is the one that we should move forward. They're really to explore ideas around these concepts, to investigate what are the opportunities, what are the constraints for BART if BART is the crossing technology. What are the opportunities and constraints for Regional Rail if Regional Rail is in the crossing, they generally connect from the same places around Salesforce Transit Center under the Bay connecting into Oakland. The BART concepts connecting to the BART network on the East Bay, whereas the Regional Rail connecting to the Caltrain and Capitol Corridor transit networks. So it's a little bit different in the type of service that you would get with BART versus Regional Rail. Unfortunately, these maps don't show the full breadth of service that you do get and the service improvement that you would get with each of these concepts. I know this was presented at an earlier meeting, but with BART, you're connecting into the full BART network right, and providing enhancements on each of the BART lines in the East Bay connecting across the Bay. So the enhancements are more than just the infrastructure that's being focused on in these maps. Now the key difference here with Concept D, it adds a few more stations on the San Francisco side connecting up through Mission Bay and SOMA the configuration around in the greater downtown area on the Oakland side is the same for both. Not to say that that configuration will be the one that's ultimately advanced. If BART is the preferred technology, there will be more opportunities to think through the possible stations and configurations after a technology decision is made. Next slide. So these are two of four initial Regional Rail concepts.

Brian Soland

Again, they connect in with the Capitol Corridor connection on the East Bay and the Caltrain Network on the San Francisco side, connecting into the Peninsula and down to San Jose. So it's really infrastructure that will connect those two and be a link between those two systems and opportunity to connect other transit providers as well. Granted, they'd be able to use this infrastructure. So these two are again, they're used to explore different ideas and understand the constraints and opportunities. The one on the left connects to a station in Alameda. The one on the right doesn't have an Alameda station, connects directly across to the Salesforce Transit Center connecting to the Caltrain. The configurations are really different around the Alameda and Oakland side for the Regional Rail concepts. On the next slide, there are two different configurations. One of them connects with Little Stub End at MacArthur and connects through downtown Oakland. And the other one doesn't have a Jack London Station, but instead connects into downtown 12th street. So just looking at different opportunities and variables for how you could make those connections happen and again, we're not choosing one. It's really to explore those ideas. Next slide. All of this to say we're using a business case framework and we're analyzing the benefits and tradeoffs, generally speaking, between Regional Rail or BART at the crossing. What are the benefits and the tradeoffs that you would get? This is a discussion we're planning on having with the community in the next round of outreach that will begin in November. There are also tradeoffs and benefits that will be used to inform a decision. And once the technology in the Crossing is identified, as I mentioned a moment ago, there will be a lot more work that will need to be done around the alignments. The stations, I think all the stations we've identified are identified as possible stations because we really have to do the work to figure out what are the alignments and station locations that make sense. So I'll share some early concepts that we're using to frame up the tradeoffs and the benefits. One thing that this group could consider are which are meaningful from an equity perspective, to say it another way, which may be more important to priority populations from this group's perspective. So, in the next few slides, I'll just present some of the early thinking around the tradeoffs and the benefits. So these first two talk about the similarities and the differences from a passenger experience. So, with either crossing, independent of the technology with either crossing, you would get continued Transbay service. If one of the Transbay crossings is out of service. If the existing one goes out of service for one reason or another, you would have another opportunity or option available to get across the bay. Both technologies offer more fast, frequent, reliable urban metro service, particularly in that core area. Both also have the potential for extended hours for trans bay service. This one will require some collaboration and action by BART and BART's policies. But having another crossing across the bay definitely opens up that opportunity to become more viable. They both also offer new or improved transfers between BART and Regional Rail. With the BART concept. There are better regional rail connections. With the Regional Rail concept there are better connections to BART as well as

reducing future crowding in the existing crossing. Next slide. Some of the differences from the passenger experience, there really are true differences in what you get. So with BART in the crossing, you would be investing in existing infrastructure and existing service and improving travel times for particularly existing East Bay BART stations to San Francisco and options for those stations I mentioned in Mission Bay and south of Market, as well as some better transfer stations at Capitol Corridor and Fashion. With Regional Rail in the crossing, we would be advancing a key link in creating a new Megaregional rail network, right? One that would directly connect the East Bay with the Peninsula and would connect the wider region, the Megaregion, with faster and more direct service and access to Caltrain and Peninsula, to San Francisco and the Peninsula. So there are very distinct differences in what you get and who you serve and what you get from this between BART and Regional Rail and the crossing on the next slide. So, as we consider this information and how it's presented in the upcoming public engagement, we've identified these five initial topics on how we're going to frame up the benefits and the tradeoffs between BART and Regional Rail. So these are the key differentiators, kind of a wonky term. Those terms are hard to avoid in transit, as you probably have noticed. These are ones we identified so far. So I'll speak to each of these points listed here for equity. And just a caveat on equity. Equity and the way equity is analyzed is often very data driven and I don't have a lot of that data to share right now, but we have some early indicators of the difference here. So I just want to caveat that and mention there'll be more to come. So equity. BART provides benefits to priority populations throughout the BART network and by increasing the East Bay frequency on the East Bay BART lines. While Regional Rail targets service improvements to corridors where there are larger concentrations of priority populations which will likely result in a higher proportion or a higher percentage of access and travel time benefits to priority populations for the Regional Rail option in terms of service. We've touched on this already, but just to say it again, BART would have the ability to increase the frequency of the East Bay BART lines, but with more limited benefits for Megaregional travel. Regional Rail would provide the ability to have more direct and faster travel times for Megaregional trips, as well as better service between the East Bay and the Peninsula. In terms of connections, BART adds connections to job and housing markets in Mission Bay and south of Market, while Regional Rail provides the opportunity for direct connections between San Francisco Peninsula to the East Bay, as well as Megaregional destinations such as Sacramento and Stockton. In terms of system performance, this is how different networks link and fit together. BART really leverages the existing transit rail infrastructure investments that have been made in the Bay Area and utilizes that infrastructure more while Regional Rail creates that key link for building a new Megaregional rail network, and it would allow interoperability between multiple networks. Caltrain Capitol Corridor as I've mentioned, Regional Rail also leverages a lot of investment in planned rail improvements like Caltrain Electrification, the Portal project connecting to the Salesforce Transit Center in San Francisco, High Speed Rail and Capitol Corridor's Vision Planning. So it does leverage a lot of these greater improvements in rail that we're seeing in terms of deliverability and funding. BART has more established funding mechanisms. Regional Rail would likely be able to tap into a greater array of federal and state funding opportunities. In terms of deliverability, one consideration is that Regional Rail would require approval by host railroads to make any changes or improvements to their rights of way. A lot of the alignment that Capitol Corridor uses, for example, runs along Union Pacific right of way. So we're continuing to identify and explore other benefits and tradeoffs as we work toward understanding what you'd get for BART versus what you get for Regional Rail in the crossing. And as we continue to do that, we'll continue to refine these benefits and tradeoffs. But really glad to give this group an early look at what these are and how we're going to be framing them up to the public. So maybe with that, I'll open it up to you all.

Frank Ponciano

I did see. Thanks, Brian, I appreciate that. I did see Harun raise his hand briefly. I don't know if you're still having the question or statement you were wanting to make. If so, we can start with you. But I do want to encourage other folks, other council members, to ask any clarifying questions you may have about these benefits and tradeoffs. Anything that wasn't clear, anything that you didn't understand. I see your hand is up, Clarence. I do want to give a chance to Harun, who raised his hand during the presentation. Harun, anything?

Harun David

No, I'm good. I was confused at some point there, but then I've quickly got my thoughts together. So thank you for remembering.

Frank Ponciano

Sure. Okay, let's go with Clarence. Clarence, go.

Clarence R. Fischer

Oh, am I heard?

Frank Ponciano

I could hear you.

Clarence R. Fischer

Okay. Because my computer just erased almost everything. Okay. Maybe it would be a good thing, David, if at some point I could I mean, Brian, I'm sorry, have a discussion with you offline, but a couple of things and stop me if I'm thinking too far ahead. Okay. Equity. one thing. On Regional Rail, on priority communities. I've done a little research on fares. It seems that BART fares, let's say going from Richmond to San Francisco or Richmond to Oakland and then the same fares for Capitol Corridor. Capitol Corridor, especially for disabled and seniors, averages seven to nine times as much cost wise, because BART offers a 62 and a half percent discount. Capitol Corridor only offers a 15% discount. So right there I've got a major financial equity problem. Another thing, too. This afternoon I spent 3 hours going round and round and round with UP's dispatch center back in Omaha, Nebraska, and just couldn't get any clear answer. BART you know, has the ability to run trains five minutes apart, four minutes apart. Maybe these days. I've tried to find someone to say, if we went with Regional Rail to do these services, can you run trains five minutes apart, ten minutes apart, provided you have the rolling stock and personnel. And part of me is a little nervous of how we can provide a future without knowing. Can UP, Union Pacific have these close headways of having trains running every 15 minutes? Again, maybe I'm thinking too much here, and this is why I've got other questions that maybe I should have a conversation with you offline. But first thing, like I said, is the fare inequities where on adult fares Capitol Corridor for adults usually averages three to four times as much of a BART fare for the same distance between cities and then for the affected communities. For disabled, handicapped seniors of averaging seven to nine times as much having to use Capitol Corridor because they only offer a 15% discount as where BART offers a 62 and a half percent discount. I'll stop for now.

Brian Soland

Okay. I can certainly address your questions there, one by one here, starting with the fares, and maybe I'll give Camille a chance to respond to that. But fares are certainly something that would need to be reconsidered from what they are today. The fares for Capitol Corridor are more along the lines of an inner city type of service and like longer distances, something like coming from Sacramento. So those types of fares you see even in the shorter distances reflect that mentality. A relook at the fares would be essential for the service that we'd be providing. But Camille, are you on the line? Do you have anything to add to that one? I know this comment has come up in the past with EAC.

Camille Tsao

Yeah, hi, everyone. Camille Tsao from Capitol Corridor. Just adding to what Brian said. We're aware that Capitol Corridor fares are higher than other rail operators in the Megaregion, and it's something that we definitely want to take a look at. One of the steps to being able to offer more affordable fares is we're going to be switching over to a different payment platform right now. We use the Amtrak app and we're going to be switching. We conducted a pilot earlier this year open payment, so you can use a credit card and there will be fare capping. So you reach a certain amount, the system keeps track that you've ridden the train a certain amount and you've hit, like, the monthly pass amount, and then it'll cap your fares. So it's slightly different issue, but it's definitely going to help us in general make riding Capitol Corridor more affordable. The thing about UP that Clarence brought up, it's true that we don't own our right of way like BART does. BART can run two minute headways right now, and actually, with the new system, they're putting in 90 second headways. We, however, need to get permission from the Union Pacific to run trains, but in the crossing itself, where there will be no freight trains, theoretically you could run trains very close together. It's just a matter of what happens when you leave the crossing and you get back out onto the network where you're sharing the right of way with other operators and freight trains and such. So it's not the crossing itself, it's not the crossing itself that limits how far apart the trains can be. It's not the train technology. Regional Rail can definitely run close together with the right signaling and control systems in place, safety systems in place. It's really just a matter of that network and finding where the limitations are. So the limitations of the network limit what we can do in other parts of the network that aren't as constrained.

Frank Ponciano

Thanks, Camille. Can you or Brian briefly define headway?

Brian Soland

Headway is how frequently trains would pass through a station. Another one. Five-minute headways mean a train every five minutes. Right.

Frank Ponciano

Okay. I believe that addresses all of the questions from Clarence. Am I missing something? I do see Vanessa's up.

Brian Soland

It sounded like Clarence might have additional feedback and questions and happy to talk that through with you separately, Clarence. For sure. Thank you.

Frank Ponciano

All right, let's hear from Vanessa.

Vanessa Ross Aquino

Thank you, Frank. Thank you, Brian. Thank you, Camille. Good evening. I just have a quick question in regards to the fare now if you're transferring from Capitol Corridor onto BART or Caltrain. I'm just throwing that out there. Can we make that seamless by using one system or is that really difficult to do? And if it is difficult, I mean, is it possible to make it seamless for our seniors, families having to have different types of payments? I think someone mentioned earlier, I think it was, sorry, forgetting his name that Clarence might have brought it up. And so it made me think a little bit about that. So if you can help answer that, yeah, for sure.

Brian Soland

Maybe, Camille, you can answer this one too. But I have, fare integration is certainly something that we've gotten a long way with the cards that we use in the Bay Area, but certainly there's more integration that can happen. Capitol Corridor currently doesn't use Clipper card, so there's more opportunity there. Right. And I think, Camille, maybe you can clarify. I know MTC has some fare integration efforts that are happening.

Camille Tsao

Yeah, so you're right. Capitol Corridor is not part of the Clipper payment platform, and we won't be. And as I mentioned earlier, we're going to go to this open payment system with just credit cards. And what I've heard is that the next version of Clipper is actually going to also work with just credit cards too, so you won't have to have a Clipper card. So pretty soon, any credit card with that symbol that looks like a WiFi symbol for contactless payment will work on all transit vehicles that currently use Clipper, and others in the state, such as Capitol Corridor and other rail operators will be accepting it. The state has been piloting this program so that it's in place in time for the 2028 Olympics in Los Angeles. But yeah, others have, bus operators as well, have started to move toward this system.

Frank Ponciano

Great, thank you. Thanks, Camille. Thanks, Vanessa. Any more clarifying questions from council members? Angela, go ahead.

Angela E. Herring

Quick question. So there's no option for cash at all.

Frank Ponciano

As it regards to BART and or Capitol Corridor?

Angela E. Herring

Yes, that's my question.

Camille Tsao

You mean cash on the vehicles?

Angela E. Herring

So, you know, before BART converted from the paper tickets, you could purchase paper tickets with cash or credit card. I'm hearing the word credit card. Credit card. So I just want to make sure it's some type of equity for a person who does not have access to get a credit card. Do they still have an option to purchase a ride for BART?

Brian Soland

Absolutely. All the vending machines take cash for BART tickets. For Capitol Corridor, I do not have that information.

Camille Tsao

Yeah, I would get back to you on that. I'm pretty sure you still could. We're just talking about a universal payment. We were just trying to address the question, could you use the same fare media across multiple operators? So that was really the question we were trying to address. But I don't think cash is not an option as a medium to purchase a ticket.

Frank Ponciano

Camille, let me just ask real quick, and I'd love to hear any follow up from Angela. At the last meeting, I believe you talked about Capitol Corridor sort of running some sort of pilot around, making debit cards available to folks. Is that you speak to that?

Camille Tsao

Yeah, I'm trying to look at my notes right now. Remember, I got a response to that. You don't have to have a credit card, but I would need to look it up. Sorry, I don't have it at my fingertips but we are definitely considering that not all of our customers have bank accounts and credit cards. So there will be a way to still pay with a card that's like, I guess a Cash App card or something like that. But it doesn't have to be a credit card.

Frank Ponciano

Got it. And as of right now, there is only the if you're riding Capitol Corridor or you buy it online, on the website or on the app, are there any real-world options?

Camille Tsao

Yeah. Or in person at a ticket machine.

Frank Ponciano

That doesn't take cash at this point in time?

Camille Tsao

That's a good question. I'm not sure. I'm sorry. I don't know.

Frank Ponciano

Yeah, okay. And I'm assuming some stations have those machines, some don't. Right, okay. So all of that is it should yeah. So, Angela, any follow up question based on this conversation? Any sort of thoughts? Having heard some answers here.

Angela E. Herring

This is the same type of information that we've received the past few meetings. It seems like we're going over the same stuff. It seems like Mr. Clarence is asking the same questions. I've even asked the same question in regards to the situation when it comes to equity. If there's two partners that are working together, BART and Capitol Corridor, in my opinion, I think they should have the same type of service in regards to however they're going to use for the pay for the system, Connect Card, Clipper Card, whatever the case may be. That's just my opinion. I've stated that before and I'm going to state that again. Thank you.

Frank Ponciano

Appreciate the input, Angela. Thanks for that. I see Harun's hand up. I saw somebody else, might have been Clarence, but saw that they lowered their hand. Going to go with Harun and then obviously give an opportunity for other folks. Go ahead, Harun.

Harun David

I think to answer the question of, I think Angela, can you guys hear me?

Frank Ponciano

Yes, we can hear you.

Harun David

To answer the question of Angela, I think right now BART has only very limited stations where you can put in cash and get a paper ticket. I think one of them could be Montgomery, and they're very limited. All the other stations, yes, they will accept cash, but they will force you to buy a Clipper Card, which costs \$3. So everybody is required now to have a Clipper Card to ride the BART unless you are in one of the two or three select stations in San Francisco. That kind of eats into the notion of the equity because sometimes people only have limited amount of cash and wherever they put it into the vending machines, it automatically deducts the \$3 and forces you to get a Clipper Card. So somebody else might not want that. And there are people who don't know what to do when it comes to that and I think right now the good thing is that the Clipper Card is still very transactional in all, if not most of the transit. So you could use it across the VTA, the SMAT, the AC Transit, the WestCAT, other transit agencies, you could use it, but I don't think they are transferable. If you come from, for example, the SamTrans, then you just have to pay fresh in the Muni. And if you go to maybe AC Transit, you have to just make another payment. And I think what we are trying to work out is the seamless transaction whereby you can enter into any transit system and go through all the way without

being subjected to these different payment systems. That really eats into your pocket, especially low income people and just other students and all the other people who are just struggling to get by and yet they can't ride the transit systems because it is so prohibitive. Capitol Corridor, that's just a different ballgame. I think there's a lot to be done so that that integration can really work with the local transit system. It is great, but it's not yet user friendly and it's not more equitable for especially the low income and priority population right now. That's my opinion.

Frank Ponciano

Thanks, Harun. I appreciate it.

Angela E. Herring

Thank you, Harun.

Harun David

Welcome.

Camille Tsao

Can I say something? So we hear you and we know others, Angela, who have raised this issue and I think we might want to consider having someone from MTC come talk about their efforts to develop a means-based fare program that specifically meant to help those with lower incomes. But I do want to reiterate that by moving towards this contactless card, this payment system, it is going to be better in terms of helping to make theirs affordable overall, because the card can then see, oh, you've transferred from SamTrans to BART or from Capitol Corridor to AC Transit. And we can now design a fare structure that is more friendly to people who use multiple forms of transit. So the contactless card is really important and because Clipper is only for the nine county Bay Area, it has limitations and it's not an open platform. Whereas the platform that Capitol Corridor and the other rail operators in the state are moving towards is what Clipper is also going to move towards or going to into. We are moving in a better direction with both the medium in which we're going to be paying and also hopefully with a means-based fare program.

Frank Ponciano

Thanks for that, Camille. I do see Clarence's hand is up, I just want to, we've already kind of been talking about this. I want to encourage people we have not heard from yet as well. And just to restate the question, to refresh your memory, we're talking about what tradeoffs and benefits are most meaningful from an equity perspective. We'd love to hear your thoughts. Just so you know, we're way ahead of time in this meeting, so we've got plenty of time for conversation. Loving the raised hands here and people expressing their thoughts. Clarence, go ahead.

Clarence R. Fischer

Okay, real quick, we are moving towards this new system. Are we reaching that, ya know, we're always moving. We're always moving. But when can we say we're here? And also yes, Clipper is only a nine county Bay Area regional system. What is prohibiting Capitol Corridor from accepting multiple different types of fare payments where from the riders in the Bay Area. If we have a Clipper Card, we could use that as a fare payment. If you're living in Sacramento. Okay. Maybe they've got a different system that they could use their so called Clipper Card or fare instruments to ride Capitol Corridor until the down the road thing is going to happen. Thank you.

Frank Ponciano

Thanks. Camille, we got to send that your way.

Camille Tsao

It's already happening. We already started our pilot this year. So I can't answer the question on the specifics of why these things don't work with each other, but we just serve a much larger region and so we were never included in the, in the Clipper system. I just don't have more of an answer than that. But we're already moving towards the other one and so is Clipper.

Frank Ponciano

And so that's the pilot that you are referring to for another unified system.

Camille Tsao

Yeah.

Frank Ponciano

Okay. Thanks, Camille.

Linda Braak

Yeah. Technology is adopted by an agency and it's paid for within that agency and to try and spread it across agencies is not reasonable. It's like you buy a car and then expecting all your neighbors to be able to drive your car. That's not how it works. So you can try and get technologies that talk to each other, but that doesn't mean the technologies can be shared amongst agencies. They can communicate with each other, but they are not one and the same. I would like a little bit more attention paid to, we talk constantly about the low price, the low price, the low price of these fares. But I am a little bit more concerned, and I think being a woman of color and a lesbian, I'm more concerned with safety in transit and I'd be willing to pay a little bit more, one dollar or two more to be on a clean ride where I'm going to feel safe. I don't care if it's pennies on the dollar. If I'm going to be in a disgusting dirty environment where I feel my life isn't threatened, I'm not going to ride that transit and a lot of people aren't. And that typically, again, I'm up here in the greater Sacramento area. This is the problem we have trying to get people on transit is they don't feel safe. Price is meaningless. And until we can get people into an environment where they feel that the value is there, then the adoption is not going to happen. And if you can get that middle swath of America to drive up adoption then you will start seeing the coffers of transit fill and suddenly, you'll be able to afford some of these other programs and be able to drop the rates to those that are truly needy. So sometimes I feel like it's a little simplistic to just focus on dropping or subsidizing fares without looking at the big picture and driving ridership amongst a larger portion of the population. So just want to put that out there and remember that there's other pieces to inclusion besides just dollars.

Frank Ponciano

Thanks for sharing those thoughts, Linda. Appreciate it. Do we have any other comments from council members on the tradeoffs and benefits, especially from an equity perspective? Okay, any last thoughts, Brian, Camille, on this conversation before we move on?

Brian Soland

I think one thing I've heard a lot is safety, fares. These are the nuts and bolts of providing good transit service. And I think fares in particular seems like I've heard that from this group quite a bit, as Angela was referring to. And I think Camille was just suggesting a deep dive on that topic and how it's being approached in the region would be really useful. So I'll just flag that for Tim for a future EAC meeting topic again. Yeah, I just want to say thank you for having me here and listening. I really value the feedback of this group and I think it'll be important for our team to listen and to see how we can weave in these thoughts and ideas into our conversations with the community as we move forward. Thank you.

Frank Ponciano

Thanks Brian, and thanks for the helpful presentation and the conversation as well. We can move on to the next slide. I think if I am correct, this is one that I will pass on to Tim.

Tim Lohrentz

Thanks, Frank. So we've heard this conversation about tradeoffs and benefits and that is the focus of our fall outreach starting in November, November 1, with our first community meeting going into December as well. So I want to mention our online open house, and this will be starting in early November. It'll be open for 30 days and you can join that open house and join that conversation anytime you would like to participate. This is very similar. You may remember we did an online open house in the summer, so this process is the same. We'll start that in early November and then we have two virtual events I'd like to highlight. The first is a virtual community meeting happening on Wednesday, November 1, 06:00 to 07:30 p.m. And then following that, on the following Monday, November 6, we have an office hour six to 07:00 p.m., where we'll have staff there to answer questions on some of the program milestones in Fall 2023. Looking at the, as I mentioned, open house and virtual community meeting, we have program and ongoing analysis updates, so it'll be new information presented at the Fall outreach, technology and concept questions. We'll be gathering input from the public as well. And then in early 2024, we have the BART and Capitol Corridor Board's recommendation of train technology in the Crossing, the extents of the initial 2020 Link21 project. In addition, we'll have new outreach in January and February next year, we'll be sharing the refined model results, both the equity results of the refined model as well as results in general from our modeling program. So that'll be new information. So collaboration is constant on Link21, and we will continue to collaborate with the public and community organizations throughout phase one work. And with that, I think we will move into a break and go ahead, Frank.

Frank Ponciano

Tim, apologies, just wanted to get this in before we finish with the agenda item. There was one last comment from David Sorrell. Okay, David Sorrell mentioned he would like a PDF of the materials that were used on agenda item E, unless there are no changes to the tradeoffs that were previously discussed and says he intends to attend the open house and hopefully close the loop. Sorry to interrupt you with that, Tim. We can move on to the next slide. It is a ten-

minute break that is coming up. So we'll come back here at 7:26. I will, as always, give you a two-minute warning. See you all soon.

Frank Ponciano

All right, just giving people two-minute warning. As promised, it is 7:24. We'll be back at 7:26.

Frank Ponciano

All right, it is now 7:26. So we'll get going with the next agenda item, agenda item F, which is the approval of EAC anti displacement focus statement. So we go to the next slide. And let me just say we're doing really well on timing for this conversation. I hope it's a lively one and that we have plenty of participation, thoughts, questions, whatever it may be, as it is both a massive endeavor to take on, discuss anti-displacement as it relates to this regional program and also a really consequential one, right, just in terms of how many people are impacted by this. Actually, Harun, let's hear from you. If you'd like, you go ahead and speak. I see your hand is up. If not, we could wait until the other end of the presentation. We're going to run through it and then we'll have space for conversation. I should say this is the part of the conversation in which we are going to use Mentimeter. You would have received two items where you can find the Mentimeter link with which you can participate in this activity. One of them was texted to the phone number that we have on record for you, and the other one was emailed to you, I believe, at 5:45. It was around sort of that neighborhood. So if you want to look for it and identify the link, feel free to do so ahead of our conversation and our use of Mentimeter so we can move on to the next. It was 4:14. My apologies. So you would have received an email at 4:14, not 5:45. And please let us know if you're having any issue identifying the link. The first thing we're going to do today is we're going to have a quick summary of the work that's gone into the conversation about anti-displacement since June, which is the first time where we brought this up to the EAC in June. In the June meeting, there was an introduction to anti-displacement, the research that goes into this issue and Link21 approach to evaluating Displacement risk and identifying corresponding strategies. We, since the last meeting that we had, have had two office hours in which we have discussed, actually three office hours in which we have discussed anti displacement. In July, we had the follow up office hours to the June meeting in which we had Q & A, folks were able to ask clarifying questions, and we were just generally able to have a discussion, give people more detail. And then in September, we actually had two office hours, which will be an item in this conversation here today. In these office hours is where we did the bulk of the work that led to this focus statement structure that we're going to talk about today. Something that we should mention is that aside from the work that relates to the EAC, there is an anti-displacement team on the Link21 program that has been doing ongoing data collection and research. And in July and August, they also carried out two focus groups around the anti-displacement toolkit with people in the community that were able to give their thoughts and ideas. So with that, we'll go to the next slide. And for this one, I'll actually have Darin, who is our lead on anti-displacement, speak to the anti-displacement toolkit process and what the timeline looks like for us.

Darin Ranelletti

Thanks, Frank. Good evening, everyone. I'm Darin Ranelletti, the Land Use Planning Manager at BART for Link21 . At the September EAC office hours, some attendees asked how will the EAC's discussion on anti-displacement fit into Link21 overall anti-displacement planning efforts, including the anti-displacement toolkit. So we prepared this slide and it shows two things: shows the timeline for the anti-displacement toolkit related to Link21 program development and implementation along the top and then along the bottom, it shows the various inputs that feed into the anti-displacement toolkit. We are currently in the process of drafting and refining the toolkit, while Link21 evaluates potential program concepts. After Stage Gate two in April 2024, when it's anticipated that the BART and CCJPA boards will make a decision on the type of train technology and the crossing, Link21 will work with local communities to identify and define the specific project details, such as track, alignments and stations. And it's during that phase that Link21 will use the toolkit as a resource and work with local communities to identify the specific anti-displacement strategies proposed for each station area. These strategies would then be implemented during and after project construction. During all of these phases of the program, there'll be a variety of inputs that will feed into the toolkit and the anti-displacement strategies that will ultimately be identified for each station area. Data and analysis will be incorporated throughout the process, and various stakeholders will inform the toolkit and strategies at various times, including the EAC, the toolkit focus group that Frank just mentioned, local jurisdictions, community-based organizations, the general public, station area residents and businesses, and other partners that may be necessary for implementation of the strategies. You'll notice if you look at the graphic that there's a horizontal bar for the EAC and it's split into two pieces and the piece on the right is grayed out. That's after the project approval and during project construction. That's because the specific end date of the EAC hasn't been set yet. So the EAC may or may not still be active during that period in gray. But the main thing to remember from this slide as we discuss anti-displacement is that anti-displacement strategies will continue to be identified, refined and implemented over a rather lengthy period of time. Frank, back to you.

Frank Ponciano

Thanks, Darin, I appreciate it. We go to the next slide. Just wanting to reiterate the focus today is to create that anti displacement focus statement. We go to the next slide. You may ask what is the anti-displacement Focus Statement? And just simply put, it's a sentence that's going to help us to identify the anti- displacement topics that the EAC is going to focus on for a period of time. And at this time, the aim is that the EAC would focus on these issues and could review the statement on an annual basis. So that's the thought at this moment in time, something certainly that is up for discussion here in this forum. We go to the next slide. The question then comes in, why do we need a Focus Statement? Really, we're looking for a malleable way to train the EAC's attention on specific anti displacement topics. And we believe that this is going to set up the EAC to be as impactful as possible with the sort of narrowed down topics one to two topics so that we can delve into these conversations in a more meaningful way than we would without a Focus Statement. Anti-displacement is a many pronged issue, and so if we tried to address all of them at once, we wouldn't get very far, really, with any right. And so the idea here is, how do we use your valuable time as effectively as possible so that we can progress in this conversation and the EAC can contribute to the overall goal of the Link21 program as it relates to anti- displacement. So we could go to the next slide, just an example of the focus statement format. It's very simple. For anti displacement, the EAC will explore blank and the blank is topics, right? One to two topics that can be related to displacement risks, to anti- displacement strategies, and to anti-displacement implementation approaches. So we want to hear conversation about the topics that we're going to present to you and of course, we're going to have the mentimeter exercise. The idea here is to distill down to the issues that we feel are the most important for the EAC to focus on now. And we go to the next slide. I think something that came up at the office hours that we had in the month of September is something that is important to discuss before we dive deeper into the topics, to know for context. This is something that was brought up and it was agreed that the information was necessary to help EAC members understand what they should focus on, understanding what is possible, what is within the scope of the Link21 program to do as it relates to anti-displacement issues. And so this very slide was presented at the office hours and what it shows is the basic categories of Link21 authority to implement sort of any list of anti-displacement strategies that are identified. So I'm going to go through them in turn. The first one being that Link21 can provide physical space on a station property in order to accommodate physical things. So an example to that would be affordable housing, healthcare clinics, senior centers, BART, as a matter of fact, has previously developed all of these examples on existing properties that they own. The second item here is that Link21 can provide funding to finance programs located on a station property and really elsewhere in the community as well. And really something to keep in mind is that the ability to do this is going to depend on restrictions that may be contained within the funding source and that does vary a lot. So for example, some sources of transit funding restrict the use of that funding so that it may only be used on Capitol construction for the transit system itself. It really does depend on what the source is, what the department is, what the grant is, the possibilities there are numerous. The third item is that Link21 can advocate and coordinate with other entities who have the authority over a particular strategy. So to give you an example there local jurisdictions have the primary authority over things like land use, zoning, tenant protection laws. And if Link21 pursues anti-displacement strategies that are related to these items, it will need to work closely with the jurisdictions that have dominion over that, so that hopefully these things can be adopted into law. The last item to keep in mind is that Link21 has the authority over how it procures goods and services and its hiring practices as well. This last category was added to the slide after the September office hours. So it may be new to some of the folks that attended that office hours, but really I just want to restate that this is simply information to keep in mind as we continue to consider the different anti-displacement strategies that you will be discussing, hearing about, and ultimately voting on as it relates to the Focus Statement. So we move on to the next slide please. So in this slide, just to explain very quickly what the process was at the 2 September office hours, which happened on September 5 and 12th we had EAC members review a total of 57 anti-displacement topics that were raised by the EAC to date. So we put together a whole list sort of analyzing the conversation to date and we presented it to the folks that went to the office hours and a vote was had on the topics that they thought should be included in the Focus Statement. Now, the way that we made this 57 topics manageable is we added them to buckets, right? There were topic categories including displacement risk, anti- displacement strategies, physical development, space, protecting and empowering people, and community and anti-displacement implementation approaches. So folks were able to take a look, know a larger list per bucket and offer their thoughts and votes on how these should be prioritized. So now I'm going to check in with Darin here. As you can see, there are top three for each bucket and we're going to go ahead and examine have a conversation about them. Darin?

Darin Ranelletti

Yeah. Thanks, Frank. I'm just going to run through these real quick just so that you all have a sense of what they are if you weren't at the office hours. Some of these topics are pretty self-explanatory and some are not. So just want to make sure you have a basic understanding before we move on. So if you look at that first category, displacement risks, the top three topics identified by the office hours attendees were seniors, people with disabilities, and low-income households. So these topics relate to how Link21 would analyze the potential displacement risk to these groups and whether there would be any particular factors or considerations that should be included in the Link21

displacement risk analysis that are related to those groups. The next group of topics are related to anti-displacement strategies that involve physical space and development and those are homeownership, transit-oriented development and affordable housing construction. Homeownership would involve strategies to build new or preserve existing buildings to promote homeownership opportunities. Transit oriented development would focus on the strategy that involves new development on the properties that contain the stations, and that could involve a variety of activities at the stations, including residential, commercial or community space and some of the other activities that Frank previously mentioned. And then lastly, affordable housing construction is pretty self-explanatory, but that's involving strategies that promote the construction of new housing that's affordable to a range of incomes and typically involving public or other subsidies to reduce that cost so that it's more affordable to a wider range of households. The third column relates to topics involving anti-displacement strategies that focus on protecting and empowering people in order to avoid displacement. So these are typically programs that serve people rather than providing physical space. And you'll see that Homeownership was the top vote getter in this category as well, but it's a little bit different. So the previous category focused on physical space for homeownership, such as building new homes that could then be sold. But this category of homeownership is involving or related to programs that would promote homeownership with individual households. So, for example, homebuyer assistance programs, credit repair, and financial literacy would focus on programs that work with people to strengthen their personal financial situation to avoid displacement. And coordination with human services agencies would focus on programs to integrate Link21 anti-displacement efforts into the larger system of human services. So there's a whole network of organizations and programs that provide things like job training, health care, childcare and homelessness prevention. So this topic would emphasize the integration of Link21 anti-displacement efforts into that larger network. And the final column on the right contains topics related to how Link21 would implement anti-displacement strategies. The previous two columns were focused on what the anti-displacement strategies would be, but this category and these topics relate to how it would be implemented regardless what the strategies are. So there could be a wide range of strategies that Link21 could pursue, but if we focus on these topics, it would be how it does that. And the top three vote getters were coordination with community-based organizations, community engagement, and coordination with other government entities. And before we move on, I just want to pause and see, does anybody have any questions about what I just said in terms of what any of these topics mean before we get into the next part of the conversation? Okay, not seeing any hands. So, Frank, I'll turn it back over to you.

Frank Ponciano

Thanks, Darin. So just to sum it up, we go to the next slide. We are taking these topics that Darin just mentioned that you see to the left of your screen. Now we want to narrow them down to one or two that the EAC deems most important at this moment for the EAC, given its mandate, the Equity Advisory Council to consider and to discuss and to explore. And that's how we're hoping to complete what is the focus statement for the moment. So I know Darin gave folks an opportunity to ask questions about the topics themselves. We did not get any raised hands, but I do before moving on to oh, go ahead, Darin.

Darin Ranelletti

Yeah. Thanks, Frank. I just wanted to remind folks before we jump into this that this is an opportunity for the EAC to really drive the work on what the EAC will focus on itself. The Link21 anti-displacement team will still study and pursue a variety of these topics and strategies. So it's not like you're not picking the one or two things that Link21 thinks is the most important or that Link21 will do. You're just picking what you want to contribute on, and we feel narrowing it down will enable a really deep, rich conversation. In addition, at the same time, we will be pursuing a lot of other topics so that we have a real comprehensive anti-displacement program. So I just wanted to make sure that you understood that. Thanks.

Frank Ponciano

I appreciate it. I did want to allow for some time, if people wanted to comment or ask any clarifying questions on the process, whether you went to the office hours in September and you'd like to highlight something, or if you're curious about how we got here. Having listened to what Darin and I have had to say up to this point, does anybody have any comment or question on this issue?

Vanessa Ross Aquino

I do.

Frank Ponciano

Go ahead, Vanessa.

Vanessa Ross Aquino

Thank you, Frank. I'm just curious as to, I guess I'm a community activist over here. Why is community engagement kind of at the bottom? I understand. How did you come up with this list and then that order? In my mind, I would want community engagement higher up in order to have the community feel more comfortable interacting with others. I mean, that's kind of my perspective, but we understand. How did this list come about?

Frank Ponciano

It's a great question, Vanessa, just so you know. And thanks for asking it, because it allows us to clarify this in case anybody has the same doubt. The list to the left is not ordered in any particular way. It does not denote importance that community engagement is at the bottom. It just so happens to be that way. The activity that we're doing now, this is where we're wanting to hear from the EAC as to which are the one or two items here that the EAC should focus on. So your points are, I think, appropriate about how you feel about community engagement and if other folks feel the same, the next step where we work with Mentimeter, this is where you get to express that.

Vanessa Ross Aquino

Thank you for clarifying that. I guess we'll find out with the Mentimeter. Thank you.

Frank Ponciano

Yeah, for sure. I think that also allows for me to say that this is a point where we have a conversation where if you feel that something is important, you could make that point before we go off to Mentimeter, and there could be a discussion if people want to. Any last comments or questions on any of the topics and or the process that led us here today? Go ahead. Harun. And then we'll go with Landon.

Harun David

Yeah. Looking at, can you hear me, guys? Yes. Thank you. Looking at all these topics, they somehow relate to one another, and they focus more on both the historical aspects that have led to the present day where we are. And as per my understanding, probably we also want to come up with situations and aspects that are going to mitigate some of the historical wrongs that has resulted in the anti-displacement. Among the topics I would focus on is affordable housing. Most of the transit systems own large chunks of land. And the reason why people are now living as far as probably the Central Valley and Modesto and Stockton is because the housing in this Bay Area is unaffordable. And that's why we are even talking of the Capitol Corridor to transport people from that far to come and work in the Bay Area. But yet they can't live here. Yet this transit, be it Caltrain or be it BART, they have large chunks of land that they could develop as affordable housing for people not to go that far. And also help with environmental cleanup of the air because the farther we have the climate footprints, we are more polluting the same environment we're trying to protect. I also want to focus on the coordination with the government agencies because most of we have a lot of land that belongs to the government that is unused. And I think it needs a lot of coordination for those pieces of land. The government can lease them, give them to maybe local housing entities so that they can also build some affordable housing working with the states and different local counties so that they can also give them a break in some way of taxes or some loans or some grants. And then these houses can be turned into affordable housing for people to live in. Right now, majority of the housings that are being constructed, I think including San Francisco, they just mandate them to have like 30% housing for the affordable low income. I think it should be done the other way around. Houses should be 70% low income and only 30% should go to the affluent people. So I just picked those two because that's what you said. But going through the list, a lot needs to be done. And I think there's no one that is better than the other. And I see the seniors, I see people with disabilities, I see low income. They are all part of this. So until we correct this, I think our problem will still be there. So thank you again.

Frank Ponciano

Thank you, Harun. And I think it's worth noting what you said, there is plenty of overlap, right, as it relates to a lot of these subtopics on anti-displacement and whatever is selected, you're sure to run into some of these other topics as we are diving deeper into that conversation. So I think it's a point worth highlighting. Thanks, everyone. Appreciate it. We have a few folks on the queue. I have Landon, then David Ying, then Cory. So, going to hear from Landon first. Go ahead, Landon.

Landon Hill

Yeah. Thanks. Two, I guess two questions, one of which is, I missed, I think maybe both of the office hours last month. So I was just curious to know if race and ethnicity was one of the topics that was on there that just was not selected, in terms of my own bias as a Black man, knowing that historically, for any and all changes that have oftentimes been made, oftentimes if Black folks are not centered, they still end up dropping off. And so if it was not on there, I'm noting that and recognizing I was not there to cast my vote for that, if that was even a consideration. But that was just a wonder. My other question, and I think Darin was maybe trying to explain this, but I think I'm still trying to wrap my head around it, is the statement that we are potentially developing, at least as it's shown on the screen

now, is about topics to be discussed. So is this that topics that we will initially discuss, but there will be further conversations or topics to be discussed later? Or is it an actual statement, as in the EAC? This is the general kind of public statement that is made as it relates to anti-displacement. I think I'm still not quite clear on what the statement ultimately is and how it will help us to kind of move the work forward.

Frank Ponciano

Thanks, Landon. I'll start with the first question, then I'll go to Darin before going to the second. Well, I'll start with the last question. Then we'll go to the first. In terms of the focus statement, again, it's sort of a way for us to establish to ourselves that we will be focusing on a particular issue or set of issues, that being two for a period of time, right. So that can be changed by the EAC if it is explored and we're sort of feeling that there is a need to go on to another issue, then we'll go through this exercise again, if it is not apparent what that other issue ought to be. But this is a starting place for the EAC to be able to do its part as we discuss anti-displacement, managing the fact that it's such a massive issue. Darin?

Darin Ranelletti

Yeah, I think that's well said. Frank. That's a great question. Landon. I think on that second piece, I think it's up to the EAC how much it wants to go on this topic. So I think it's right now it's a statement to yourself saying, this is what we commit to focusing on, on the X number of months. So that might be two months, it might be two years, it might be until you feel that you've sufficiently dived into a topic and we've really informed the program. And as Frank said, it's malleable. So perhaps we choose a topic or two. We really focus into it. We do some research on it, maybe bring in some speakers on it. We really tackle that topic after, I don't know, two, three, four months, and then you all decide that you want to focus on something else. So, yeah, it's iterative. The first piece about focusing on race. So what we did was we collected all of the feedback and questions that we had heard to date from the EAC, recognizing that it's not all of the things that are important to anti-displacement in general. It's just things that we had heard to date, and we presented those. So the closest thing was there were comments related to structural and systemic inequities that was listed in the list of topics, systemic inequities. It wasn't as specific on racial inequities. So I think if that's something that we feel is missing and needs to be added, I guess I'd look to Frank to see if that is something that we could still add? I think that's the point of this conversation, right? If there's things that are missing, we can and should add it.

Frank Ponciano

Absolutely.

Darin Ranelletti

Okay, great.

Frank Ponciano

And we will go ahead and add it as we speak to the Mentimeter option. So you won't see it here on the slide, but you'll see it on the Mentimeter once you're there. Got it. Thank you for both those responses. Thanks, Landon. Thanks, Darin. We have two more folks before we move on to the Mentimeter exercise. David Ying and then Cory, let's go with David.

David Ying

I also want to support adding additional options. So one of them would be race. Another one of them would be non-English speakers or people who can't understand English. I think that's very important for being able to use the system well, especially because we have so many people in this region and in the Megaregion who are not fluent in English. But if I did have to choose from the EAC topics here, I would support picking transit-oriented development and affordable housing construction. And the reason why I say that is because I think that developing the stations is our biggest opportunity to promote equity through this project, especially because of how land use drives transportation behavior. If we are building more housing that people can afford near these stations, it's going to be much better for people, for low-income people and a lot of other priority groups to be able to use transit well to get to work and to get to all of their other destinations. And I think that's something that we should focus on, especially because this is a very important project that we're going to spend probably quite a big chunk of money on. And if we can make the most use out of it in terms of equity and financially getting rents back through development, I think that's an opportunity we should take.

Frank Ponciano

Thanks, David. Appreciate those thoughts. I understand that we are able to add the Spanish option, you know, second language option, non-English speaker.

David Ying

Great.

Frank Ponciano

So we're going to get that on the list as well. Thanks for the suggestion. I did, Cory, I did know that you had your hand up. It is since down. Just want to give you a moment in case that went down by accident to speak.

Cory Mickels

Yeah. No, I appreciate it. I just wanted clarity. Are we all supposed to be raising our hands in order to vote for the one or two topics to be outlined or is that something that's going to happen in the Mentimeter?

Frank Ponciano

That's a great question. Thanks for asking it. We are going to go through the Mentimeter exercise first to narrow the topics down to one or two, and then there would be a vote here in this room. Tim will call a vote to ratify the focus statement on anti-displacement. That's the one where we would go through sort of the regular voting procedure.

Cory Mickels

Okay, thanks. Great.

Frank Ponciano

And we will have opportunity for more discussion after we go through this Mentimeter exercise. Many of you likely would have found that if you click on the link that you've got either texted or on your computer, you can use it on different devices. You would have gone right into that first question, and so I assume some of you have already answered it. But just to make sure that we're all on the same page today, we're using a format within Mentimeter that is called 100 points. So each of you on the EAC are going to have 100 points that you can distribute strategically between the topics that we presented with the inclusion of the race and ethnicity topic as well as non English speaking communities topic. And you could distribute those points as you wish. So this is going to allow you to be strategic about how you want to prioritize topics. Just to give you an example. If EAC member A feels that community engagement is most important and would like the EAC to focus on it, but they also feel that home ownership should be considered, they can allocate 60 points to community engagement, 40 points to homeownership. And in the end, the two topics with the most points, or if it is a very stark gap, the one topic is going to be selected. And then as I mentioned, EAC members will take a final vote to ratify the focus statement. So that's what we're going to do now. We're going to move on to the Mentimeter activity. I will ask folks to switch the screen over to the Mentimeter. And if you have not yet voted, this is the moment where you can ask questions. If you're not finding the link or go ahead and click into the Mentimeter and submit your responses. Anybody having trouble?

Frank Ponciano

Okay, we just got to switch over the slide and you should see you should see a message that tells you you can go ahead and switch over to the next question. Okay. Yeah, it looks good now. So we'll give people a couple of minutes here. I'll say something like three to five minutes unless we see those votes all come in, and then we can have a discussion. Okay. My understanding is we have 15 council members in the House today, so we are two short. And just so you all understand, if you all are wondering why I'm not speaking, I want you all to focus. We'll give folks a couple more minutes. Alright.

Frank Ponciano

Okay. I understand we are at 14. If anybody is having trouble with their Menti, please let us know. You can let us know verbally what your thoughts are and we can go ahead and add your responses to the graphic here. Ameerah?

Ameerah Thomas

I'm sorry, I was having trouble getting in. I should have said this before we started, but it seems like some of these are actual processes. So, like, community engagement is like a process, and then some of these are focused populations, and then some of these are, like I don't know the word that I'm looking for, but like, interventions, I guess. And so I guess my question is, do we want the statement? Oh, I guess we're not at the statement yet. But it's hard to decide on what we should focus on when some of these are very different. So it's like, who's the population? What's the strategy, and then what's the outcome or the end result? So I think I engage with the community as like a guiding principle of how we think about anti-displacement. So I can't rate it over one of these other ones, because I also think about antiracist as being like a foundational thing of how we approach this. So I guess I'm throwing that out there just to say it's kind of hard to rate some of these over others because they're different things.

Frank Ponciano

Appreciate that thought, Ameerah it's a difficult decision to make, and it's been a lot of thinking into the process to get from the original 57 down to here. But it is a necessary one, I think. Something to keep in mind there. And I see your hand, Darin. I'll go to you in just a moment. Something to keep in mind is, like Darin said before, there are teams on the Link21 program that are working on a plethora of these issues already. There is a whole community engagement team. There is an anti-displacement team that is already working in other areas as well. I think something to keep in mind also is that this is not telling you, as an EAC member, what are the only things that you can get feedback on. As an EAC member, you know, we are happy to receive your feedback on any of these topics at any time. This is kind of telling us as it relates to EAC meetings over the next X number of months, right as we talk about anti-displacement. These are the things that we're focusing on. That's what this statement is telling us. Darin?

Darin Ranelletti

Yeah, that was well said, Frank, and thank you, Ameerah, you're reading our minds with just really trying to figure out a way to structure this conversation and the work. And I would say that if we focus on one or two things, it's not to the exclusion of related things that also might be on this list. So this is the Equity Advisory Council. So equity is core and central to everything we do. So if we look at transit-oriented development, for example, if that's one of the things that we focus on, that doesn't mean that we're not going to talk about race and we're not going to talk about low income housing, we're not going to talk about people with disabilities, we're not going to talk about seniors or community engagement. It means that we're going to talk about all of those things in the context of transit oriented development. So let's say we choose transit oriented development. What we would then come to the EAC about is how do we do that? What does that mean? What should we focus on? How should we work with community around transit-oriented development? How should we take race and ethnicity into account with transit-oriented development? How should we consider youth and seniors and people with disabilities and all kinds of populations within it? So it's a really great question and you're right, it scares me too, to narrow, but I think it just means that it's a container that still allows us to talk about things that are important to that topic.

Ameerah Thomas

Okay, that makes sense. Thank you.

Frank Ponciano

Thank you. So, as you can see on your screen, we have a clear top two, both at 14% of the total points. That is transit oriented development and race and ethnicity at this point in time. Looks like it would be those top two. Happy to have some conversation here. If anybody has thoughts, questions, concerns, and as mentioned, we would then take this back to our conversation here and take a vote. I understand we might be formulating the focus statements on the slide deck, and when that's ready, we'll put that on the screen. But any questions that anybody has or anything you're wanting to add, Darin, as you're seeing these results? Okay, not hearing any thoughts, comments, statements, we can switch over back to our slide deck and thinking it's a good time, pass it back to Tim to run a vote to ratify the following statement for anti-displacement. The EAC will explore the topics of transit-oriented development and race and ethnicity. Again, everything that Darin said is true about intersectionality and how that can come up in conversation. And this serves to focus the conversations around these two issues for the foreseeable future as far as the EAC conversations are concerned. Tim?

Tim Lohrentz

Thanks, Frank. And for this we're going to do a voice vote. I'm going to do a roll call vote for each person and please say either yay or yes if you're in favor of this statement as a focus statement, or say no if you're not in favor of this focus statement. And we will go with the majority of those present in terms of the outcome of this vote. So Ameerah Thomas.

Ameerah Thomas

Nay.

Tim Lohrentz

Angela E. Hearing.

Angela E. Hearing

Okay. Can I ask a question?

Tim Lohrentz

Okay, go ahead.

Angela E. Hearing

Okay, so what Mr. Darin just said that everything that we focus on is going to have a metric of race and ethnicity. Should this be part of the focus statement? Because I want to say yes, but I also want to say nay because it doesn't look right. Can I just vote last?

Tim Lohrentz

I think that's fine. We can come back to well, Darin, I see you have your hand up.

Darin Ranelletti

Yeah, thanks for the question. We will continue to get feedback from the EAC on the conversation going forward. So it's not like we're going to go away into a dark room and then come back and present something and you're stuck with that. So to your question, do we include race and ethnicity? Because it's assumed that that will be embedded in transit-oriented development. That's for the EAC to give us guidance on. So I think this is really helpful to the program because it means that we really need to flag how should race and ethnicity, for example, be included in the work going forward. And so each step along the way, you all will be able to give us feedback if we're on the right course or we're not. And maybe at some point we totally revisit the focus statement, but it's a place to get us started.

Tim Lohrentz

Frank, I'm going to turn this back to you because I see a couple of hands up here.

Frank Ponciano

Yep. We have some more discussion. Thanks, Tim. I do see hands up from Ameerah and Cory. I'm going to go with Ameerah first, and we'll go with Cory.

Ameerah Thomas

I just wanted to, I don't know if this is the time to do that, but I wanted to know add a little bit more to my nay. I don't know if this is the space to do that or are we going to do that a little later?

Tim Lohrentz

I think it's fine.

Ameerah Thomas

Okay. I think that this statement needs to be grounded in, I think it goes kind of back to what I was saying. Like my question earlier. What principles are we grounding ourselves in, in our focus on anti-displacement as opposed to this being just, like, two separate topics? And so I think that we need to, I don't know what our overall equity statement is, but acknowledging historical context of how populations have historically been impacted by policies, we are going to focus on X and X in our decision making. And I just think that it's too simplified of a statement. And so that's why I'm saying nay, not that I don't want to focus on these two areas, but I think it's too simple and it's much more of a complex thing that we're working on.

Frank Ponciano

That's fair. Thanks for that, Ameerah. Cory, I did see your hands go up and down.

Cory Mickels

No. Yeah, I'm here. Okay. I just wanted to propose just an addition for efficiency purposes. I hear some of the hesitation from everyone, but I also get the spirit of the goal that you all had. So maybe adding for anti-displacement, the EAC will explore the topics, including, but not limited to transit-oriented development and race and ethnicity. That way, we still have those two topics, but we have enough flexibility to hit on some of those other issues while still not cornering ourselves in terms of our focus, just for efficiency purposes of tonight's meeting.

Frank Ponciano

Okay. I guess that would be kind of a friendly amendment. Tim, are we able to make that change, or do we need to check in with the rest of the EAC?

Tim Lohrentz

I think we can make that change. It was part of the explanation that Darin provided, so I think it's consistent with the process. Clarence.

Clarence R. Fischer

I would second that motion if you need a second.

Frank Ponciano

Okay. Thank you for that, Clarence. I think the folks that we have working on the slide deck might be able to make that change in real time. You'll see it on the screen. I'm waiting for any note from them. In the meanwhile, let me give the mic to Landon. Go ahead, Landon.

Landon Hill

Yeah, I'm also wondering I know, again, and I appreciate the spirit of this kind of being determined by the EAC and kind of what we need. I am wondering if and I don't know that it needs to go into the actual statement, but if at the next time that we do have some discussions around this, if maybe there is some sort of timeline that's given as well, just so that then other topics can be discussed. And again, given that there is overlap across a lot of these, if there is a focus that we're looking to have, maybe if we spend a certain amount of time focused on any particular topic or top two topics or whatever it is. I'm wondering if that will also help, knowing that there is an end kind of time for the focus of one or two topics and then moving into some of the other ones that were already flagged, so just I think that's just for maybe some consideration for future meetings.

Frank Ponciano

Yes, I guess. Landon or anybody else on the comment from Landon, is this also a change that you would like to see reflected on the statement itself? The reason the timing component was not added to the statement itself originally is because we wanted this to be something that the EAC determines we can default to that one year, but the EAC can make the determination that we feel we need to move on to another focus statement and explore other topics if they feel that a particular topic has won its course. Darin, any additional context there you'd like to express?

Darin Ranelletti

No, I think that was well said, and then this was something we're trying, and if we missed the mark here, that's totally fine, too. So I think if folks aren't comfortable with this approach, totally fine. If it turns out that we don't have a successful vote, then we could approach the anti-displacement conversation in a different way. We could schedule out a topic for each meeting. We can come back and kind of just maybe try to order the different topics or get some more feedback from you all. So, yeah, there's a lot of flexibility in how the conversation moves forward.

Frank Ponciano

Thanks, then. Beth? Don't know if you meant to lower your hand. Go ahead.

Beth Kenny

I think if the focus statement helps, I could find a way that the focus statement could work. But I really relate a lot to what Ameerah is saying about it. Feels like we want to be looking at these things, at anything that we're looking at with race, ethnicity, and historically impacted groups in mind, and then transit oriented development feels like a specific way we look at it. I don't know. I wonder if there's a way that we can rework the statement to include the framework and perhaps a timeline as well. And some two areas that two possible solutions that we want to achieve or look at, study more about that makes sense. Two approaches to anti-displacement that we want to focus on.

Frank Ponciano

Okay. Thanks for that. I do have two more comments. Linda is one, and then Ameerah. Linda, go on.

Linda Braak

Nothing from me.

Frank Ponciano

Oh, my apologies. I saw you were unmuted. I thought you wanted to say something.

Linda Braak

No, sorry. Accidental.

Frank Ponciano

Okay, we'll move on to Ameerah then.

Ameerah Thomas

Okay. Sorry. I'm just going to throw out an idea, and I know you all wanted to have this done during this meeting, but is it possible? Would you be open to folks that are interested in drafting, creating a draft and sending that and then us being able to vote or even merge statements based on so that we can just have some time to really think about and how to put these together?

Frank Ponciano

Yeah, I think. Thanks, Ameerah That could be a great idea. Again, this this effort is one that we are hoping it's just one that focuses and sets a direction, and that is placement for the EAC generally and for us, the staff that work to make these conversations, to prepare these conversations right. Every other month. I guess from a procedural standpoint, the idea Ameerah brings up is it one, Tim, that we would have to vote on in terms of suspending the vote and spending some time in between this meeting and the November meeting in order to have people sort of make any additions or modifications they would like to see in a focus statement. I guess I'm asking procedurally, how do we determine the next step?

Tim Lohrentz

I think I would recommend voting on this statement, and then if it doesn't pass, and then we come up with some alternatives of finding some ways to find a focus. The suggestion by Ameerah may be one way to do that that we could come up with. I think that might be the best way to proceed at this point.

Frank Ponciano

Got it. So we'll do an up and down vote on this particular statement. If the statement does not pass, we'll take the time in between to gather feedback and for people to reach out with any of their ideas.

Tim Lohrentz

Okay. So we're going to return to and I'm going to ask Ameerah if you would like to vote again because the wording has changed somewhat. We'll go back to you and then continue with the roll call. Nay okay. And we'll skip Angela and come back to you, Beth Kenny?

Beth Kenny

Nay.

Tim Lohrentz

Clarence R. Fischer. Clarence, still can't hear you.

Clarence R. Fischer

Nay.

Tim Lohrentz

Okay, thank you. Cory Mickels?

Cory Mickels

Yay.

Tim Lohrentz

David Ying?

David Ying

Yes.

Tim Lohrentz

Elizabeth Madrigal?

Elizabeth Madrigal

Yes.

Tim Lohrentz

Fiona Yim?

Fiona Yim

Yes.

Tim Lohrentz

Gracyna Mohabir?

Gracyna Mohabir

Yes.

Tim Lohrentz

Harun David?

Harun David

I vote yes.

Tim Lohrentz

Landon Hill.

Landon Hill

Nay.

Tim Lohrentz

Linda Braak?

Linda Braak

Yes.

Tim Lohrentz

Samia Zuber?

Samia Zuber

Nay.

Tim Lohrentz

Taylor Booker?

Taylor Booker

Nay.

Tim Lohrentz

Vanessa Ross Aquino?

Vanessa Ross Aquino

Yay.

Tim Lohrentz

And back to Angela E Herring.

Angela E. Herring

Nay.

Tim Lohrentz

Okay. As I record eight yeses and seven no. So it does pass, but with, not a very strong vote there. So we may want to return to this topic sooner than later, I think.

Frank Ponciano

Yeah. Thanks, Tim. I think what we can do in this situation is obviously it's passed and so it's been ratified. But we are open to getting the feedback from those folks that think that there may be changes needed and we perhaps can have a briefer conversation at the next EAC meeting or the one after in order to make a decision on any amendments to the focus statement. Does that sound okay to you, Tim and Darin?

Darin Ranelletti

Yeah, awesome. I really appreciate the feedback. This has been good conversation. Thank you, everybody.

Frank Ponciano

This has been great. And is demonstrative of the anti-displacement topic generally. Right, so. But it is a step forward in our conversation here in terms of arriving at where we're wanting to be.

Javieeree PruittHill

Hey, Frank, I had a comment, if you had a moment for me.

Frank Ponciano

I do believe we're going to have public comment sooner rather than later, Javierree, unless Tim, I guess I'll defer to you.

Tim Lohrentz

Yeah. I think as part of the BART team, I think it's okay to have your comment now.

Javierree PruittHill

Thanks, folks. Just wanted to kind of give an objective kind of feedback on this process and how we approach it. I think the teams have done a great job at finding this or designing this mechanism, but I would offer an opinion for us to just kind of maybe look at this at a 300 foot view. Anti-displacement in itself is very layered, and then when we add these statement topics, that adds an additional layer. So when I look at the list of topics, first things that come to mind are similar to Ameerah's point, I hope I got your name right, was I see categories, right? Whether they're legal, whether they're not, whether they're communal based, whether they're process based. So when I see people with disabilities, I think of ADA, I think of EEO. When we look at non- English speakers, right? I think of LEP limited English proficiency. Right. That's an executive order of title six. I see community engagement and also coordinating with CBOs. I think of our co-creation process. So I would just say for the committee and all to just maybe see it from that lens and maybe categorize these different topics. So then we can maybe approach it a little bit more succinctly and with a little bit more intent. Thank you.

Frank Ponciano

Thanks, Javierree. Appreciate it. One more opportunity for input that we were wanting to put out is going back to Mentimeter. So if you have it open, you should see the question come up. This is a simpler question. We go to the next slide. It is looking at preferences from the EAC in terms of in which ways, what formats would you like to see future EAC conversations as related to anti displacement? So we are wanting to find out from you all what format of conversation you would prefer as we discuss anti-displacement going forward. The options being EAC member presentations, meaning staff would work with folks on the EAC in order to present the discussions and research and data going forward, case studies from other places and projects included in future presentations, panel discussions with government agencies, outside organizations, and or community members. And lastly, Link21 team research and presentations, which is pretty much the status quo, is what we've done to date. There is also space for others, and we will leave the next question open once the meeting is over for you to add thoughts on what the others can be. So we'll give people a minute or two to make their choices, and then we will move on to the close of the meeting. And I guess I should say we are not asking you to choose one method, and that's the method we'll use going forward. We're wanting to gauge what people's preferences are as we make decisions about how anti-displacement will be discussed in the EAC going forward. Okay, so the question will remain open because of time constraints. It is 8:36. We're needing to finish by 8:45. We will move on from this particular question. Thanks for your thoughts on it. It looks like case studies are the most popular option, followed by panel discussions with government agencies, outside organizations and community members, and then followed by Link21 staff research and presentations. So, notable choices there and something that we'll take into consideration as we plan upcoming anti-displacement conversations. Darin, before we close on this agenda item, is there anything more you'd like to add?

Darin Ranelletti

No, just gratitude to all the Council members for contributing tonight. This is really helpful and I look forward to continuing to work with you on this important topic. So thank you everyone.

Frank Ponciano

Thanks so much. With that, we go back to the slide deck and we'll pass it on to Tim.

Tim Lohrentz

Thanks Frank. We will now hear public comment for items that have been on today's agenda. Please state your name and which agenda item you are commenting on. Keep in mind public opinion, public comment is limited to two minutes per person. If you are on the phone and would like to provide a verbal public comment, please dial star six to unmute yourself now. There's no comments for those who've dialed in. We'll now see if anyone participating via Zoom would like to provide a public comment. You can do so by raising your hand.

Frank Ponciano

I don't know if this fits. We do have a member of the EAC with their raised hand, no members of the public.

Tim Lohrentz

I think we can take an EAC comment now.

Frank Ponciano

Thanks Tim.

Taylor Booker

Thanks Frank. I just had a quick question. I was listening through everything and I do appreciate all the comment and the clarity that your team is providing also with the fellow EAC members. Just taking all the thoughts out of my head and saying it before me being able to raise my hand. So I appreciate all of you as well in this space. Just a thought in regards to the list that was provided and just a suggestion and obviously a question as well. Will there be opportunities for the Link21 group to create new partnerships with existing community based organizations? I know that there are a lot of the CBOs that were listed that are wonderful in working with, but my thought process are other CBOs that may have more of a direct link to providing access to focus groups in the community. Just had some suggestions on what type of CBOs to suggest for that as well, but just wanted to ask that question and take the space to see if that's an option.

Tim Lohrentz

I think that's a good comment and it sounds like you have some good input that you could provide and hopefully we can get in touch with you offline to gather that input. I think that's a great idea.

Taylor Booker

Absolutely.

Tim Lohrentz

Okay, so seeing there's no public comment, we'll move to the next slide.

Javieeree PruittHill

Tim, I had a question to Taylor's point and forgive me if I've missed an office hour or a previous EAC meeting where this was socialized, but has our co-creation process been socialized with the EAC?

Tim Lohrentz

I do not believe we have gone into depth in terms of the process of co-creation. So that may be a good topic for a future meeting.

Javieeree PruittHill

Okay, cool, thank you.

Tim Lohrentz

So our next meeting date is Tuesday, November 28. It will be a 01:00 P.M. meeting. And this is the Tuesday following Thanksgiving. And then also a reminder that the first meeting of the new year will be Tuesday, January 16, at 01:00 P.M. And this is the day after the Martin Luther King Jr. holiday. And with that, because this is an action item, we need an EAC member to move that the EAC meeting be adjourned.

Clarence R. Fischer

This is Clarence Fischer. I move that we close this meeting for this evening.

Vanessa Ross Aquino

I second.

Tim Lohrentz

Now, please show your hands if you agree with adjourning the meeting. And with that, at 08:42 P.M., we are adjourned. Thank you very much.

MEMORANDUM

FROM: Tim Lohrentz, Equity Programs Administrator, Link21
TO: Equity Advisory Council (EAC)
CC: Link21 EAC Team (Staff and Consultants)
DATE: 11/28/2023

SUBJECT: AGENDA ITEM B: FOLLOW-UP TO PREVIOUS EAC FEEDBACK

This is a standing agenda item and accompanying memo entitled “Follow-Up to Previous EAC Feedback.” This memo documents questions and input from EAC members and demonstrates how that input is being considered in Link21 work. The goals of this memo are to:

- Confirm that EAC questions are responded to.
- Show transparency and accountability for incorporating EAC feedback into Link21 work.
- Demonstrate the value that EAC contributions have on Link21 work.
- Provide ongoing documentation of EAC input that can later be summarized into a report for Stage Gate 2 reviews.

This memo is not intended to be an exhaustive log of all feedback from and communications with EAC members. Rather, it focuses on input that is related to discussion prompts as well as select questions and input about Link21 or EAC logistics that were not previously or sufficiently responded to or were raised on multiple occasions.

Due to timing, feedback from the November 14th Office Hours is not included in this memo. Any follow-up from that session will instead be incorporated into the memo that accompanies the January 2024 EAC meeting.

General Program Feedback

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| Feedback | Is the Link21 Team considering creating new partnerships with community-based organizations (CBOs)? EAC members have recommendations about CBOs. |
| Where Raised | October 17 th EAC Meeting |
| Follow-up | The Link21 Team is continuing to evolve its engagement work, including pursuing partnerships with more CBOs. EAC members can send any recommendations for CBOs to partner with to the Link21 EAC email — EAC@link21program.org . |

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| Feedback | Can Link21 staff respond to public comments at meetings? |
| Where Raised | November 7 th Office Hours |

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| Follow-up | Yes, Link21 staff can respond to public comments during meetings and may do so moving forward. |
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Service

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| Feedback | BART currently does not operate through the Tube in early morning hours because of maintenance. Would maintenance for a second crossing, whether BART or Regional Rail, be scheduled so that there could always be service through at least one of the crossings? |
| Where Raised | November 7 th Office Hours |
| Follow-up | <p>Both technologies offer the potential for expanded service hours. Extended hours are not currently possible on BART, because system maintenance is performed during the late night/early morning hours, which cannot be performed while the trains are running. With a second rail crossing, maintenance could be scheduled to keep at least one pair of transbay tubes open overnight, creating the possibility for a rail network that operates on extended service hours, serving transbay trips with transfers available in both San Francisco and Oakland. This type of overnight operation could work with either crossing technology.</p> <p>Exactly what those service hours could be, and what the service plan would look like, will be partially determined by other policy decisions, and will require more detailed analysis than has been done to date. BART currently uses early morning hours to perform critical maintenance on parts of the system beyond the Tube. So even if maintenance times were offset for the two crossings, trains may not be able to serve the full network during the overnight period. Late night bus service, for example, might be required on branch lines at times when overnight maintenance is being performed on those lines. Either technology would face similar challenges in developing an extended hours train schedule.</p> <p>Exact service and maintenance decisions will be made later in Link21's development. Expanded service hours will continue to be an important consideration moving forward, and any new information about the potential to operate across more hours of the day will factor into ongoing work.</p> |

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| Feedback | Would service frequencies of 15-minutes or better be possible for Regional Rail given that Union Pacific Railroad owns much of the track? |
| Where Raised | October 17 th EAC Meeting |
| Follow-up | On the Peninsula, Caltrain owns its right-of-way, which is primarily used by passenger rail, between San Jose and San Francisco. Caltrain is planning for 10-minute frequencies with their electrified service, with plans |

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| | <p>for 5-minute frequencies. Union Pacific Railroad owns much of the Regional Rail infrastructure in the East Bay today, and this contributes to the lower frequencies of operations like Capitol Corridor. A new agreement with UPRR and/or additional infrastructure on both sides of the Bay would be needed to increase frequencies further.</p> <p>The Regional Rail concept calls for a dedicated passenger rail crossing, which would be capable of 2.5-minute headways (frequencies) but would likely start with 4-minute headways (since additional infrastructure is needed in the network for higher frequencies). Outside of the new crossing itself, where Regional Rail would operate in freight-owned rail corridors, the Regional Rail concept includes upgrades to signaling and the creation of additional tracks in the East Bay between the Richmond and Oakland Coliseum stations. Collectively, these investments would address the constraints of the shared East Bay passenger/freight corridor to allow for fast and frequent transbay Regional Rail service extending to Richmond (six-minute headways) and Coliseum (10-minute headways).</p> <p>Separate from Link21, the Capitol Corridor Joint Powers Authority is also studying the possible replacement of the rail bridge that crosses the Carquinez Strait, as the existing Benicia-Martinez Bridge is a major constraint to service frequency. Replacement of the existing lift bridge would be necessary to implement the State Rail Plan vision of 30-minute, and ultimately, 15-minute frequencies between the Sacramento area and the Bay Area.</p> |
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Fares

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| Feedback | Can tickets for Capitol Corridor be purchased with cash? |
| Where Raised | October 17 th EAC Meeting |
| Follow-up | Capitol Corridor tickets can be purchased online, from the Amtrak mobile app, from a station ticket agent, from a station Ticket Kiosk, or from a conductor on-board the train. Station ticket agents and Ticket Kiosks accept cash, debit, and credit cards. All stations except for Coliseum, Hayward, and Santa Clara – University have Ticket Kiosks. Conductors also accept cash for tickets purchased onboard. |

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| Feedback | Can tickets for BART be purchased with cash and what is the future expectation? The \$3 charge for a Clipper Card is an equity issue. |
| Where Raised | October 17 th EAC Meeting |
| Follow-up | Starting November 30 th , BART will only accept payment by Clipper, as new fare gates will not be compatible with paper tickets. All BART stations have |

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| | ticket vending machines where riders can load value to their Clipper cards with cash. Riders can also use Clipper on their phone and to avoid the \$3 card fee, though a \$3 minimum value load is required. Eligible riders may also enroll in the Clipper START program, which provides 20% discounts on BART fares to low-income residents. |
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| Feedback | How does Capitol Corridor's contactless fare payment pilot account for people without a credit card? |
| Where Raised | October 17 th EAC Meeting |
| Follow-up | <p>The Tap2Ride pilot program allows riders to use debit cards as well as credit cards. Passengers who do not have a contactless Visa or Mastercard debit or credit card can order a free contactless-enabled debit card, such as the Cash App Card or Venmo Debit Card.</p> <p>Tap2Ride is a voluntary pilot program. Capitol Corridor passengers can continue to pay for tickets online, through the Amtrak app, from station Ticket Kiosks, and from conductors onboard. Cash is still accepted by station ticket agents, at Ticket Kiosks, and onboard.</p> <p>The Tap2Ride pilot is supported by the California Integrated Travel Program (Cal-ITP), led by the California State Transportation Agency and California Department of Transportation. Continued Cal-ITP efforts will support improved ways for individuals who usually pay with cash to use contactless payment mechanisms.</p> |

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| Feedback | Regional Rail fares are higher than BART fares, which creates equity concerns. |
| Where Raised | October 17 th EAC Meeting |
| Follow-up | In Plan Bay Area 2050, the Metropolitan Transportation Commission (MTC) included a distance-based fare structure that is the same across all operators. This fare structure would mean that a trip between Richmond and Coliseum, whether on BART or Capitol Corridor, would cost the same amount. MTC also included 50% discounts for low-income riders in Plan Bay Area 2050. This fare structure is used in Link21's analysis for portions of trips within the Bay Area. |

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| Feedback | BART and CCJPA should have the same type of payment services. Can this happen in the future? |
| Where Raised | October 17 th EAC Meeting |
| Follow-up | BART, like other Bay Area transit agencies, uses the "closed-loop" Clipper system. Clipper is not currently compatible with Amtrak's federal and state |

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| | <p>ticketing requirements, which govern Capitol Corridor's fare payment methods.</p> <p>Through Cal-ITP, the California State Transportation Agency and California Department of Transportation are leading statewide efforts to align transportation payment mechanisms using "open-loop" systems. CCJPA plans to align its future payment mechanisms with Cal-ITP enabled approaches. MTC, which manages Clipper, is also exploring moving to "open-loop" payment systems that would be compatible with Cal-ITP's work.</p> |
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Anti-Displacement

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| Feedback | How long would the Anti-Displacement Focus Statement guide topics? Can the Link21 Team provide the EAC with a timeline for anti-displacement work? |
| Where Raised | October 17 th EAC Meeting |
| Follow-up | The existing Focus Statement will inform the January 2024 EAC meeting agenda. It can be modified in the future or end once topics have been covered. In the November EAC meeting, the Link21 Team will also present the EAC with a proposal to form an Anti-Displacement sub-group. This body would develop draft anti-displacement goals and principles for full EAC approval. |

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| Feedback | What is the displacement potential for BART compared to Regional Rail? What is the potential for improved access for BART compared to Regional Rail? |
| Where Raised | November 7 th Office Hours |
| Follow-up | The business case is evaluating many factors, including displacement, access, and ridership. Results like this will be ready to share with the EAC at its January meeting. |

MEMORANDUM

FROM: Tim Lohrentz, Equity Programs Administrator, Link21
TO: Equity Advisory Committee (EAC)
CC: Link21 EAC Team (Staff and Consultants)
DATE: 11/28/23

SUBJECT: AGENDA ITEM C: EAC BYLAWS ADOPTION OF PROPOSED AMENDMENTS

The Equity Advisory Council (EAC) bylaws serve to address the general function and administration of the EAC for the Link21 Program. They also outline the role and responsibilities of members. The bylaws were drafted and approved in December 2022 and included as part of the recruitment and selection process for the EAC.

The EAC received proposed amendments prior to the October 2023 meeting. At the meeting, members were asked about any initial feedback or reflection, of which one additional amendment was proposed. EAC members were then provided with an electronic survey for additional opportunity to both reflect level of agreement, and/or provide additional comments or recommendations for new amendments. EAC members will vote to approve at the November, 2023 EAC meeting.

RESULTS OF EAC BYLAWS SURVEY

Six EAC members responded directly to the survey, all of whom affirmed their support for the proposed amendments, with two contributions offering further input to help define the application of the amendment language in practice, and several comments proposing grammatical changes:

1. There was a comment that the Link21 Program should define what it means to “align with the purpose and objectives of Link21’s equity goals,” one of the criteria for re-appointment.
2. One member reflected further on the proposed amendment adding an option for a third term, if or when there are not enough applicants to meet the membership needs of the group. This member noted that there are specific ways the Program can assess appointments, including participation in meetings, attendance at office hours, providing input and asking questions via writing between meetings etc.
3. Several recommendations for grammatical fixes.
4. Re-affirming the commitment to geographical diversity when appointing/re-appointing members.

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PROPOSED AMENDMENTS TO BYLAWS FOR APPROVAL BY EAC

The Link21 Program team put forward all proposed amendments via survey to members, including the additional amendment proposed at the EAC October meeting. Based on the absence of additional feedback in the October meeting or in the survey that substantively changes the language, The EAC will be asked to adopt the amendments via voice vote by a “three quarters majority of all members.” Upon adoption, the Link21 Program will formally update and post amended bylaws.

Staggered Terms:

Original Language: *Before the expiration of the inaugural EAC term, the Program Sponsor reserves the right to introduce a one-time amendment to term lengths to stagger the rotation of EAC members. If used, this amendment will be intended to provide the EAC with continuity for effective knowledge transition as the original members begin to term out.*

Proposed Amendment: *The Link21 Program Sponsor will stagger the initial terms of approximately one-half of the original EAC members so that their initial term is three years. These members would remain eligible to serve a second term of two years. Criteria for selecting EAC members for the initial three-year term include willingness to serve an extra year, level of participation in EAC activities, including attendance at EAC meetings, participation in office hours or other EAC activities, and alignment with the purpose and objectives of Link21’s Equity goals.*

To select those who will be staggered, the Link21 Program will initiate a survey to assess interest and capacity, and the Program Sponsor will then determine those who will be selected for the first three-year term.

EAC Appointments:

Original Language: *Members are appointed to a two-year term. Members may be appointed for up to two consecutive terms.*

Proposed Amendment: *The Link21 Program Sponsor will decide which EAC members will be renewed for a second term. The announcement of term renewal shall take place at least six months prior to the end of members’ first term. Members will be asked to complete a term renewal form. The criteria used for a second term include: willingness to serve another term, level of participation in EAC activities, including attendance at EAC meeting, office hours, or other EAC activities, and alignment with the purpose and objectives of Link21’s Equity goals.*

Third Term: (provided via councilmember in the October meeting):

If an insufficient number of new members apply, the existing members may serve an additional term with selection criteria equivalent to those already identified.

Subcommittees and Working Groups:

The EAC, with support from the Link21 Program, may form sub-committees and working groups for the purpose of fulfilling its roles and responsibilities, with the approval of the Link21 Program Sponsor.

A sub-committee is a formal committee that is created by an action of the EAC and can be dissolved by action of the EAC or the Program Sponsor. It has the same level of public participation as the EAC itself, such as meeting announcements and public comments. Sub-committees may propose actions that are subject to the approval of the EAC itself. Sub-committee membership is by self-selection.

A working group is an informal group of short duration that voluntarily forms between EAC meetings to discuss issues pertinent to the EAC or to provide input on agenda items at an upcoming EAC meeting. A working group is not a public forum. Service on a sub-committee or working group is considered part of the "off month" contribution included in the Honorarium Pilot.

Office Hours:

The Link21 Program may organize virtual office hours for EAC members from time to time for the purpose of further discussion on topics recently discussed at EAC meetings. Participation is voluntary. Office Hours are not open to the public. The EAC members participating in an Office Hours may not take an action but may propose an action for an EAC meeting.

ATTACHMENT: Draft Bylaw Amendments, Survey Results



EQUITY ADVISORY COUNCIL ~~PROJECT~~ BYLAWS

DRAFT FINAL

December 2022

Proposed Amending November 2023

Prepared By:
Link21 Engagement and Outreach Team (HDR)

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ISSUE AND REVISION RECORD

| REVISION | DATE | PREPARER(S) | PMC REVIEWER(S) ¹ | APPROVER ² | DESCRIPTION/NOTES |
|----------|------------|--|--|--|--------------------------------|
| | | | BART/CCJPA REVIEWER(S) | BART/CCJPA APPROVER | |
| 0 | 09/28/2022 | Ben Duncan, K&W Lisa Marie Alley, HDR | Kyle Morales, HNTB Mydria Clark, HNTB | | Working DRAFT submittal |
| | | --- | | Javieere PruittHill, BART | Working DRAFT submittal review |
| 1 | 10/31/2022 | Ben Duncan, K&W Lisa Marie Alley, HDR | Kyle Morales, HNTB Mydria Clark, HNTB Kimberly Simms, HNTB | | DRAFT submittal |
| | | --- | | Javieere PruittHill, BART Nicole Franklin, BART | DRAFT submittal review |
| 2 | 12/01/2022 | Ben Duncan, K&W Lisa Marie Alley, HDR | Kyle Morales, HNTB | | DRAFT FINAL submittal |
| | | --- | | Sadie Graham, BART | No review requirement |

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SHAREPOINT PATH

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TABLE OF CONTENTS (PLACE CURSOR IN LIST AND PRESS F9 TO UPDATE)

| | |
|--|---------|
| 1. Purpose of the Bylaws | 1-1 |
| 1.1. Purpose and Mission of the EAC | 1-1 |
| 2. DEFINITION OF EAC MEMBERSHIP AND GENERAL MEMBERSHIP EXPECTATIONS..... | 2-11-24 |
| 2.1. EAC Membership and Terms..... | 2-11-24 |
| 2.1.1. EAC Membership and Terms of Service..... | 2-11-24 |
| 2.1.2. Staggering Terms | 2-1 |
| 2.1.3. Renewal of Terms | 2-1 |
| 2.1.4 Member Removal | 2-21-34 |
| 2.1.5 Filling a Vacancy | 1-41 |
| 2.1.6. Selection Criteria for Recruiting New Members | 2-2 |
| 2.2. EAC Roles and Responsibilities | 2-3 |
| 2.2.1. Meeting and Participation and Expectations | 2-31-51 |
| 2.2.2. Meeting Materials and Related Documents | 2-31-51 |
| 2.2.3. Conflict of Interest Acknowledgement | 2-31-51 |
| 2.2.4. Staff Support..... | 2-31-51 |
| 3. Council Operations | 3-1 |
| 3.1 Transparency Guidelines and Compliance | 3-1 |
| 3.2 Meeting Agendas | 3-1 |
| 3.3 Meeting Recording and Minutes | 3-1 |
| 3.4 Defining an Equity Flag | 3-1 |
| 3.5 Process for Raising the Equity Flag | 3-2 |
| 3.6 Public Participation and Reasonable Accommodations | 3-2 |
| 3.7 Bylaws Amendment | 3-2 |
| 3.8 Sub-Committees and Working Groups | 3-3 |
| 3.9 Office Hours | 3-3 |
| 4. EAC Honorarium Pilot | 4-1 |
| 1. Purpose of the Bylaws | 1-1 |
| 1.1. Purpose and Mission of the EAC | 1-1 |

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| 2. DEFINITION OF EAC MEMBERSHIP AND GENERAL MEMBERSHIP EXPECTATIONS..... | 2-1 |
| 2.1. EAC Membership Roles and Responsibilities..... | 2-1 |
| 2.1.1. EAC Membership and Terms of Service..... | 2-1 |
| 2.1.2. Meeting and Participation and Expectations..... | 2-1 |
| 2.1.3. Meeting Materials and Related Documents..... | 2-1 |
| 2.1.4. Member Removal..... | 2-2 |
| 2.1.5. Filling a Vacancy..... | 2-2 |
| 2.1.6. Conflict of Interest Acknowledgement..... | 2-2 |
| 2.1.7. Staff Support..... | 2-2 |
| 3. Council Operations..... | 1 |
| 3.1. Transparency Guidelines and Compliance..... | 1 |
| 3.2. Meeting Agendas..... | 1 |
| 3.3. Meeting Recording and Minutes..... | 1 |
| 3.4. Defining an Equity Flag..... | 1 |
| 3.5. Process for Raising the Equity Flag..... | 2 |
| 3.6. Public Participation and Reasonable Accommodations..... | 2 |
| 3.7. Bylaws Amendment..... | 2 |
| 4. EAC Honerarium Pilot..... | 1 |

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ACRONYMS AND ABBREVIATIONS

| ACRONYM/ABBREVIATION | DEFINITION |
|----------------------|---|
| BART | San Francisco Bay Area Rapid Transit |
| CCJPA | Capitol Corridor Joint Powers Authority |

LINK21 PROGRAM TEAM NAMES

| TEAM NAME | TEAM MEMBERS |
|--------------------|---|
| PMC | The HNTB Team |
| PMT | BART/CCJPA + PMC |
| Consultants | Consultants supporting program identification/project selection |
| Link21 Team | PMT + Consultants |

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1. PURPOSE OF THE BYLAWS

The purpose of these bylaws is to address the general function and administration of the Equity Advisory Council (EAC) for the Link21 Program. It also outlines the roles and responsibilities of EAC members.

1.1. Purpose and Mission of the EAC

The EAC serves as an advisory body to the Link21 Program, providing input and guidance on key milestones. The EAC will provide a space for meaningful community collaboration to help advance equity throughout the development and implementation of the Link21 Program.

The EAC aims to do the following:

- Integrate lived experts (those who have lived experience in inequitable transportation and infrastructure) into Link21-especially for interim non-Board decisions.
- Supplement other co-creation activities, such as co-creation workshops, to increase opportunities for community partnership and influence at key points in the program ~~development~~development.
- Introduce a community-driven body which has the benefit of long-term engagement with the program, which will allow for deeper discussions and stronger community alignment with how Link21 progresses.

The EAC will be made up of individuals representing the varying interests of communities that have been marginalized including priority populations and others potentially adversely impacted by Link21. The EAC will be one mechanism for bringing diverse community voices into program development and conveying information on key decisions to community members. The EAC Charter¹ lays out the guiding vision for the Council as one mechanism for ensuring equity is embedded into the work of Link21.

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¹ [EAC Charter](#)



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2. DEFINITION OF EAC MEMBERSHIP AND GENERAL MEMBERSHIP EXPECTATIONS

The EAC membership will reflect the diversity of the Megaregion, including low-income communities and communities of color that have been most impacted by transportation inequities, youth, and other communities that have historically been underserved.

~~2.1. 2.1. EAC Membership Roles and Responsibilities and Terms~~

~~2.1.1. 2.1.1. EAC Membership and Terms of Service~~

The EAC will consist of up to 20 members representing diverse geographies and demographics. Members are appointed to a two-year term. Members may be appointed for up to two consecutive terms. Members are defined as individuals who have a seat on the Council and may include unaffiliated community members and/or representatives of a community-based organization (CBO). Although some EAC members may be affiliated with and/or representing a CBO, this does not imply or mean that seats are designated for specific CBOs.

Before the expiration of the inaugural EAC term, the Program Sponsor reserves the right to introduce a one-time amendment to term lengths to stagger the rotation of EAC members. If used, this amendment will be intended to provide the EAC with continuity for effective knowledge transition as the original members begin to term out.

~~2.1.2. Meeting and Participation and Expectations~~

~~Meetings will be held virtually via videoconferencing every other month for up to three hours. Members may be called upon to work in subcommittees on an ad hoc basis to further review and analyze materials. If a member cannot attend a meeting, they are required to inform the EAC facilitation team before the meeting. For non-emergency absences, EAC members should inform the facilitation team two weeks in advance.~~

~~2.1.3. Meeting Materials and Related Documents~~

~~EAC members will be provided meeting agendas, supporting materials, and associated documents in advance of all meetings. Agenda's will be publicly posted at least five (5) days prior to the meeting. Additional supporting materials will be provided least three (3) days prior to each meeting. The Link21 team will provide support when applicable, including briefings on request.~~

~~It is expected that EAC members come to each meeting prepared and having fully reviewed the provided materials. Per the honorarium pilot for the EAC, members are~~

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~~expected to spend up to three hours outside of meetings on tasks like reviewing materials.~~

2.1.2. Staggering Terms

~~The Link21 Program Sponsor will stagger the initial terms of approximately one-half of the original EAC members so that their initial term is three years. These members would remain eligible to serve a second term of two years. Criteria for selecting EAC members for the initial three-year term include willingness to serve an extra year, and level of participation in EAC activities, including attendance at EAC meetings, and participation in office hours or other EAC activities, and alignment with the purpose and objectives of Link21's Equity goals.~~

~~To select those who will be staggered, the Link21 Program will initiate a survey to assess interest and capacity, and the Program Sponsor will then determine those will be selected for the first three-year term.~~

2.1.3. Renewal of Terms

~~The Link21 Program Sponsor will decide which EAC members will be renewed for a second term. The announcement of term renewal shall take place at least six months prior to the end of members' first term. Members will be asked to complete a term renewal form. The criteria used for a second term includes: willingness to serve another term, level of participation in the EAC activities, including attendance at EAC meeting, office hours, or other EAC activities, and alignment with the purpose and objectives of Link21's Equity goals.~~

~~**Third Term:** If an insufficient number of new members apply, the existing members may serve an additional term with selection criteria equivalent to those already identified.~~

2.1.4. Member Removal

Consistent attendance and participation from EAC members can help strengthen effectiveness, however failure to regularly attend may result in removal. Flexibility can be allocated for extraordinary circumstances.

EAC membership may be revoked at any time for reasons including, but not limited to unexcused absences, disruptive behavior, or lack of active engagement. Membership revocation will be determined by the Link21 Program Sponsor in consultation with the Facilitation team. This provision and authority will be exercised solely to ensure an engaged and productive EAC and is not meant to, and will not be employed to, silence diverse opinions and perspectives shared as part of the ongoing EAC engagement process.

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2.1.5. Filling a Vacancy

If a member of the EAC resigns or is removed from the Council, that vacancy may be temporarily or permanently filled with an individual appointed by the Link21 Program Sponsor. Any appointments will be made in accordance with selection criteria. The vacancy may also be left unfilled until the next application period.

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2.1.6. Selection Criteria for Recruiting New Members

The criteria used by Link21 Program staff to recruit new members will seek to maintain geographic and sociodemographic diversity along with the skills and expertise necessary for the Program. Members should represent the priority populations and have both lived and professional experience related to transportation and Link21 Program goals.

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2.1.6. Conflict of Interest Acknowledgement

~~All EAC members, as part of their application and in alignment with conflict of interest rules, must self-assess and report potential or actual emergent conflicts of interest. While apparent or potential conflicts of interest may not automatically exclude a member, it will be the sole discretion of the Link21 Program Sponsor to determine the impact the conflict may present. Members may contact the Facilitation Team with questions or concerns.~~

~~The conflict of interest declaration will be updated annually.~~

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2.1.7. Staff Support

~~BART's Equity Programs Administrator or assigned staff, shall be assigned to work with the EAC as staff liaison. The staff liaison will collaborate with the Link21 Program Sponsor and the Link21 team to prepare, compile, and distribute agendas and related materials for EAC meetings. The staff liaison shall be responsible for coordinating posting materials on the BART and Link21 website.~~

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2.2. EAC Roles and Responsibilities

2.2.1. Meeting and Participation and Expectations

Meetings will be held virtually via videoconferencing every other month for up to three-hours. Members may be called upon to work in subcommittees on an ad hoc basis to further review and analyze materials. If a member cannot attend a meeting, they are required to inform the EAC facilitation team before the meeting. For non-emergency absences, EAC members should inform the facilitation team two weeks in advance.

2.2.2. Meeting Materials and Related Documents

EAC members will be provided meeting agendas, supporting materials, and associated documents in advance of all meetings. Agenda's will be publicly posted at least five (5) days prior to the meeting. Additional supporting materials will be provided at least three (3) days prior to each meeting. The Link21 team will provide support when applicable, including briefings on request.

It is expected that EAC members will come to each meeting prepared and having fully reviewed the provided materials. Per the honorarium pilot for the EAC, members are expected to spend up to three hours outside of meetings on tasks like reviewing materials.

2.2.3. Conflict of Interest Acknowledgement

All EAC members, as part of their application, and in alignment with conflict-of-interest rules, must self-assess and report potential or actual emergent conflicts of interest. While apparent or potential conflicts of interest may not automatically exclude a member, it will be the sole discretion of the Link21 Program Sponsor to determine the impact the conflict may present. Members may contact the Facilitation Team with questions or concerns. Service on or participation in other Link21 public bodies will not inherently be considered a conflict of interest.

The conflict-of-interest declaration will be updated annually.

2.2.4. Staff Support

BART's Equity Programs Administrator or assigned staff, shall be assigned to work with the EAC as staff liaison. The staff liaison will collaborate with the Link21 Program Sponsor and the Link21 team to prepare, compile, and distribute agendas and related materials for EAC meetings. The staff liaison shall be responsible for coordinating posting materials on the BART and Link21 website(s?).

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3. COUNCIL OPERATIONS

3.1.3.1 Transparency Guidelines and Compliance

Similar to other BART advisory committees, the EAC meetings shall be conducted in accordance with BART District's Transparency Guidelines. The District's Public Participation Meeting Rules can be found at http://www.bart.gov/sites/default/files/docs/Board_Meeting_Rules_Notice_57.pdf

These duties and practices shall all be undertaken pursuant to the District's Transparency Rules for non-Brown Act bodies and the Standard Code of Parliamentary Procedure (4th Edition) by Alice Sturgis.

3.2.3.2 Meeting Agendas

Meeting agenda's will be posted at least five (5) days prior to an EAC meeting. The agenda will be posted on the Link21 website and the BART District's website via Legistar, consistent with the posting for other BART advisory committees.

Related materials, such as staff reports and other items, shall be emailed to the EAC members at least three (3) days prior to each meeting. They will also be posted to the Link21 website and the BART District's website.

EAC members wishing to request agenda items should communicate the request to the Facilitation Team at least three weeks prior to a meeting. The Program Sponsor will approve the final agenda topics and consider requests from EAC members, in accordance with Link21 Program needs and timelines and the availability of time to appropriately conduct EAC business.

Only items on the posted agenda, and items discussed during public comment, shall be discussed, or acted upon at EAC meetings by EAC Members.

3.3.3.3 Meeting Recording and Minutes

Meeting minutes will be developed and presented to the EAC membership for approval at the following month's meeting. Meeting minutes will include details such as membership participation, topics discussed, and decisions made. Meeting minutes shall be posted on the BART and Link21 websites within one (1) week following approval by the EAC.

3.4.3.4 Defining an Equity Flag

At any time, any individual EAC member may flag a "Serious Concern" as a formal way to request that the Link21 team re-examine a specific proposal, deliverable, or process due to a serious concern they believe could lead to demonstrably significant harm to

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communities that have been marginalized and priority populations or the Link21 Program.

3.5. 3.5 Process for Raising the Equity Flag

The EAC member flagging the concern must do so in writing via the EAC email at EAC@Link21Program.org, fully articulating the concern and the rationale. After a thorough review, it is at the discretion of the Program Sponsor whether additional action or changes will be enacted in response to the Serious Concern. The Program Sponsor will respond to the Serious Concern in writing to the EAC within two weeks. If the additional review of the Serious Concern will take more than two weeks, the Link21 Team will update the EAC with a schedule on when a response will be issued.

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3.6. 3.6 Public Participation and Reasonable Accommodations

The public will be offered an opportunity to provide comments at EAC meetings on agenda related topics. Written public comments should be emailed to EAC@Link21Program.org using "public comment" in the subject line and will become a permanent part of the file. Public comments received in writing must be submitted within 72 hours of the meeting in order to be included in the record. Oral public comments will be limited to two minutes per person.

Link21 provides service/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address Council matters. A request must be made between one and five days in advance of the Council meeting, depending on the service requested.

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3.7. 3.7 Bylaws Amendment

These bylaws may be approved or amended at any properly noticed regular or special meetings of the EAC following a three-fourths (3/4) vote of all current EAC Members.

Written notice of the proposed bylaws' approval or amendment shall be placed on the agenda and copies of the proposed bylaws or amendment shall be distributed at the meeting prior to the one at which action is to be taken. Comments on proposed changes from members for consideration must be received at least two weeks prior to the meeting when the vote for approval is scheduled.

The notice at both the prior meeting and the meeting at which the vote is scheduled shall include both the original text of the bylaws and the text of any proposed bylaw amendment(s).

Proposed EAC bylaws and amendments shall be subject to review by the Link21 Program Sponsor and the District's Office of the General Counsel.

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3.8. Sub-Committees and Working Groups

The EAC, with support from the Link21 Program, may form sub-committees and working groups for the purpose of fulfilling its roles and responsibilities, with the approval of the Link21 Program Sponsor.

A sub-committee is a formal committee that is created by an action of the EAC and can be dissolved by action of the EAC or the Program Sponsor. It has the same level of public participation as the EAC itself, such as meeting announcements and public comments. Sub-committees may propose actions that are subject to the approval of the EAC itself. Sub-committee membership is by self-selection.

A working group is an informal group of short duration that voluntarily forms between EAC meetings to discuss issues pertinent to the EAC or to provide input on agenda items at an upcoming EAC meeting. A working group is not a public forum.

Service on a sub-committee or working group is considered a part of the "off month" contribution included in the Honorarium Pilot.

3.9 Office Hours

The Link21 Program may organize virtual office hours for EAC members from time to time for the purpose of further discussion on topics recently discussed at EAC meetings. Participation is voluntary. Office Hours are not open to the public. The EAC members participating in an Office Hour may not take an action but may propose an action for an EAC meeting.

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4. EAC HONORARIUM PILOT²

All individuals participating as a member of the EAC will receive an honorarium. Honorariums are distinct from compensation and are designed to mitigate barriers in lieu of payment or delivery of services and represent recognition Link21 has for the contribution of time, energy, and expertise.

The honorarium is offered through an agreement made directly with an individual. Members will receive \$2100 per year, based on participation in bi-monthly (six times/year) meetings and contribution on off months to additional work up to three hours per month.

In addition to the honorarium, serving as recognition and appreciation of time, energy, and expertise, Link21 also recognizes that for some community members, there may be additional barriers to full participation. Please refer to the [Honorarium Pilot](#) for additional details.

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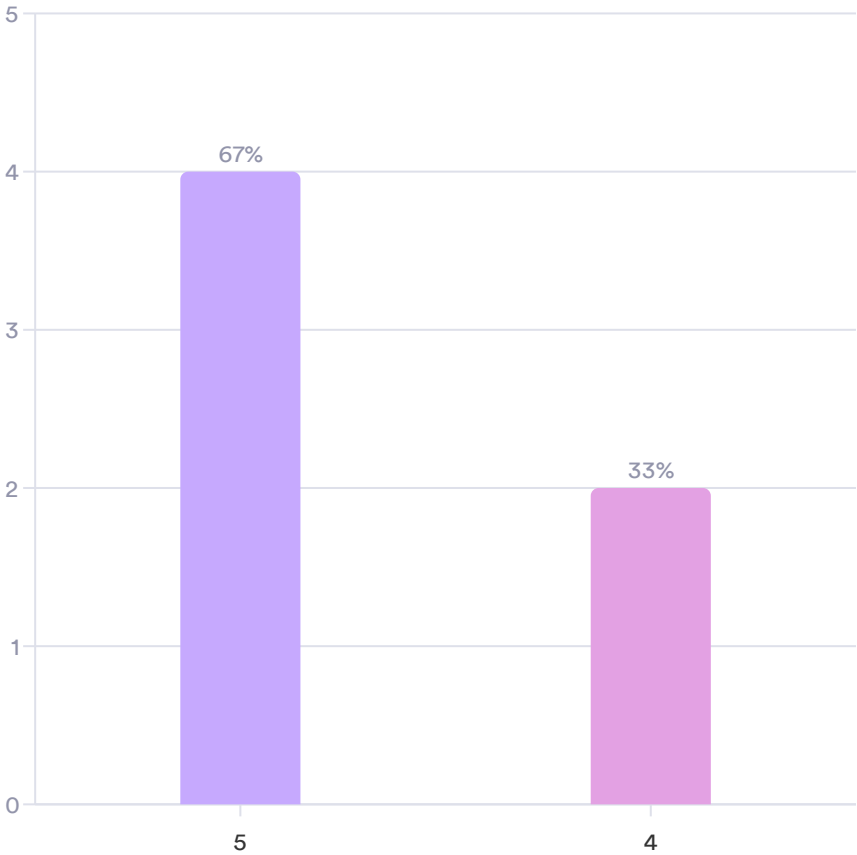
² [Link21 Equity Advisory Council Honorarium Pilot Final Draft \(link21program.org\)](#)

Link21 EAC Post Bylaw Meeting Survey

Amendment: 2.1. EAC Membership and Terms of Service

1=Strongly disagree with this amendment
5=Strongly support this amendment

6 Responses



Additional comments or changes proposed by member:

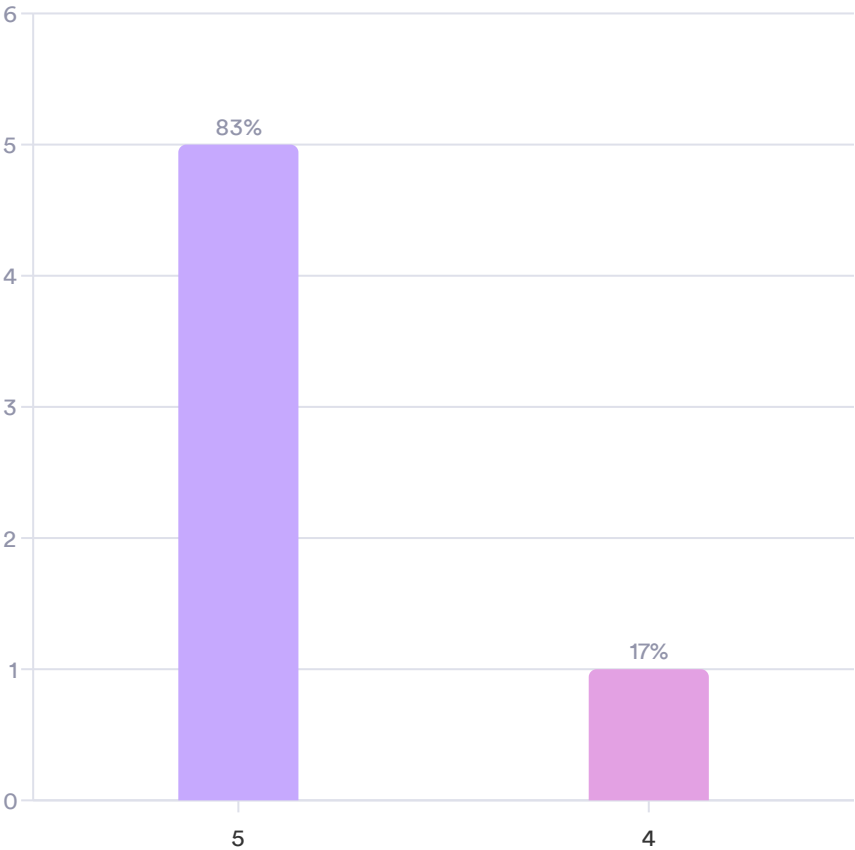
4 Responses- 2 Empty

| Data | Responses |
|---|-----------|
| Agree with the proposed Amendment. Clear. Concise and same as before in previos page. However, line 5: 'willingness to serve another term;,' should only have a comma ",". Same goes with line 7: 'activities;,' should also just have a comma ",". | 1 |
| Not sure if this necessitates being added in to the amendment, but I would like for there to be geographical diversity for EAC members that are selected for term renewal. | 1 |
| I think it'll be important to define "alignment with the purpose and objectives of Link21's Equity goals" | 1 |
| see previous comments | 1 |
| | |

Amendment: 2.1.1 EAC Membership and Terms of Service

1=Strongly disagree with this amendment
5=Strongly support this amendment

6 Responses



Additional comments or changes proposed by member:

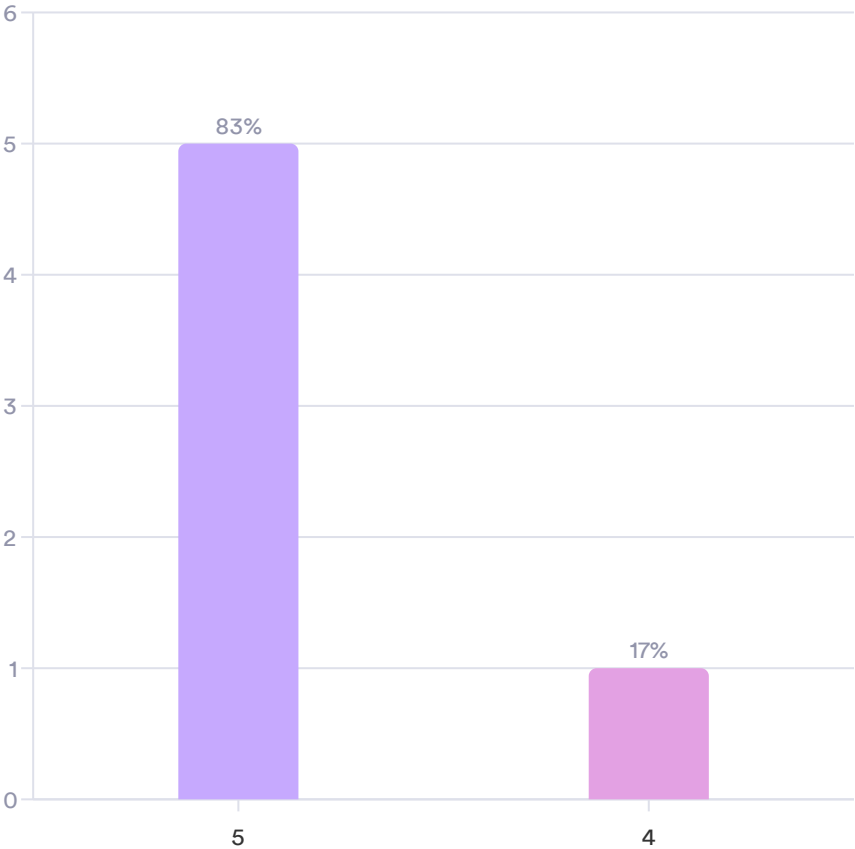
2 Responses- 4 Empty

| Data | Responses |
|---|-----------|
| I believe this one time proposed Amendment has a clearer message and definition of the Program Sponsor, it's initial term requirement/eligibility. | 1 |
| I would like to discuss process of how members are selected for initial 3-year term. Involvement, such as attending all/most meetings how much feedback is given both during meetings and submitted questions/concerns between meetings and being involved with "office hours" both in attending as well as asking questions / concerns to show "being an active committee member". Of course down the road I feel the same should be applied to those who wish to be selected for a "2'nd term". Lastly once a "2-term individual" has run their course (be it "2 years plus and additional 2 years" or if an individual serves "initial 3 years plus an additional 2 years") just in case when a member's time is up while I'm sure that there will be more individuals of the public who will want to serve on the "EAC" should there be less individuals from the public to fill in the newly "open positions" (after an individual has served 2 terms) some method needs to be in place as to how to allow existing members to a 3'rd term if there are less interested individuals from the public than open positions. Thank you. Clarence R. Fischer | 1 |

Amendment proposed in the EAC meeting

1=Strongly disagree with this amendment
5=Strongly support this amendment

6 Responses



Additional comments or changes proposed by member:

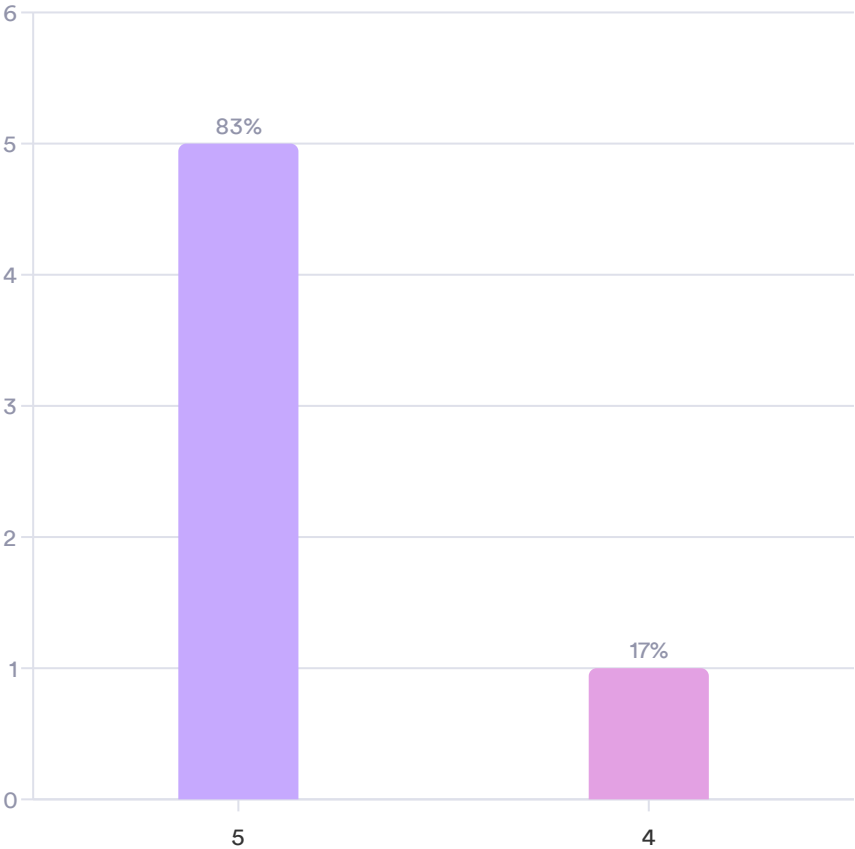
2 Responses- 4 Empty

| Data | Responses |
|--|-----------|
| I agree with the proposed Amendments. I don't see anything else to add or remove at this time. | 1 |
| see previous comments | 1 |
| | |

Amendment: 3.8. Sub-Committees and Working Groups

1=Strongly disagree with this amendment
5=Strongly support this amendment

6 Responses



Additional comments or changes proposed by member:

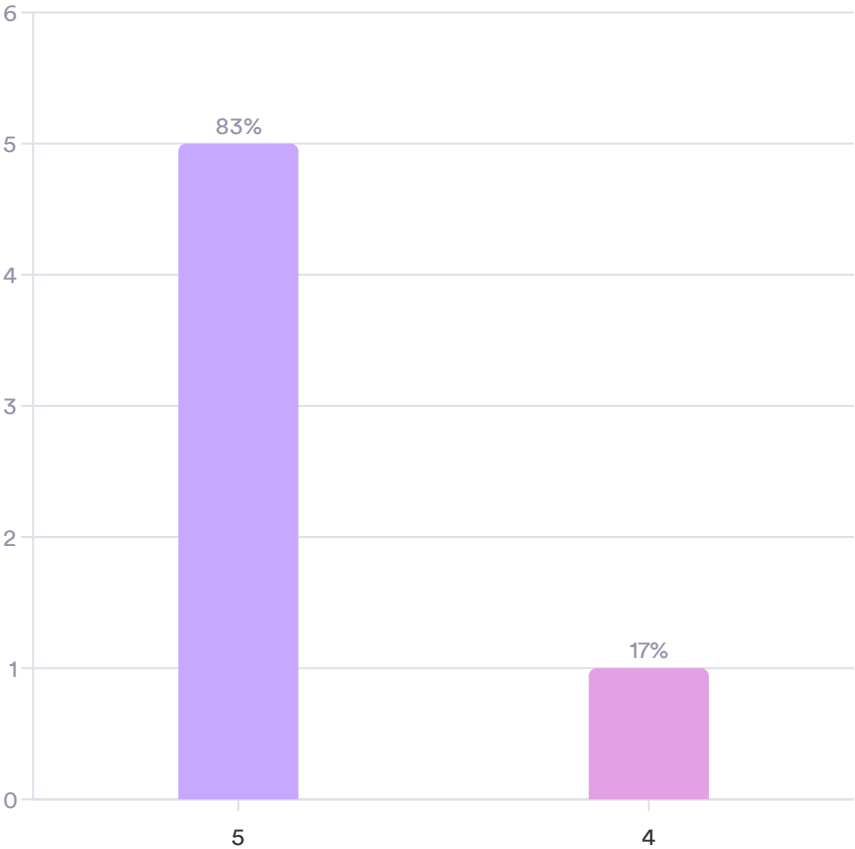
2 Responses- 4 Empty

| Data | Responses |
|---|-----------|
| In line 1, first paragraph, in first sentence, after the word Link21 Program should have a comma and not a period. And the second sentence should have a capital M for May. Nothing further to add. Everything else looks fine. | 1 |
| see previous comments | 1 |

Amendment: 3.9 Office Hours

1=Strongly disagree with this amendment
5=Strongly support this amendment

6 Responses



Additional comments or changes proposed by member:

2 Responses- 4 Empty

| Data | Responses |
|---|-----------|
| This Amendment sounds great! | 1 |
| While I feel that office hours are important there are times when I feel that there are not enough hours given to these "office hours". Perhaps EAC Members should either be allowed to suggest longer hours on various topics or perhaps "one - on - one" meetings with "Link-21 Staff". I myself have many concerns but in all fairness to other "EAC Members" while I might say 1 or 2 items and then let all other "EAC Members" give their input then time has run out to say more items. For example while discussion of "which train technology" might be best (traditional standard gage rail service or BART gage service) some of the new ideas such as "Valley Link" going into the Dublin BART station from Tracy (and maybe Stockton) is currently scheduled to go into service in 2027 (per a report broadcast on KPIX-Channel 5 news last week). If this new service goes into effect in 5 years from now what is holding this committee from researching and suggesting excellent ideas to bring new connective service to other underserved communities and priority populations within the next 5-10 years as well??? | 1 |

Thank You!

Link21 EAC Post Bylaw Meeting Survey