



PUBLIC COMMENT

BART Board Meeting

April 25, 2024

Item 7

From: cafred1@juno.com
To: [BART Board](#)
Subject: THE PROPOSED NORTH BERKELEY BART DEVELOPMENT NEEDS A NEW ENVIRONMENTAL IMPACT REPORT – EIR
Date: Thursday, April 11, 2024 9:07:09 PM

This communication is for distribution to all members of the BART Board of Directors. Please include it in their packet for their next meeting.

April 11, 2024
Clifford Fred
Berkeley Calif.

To the BART Board of Directors

THE PROPOSED NORTH BERKELEY BART DEVELOPMENT NEEDS A NEW ENVIRONMENTAL IMPACT REPORT – EIR

Hello Board Members,

Please review my letter as follows.

Please direct your planning department to prepare a new and complete environmental impact report - EIR, before any further discussion or approval of the proposed North Berkeley BART development.

BASED ON THE CALIFORNIA ENVIRONMENTAL QUALITY ACT – CEQA, A NEW EIR IS REQUIRED FOR TWO SEPARATE REASONS:

1 – There have been substantial changes in the North Berkeley BART development project since the Berkeley Planning Commission approved a North Berkeley BART zoning EIR in April 2022.

2 – In the last two years, there have been substantial changes in the circumstances in which the project would be undertaken. And there is a considerable amount of new information that was not available at the time the zoning EIR was approved in April 2022:

A – The state legislature has been adopting and is continuing to adopt laws that significantly weaken local control over land use.

B – The Berkeley City Council has been adopting and is continuing to adopt new zoning ordinances and other policies considerably more development in Berkeley, and considerably larger scale development in Berkeley than previously allowed.

C- An unprecedented amount of large scale development has recently been approved in Berkeley, or is now in the pipe-line to be approved and built in Berkeley.

All of the above means that cumulative impacts of the proposed North Berkeley BART development and all of the reasonably foreseeable development in Berkeley would be far more adverse, severe and overwhelming than was anticipated in the April 2022 EIR.

The Berkeley Planning Commission approved an Environmental Impact Report – EIR for new zoning regulations for the North Berkeley BART site in April 2022, two years ago. Since then, there has been an unprecedented amount of high-rise & large scale new apartment construction applied for, approved but not yet built, or approved & now under construction that were not considered in the April 2022 North Berkeley BART zoning EIR.

Over 10,000 new housing units are planned and/or under construction in Berkeley. Berkeley is now, or soon will be,

the most densely populated city in all of California.

Since April 2022, there has been an unprecedented weakening of City Zoning Laws. Significant Increases in the allowable heights and densities have been approved by the City Council through out Downtown Berkeley, north, west, and south of Downtown, in the Southside Neighborhood and in West Berkeley..

And, since April 2022, there have been numerous bills passed by the California State Legislature and signed into law by the governor further weakening local control over development, and further weakening the ability of cities to enact reasonable zoning regulations.

The California Environmental Quality Act – CEQA, mandates that new EIRs must be prepared when significant new information becomes available about the project itself and/or of the cumulative impacts of the project and reasonable foreseeable other projects that had not been know about at the time that the original EIR was approved, after a previous EIR is approved but before the project itself is approved and/or before construction has begun.

CEQA – Public Resources Code Section 21166 states that a subsequent EIR must be prepared after an original EIR was approved if:

- (a) Substantial changes are proposed in the project;
- (b) Substantial changes with respect to the circumstances under which the Project is undertaken are learned of;
- (c) New information, which was not known at the time the EIR was certified as complete becomes available.

Section 15162 of the CEQA Guidelines describes the circumstances under which subsequent EIRs are necessary. In addition to the criteria in Public Resources Code Section 21166, Section 15162 of the CEQA Guidelines states that a

Subsequent EIR is necessary is any of the following apply:

- (1) The project will have one or more significant effects not discussed in the original EIR;
- (2) Significant effects previously examined will be substantially more severe than shown in the first EIR;
- (3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more of the projects' significant effects; OR
- (4) Mitigation measures or alternatives that were not previously considered would substantially lessen one or more significant effects on the environment.

CUMULATIVE IMPACTS

CEQA GUIDELINES – Section 15130 – An EIR must discuss cumulative impacts when they are significant. Cumulative impacts are defined as “two or more individual effects which when considered together are considerable or which compound or increase other environmental impacts.”

CEQA GUIDELINES – Section 15355 – “Individual effects may be changes resulting from a single project or a number of separate projects.”

“The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

MASSIVE MULTI-BLOCK NORTH BERKELEY BART DEVELOPMENT PLANNED:

The North Berkeley BART development as currently proposed by the Bridge development consortium, would be taller, bigger and more dense, and would provide less open space than anticipated by the April 2022 zoning EIR. The project as currently proposed would overwhelm the existing neighborhood, make life miserable during construction and afterwards, and would drive down property values.

Buildings would be 5-8 stories, or more, and the project would have at least 1200 housing units.

The North Berkeley BART Project would apparently include 28 separate buildings, covering the entire North

Berkeley BART parking lot. It would overwhelm local streets with gridlock traffic, and would overwhelm the already stretched thin Berkeley Fire and Police Departments.

In April 2022 the Berkeley Planning Commission approved an EIR for the zoning amendment it adopted at the same meeting for the North Berkeley & Ashby BART site. The Berkeley City Council approved the EIR & the zoning amendment in June 2022.

Since April 2022, there have been major changes in, and new information revealed about the proposed North Berkeley BART Project.

We have learned that 500 or more parking spaces at the North Berkeley BART lot would be removed.

We have learned that there is a very strong likelihood that the North Berkeley BART station would be closed for the two plus years of construction. The Berkeley District One City Council member announced at a public meeting on the BART project in March 2023 that there would be a shuttle from the North Berkeley BART station to the Downtown Berkeley BART station during the two plus years of construction, strongly implying that the North Berkeley BART station would be closed during construction.

It is extremely hard to fathom how the station could stay open while the entire multi-block area surrounding the BART station's ingress and egress would be full of construction equipment, construction workers, and more than two dozen large buildings being constructed.

In December 2023, the Berkeley City Council gave its approval for far greater density in the project than had been previously assumed.

There have also been recent revelations of a large homeless supportive housing element in the Project, information which had previously been kept from the public.

The BART Board of Directors is expected to approve a final development plan in the coming weeks.

Even if new development were occurring elsewhere in Berkeley, the dramatic changes in the North Berkeley BART development project that were not anticipated by the April 2022 zoning EIR, would in and of itself require a new project EIR.

San Pablo Avenue Planning :

The City is in the midst of a planning process to increase height and density limits along San Pablo Avenue in Berkeley, which is just a very few blocks from the BART station lot. More development along San Pablo Ave will further exacerbate the cumulative impacts of the proposed North Berkeley BART development. The County of Alameda is separately in the midst of a planning process for San Pablo Avenue.

More detailed information can be obtained from the City of Berkeley Planning Department

PEOPLES PARK HIGH RISE DORMITORY COMPLEX

UCB is planning a massive high rise dormitory complex at Peoples Park in Berkeley with as many as 1000 beds. Peoples Park is the only open space of any significance in the southside area of Berkeley, which is the most densely populated area of Berkeley. Its loss as open space would, combined with the many thousands of apartment units planned, under construction or recently built in Berkeley, including the North Berkeley BART development plan, would create a cumulative lack of open space crises in Berkeley that the 2022 City of Berkeley North Berkeley BART zoning EIR did not anticipate.

When the North Berkeley BART zoning EIR was approved in April 2022, the proposed Peoples Park development was in the early stages of litigation, and there was a high probability that it would never happen. However, in 2023, the state legislature passed a bill that weakened CEQA in a way that made it more difficult to litigate the inadequacy of the university's Peoples Park EIR.

Thus, large scale Peoples Park development is much more likely to begin in the near future than could be anticipated

at the time the North Berkeley BART zoning EIR was approved in April 2022.

OTHER MAJOR NEW PENDING PROJECTS NOT KNOWN ABOUT WHEN THE NORTH BERKELEY BART ZONING EIR WAS APPROVED IN APRIL 2022

The following are some, but by no means all of the unprecedented level of new high-rise & large scale new apartment construction and other projects applied for, approved but not yet built, or approved & now under construction that were not considered in the 2022 North Berkeley BART zoning EIR.

Included is a proposed 28 story apartment high rise at 1998 Shattuck Ave, at the NW corner of Shattuck and University Ave and extending all the way to Berkeley Way, – Isaiah Stackhouse – developer; This project would evict numerous small businesses, including the McDonald’s restaurant that is the last place in downtown Berkeley that a low-income person can get a hot meal.

Included is a 26 story apt high rise at 2161 Allston Way;

Included is a 25 story apt high rise at 2190 Shattuck Ave; This project has already evicted a Walgreens pharmacy, which had been the last remaining pharmacy in Downtown Berkeley.

A new 14 story apartment complex planned at 2109 Milvia Street – Isiah Stackhouse developer;

A new 10 story apartment complex at 2900 Shattuck. This project would evict the Eastern Supply True Value hardware store, the last remaining hardware store in South Berkeley.

A pending 8-story apartment complex at 1598 University Ave., at the southeast corner of California. This project would be just a few blocks from the proposed North Berkeley BART development, and the adverse impacts of each would be exacerbated by the impacts of the other. This pending project has already evicted the popular North Beach Pizza restaurant.

A proposed 8-story, 205 unit, 209,296 sq. ft. apt development at 2100-2108 Milvia Street.

A proposed 7 story apt building at 1753 Shattuck at Francisco;

An 8 story apartment building recently approved at 2065 Kittredge, for which landmarked buildings have been demolished.

A proposed 7 story, 75 unit apartment structure at 2550 Shattuck Ave, at the southwest corner of the Blake Street. This project would evict the AIMC Acupuncture & Integrative Medicine College and Clinic.

A sprawling 219 unit apartment project at 2015 Blake Street, between Shattuck and Milvia, extending all the way to Dwight Way. The building’s height could not be determined.

A proposed 8 story apt building at 2601 San Pablo Ave, at SE corner of Parker Street – Isaiah Stackhouse developer;

A proposed 6 story apartment complex at 2136-2154 San Pablo Avenue, with 123 living units,

A proposal for a 5-story apt building a 2429-2433 San Pablo Ave, with 77 group living units.

The massive 761 unit multi- square block Albany Village Graduate Student Apartments housing development on Monroe Street nearby in Albany will add considerable more traffic to the already congested northwest Berkeley neighborhood surrounding the BART station.

The City’s Planning Department would have a more comprehensive list of projects that are now in the pipeline and thus reasonable foreseeable but were not known about when the North Berkeley BART zoning EIR was approved in April 2022.

A sprawling multi-block industrial – bio-tech complex is now under construction in southwest Berkeley near Aquatic Park.

Major new development is being planned by the University of California on the West Side of the campus – Detailed information about this and other pending UC projects can be gotten from the UCB Capital Improvements Office.

In November 2023, the Berkeley City Council approved new zoning regulations and a General Plan amendment for the large Southside area south of the UC campus which will allow and encourage much greater building heights and density than previously allowed. According to Berkeley's mayor, the new regulations will allow and encourage 2650 new housing units in this already very densely populated neighborhood.

And according to then City Councilmember Rigel Robinson, "this final up-zoning plan is so incredibly ambitious and will bring tremendous new investment to the neighborhood." (Berkeley Times 12-1-2023)

And the City Council recently stated it wants even taller & more dense buildings downtown than currently allowed. And an ambitious planning process to allow taller and more dense construction all along San Pablo Ave. in Berkeley is currently in process.

And a new Housing Element for the City's General Plan was adopted in 2023, which allows & encourages 9000 – 15,000 more housing units to be built, beyond what is currently under construction or approved but not yet built.

And, the Berkeley City Council is in the process of weakening the City's demolition regulations, resulting in even more new development occurring than was anticipated at the time the North Berkeley BART zoning EIR was approved in April 2022.

And, a Hopkins Corridor Plan that would remove over 150 street parking spaces on Hopkins Street just a few blocks from the N. Berkeley BART station has been proposed by City officials. Although the Plan was recently tabled, it has not been cancelled.

And, the Ohlone Greenway Modernization and Safety Project would remove more parking spaces in the vicinity and would encourage more bicycle-pedestrian & e-scooter collisions by not providing a separate pedestrian pathway.

MISSING MIDDLE UP-ZONING PENDING

The Berkeley City Council will very likely soon be approving so-called "missing middle" up-zoning for Berkeley's remaining low-density residential neighborhoods.

This new zoning will allow considerable new multi-unit residential development in R-1, R-1A, R-2 and other lower density residential neighborhoods, creating a serious adverse cumulative impact on traffic, noise, air quality, and emergency response time.

This "missing middle" up-zoning was not anticipated at the time the North Berkeley BART Zoning EIR was approved by the Planning Commission. Yet it would have a very serious adverse effect on the neighborhoods surrounding the North Berkeley BART station, to the north, east, south and west.

MASSIVE BERKELEY MARINA DEVELOPMENT PLANNED

Large-scale development at the Berkeley Marina is currently in the final stages of approval. This Marina development will add considerable regional traffic to Berkeley, while removing waterfront open space. Even as city officials lament the rise in sea level which they say will be the inevitable result of climate change, they are agreeing to very large scale development right at the water's edge, which would also pose a threat to water quality.

EVACUATION AND RESPONSE TIME STUDY

The Berkeley Fire Department has retained consultants to produce an Evacuation and Response Time Study. Planners should know that more development causes more traffic congestion, which results in longer response times by the Fire Department to fires and health emergencies, which thus leads to more fatalities.

The Berkeley Fire Department's Standards of Coverage and Community Risk Assessment Study states that current

response times are already too long, and that these problems will worsen s Berkeley's density further increases. The report states that survival decreases by 7-10% for every minute of delay getting a heart attack victim.

The North Berkeley BART development should be put on hold until the Fire Department's Evacuation and Response Time Study is completed and available for review.

Once the Fire Department's Evacuation and Response Time Study is available in the fall of 2024, a thorough new EIR for the proposed North Berkeley BART development is needed which incorporates the findings in the above Study.

A thorough new analysis of the City's Fire and Police departments' ability to respond to emergency calls in light of all the above described new development and new zoning changes is needed in a new North Berkeley BART development EIR.

The impacts of the North Berkeley BART development combined with all the other reasonable foreseeable projects cited in this report would very likely result in very many more fatalities due to the inability of emergency responders to get to heart attack and other critically ill people timely.

Thus, the cumulative impacts of the proposed North Berkeley BART development, combined with all the reasonably foreseeable and anticipated development in the surrounding community would be far worse now than when the Planning Commission approved an EIR for new zoning regulations for the site in April 2022

Clearly a new EIR is needed for the proposed North Berkeley BART development, to properly analyze and mitigate the cumulative impacts of the project(s) and all the reasonable foreseeable development that is now in the works.

The April 2022 North Berkeley BART zoning EIR is seriously antiquated due to the rapid pace of new development being proposed, approved and built in Berkeley, and the unrelenting push to allow taller and more dense development in Berkeley than is currently allowed.

thank you,
Clifford Fred
Berkeley Calif.

From: aleta dupree <tsjoan@icloud.com>
Sent: Tuesday, April 16, 2024 4:04 PM
To: Board Meeting <board.meeting@bart.gov>
Subject: Comments in due time

Secretary April Quintanilla, please forward this message to the full BART Board for the next Regular Meeting.

Greetings President Bevan Dufty and Members.

Aleta Dupree for the record, she, her.

I offer to you my thoughts concerning the work and mission of the San Francisco Bay Area Rapid Transit District, doing business as BART.

"It was 9:29."



This is the brass clock above the information booth in Grand Central Terminal, which is located in New York City

I consider my being in New York, and the importance of timing, whether, intentional, fortuitous, or coincidental. I was walking in the morning and I was approaching Grand Central Terminal. I noticed the time, that it was almost 9:29. I was reminded of "Last Train to London", by Jeff Lynne, and his mentioning of 9:29. I considered the eclipse forecast to occur on Monday, 8 April of this year. And so after taking the picture of the clock on the outside of Grand Central Terminal, I decided to return the next day to take a picture of the clock above the information booth on the Main Concourse. Afterward I went over to the digital time display by Track 32, but by the time I got there it was 9:30. And so I consider Last Train to London, and that Grand Central Terminal was facing demolition in the late 1970's. Perhaps the last train would have left at 9:29, and possibly from Track 29. (FYI, Track 9 is in the storage yard, passenger service is on tracks 11, 13, 15-21, 23-30, 32-42 on the upper level.) But yet we can consider ourselves fortunate that Grand Central Terminal has been preserved, thanks to the efforts of many, and not just about an architecturally and historically significant structure, but more so a place where people can discover things much bigger than themselves.

I think back to the old electromechanical train status boards in the Grand Central Terminal Main Concourse. At one time the headers on top said New York Central System, and New Haven Railroad. Later on they were modified to say Metro-North. And these boards used terms such as scheduled arrival, will arrive, and due time. Today the boards are of digital composition, and are located over both of the historic ticket booth arrays. And so I considered the idea of due time in Grand Central Terminal, I never got to ask what exactly that meant. And yet I said to myself, I needed to be in Grand Central Terminal to achieve the goals I set for the day.

And so I consider the eclipse of 8 April, I didn't have the appropriate equipment to observe that directly. Yet I had my intentional plans, just as eclipse viewers do, for me such was to be in Grand Central Terminal at 9:29. After my picture taking I listened to Last Train to London. And whenever I am in Grand Central Terminal I try to listen to Right Down the Line, by Gerry Rafferty, so I can be reminded of things much bigger than myself. I cannot claim to be an expert on matters of rail transportation infrastructure, and I do not know if I am understood. I often think in conceptual and strategic terms. I ask of you though, to be deeply engaged with your General Manager Bob Powers and the leadership team, who do relate the things of BART in clear and understandable language. But even in Grand Central Terminal, I am reminded of this most basic ideal that I take with me whenever I go, that BART is The Peoples System.

"On Matters concerning West Oakland."

I relate to you an impromptu visit to West Oakland Station. You see, I had just left your Board Meeting, and sought to have lunch in San Francisco. Then afterward I would return to Oakland for the BART Accessibility Task Force Meeting. And so I was on BART, boarding at Oakland 19th Street, and met up with a person in a leadership position I will not name. This individual reminded me of an open house at West Oakland to experience the new fare gate system. And so I decided to accept the invitation and exited at West Oakland.

I normally do not interact with front line employees at BART, yet I was most impressed with the Station Agent who was on duty at the time, and helping with the open house event. I found myself fully welcomed into BART, and more so fully respected as the person that I am. I'm not going to describe this

person's appearance and it's probably not relevant. But to be around a person of such exemplary conduct, not just in job performance, but in a most welcoming attitude, was indeed valuable for me. I would hope that there are many at BART who perform at this exemplary level. I knew at that time that I was welcome on BART. I did mention to this person the ideal of BART being The Peoples System and I knew we were in full agreement.

"Some Just Want Failure."

I consider things said at Meetings I attend around the country. And I often hear things in sharp opposition to the basic staff recommendations. It is true that at times I do disagree with staff recommendations. Yet I perceive on the part of many that they will never be satisfied, no matter how well an agency strives to do the best it can, some will just never be satisfied.

And so I see withering negativity at Board Meetings, whether such be about BART to San Jose Phase Two, or Congestion Pricing in New York City, or about autonomous vehicles in California. And I consider for myself, that I am most at risk, because I am different than many. Yet I go forward in wanting Public Transportation to succeed. You see, I am one of a rare few with a long resume of using Public Transportation. Such began in the Thirty Fourth Street and Eighth Avenue Station of the New York City Subway in early 1970. And on this current visit to New York, I set foot in that station once again. The station has been updated in some ways, but still essentially looks the same. I remember when the old R-32 Subway cars worked that busy four track Eighth Avenue mainline, such had a successful run of almost sixty years. I consider the possibility that Mr Gerry Rafferty was thinking of New York City in working on his songs, especially in "Right Down the Line".

And so I continue to share my thoughts about wanting the best systems of Public Transportation that we can have. And yet few share such sentiments with me. I ask of you to desire success for BART and not flirt with failure. I think of the many who want to be successful in achieving the goals they set for the day, to get to their destination without complications or interruptions. I ask that you value the presence and patronage of our Reduced Fare users, and that no one at BART should ever equate Reduced Fares with fare evasion, our unique needs need to be recognized and welcomed. For I am a person with profound disabilities, and I am a legitimately qualified user of Reduced Fares, including the 62.5 percent discount on BART. Reduced fare qualification also allows me unlimited use of New York City Transit for \$17 a week, using the OMNY fare capping format. I state to you that my use of Reduced Fares is due to an authentic qualifying disability, and has nothing to do with my teenaged fare skipping on the New York City Subway. And so I believe a large part of building the very best BART that we can is to welcome our Senior and Disabled community as users of the System with full and equal standing, which included the legitimate use of Reduced Fares.

"The Things That I Do."

I share my thoughts on Public Transportation, and other matters as well, in order to bring context as to why I think and practice the things that I do. I enjoyed spending part of the last Board Meeting with you while having lunch in Grand Central Terminal. I assure you that my attending and speaking at your Meeting while I was in Grand Central Terminal was not a stunt for publicity. But instead that day I chose to share my time with you in a place that has had significant meaning for me since the fall of 1980. You see, I share with you my thoughts based on both style and substance. I do not just use the Subway as a means to an end, but to enjoy the journey as well. And things I discover in other places can be relevant to the work and mission of BART. And so I see it this way, even when I am traveling on the Subway, the System that is Legendary and Stately, steeped in tradition and mindful of history. I am reminded of this

most important ideal, that BART is The Peoples System.

The name says it all.



Thank you.

From: aleta dupree <tsjoan@icloud.com>
Sent: Tuesday, April 23, 2024 7:08 PM
To: Board Meeting <board.meeting@bart.gov>
Subject: Comments from the line side

Secretary April Quintanilla, please forward this message to the full BART Board for the next Regular Meeting.

Greetings Board President Bevan Dufty and Members.

Aleta Dupree for the record, she, her.

I bring you my various non categorized thoughts concerning matters of the San Francisco Bay Area Rapid Transit District.

“The Progressive Misnomer.”

I often think of language and terminology, and such often easily believed, and sadly often misconstrued. And so I desire to set the record straight on progressive ideals, and I endeavor to draw relevance to the matters of BART.

I maintain to you that I hold to progressive ideals, and I seek to lay out my platform before you. For me, to be progressive means to be innovative and inclusive. Such is also seeking of safety and sustainability. And so I use and support autonomous vehicles, such are an inclusive and non discriminatory way for me to travel. Such are also powered by renewable electricity. There is no money on board, which provides a safety factor as well. And yet I wonder why many stand against these things. I cannot in good conscience call such folks progressive.

I support a number of things, often controversial in progressive circles. I do support short term home and apartment rentals, such can give more convenient residence given that hotels are often clustered away from neighborhood amenities and attractions. I choose for hire ride share, especially when electric vehicles are available. I refrain from using cars of certain consistent colors, after seeing drivers of such cars often speaking disrespectful things at Meetings, I ask myself, would I share rides with such folks? For me, the answer is no. Of course I have stated to you my supportive position on autonomous vehicles, which I use often in San Francisco.

Some things in life I just don't get. Sometimes I come across an establishment that either imposes a surcharge for use of credit/debit cards, or a discount on offering cash. This I absolutely do not comprehend. It is their right to choose this method of doing business, it is my right to choose to transact somewhere else. And so some jurisdictions say that to be cash only is acceptable, yet forbid an establishment being credit/debit card only? Such seems irrational and ideological when electronic payment is virtually always less expensive than cash processing. Sounds pretty unequal to me. I can't see how keeping people in cash usage is progressive, when they could keep their money in banks and credit unions at interest, and insured. It makes no sense to keep the cash in a coffee can, such is infinitely more prone to pilferage.

And so I have my platform as a “true progressive”, for what a better BART should look like. Yet I often find myself alone in such. But shouldn't anyone want a BART that is safe, timely, and affordable? I would hope so but it seems some who claim to advocate to that only want that for some. I maintain to you that I take the things of BART very seriously, yet I do not know if I am understood. And so I ask of you to

derive understanding of the things of BART from your leadership team of Bob Powers and Michael Jones. For I often speak of concepts and philosophies, which might not be easily comprehended. Such are often distilled from fifty four years of using the New York City Subway, and many visits to Grand Central Terminal. And I have discovered new things in the frequent use of the Port Authority Trans Hudson, also known as PATH, and paying the fare with my phone. I would like to see a BART where no one should ever worry about being turned back or removed because they are different and perhaps wearing a skirt. And so I offer this most progressive, innovative, and relevant value, that I hope all at BART will practice, that BART is The Peoples System.

“They’ve Made Up Their Minds.”

I consider Meetings and their associated Agendas. I think of the matters of Public Comment, both in spoken and written forms. And so this came to mind, that perhaps members of diverse boards and commissions really have made up their minds, even before the item on the posted Agenda has been taken up for decision.

I guess it’s easy for me when I am in agreement with an item, that I predict such item will be voted in the direction I wish it to go. And so if we are in alignment, then should I really be speaking, given that the desired outcome for me is likely? And yet I often find myself speaking in opposition to an item, and even with my thoughtful and respectful remarks, the vote still doesn’t go my way. And so I wonder in both cases, have I really just exhaled two or three minutes of hot air, and taken up the Board’s valuable time?

I think it is important to anyone to have a sense of commitment to a set of values. And my values might not be in alignment with those of the Board Members that I am facing in such Meetings, wherever that might be. And so I wonder, have I simply spent years at Meetings hearing myself speak, and heating up the room a bit, only to see Agenda items voted on with foregone conclusions?

I submit with you that I enjoy sharing stories about Public Transportation and other matters, and bringing about relevance to the things of BART. I acknowledge that perhaps I am helping to heat up the room on a cold day. Yet I believe in playing the long game, that my messages might accumulate over time, and plant seeds of change. Yet how likely is change when many have truly made up their minds? I admit that I don’t have a good answer for that. But I do share my ideas with you from rigorous honesty, such is what I do know. And perhaps my resume is that I tell true and entertaining stories. I believe I share my thoughts on matters that are meaningful, and have value when put into the conversation. And so I ask myself, am I simply sharing hot air with you? The only thing I can say is that my thoughts are my own, and shared with you respectfully.

It is my hope that you will welcome the small cadre of thoughtful and respectful public speakers into your space. You see, it is hard getting past the negative chatter that I often find at Meetings. And so can we as public speakers of positive mindset be agents of change? It is my hope that we would. I cannot call myself an expert, but I do choose to stand on the side of right. I ask that you not dread my coming forward to speak, even if what I say at times is three minutes of hot air. At least a have a place to do so, but I strive to share thoughts that are meaningful and credible. I may not be understood, but I approach you with respect for your time and the positions of leadership that you hold.

On Matters of Open Payment.

I consider new things happening, and sometimes when I least expect it. And so I have been following the TAPP open payment program on the Port Authority Trans Hudson, which is known as PATH. And so in

mid April, PATH added additional stations to the TAPP pilot program. I did get to engage with employees of PATH at the Journal Square Station, and understand more about this program. You see, PATH has a weekly public engagement program called PATHursdays, which meets on Thursdays from 7:30 to 9:30 am in selected stations. And so I have used PATH more in the last week than perhaps the last forty years. And I don't have to use the old vending machines anymore, at least at the New Jersey stations and 33rd Street. I think of the work that BART did in moving away from the paper tickets, and now using Clipper in its entirety. It is absolutely essential to keep in mind that your General Manager Bob Powers chairs the Clipper Executive Board, of which I have been to many of their Meetings. And yet I have met very few who have used PATH, and so I seek to enlighten. Yet you are not in New Jersey to see me practicing the things of PATH, so I only have my stories to share with you.

And so when I travel, I am often away long enough to need to do laundry. And so in the spring of 2016, I used open payment in a laundromat located in San Diego. Since then I have found many laundromats that use open payment systems to start washers and dryers, and in some cases to dispense soap. I have not used quarters to start laundry machines since that day in San Diego.

I have come across places where I have meals, where afterward, the server brings a handheld device to me. Such allows me to pay for the meal with my card or phone, as opposed to filling out paper checks. This reduces the risk of errors when it comes to the application of tips. This I enjoy using and I compliment restaurant staff when this is offered to me. And yet I wonder why so few practice these things. Perhaps in some way I am ahead of the curve. I think it was in San Francisco where I first was able to do this.

And so I ask of you at BART to be aware of the changes that are coming in the payment space. I am very appreciative of BART taking a prominent leadership role on matters of Clipper, which I have used since 2010, and in reduced fare format since 2013. And so I consider this most basic value when it comes to the things of BART, which I hope to have company in, that BART is The Peoples System.

I just have to say it, this really does look like BART.



Thank you.