

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

Business Advisory Council's Meeting Minutes

Wednesday, June 15, 2022

10:00 a.m. – 1:00 p.m.

A regular meeting of the Office of Civil Rights Business Advisory Council was held on Wednesday, June 15, 2022, at 10:00 a.m., via Zoom videoconference.

Members Present: Cameryn Erickson, Carlos Solorzano, Sandra Escalante, Oscar Zavaleta, Darolyn Davis

Absent Members: Jesus Vargas, Lydia So, Gian Fiero, Philip Adams, Juliana Sommer

Guests and Staff: Maceo Wiggins, Johnny Kho, Crystal Matson, Thomas Le, Jotinesh Ram, John Mazza, Erin Hanigan, Ali Altaha

- Roll call and introductions from Business Advisory Council ("BAC") Members, District Staff and Guests.
- Approval of Meeting Minutes:
 - Meeting minutes for April 20 were not approved. No quorum present.
- 2022 BAC Recruitment Update (For Information)
 - Maceo Wiggins stated new members will be joining us in next BAC meeting. BAC has and will continue to foster a collaborative and ad hoc approach with the group.
- Core Capacity Project Presentation (For Information)
 - Johnny Kuo presented TCCCP goal of renewing aging system and increase future capacity by 30%, from 23 trains per hour to 30.
 - The project is made up of 4 major elements:
 - i. Communications-Based Train Control (CBTC)
 - ii. Hayward East Storage Yard
 - iii. 6 new traction power substations
 - iv. Purchase additional 306 vehicles
- Triennial Disadvantaged Business Enterprise Goal Update (For Information)
 - Maceo Wiggins provided an update to Triennial DBE goal due to FTA on August 1. Proposed goal is 23%, up from 16% after adjustments that include previous participation and consideration of rollover procurement contracts. Currently in the process of hosting and publicizing the Triennial DBE goal for comments.
 - Maceo mentioned previous FTA Semi-Annual achievement of 29% and attributed the success to the Analytics team, led by Joseph Towner, in building a robust

process to manage the inflow of data measuring various key performance indices in real time as part of a risk-based approach to contract management.

- Maceo shared ways the Office of Civil Rights can hold bidders and primes accountable to actively and aggressively meet goals or requirements. Maceo presented the idea of creating a Good Faith Effort (“GFE”) example exercise. BAC members will receive a sample GFE for review prior to the next meeting.
- BAC Bylaw update
 - Maceo presented the ongoing discussion of potentially modifying the member structure of BAC that included term limits on or permanent seats for designated communities. Possibly opening registration for all willing participants. Maceo will provide additional updates next meeting.
 - Carlos Solorzano proposed an extension of those who have completed their term on the BAC until new members are added.
- General Discussion and Public Comment (an opportunity for members of the public to address the BAC on matters under their jurisdiction and not on the agenda) (For Information)
 - Ali Altaha requested to open the BAC to general public and not restrict membership to certain groups. He discussed a caveat having community-based organizations (“CBO”) as members and raised concern regarding potential conflicts of interest because members could leverage positions in the BAC for advancing personal agendas. Ali also mentioned an LA agency abolished GFE on contracts. Ali presented information regarding fraudulent Disadvantaged Business Enterprises (“DBEs”) being awarded contracts in exchange for political contributions.
 - Sandra Escalante mentioned issues regarding GFEs where bidders are not taking the process seriously.
 - Maceo responded stating BART does not have GFE on non-federally funded contracts and all BAC members receive conflict of interest training. (Concurred by Legal – Crystal Matson). Maceo also mentioned BART has tools such as penalizing contractors for failing to show adequate proof of actively and aggressively meet goals.
- Future Agenda Items (For Information)
 - Reproductive rights – start having deeper discussion if the supreme court take certain action.
 - Race and gender participation in the achieving the DBE goals. Describing FTA goal setting process.
 - Update of demographics on quarterly basis.
- Adjournment
 - Cameryn – motion to close
 - Darolyn – second the motion

The Council Meeting adjourned at 11:33 a.m. – Next Meeting August 17, 2022.

THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
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AGENDA OF OFFICE OF CIVIL RIGHTS BUSINESS ADVISORY COUNCIL

2022 Meeting Schedule

The Business Advisory Council will meet on the following dates in The San Francisco Bay Area Rapid Transit District - in the BART Board Room, 2150 Webster Street, Oakland, California 94612, unless noted otherwise.

| DATE | TIME | LOCATION |
|------------------------|-----------------------------|---------------------|
| February 23 | 10:00am – 1:00pm | Via Zoom |
| April 20 | 10:00am – 1:00pm | Via Zoom |
| June 15 | 10:00am – 1:00pm | Via Zoom |
| August 17 | 10:00am – 1:00pm | Via Zoom |
| October 19 | 10:00am – 1:00pm | Via Zoom |
| December 21 | 10:00am – 1:00pm | Via Zoom |