

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

BART ACCESSIBILITY TASK FORCE
Committee Meeting **DRAFT** Minutes
April 27, 2023

1. Roll Call of Members:

1. Anita Ortega
2. Catherine Callahan - ABSENT
3. Clarence Fischer
4. David Fritz - ABSENT
5. Don Queen
6. Emily Witkin
7. Gerry Newell (Vice-Chair)
8. Herb Hastings (2nd Vice-Chair)
9. Janice Armigo Brown
10. Larry Bunn - ABSENT
11. Marjorie McWee - ABSENT
12. Randall Glock (Chair)
13. Roland Wong
14. Valerie Buell
15. VACANT
16. VACANT
17. VACANT
18. VACANT

In-person quorum of eight (8) out of fourteen (14) active members to comply with the new bill, AB 2449 effective March 01, 2023. Roland Wong and Gerry Newell used “Just Cause,” by teleconferencing to be part of the meeting and are counted as attendees, and able to do business.

BART Customer Access and Accessibility Department Staff:

Elena Van Loo
Bob Franklin
Laura Timothy

BART Director (s), BART Staff, Speakers, and members of the public:

Director Robert Raburn
Supervisor James Lancaster (BART Staff)
Supervisor Armando Sandoval (BART Staff)
Lisa Raffetto (BART Staff)
Ahmad Rassai (BART Staff)
Mayra Perez (Captioner)
Katie Arioli (Captioner)
Roger Acuna (Guest)
Natalie Maxwell (Guest)
Sergio Valencia (Guest)
Aleta Dupree (Guest)
Daveed Mandell (Guest)

2. Public Comments

Aleta Dupree introduced herself and asked to accept and recognize all diverse people with disabilities just as BART community does.

Roger Acuna commented that he wanted an update in regard to the new accessible faregates being installed. Randall Glock asked staff to email Roger Acuna on any faregates or faregates enclosure updates and mentioned there were presentations in the last few BATF meetings on this topic.

3. Approval of March 23, 2023 Meeting Minutes

As the March 23, 2023 meeting was cancelled, there were no minutes.

4. BART Police Department Update

Supervisor James Lancaster and Supervisor Armando Sandoval from BART's Police Department gave an update. Supervisor Sandoval mentioned he and Supervisor Lancaster are the supervisors of the Progressive Police and Community Engagement Bureau.

Supervisor Lancaster and Supervisor Sandoval shared updates:

- As of March 2023, the police department is fully staffed with Crisis Interventionist Specialists positions.

- As of March 2023, the police department continues to work on fully staffing the Ambassador's position from seven (7) employees to ten (10) employees
- Safety is paramount for BART riders, BART personnel, BART Police employees, and non-sworn civilian professional staff.
- Continue to work on being present on trains
- Continue to how to address homelessness at BART stations
- Continue to reach out to and support people with mental illnesses
- How to connect with BART police
 - BART Watch app on smart phones
 - Calling
 - Emailing
 - Contact BART Police under bart.gov
 - <https://www.bart.gov/about/police/contact>

Janice Armigo Brown asked if BART Police continues to use the “General Disability Awareness (GDA),” pamphlet, which is a resource that BATF members helped put together a few years ago. Supervisor Sandoval stated BART Police does use the GDA as one of its resources and stated it is important that BART Officers have updated resources. Janice Armigo Brown suggested updating the GDA with BATF members and BART Police.

Randall Glock thanked Supervisor Sandoval and Supervisor Lancaster for their presentation and for their time.

5. Update on Proposed Fare Changes for 2024 – 2025

Lisa Raffetto, BART's Principal Financial Analyst, presented on “Update on Proposed Fare Changes for 2024 – 2025.”

Lisa Raffetto discussed proposed changes for 2024 – 2025 under two different items, inflation-based fare increase policy implementation and Clipper START means-based fare discount increase.

Inflation-Based Fare Increase Program:

- CPI-based fare increase policy adjusts fares every other year by inflation less 0.5%
- Inflation is defined as the average of CPI-U (national) and CPI-W (local)
- Last increase: July 2022 (deferred 6 months)
- Next increase scheduled for January 2024

- For nearly 20 years, CPI-based fare policy has allowed fares to keep up with the cost of providing reliable and safe service
- Allows for stable fare adjustments required by the District's 2003 Financial Stability Policy
- Keeping fares in line with inflation is one critical element for restoring District financial sustainability

Clipper START Pilot Update:

- Clipper START is a regional pilot enhancing affordability for low-income riders
 - Currently offering a 20% single-ride discount on all BART fares to enrolled riders
 - Riders ages 19-64 with a household income of under 200% of federal poverty level eligible for discount (est. 25-35% of BART riders)
- MTC released Quarter six (6) summary report in August 2022
- Two types of Clipper Pilot that operators provides
 - 20% discount – AC Transit, BART, County Connection, FAST, Napa VINE, Petaluma Transit, Santa Rosa City Bus, SolTrans, Sonoma County Transit, Tri Delta Transit, Union City Transit, Vacaville City Coach, WestCAT, Wheels
 - 50% discount – Caltrains, Golden Gate Transit and Ferry, Marin Transit, Muni, Sam Trans, San Francisco Bay Ferry, SMART
- Clipper START Next Step
 - MTC staff likely to ask to extend the pilot beyond June 2023 before adopting a more permanent means-based discount framework
 - Staff recommends that the board consider increasing Clipper START discount to 50% in January of 2024
- Net Fiscal Impact of Staff Recommendation
 - 5.5% fare increase are expected to increase fare revenue by \$6 million in Fiscal Year 24 and \$20 million in Fiscal Year 25
 - Staff expects this revenue growth would be modestly offset by an increase in the Clipper START discount

The next steps that Lisa Raffetto shared:

- Staff to summarize results of survey and public outreach
- Complete Title VI analysis for disproportionate burden and disparate impact in conjunction with Title VI analysis of parking rate changes
- Submit to BART Board of Directors of consideration and approval with Fiscal Year 24 & 25 budget in June of 2023

Herb Hasting asked what is the difference between Regional Transit Connection (RTC) discount card and the Clipper START card. Lisa Raffetto stated the RTC cards are for qualifying individuals with disabilities with the 62.5 % discount. The Clipper START Program are for individuals, adults between the ages of 19-64, and do not have a qualifying disability but, their income is at or below the 200% of the federal poverty level and must live within the nine counties in the Bay Area.

Clarence Fischer voiced concerns with the possibility of 5.5% increase each year that may affect rider's income in the long run.

Randall Glock thanked Lisa Raffetto for her presentation.

6. Potential Change to the BATF By-Laws – For Remote Attendance

Elena Van Loo and Bob Franklin led agenda item, “Potential change to the BATF By-Laws, for remote attendance.”

Elena Van Loo asked a question whether BATF members want to attend meetings remotely? If so, these may be the changes under the by-laws:

- Membership approved by members (not appointed by BART Board of Directors)
- Most mentions of the BART Board of Directors go away, but the BATF members still can provide reports to the Board
- Same travel reimbursement policy under the BART Board of Directors
- Customer Access and Accessibility Department still staff liaison

Bob Franklin wanted to generally get the concept by asking, “Do you want to be able to meet remotely and if so, we would have to change the by-laws, otherwise we will be required to have a quorum of half of the total of active members, plus one to meet in-person.”

Gerry Newell clarified if we need to make motion to change the by-laws and then have a discussion. Randall Glock mentioned having a discussion for now and no motion for now.

Discussion amongst members:

- Gerry Newell shared his viewpoint that it would be good to meet remotely.
- Valerie Buell mentioned one of the things that BATF members should take into consideration when it comes to making the change to the by-laws as part of the Brown Act is to make sure that the members of the public have access to

the committee. She added to keep in mind that BATF needs to be accessible to ensure members of the public have the option to speak publicly.

- Roland Wong would like clarification what “Just Cause,” and “Emergency Circumstances,” mean and when you are counted as part of a quorum. He mentioned he is getting mixed messages.
- Herb Hasting voiced concerns if we keep the by-laws and we continue to have in-person meetings, whether or not there will be a quorum, especially traveling from afar. He mentioned if he goes to the meeting and turns out to be no quorum, then he has to turn around and head back home and he felt he would be wasting his time.
- Randall Glock thinks that we should move on and not deal with this. In the proposed by-law changes, anything that says, “BART Board of Directors,” has a strikethrough line. He mentioned he wishes to keep the BART Board of Directors to appoint members. Randall Glock doesn’t support remote meetings and knows there will be challenges as we slowly go back to in-person meetings as we did pre-COVID.
- Janice Armigo Brown strongly opposed changing the by-laws.
- Clarence Fischer is on-board to keep in-person meetings as much as possible. He wanted clarification when posting your address to follow the Brown Act and have a video camera on at all times.

Randall Glock asked who would like to make the first motion to not change the BATF By-Laws and who would like to second the motion. Valerie Buell moved to not change the BATF By-Laws and Clarence Fischer seconded the motion.

- Motion passes with ten (10) in favor, zero (0) against, zero (0) abstention

Elena Van Loo answered Roland’s question in regard to how, “Just Cause,” and “Emergency Circumstances,” work. As of March 01, 2023, the new Bill, AB 2449 stated to start having in-person with a quorum meeting but, with two exceptions, “Just Cause,” and “Emergency Circumstances.” They both work when there is an in-person quorum at a publicized meeting location and can be used twice a year. Members do not need to publicize their meeting address. Elena Van Loo stated when there is no in-person quorum, “Just Cause,” does not count for in-person attendance.

Other than attending with Just Cause or Emergency Circumstances, Elena Van Loo mentioned if you wish to be part of in-person quorum through teleconferencing, you must post your address that will be public and must be accessible to all. Members expressed concerns posting their home address due to safety and privacy. Elena Van Loo stated you can reserve a library room, a conference room at a hotel or go to a café which is more open and accessible.

There were questions about travel reimbursements. Elena Van Loo stated with travel reimbursements she wants to be fair and follow what other BART Advisory Committees do. As of now, if you are teleconferencing, travel reimbursements will not be honored. To receive travel reimbursement, as in the BATF by-laws states, “BART will cover travel costs on public transit for BATF members to attend regular or special BATF meetings,”

There was a question from members if there is no in-person quorum and if members do come in and unfortunately have to turn around and head back home, will members be able to receive travel reimbursement without having a meeting. Elena Van Loo informed members that she will check with BART’s District Secretary’s Office and BART’s Legal Department to see if travel reimbursement can be honored when members travels to the meeting location but does not have in-person quorum.

There was discussion amongst members about whether staff continue to reach out to members to see if members will be attending meetings to ensure an in-person quorum.

7. Member Announcements

Herb Hasting announced he has been appointed as a committee member of Caltrans Equity Advisory Committee.

Valerie Buell announced that this will be her last meeting as a member of the BART Accessibility Task Force and shared her plans to attend meetings from time to time as a member of the public. She stated she is not disappearing and that she is doing other tasks and other opportunities. Valerie Buell thanked BATF members for letting her be part of this group.

8. Staff Announcements

Elena Van Loo shared a few announcements:

- Reminded BATF members Ethics Training in-person or teleconferencing is on May 3, 2023, from 2:00 pm to 4:30 pm
- BATF members no longer need to sign the “Vendor/Payee,” form that replaced the W9 Tax Form as long you’re making \$600 or less from a source.
- Elena Van Loo informed members to reach out to Elena Van Loo, Bob Franklin, or Laura Timothy if there are questions about the BATF meeting, travel reimbursements, and/or anything related to BATF.

Ahmad Rassai (AR) shared final bids has been completed and the next step is to take to the BART Board of Directors to approve additional funds under the Accessibility Improvement Program (AIP) and to continue to make BART accessible to all.

9. Chairperson Announcements

Randall Glock asked members to do their best to attend at least eight in-person meetings and reminded members they are allowed four absences per year. Randall Glock mentioned we need to look into recruiting new BATF members and get some ideas how to go about this.

10. Future Agenda Topics – Member Suggest Topics

- VTA/BART Silicon Valley Extension – Phase 2 Update
- Elevator mitigation update
 - How many elevator mitigations has been provided in the last few years
 - Updates how elevator mitigation are done
- Clipper Card 2.0 update
- Updates on the new LED monitors on the platform level
- Accessible Faregates Update

Elena Van Loo informed members VTA staff would like to present and update on the VTA/BART Silicon Valley extension, phase two, to be for scheduled for May's meeting.

There was a request to have an update on the 3rd door marking. Elena Van Loo shared that she reached out to staff if a presentation can be done and at this time, there are no additional updates to share.

11. Adjournment

The meeting adjourned at 4:11 pm until the next regularly scheduled meeting, May 25, 2023.