

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

Board of Directors
Minutes of the 1,887th Meeting
June 10, 2021

A regular meeting of the Board of Directors was held on June 10, 2021, convening at 9:00 a.m. via teleconference, pursuant to Governor Gavin Newsom's Executive Order N-29-20 and the California Shelter-in-Place mandate. President Foley presided; Jacqueline R. Edwards, District Secretary.

Directors Present: Directors Ames, Dufty, McPartland, Raburn, Saltzman, and
Foley.

Absent: None. Directors Allen, Li, and Simon entered the Meeting Later.

Director Allen entered the Meeting.

President Foley gave instructions on viewing the Meeting, accessing presentation materials online, and Public Comment.

Directors Li and Simon entered the Meeting.

President Foley called for the Introduction of Special Guests. Robert Powers, General Manager, introduced Tamika Greenwood as the new Director of Government and Community Relations, and Director Greenwood addressed the Board.

President Foley welcomed the Director of Government and Community Relations Greenwood to BART.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of May 27, 2021.
2. BART Police Citizen Review Board Reappointments.
3. Updates to the Whistleblower Policy.
4. Amendment to Agreement No. 6M4711, with CityHealth Urgent Care, a Medical Corporation, for COVID-19 Testing Services.
5. Temporary Upgrade Pay Provision for Amalgamated Transit Union (ATU) Local 1555.
6. Award of Contract No. 6M3485, Wheel Impact Detector.

Director McPartland made the following motions as a unit. Director Simon seconded the motions.

1. That the Minutes of the Meeting of May 27, 2021, be approved.

2. That the BART Board of Directors ratifies the reappointment of the following individuals for a term of two years, beginning on July 1, 2021, and expiring on June 30, 2023: Dwaine Pete Longmire, District 2; Darren White, District 4; Les Mensinger, District 6; David Rizk, District 8; and Laura Pagey, BART Police Associations.
3. That the Board adopts the revised Whistleblower and Antiretaliation Policy.
4. That the General Manager is authorized to execute an amendment to Agreement No. 6M4711, with CityHealth Urgent Care for COVID testing services to extend the Agreement date to June 30, 2022, and to increase funding by \$600,000 for a total of \$1,200,000.
5. That the Board approve the attached Memorandum of Understanding (MOU) codifying the temporary upgrade pay for employees represented by Amalgamated Transit Union Local 1555 (ATU) in a form prescribed by California Public Employees' Retirement System (CalPERS) effective July 1, 2013. (The Memorandum of Understanding between the San Francisco Bay Area Rapid Transit District and the Amalgamated Transit Union Local 1555 is attached and hereby made a part of these Minutes.)
6. That the General Manager is authorized to award Contract No. 6M3485 to Salient Systems, of Dublin, OH, a subsidiary of LB Foster Inc., for a total bid price of \$292,020.00.

President Foley called for Public Comment on the Consent Calendar. No comments were received.

The motions brought by Director McPartland and seconded by Director Simon carried by unanimous roll call vote. Ayes: 9 – Directors Allen, Ames, Dufty, Li, McPartland, Raburn, Saltzman, Simon, and Foley. Noes: 0.

President Foley called for general Public Comment.

Clarence Fisher and Aleta Dupree addressed the Board.

Director Li, Chairperson of the Administration Committee, brought the matter of the Resolution Approving the Fiscal Year 2022 Annual Budget, before the Board.

Director Li moved that Resolution No. 5485, In the Matter of Approving the Annual Budget for the San Francisco Bay Area Rapid Transit District and Authorizing Expenditures for the Fiscal Year, July 1, 2021, to June 30, 2022 be adopted. Director Dufty seconded the motion.

Pamela Herhold, Assistant General Manager, Performance and Budget, and Christopher Simi, Director of Budgets, presented the item.

The following individuals addressed the Board:

Aleta Dupree
John Arantes

The item was discussed, with the following highlights:

Director Saltzman thanked BART staff for their efforts; expressed excitement about increased cleaning, BART staff's public presence, restoration to train service, and the fare incentive program in September; indicated support for the budget; and inquired about revisiting the budget early next year for revisions in the hope of having additional funds from the fare revenue and to increase service.

Director Raburn communicated his support for the Budget; thanked BART staff and labor partners' for their work; excitement in the change of people working together for the public; and expressed excitement about increased cleaning, train service, enhanced policing, and the fare reduction program.

Director Dufty echoed the comments by Directors Saltzman and Raburn. Loved the encouragement for collaboration and communication within the Board of Directors; thanked John Arantes and labor partners; expressed excitement about the safety measures to restore train service and ridership; and acknowledged managerial staff for their work.

Director Simon expressed excitement about the commitment to the budget, BART's role in providing public transportation that is critical for recovery, the incentive program, increased train service in the Fall, and thanked managerial staff for their leadership.

Director Ames commented on her concern about approving the Fiscal Year 2022 Annual Budget; discussed the funding assistance that BART received; and requested that staff conduct strategic analysis for the budget, the capital improvement plan, and provide a list of ideas to reduce costs in the future.

Director Allen joins Director Dufty in the support of managerial staff and all of BART personnel for their dedication over the past months; commented on how the budget is only balanced until Fiscal Year 2022. Stated the American Rescue Plan (ARP) funding will help fill a portion of the expected Fiscal Year 2023 deficit, and that will bring BART to over \$1 billion of federal subsidies. Voiced her support for capital program allocations; and expressed concern about not meeting ridership projections, the planned spending, and does not support the budget.

Director Dufty acknowledged and thanked Aleta Dupree for her comment; requested that Assistant General Manager Herhold respond to Director Allen's conviction on the budget.

Herhold, and Simi, addressed the Board.

Discussion continued, with the following highlight:

Director Dufty echoed the comment by Aleta Dupree again; expressed hope in increasing weekend and train service, off-peak ridership recovery, BART Ambassadors, Crisis Intervention Specialists, cleaning and progressive policing; reflected on the COVID-19 pandemic and the leadership of BART staff; and commented on his support of the budget.

President Foley thanked his colleagues and staff for their support on the Fiscal Year 2022 budget, their dedicated support for the riders, weekend rider incentives, and increasing train service; commented on increased employee presence, promotion of safety and security measures, and his support to the budget.

The motion brought by Director Li and seconded by Director Dufty carried by roll call vote. Ayes: 7 – Directors Dufty, Li, McPartland, Raburn, Saltzman, Simon, and Foley. Noes: 2 – Directors Allen and Ames.

Director Simon, Chairperson of the Engineering and Operations Committee, brought the matter of the Update on Fare Gates before the Board. Tamar Allen, Assistant General Manager, Operations; Sylvia Lamb, Assistant Chief Engineering Officer; and Priya Mathur, Manager of Financial Planning, presented the item.

Aleta Dupree and Clarence Fisher addressed the Board.

The item was discussed, with the following highlight:

Director Dufty thanked Assistant General Manager Allen, Assistant Chief Maintenance and Engineering Officer Lamb, and the Operation's staff on their approach to the technological difficulties in fare gates; echoed Aleta Dupree's request for virtual representation on the BART website; and expressed excitement about the update on fare gates.

Director Raburn requested that BART staff introduce themselves for the record; commended the project; and inquired whether this item has been brought to and tested by the public, BART Accessibility Task Force Committee, and if the apparatus would increase the width of the Americans with Disabilities Act (ADA) gate.

Director McPartland thanked Director Allen for her commitment to Fare Gates; commented on the presentation presented by staff and thanked staff for the electrical innovated Fare Gates; and expressed concern on the safety of the design of the plexiglass.

Director Ames thanked the Engineering, Operations, and the Finance staff for their presentation and level of details provided; requested that Allen, Assistant General Manager, discuss the execution plan for the Request for Proposal (RFP), how the data will be obtained, the timeline of when the RFP will be proposed, and the timeline of completion.

Director Saltzman commended the project; expressed appreciation for the consideration of keeping the project within BART, rather than outsourcing; commented on the quality of standards and to keep options open; discussed the new sources of funding and finding funds that are not allocated for another project, and indicated a desire to see future feedback and updates.

Director Allen expressed excitement that her goal has been to cost-effectively detour fare evasion and the details of how the project has developed; thanked Director McPartland for his comments; commented on the want to expedite the project, production of more revenue, reduction in policing and maintenance costs; acknowledged Allen, Assistant General Manager, Mathur, Manager of Financial Planning, and managerial staff for their assistance with the plan.

President Foley thanked staff for their work on the Fare Gate project and the establishment of funding; acknowledged Clarence Fisher's public comment about paper tickets.

Director Simon brought the matter of Update on Fleet of the Future. David Hardt, Chief Mechanical Officer, and John Garnham, Group Manager, Rail Vehicle Capital Program, presented the item.

The item was discussed.

Aleta Dupree addressed the Board.

Discussion continued, with the following highlights:

Director Ames inquired about train cars that were recommissioned and the certification process; and requested that staff provide frequent updates.

President Foley thanked staff for their work and decision to pause the delivery of cars.

Director Simon acknowledged the staff that works in the field and the new fleet trains.

President Foley called for the General Manager's Report. General Manager Powers reported on ridership, the service increases, Capitol Corridor CCJPA service increases, meeting with Congressman DeSaulnier, the A75 Interlocking Project weekend closure, and efforts to move forward.

The General Manager's Report was discussed.

President Foley called for Board Member Reports, Roll Call for Introductions, and In Memoriam requests.

Director McPartland reported that he had attended the Valley Link/Tri-Valley Regional Rail Authority Meeting; helped officiate the memorial services and activities in Castro Valley on Memorial Day; participated in all three of the drills; and inquired about in-person board meetings.

Director Raburn reported that on June 3rd, 2021, gave a presentation to the Lake Merritt Breakfast Club; thanked Rodd Lee, Assistant General Manager, External Affairs, and his staff for providing an update presentation; inquired about setting up a BART booth at the Farmer's Market to provide information to the riding public; attended the Plan Bay Area for 2050 for Elected Officials.

Director Ames reported she had attended the City of Fremont Community Meeting for the Sabercat Trail Extension Project.

Director Dufty reported he had the opportunity to visit BART Headquarters regarding the updates and progress of the new building; acknowledged Ravi Misra, Assistant General Manager, Technology, his staff, and Olivia Rocha, Computer Support Coordinator, Powers, General Manager, and managerial staff for their work.

President Foley expressed his thanks to Chair Li and Chair Simon for their efficiency with their committees; announced that he and Director Saltzman would be attending the Special Blue Ribbon Transit Committee Task Force Meeting; thanked Congressman DeSaulnier for a great check-in, and he attended the Contra Costa Mayor's Conference and California League of Cities Division Meeting.

The Meeting adjourned at 11:31 a.m.

Jacqueline R. Edwards
District Secretary