

San Francisco Bay Area Rapid Transit District

Measure RR Program

BART Bond Oversight Committee

Friday, April 19, 2024

9:30 AM – 12:00 PM

Adopted Minutes

| Agenda Item | Meeting Notes |
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| 1. Call to Order | 9:30am Chair McGill calls meeting to order |
| A. Roll Call | Staff conducts roll call. Shrawagi absent. All other members present. |
| 2. Public Comment | <p>1 written public comment received on item 5 Link 21 Overview Presentation.</p> <p>Summary of Written Public Comment from Marc Joffe of Walnut Creek</p> <ul style="list-style-type: none">• Mr. Joffe states that due to lower-than-expected population growth and the rise of remote work, the Link21 project is no longer necessary to relieve overcrowding or reduce traffic congestion.• Mr. Joffe cites population projections by California Department of Finance which shows population across 21 counties reaching 13.7M by 2050 compared to 12.5M in 2022, which is below previous projections.• Mr. Joffe states that the existing transbay tunnel is operating below capacity and below pre-pandemic rates of utilization.• Mr. Joffe recommends that the BART Board pause spending over the next two fiscal years on Link21 planning activities and recommends that the population projections are corrected in the Bond Oversight Committee Annual Report and alter the Executive Summary to reflect reservations about past and planned expenditures. |
| 3. Meeting Minutes | <p>Motion Vice Chair Rosenthal, Second Loosen. Roll Call Vote. Motion Unanimously Passes.</p> <p>Administrative Item: Introduction of Rachel Russell, new RR Program Manager.</p> |
| 4. 2024 Annual Report Draft | Chris Filippi, BART Communications, presents updates made to draft Annual Report and recommendations from the Annual Report Sub |

Committee. Staff reviewed items that are required to reported on through the annual report.

Final draft planned for presentation at June Bond Oversight Committee Meeting.

Committee Member Comments:

Committee Members Vice Chair Rosenthal, Loosen and Stewart appreciate updates made by staff.

Stewart says the annual report should include what was original and where we are now. The report should include the baseline and if it is changing. Stewart will provide a matrix of questions to staff.

Chair McGill asks if there is another meeting with subcommittee and when does the final report move to the full Bond Oversight Committee and BART board for approval.

Staff reports that there is another meeting being planned with the Annual Report subcommittee (date TBD). The final Annual Report will be back to the Bond Oversight Committee in June. BART board presentation is tentatively planned for July or August.

Chair McGill suggests the Annual Report presentation to the BART Board should be presented by the Vice Chair and the Subcommittee Chair.

Stewart asks how we address questions related to bonds and bond rating impact. Request presentation from last year's bond presentation.

Staff will send the link from last year's bond presentation to the Committee Members.

Wang asks for more documentation on Green Bond requirements.

Mark Joffe, Walnut Creek made public comment via zoom.

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| <p>5. Link 21 Overview Presentation</p> | <p>Sadie Graham Director of Link 21 presents an overview of Link 21.</p> <p>Stewart asked if population projections have been updated after Covid.</p> <p>Staff responded recent projections show population growth but not at the same rate. There is uncertainty in the model and the population data is constantly changing.</p> <p>Wang asked if the prediction of traffic congestion and commuter behavior has been updated.</p> <p>Staff responded that the model is based on MTCs model. The project will continue to align projections with others in the region. MTC is currently updating its model.</p> <p>Chair McGill says that he would like to better understand the role of BART as an agency on Link21, and what portion is related to Measure RR and how should the committee involve itself.</p> <p>Staff responded with an overview of various funding sources available for the project. BART's role is to provide staff to evaluate the various types of technologies available for the project. BART is co-leading this project with Capital Corridor. Work is coordinated with other agencies throughout the region. The Bond Oversight Committee's role is to provide oversight on the expenditure of funds.</p> <p>Vice Chair Rosenthal ask which major project category is Link 21</p> <p>Staff responded the category is Relieve Crowding, Increase System Redundancy, and Reduce Traffic Congestion (Relieve Crowding). \$150M of RR funds is for Link21 project.</p> <p>Wang asks if Link21 is part of the high-speed rail system and can the project receive funding from the federal government?</p> |
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Staff responded that the federal government through the FRA has provided opportunities for funding.

Loosen asked if high-speed rail be used in the planned tunnel?

Staff responded that the intent is to not preclude high-speed rail from interoperating with Link21. High-speed rail is engaged as a stakeholder for the project.

Loosen asked what happens if travel patterns in MTC model does not support this investment? What else is being done to align the networks?

Staff responded that it is unclear how MTC will treat the project considering the financial constraints of Plan Bay Area. Link21 is working with the State to align multiple networks.

Chair McGill – Reference of pg 29 of Annual Report, Measure RR Spending Breakdown. We need to ensure that the Committee understands the portion of Measure RR that is going to the Link21 project and how the Committee should provide oversight.

Mark Joffe, Walnut Creek made public comment via zoom and submitted written public comment for Committee review.

Director Debora Allen (BART Board Director, District 1) made public comment. Page 28 and 29 of the Annual Report, Director Allen suggests adding a separate line item for the administrative bond cost.

On page 39 of the Annual Report, Director Allen suggests providing one column for completed projects and a separate column for how much has been invested in projects that have not been completed.

Chair McGill suggests the deep dive committee take a deep dive into Link 21.

The committee takes a 10-minute break.

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| <p>6. Annual Review of BART Safety, Reliability and Traffic Relief Program (Measure RR)</p> | <p>Sylvia Lamb, AGM Office of Infrastructure Delivery presented the Bond Oversight Committee Framework quarterly agenda.</p> <p>Joy Sharma, Chief Delivery Officer, presented an overview of the Annual Review of the Measure RR program.</p> |
| <p>A. Measure RR Related Audits</p> | <p>Maansii Sheth, Senior Manager of Engineering Programs presented an overview of Measure RR Project Controls and Related Audits.</p> <p>Director Debora Allen (BART Board Director, District 1) made public comment. Suggested to include details on Office of Inspector General (OIG) and recent reports involving projects funded by Measure RR. Recommends committee members visit the OIG website and follow the investigations, audits and reports.</p> <p>Stewart asked how to find Office of Inspector General (OIG) audit findings. Where do we find the OIG reports and if OIG audits will this be included in the Annual Report?</p> <p>Staff responded that OIG reports will be included in the Annual Report and as part of the quarterly report appendix.</p> <p>Vice Chair Rosenthal suggested that links are provided instead of lengthy documents in the Annual Report.</p> |
| <p>B. Project Controls Framework/Timelines</p> | <p>Maansii Sheth, Senior Manager of Engineering Programs presented an overview of Measure RR Project Controls framework.</p> <p>Stewart asked if there are peer reviews conducted before moving beyond a stage gate?</p> <p>Staff described the process for peer reviews at multiple stage gates, such as 35%, 65% and 95% design reviews.</p> <p>Stewart asked if Staff to provide a one page on the quality standards.</p> <p>Staff agreed to provide a one page of quality standards.</p> |

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| <p>C. Calendar Year 2024 Track Shutdowns</p> | <p>Sarah Stroup, Special Project Manager presented an overview of upcoming Track Shutdowns for Calendar Year 2024.</p> <p>No public comment.</p> <p>Vice Chair Rosenthal suggests adding context around shutdowns as part of the strategy in the Annual Report and describe why shutdowns are important to completing Measure RR projects.</p> <p>Loosen recommends color coding on slides should match throughout the presentation. Would like to see in bullet points the typical length of a shutdown.</p> <p>Stewart asked how projects benefiting from a track shutdown impact the critical path of the overall program.</p> <p>Staff responded that the critical path can be added to show which projects are at risk of impacting the program.</p> |
| <p>D. Bond Funded Program Watch List Items Review</p> | <p>Maansii Sheth, Senior Manager of Engineering Programs presented an overview of Measure RR Program Watch List Items.</p> <p>No public comment.</p> <p>Wang asked if it is possible to add a conclusion from the audit or red flags.</p> <p>Staff responded that a list will be created to show all the projects that have gone through an audit.</p> |
| <p>E. Appendix: Financial Outlook, Program Status & Milestones</p> | <p>No public comment. No committee comments.</p> |
| <p>7. Future Agenda Items & Questions</p> | <p>Stewart suggests a Deep Dive Committee report as an ongoing subcommittee. Review of bonds, projects, and programs (traction power), small business program, Internal audits findings, Link21. Request staff resend the green bond presentation from 2023 to the committee.</p> <p>Staff agrees that the deep dive subcommittee is an ongoing committee and will focus on specific topics, such as projects, project controls, project management, and project delivery. Recommends</p> |

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| | <p>agendizing a Bond Presentation (including Green Bonds) at a later date.</p> <p>Wang suggests deep dive into a project to understand how the funds were spent and where they were spent.</p> <p>A deep dive subcommittee meeting on Link21 will be arranged.</p> <p>Vice Chair Rosenthal recommends the deep dive subcommittee develop a list of items that the overall Bond Oversight Committee would like to hear and use the September meetings for deep dives.</p> <p>Stewart suggests setting up a drop box as a place to hold procedures, by-laws, and support knowledge transfer as committee members turn over.</p> <p>Staff clarifies that the “deep dive” in September is a walkthrough of all slides in the appendix.</p> <p>Director Debora Allen (BART Board Director, District 1) made a public comment. Director Allen suggests staff insert two new items into the Annual Report, the first item to request staff add a separate line with total bond cost on page 28 and page 29. The second item on page 39 – requests staff add data in report to clarify on how money is being spent.</p> <p>Chair McGill request a motion to appoint Suzanne Loosen as 3rd member of Deep Dive Committee – Suzanne Loosen. Stewart seconds. Roll Call Vote. Motion Unanimously Passes.</p> <p>Stewart requests clarity on the Brown Act regarding subcommittee communications.</p> <p>Stewart requests a process to address questions and comments from the committee.</p> <p>Staff will provide clarification on the process for addressing questions from the committee.</p> |
| <p>8. Committee Member Announcements</p> | <p>Julian Chacon, Principal Administrative Analyst, makes an announcement; the Office of Civil</p> |

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| | Rights will host a Small Business event, on April 29. A flyer will be distributed to committee members. |
| 9. Public Comment | |
| 10. Adjournment | Meeting Adjourned at 11:58 am. |