



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
 2150 Webster Street, P.O. Box 12688
 Oakland, CA 94604-2688
 (510) 464-6000

2022

September 29, 2022

Rebecca Saltzman
 PRESIDENT

 Janice Li
 VICE PRESIDENT

 Robert Powers
 GENERAL MANAGER

The Honorable Charles A. Smiley
 Presiding Judge
 Alameda County Superior Court
 1225 Fallon Street, Department One
 Oakland, CA 94612

DIRECTORS

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 1ST DISTRICT

Mark Foley
 2ND DISTRICT

Rebecca Saltzman
 3RD DISTRICT

Robert Raburn, Ph.D.
 4TH DISTRICT

John McPartland
 5TH DISTRICT

Elizabeth Ames
 6TH DISTRICT

Lateefah Simon
 7TH DISTRICT

Janice Li
 8TH DISTRICT

Bevan Dufty
 9TH DISTRICT

Cassie Barner, Senior Program Specialist
 c/o Alameda County Grand Jury
 1401 Lakeside Drive, Suite 1104
 Oakland, CA 94612

RE: 2021-2022 Alameda County Civil Grand Jury Final Report, “BART is on the Wrong Track with Independent Oversight”

Dear Judge Smiley:

This letter is submitted on behalf of the San Francisco Bay Area Rapid Transit (“BART”) District’s Board of Directors (“Board”).

In accordance with California Penal Code Sections 933 and 933.05, attached are the BART Board of Directors’ responses to the findings and recommendations (“Response”) contained in the 2021-2022 Alameda County Civil Grand Jury Final Report “BART is on the Wrong Track with Independent Oversight”.

As is BART’s usual practice, the Response was prepared by BART staff and reviewed and approved by the Board as a singular legislative body. However, the Response does not necessarily express the views of individual board members. In addition to direct responses, the attached reply offers clarifications and additional relevant information, including mention of the Grand Jury recommendations we’ve implemented and plan to implement.

On behalf of the BART Board, I want to express my appreciation for the thousands of hours of service that the Alameda County Grand Jury has dedicated to improving civic institutions, and in particular the Grand Jury’s interest in the Board’s oversight of the BART Office of Inspector General (“OIG”) and the OIG’s working relationship with management.

The COVID-19 pandemic has been a challenging time for public transit, and the OIG’s tenure has run concurrent to pandemic. However, it should be noted that BART has accepted 40 of 47 recommendations made by the OIG during its audits and investigations, and the BART Board has created an Audit Committee, which includes two public members and meets on a regular basis.

Hon. Charles A. Smiley

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Although the COVID-19 pandemic has had devastating impacts on our ridership and revenue, please rest assured that BART will continue to implement the identified initiatives to the extent that our financial condition permits. If you have any questions, please don't hesitate to call me at (510) 464-6168.

Sincerely,



Pamela Herhold

Assistant General Manager, Performance and Budget

cc: Board of Directors
Board Appointed Officers
Executive Staff

Attachment