

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
300 Lakeside Drive, P. O. Box 12688, Oakland, CA 94604-2688

**BOARD MEETING AGENDA**

February 14, 2019

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, February 14, 2019, in the BART Board Room, 2040 Webster Street, Oakland, California.

Members of the public may address the Board of Directors regarding any matter on this agenda. Please complete a "Request to Address the Board" form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under Public Comment.

Any action requiring more than a majority vote for passage will be so noted.

Items placed under "consent calendar" are considered routine and will be received, enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from a Director or from a member of the audience.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

BART provides service/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address BART Board matters. A request must be made within one and five days in advance of Board meetings, depending on the service requested. Please contact the Office of the District Secretary at 510-464-6083 for information.

Rules governing the participation of the public at meetings of the Board of Directors and Standing Committees are available for review on the District's website (<http://www.bart.gov/about/bod>), in the BART Board Room, and upon request, in person or via mail.

Meeting notices and agendas are available for review on the District's website (<http://www.bart.gov/about/bod/meetings.aspx>); at [bart.legistar.com](http://bart.legistar.com); and via email ([https://public.govdelivery.com/accounts/CATRANBART/subscriber/new?topic\\_id=CATRANBART\\_1904](https://public.govdelivery.com/accounts/CATRANBART/subscriber/new?topic_id=CATRANBART_1904)) or via regular mail upon request submitted to the District Secretary. Complete agenda packets (in PDF format) are available for review on the District's website and [bart.legistar.com](http://bart.legistar.com) no later than 48 hours in advance of the meeting.

Please submit your requests to the District Secretary via email to [BoardofDirectors@bart.gov](mailto:BoardofDirectors@bart.gov); in person or U.S. mail at 300 Lakeside Drive, 23<sup>rd</sup> Floor, Oakland, CA 94612; fax 510-464-6011; or telephone 510-464-6083.

Patricia K. Williams  
District Secretary

Regular Meeting of the  
BOARD OF DIRECTORS

The purpose of the Board Meeting is to consider and take such action as the Board may desire in connection with:

1. CALL TO ORDER

- A. Roll Call.
- B. Pledge of Allegiance.
- C. Introduction of Special Guests.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meetings of January 10, 2019 and January 24 and 25, 2019.\* Board requested to authorize.
- B. No Cost Change Order to Agreement No. 6M4282, Investigative Services with Frasco, Inc.\* Board requested to authorize.
- C. Award of Agreement No. 6M3421, Traffic Control Services for C55 and R65 Interlocking Projects.\* Board requested to authorize.
- D. Award of Invitation for Bid No. 9051, Train Operator Uniforms.\* Board requested to authorize.
- E. Award of Invitation for Bid No. 9053, Brake Lining, Bonded Assembly.\* Board requested to authorize.

3. PUBLIC COMMENT – 15 Minutes

(An opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda. An additional period for Public Comment is provided at the end of the Meeting.)

4. ADMINISTRATION ITEMS

Director Simon, Chairperson  
NO ITEMS.

5. ENGINEERING AND OPERATIONS ITEMS

Director Foley, Chairperson

- A. Award of Contract No. 11IA-112, Civic Center Stairs Project.\* Board requested to authorize.

6. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION ITEMS

Director Raburn, Chairperson  
NO ITEMS.

7. GENERAL MANAGER'S REPORT

- A. Report of Activities, including Updates of Operational, Administrative, and Roll Call for Introductions Items.

8. BOARD MATTERS

- A. Resolution Commending Steve Heminger.\* Board requested to adopt. (President Dufty's request.)
- B. Fruitvale Station Street Name.\* Board requested to adopt. (President Dufty's and Director Raburn's request.)
- C. Board Member Reports.  
(Board member reports as required by Government Code Section 53232.3(d) are available through the Office of the District Secretary. An opportunity for Board members to report on their District activities and observations since last Board Meeting.)
- D. Roll Call for Introductions.  
(An opportunity for Board members to introduce a matter for consideration at a future Committee or Board Meeting or to request District staff to prepare items or reports.)
- E. In Memoriam.  
(An opportunity for Board members to introduce individuals to be commemorated.)

9. PUBLIC COMMENT

(An opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda.)

10. CLOSED SESSION (Room 303, Board Conference Room)

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Mahroom v BART  
Case No.: HG 1680571  
Government Code Section: 54956.9(a)

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Senior and Disability Action v BART – United States District Court  
Case No.: 17-CV-01876VC  
Government Code Section: 54956.9(a)

11. OPEN SESSION

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

Board of Directors  
Minutes of the 1,830th Meeting  
January 10, 2019

A regular meeting of the Board of Directors was held January 10, 2019, convening at 9:07 a.m. in the Board Room, 2040 Webster Street, Oakland, California. President Dufty presided; Patricia K. Williams, District Secretary.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty.

Absent: None.

President Dufty called for Introduction of Special Guests. Director Simon recognized the mother of Shaleem Tindle, Yolanda Banks Reed.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of December 20, 2018.
2. Declaration of November 6, 2018, Election Results.
3. 2019 Organization of Committees and Special Appointments.
4. Resolution Fixing the Employer's Contribution to the California Public Employees Retirement System (CalPERS) Medical Premium for BART Police Officers' Association.
5. Transit Security Advisory Committee Membership Appointments and Reappointments.
6. Grant of Right of Way, Easement and Driveway Relocation: Pleasant Hill Transit-Oriented Development.

President Dufty requested Item 2-C, 2019 Organization of Committees and Special Appointments, be removed from Consent Calendar.

Director Raburn made the following motions as a unit. Director Saltzman seconded the motions, which carried by unanimous roll-call vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes - 0.

1. That the Minutes of the Meeting of December 20, 2018, be approved.

2. That there be entered into the Minutes of the Board the official canvass of the returns for Election Districts 2, 4, 6 and 8 as taken by the Registrars of Voters of Alameda County and Contra Costa County and the Department of Elections for the City and County of San Francisco for the election of November 6, 2018, the elected candidates having received the highest number of votes cast in their respective election districts based on said official canvass; and that the following candidates are hereby declared elected to the Board of Directors of the San Francisco Bay Area Rapid Transit District:

Mark Foley, District 2  
Robert Raburn, District 4  
Elizabeth Ames, District 6  
Janice Li, District 8

3. Adoption of Resolution No. 5390, Fixing the Employer Vesting Contribution Under Section 22902 of the Public Employees' Medical and Hospital Care Act for Group 002 BART Police Officer's Association (BPOA), and Resolution No. 5391, Fixing the Employer Contribution under Sections 22892 of the Public Employees' Medical and Hospital Care Act for Group 002 BART Police Officer's Association (BPOA).
4. That the Board accept the recommendation and appoints the nominated candidates, Crystal Raine and Jessie Jones; and reappoints Janet Abelson, Chris Finn, Sue Kuipers, and Armando Sandoval to the Transit Security Advisory Committee for a term beginning January 22, 2019 for two years, or until the Board makes new appointments and/or reappointments for a new term.
5. Adoption of Resolution No. 5392, In the Matter of Authorizing the Relinquishment of Vehicular Rights of Access, the Acceptance of Vehicular Rights of Access from the County of Contra Costa, the Execution of an Agreement and Easement Deed to the Contra Costa Water District, and the Quitclaim of Right of Way to the County of Contra Costa.

Consent Calendar report brought before the Board was:

1. Fiscal Year 2019 First Quarter Financial Report.

President Dufty brought the matter of 2019 Organization of Committees and Special Appointments before the Board. The item was discussed. Director Simon moved that the Board of Directors ratify the proposed Organization of Committees and Special Appointment for 2019, as amended. Director Foley seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes - 0.

President Dufty called for Public Comment. The following individuals addressed the Board:

Yolanda Banks Reed  
Afiyah Chambers  
Karim Mayfield  
Tatyana East  
Laron Mayfield

Director Simon, Chairperson of the Administration Committee, had no report.

Director Foley, Chairperson of the Engineering and Operations Committee, brought the matter of BART Legacy Fleet Decommissioning Report before the Board. Ms. Tamar Allen, Assistant General Manager, Operations; Mr. David Hardt, Chief Mechanical Officer; and Mr. Phillip Kamhi, Manager of Special Projects, Rolling Stocks and Shops, presented the item. The item was discussed.

Robert Simon addressed the Board.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Fruitvale Transit Village Phase IIB: Modifications to Recorded Agreements, before the Board. Mr. Carl Holmes, Assistant General Manager, Planning, Development and Construction; Mr. Sean Brooks, Department Manager, Property Development; and Ms. Abigail Thorne-Lyman, Program Manager, Systems Development, presented the item. The item was discussed.

The following individuals addressed the Board:

Chris Iglesias  
Noel Gallo  
Larry Gallegos  
Jack Robertson

Discussion continued.

Director Ames moved the item be continued to a future meeting. Director Allen seconded the motion.

Director Raburn requested the proposed staff motion be amended to acknowledge and retain existing agreements, place a period after delayed transfer fee requirements, and strike out everything until "in lieu of the fee", and to add that BART is to garner income that is created, and that BART be added to the list of partners that subsidize projects and receive residual revenue.

Discussion continued.

Director Simon made a substitute motion to direct staff to work on the amended motion and return the item to the Board for consideration latter in the meeting.

Director Raburn seconded the substitute motion, which carried by unanimous roll call vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes - 0.

Director Raburn brought the matter of Affordable Housing & Sustainable Communities Grant Application Agreements before the Board. Mr. Val Menotti, Chief Transit System Development Officer; and Ms. Thorne-Lyman presented the item. The item was discussed.

The following individuals addressed the Board:

Sally Greenspan  
Gena Alexander  
Jerry Grace

Director Saltzman made the following motion's as a unit:

1. That the General Manager or her designee be authorized to enter into agreements, including Memoranda of Understanding and Pass-Through Agreements where BART is a recipient. Agreements would be executed with the following Applicants or their affiliates (e.g. limited partnerships) for the FY2017-2018 Affordable Housing and Sustainable Communities (AHSC) grant program as required in order to apply and receive funds for Sustainable Transportation Infrastructure and Transit-Related Amenities:
  - City of Oakland with BRIDGE Housing and the Spanish Speaking Unity Council (Fruitvale)
  - City of Oakland with East Bay Asian Local Development Corporation (MacArthur)
  - City of San Francisco with the Related Companies L.P. and Mission Housing (Balboa Park)
  - City of San Francisco with Tenderloin Neighborhood Development Corporation (Civic Center)
  - Core Companies and Millbrae Transit Village L.P. (Millbrae)
  - BRIDGE Housing (North Berkeley)
  - China Harbour Engineering Corp. and Strategic Urban Development Alliance (West Oakland)
2. That the General Manager or her designee be authorized to enter into Pass-Through Agreements with the City of Oakland for successful FY2015-2016 AHSC applications.

Director Raburn seconded the motions, which carried by unanimous electronic vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes - 0.

President Dufty called for the General Manager's Report.

General Manager Grace Crunican reported on steps she had taken and activities and meetings she had participated in, ridership, upcoming events, and outstanding Roll Call for Introductions items.

President Dufty called for the Controller/Treasurer's Report.

Ms. Rose Poblete, Controller/Treasurer, presented the Quarterly Report of the Controller/Treasurer for the period ending September 30, 2018. The report was discussed.

President Dufty called for the Independent Police Auditor's Report. Mr. Russell Bloom, Independent Police Auditor, reported on steps he had taken and activities, investigations and meetings the Independent Police Auditor's Office had participated in. He spoke to the transition of the management of the BART Police Citizen Review Board (BPCRB) meetings the District Secretary's Office. District Secretary Patricia Williams reported on activities and steps the District Secretary's Office was taking regarding the BPCRB. The report was discussed.

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

Director Allen responded to Ms. Alexander's Public Comments. Director Allen requested a report on the trend of holiday pay for employees.

Director Foley thanked the District Secretary's Office, Communications Department and Human Resources for help with his onboarding. He reported meeting with Contra Costa Board of Supervisor Diane Burgess, Contra Costa Public Works, Contra Costa Transportation Planning, and the Highway 4 Bypass Authority. He requested information from District staff on customer service contacts and hours of availability.

Director Saltzman reported on progress with the City of Berkeley on the planning of a housing development at the North Berkeley BART Station.

Director Dufty thanked Station Agents Charlotta Wallace and Connie Rainey for working over the holidays and thanked Ms. Tamar Allen for engaging with staff on Christmas Day by visiting the stations. He reported on the e-bike pilot at the 24<sup>th</sup> Street/Mission Station and the pods installed. He reported working with the Deputy General Manager on a text alert system. Director Dufty thanked Carl Holmes and Jennifer Easton for working with the 16<sup>th</sup> Street District and requested the District Secretary to send a get-well letter to Judy Appel, President of Berkeley School Board, and Alison Bernstein, State Public Defender, who had been in a car accident in Berkeley.

Director Simon reported on the grant received for the El Cerrito del Norte Station. She reported she had attended the Oscar Grant vigil on New Year's Day. She reported working with BART staff on a presentation for West Contra Costa Transportation Advisory Committee. She thanked Government and Community Relations for working with the county on the proposed Alameda County Homeless count.

Director Li reported she had attended the Oscar Grant vigil and thanked Russell Bloom and Roddrick Lee for their participation. She thanked BART staff for her onboarding.

Director Raburn reported he had attended a 5:00 a.m. opening outreach event at Fruitvale Station, a meeting with the Capitol Corridor staff for the Oakland A's waterfront proposal, and



the Oakland Chamber of Commerce's "What's Breaking Ground" presentation a view of projects that were breaking ground.

Director Ames reported she had attended an Eco Transport Group. She reported on problems that she had experienced on her train ride and requested BART consider using a 3 digit number to report emergencies.

President Dufty brought the matter of Fruitvale Transit Village Phase IIB: Modifications to Recorded Agreements back before the Board. Mr. Carl Holmes and Ms. Thorne-Lyman presented the revised item. The item was discussed.

Director Raburn moved that the General Manager or her designee be authorized to modify the existing recorded agreements between BART and the City of Oakland for Fruitvale Transit Village Phase IIB in order to waive the Delayed Transfer Fee requirement and clarify that the terms of the agreements do not apply to this particular development for the term of the ground lease. In lieu of the fee, the developer team and City of Oakland design, build and maintain pedestrian and bicycle improvements connecting the station entrance to 37<sup>th</sup> Avenue and provide BART eligible transit passes for at least three years for residents at a cost of \$450,000. The parties will work together to explore the potential opportunity for BART to participate in residual receipts cash flow. Director Saltzman seconded the motion.

Director Ames made a substitute motion to build and maintain pedestrian and bicycle improvements connecting the station entrance to 37<sup>th</sup> Avenue. Director Allen seconded the motion, which failed by electronic vote. Ayes – 3: Directors Allen, Ames, McPartland. Noes – 6: Directors Foley, Li, Raburn, Saltzman, Simon, and Dufty.

Director Raburn's motion carried by electronic vote. Ayes – 6: Directors Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 3: Directors Allen, Ames, and Foley.

President Dufty called for Public Comment:

Gena Alexander and Jerry Grace addressed the Board.

Director Simon exited the meeting.

President Dufty announced that the Board would enter into closed session under Item 12-A (Conference with Labor Negotiators) of the regular meeting agenda, and that the Board would reconvene in open session upon the conclusion of the closed session.

The Board Meeting recessed at 12:45 p.m.

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The Board Meeting reconvened in closed session at 12:50 p.m.

Directors present: Directors Allen, Ames, Li, Raburn, Saltzman, and Dufty.

Absent: Directors Foley, McPartland and Simon.

Directors Foley and McPartland entered the meeting.

The Board Meeting recessed at 1:25 p.m.

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The Board Meeting reconvened in open session at 1:27 p.m.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, and Dufty.

Absent: Director Simon.

President Dufty reported there were no announcements to be made.

The Meeting was adjourned at 1:28 p.m.

Patricia K. Williams  
District Secretary

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

Board of Directors  
Minutes of the 1,831st Meeting  
January 24 and 25, 2019

A regular meeting of the Board of Directors was held January 24 and 25, 2019. The Meeting was a Board Workshop. The first session convened at 8:39 a.m. in the Port Commission Hearing Room, 1 Ferry Building, San Francisco, California. President Dufty presided; Patricia K. Williams, District Secretary.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, and Dufty.

Absent: None. Director Simon arrived later.

President Dufty thanked Val Menotti, Rachel Russell, and Kamala Parks for the planning of the annual workshop. He thanked Patricia Williams and Jacqueline Edwards for planning the logistics.

President Dufty called for Introduction of Special Guests. Ms. Tilly Chang, Executive Director, San Francisco County Transportation Authority, thanked BART Staff for the collaborative working relationships.

Director Simon entered the Meeting.

President Dufty called for Public Comment.

Sue Martin addressed the Board.

The Workshop was held.

General Manager Grace Crunican and Mr. Val Menotti, Chief Transit System Development Officer, gave an overview of the workshop and of the District's focus for the future.

President Dufty exited the Meeting and Vice President Saltzman assumed the gavel.

Mr. Menotti and Mr. Sean Brooks, Department Manager, Real Estate and Property Development, gave a presentation on 2027 Horizon. The presentation was discussed.

Mr. Brooks gave a presentation on State of the Region.

President Dufty re-entered the Meeting and assumed the gavel.

President Dufty introduced and welcomed Ms. Elaine Forbes, Executive Director, San Francisco County Transportation Authority. Ms. Forbes addressed the Board.

The presentation on State of the Region was discussed.

Director Raburn introduced and welcomed Ms. Gwen Litvak, Senior Vice-President, Public Policy, Bay Area Council. Ms. Litvak addressed the Board.

The Board Meeting recessed at 9:48 a.m.

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The Board Meeting reconvened at 10:00 a.m.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Simon, Saltzman, and Dufty.

Absent: None.

Ms. Pamela Herhold, Assistant General Manager, Administration and Budgets; and Mr. Michael Eiseman, Department Manager Financial Services, gave a presentation on Financial Outlook – Long Range Forecast. The presentation was discussed.

Mr. Michael Jones, Assistant General Manager, Human Resources, and Ms. Diane Iwata, Human Resources Division Manager, gave a presentation on Financial Outlook – Retiree Medical and Pension Benefits.

The following individuals addressed the Board.

Ace on the Case

Jerry Grace

The presentation on Financial Outlook was discussed.

The Board Meeting recessed at 11:55 a.m.

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The Board Meeting reconvened at 12:28 p.m.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Simon, Saltzman, and Dufty.

Absent: None.

Ms. Crunican; Ms. Kerry Hamill, Assistant General Manager, External Affairs; Mr. Aaron Weinstein, Department Manager, Marketing and Research; and Ms. Maureen Wetter, Principal Research Project Analyst, gave a presentation on Customer Satisfaction 2018.

The following individuals addressed the Board.

Jerry Grace

Steve Pepple

The presentation was discussed.

Ms. Crunican; Mr. Robert Powers, Deputy General Manager; and Mr. Sandy Stadtfeld, Program Manager, Operations Planning, gave a presentation on Pathway to World Class Transit.

The presentation was discussed.

President Dufty introduced and welcomed Lana Miller and Frank Altemorino of Hunters Point Family. Ms. Miller and Mr. Altemorino addressed the Board.

The Board Meeting recessed at 2:13 p.m.

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The Board Meeting reconvened at 2:30 p.m.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Simon, Saltzman, and Dufty.

Absent: None.

Ms. Tamar Allen, Assistant General Manager, Operations; Mr. Tim Chan, Group Manager, Station Area Planning; Mr. Juan Matta, Manager of Transit Vehicle Cleaning; Mr. Jeff Baker, Superintendent of System Service; Mr. Shane Edwards, Chief Maintenance and Engineering Officer; and Chief of Police, Carlos Rojas, gave a presentation on Quality of Life, including segments on Homelessness, Cleanliness, Fare Evasion, and Safety and Security.

The following individuals addressed the Board.

Kevin Carroll  
Karin Flood

The presentation was discussed.

The Board Meeting recessed at 3:54 p.m.

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The Board Meeting reconvened at 4:04 p.m.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Simon, Saltzman, and Dufty.

Absent: None.

Mr. Carl Holmes, Assistant General Manager, Planning, Development and Construction; and Ms. Abigail Thorne-Lyman, Program Manager, Systems Development, gave a presentation on Update on Implementation of Assembly Bill 2923.

The presentation was discussed.

The following individuals addressed the Board.

Rebecca Burke

Vicki Sommer

Rashii Kersawani

President Dufty announced that the Board would enter into closed session as listed on the Regular Meeting agenda, and that the Board would reconvene upon conclusion of the closed session.

The Board Meeting recessed at 5:08 p.m.

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The Board Meeting reconvened in closed session at 5:30 p.m.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Simon, Saltzman, and Dufty.

Absent: None.

Director Simon exited the Meeting.

The Board Meeting recessed at 7:06 p.m.

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The Board Meeting reconvened in open session at 7:07 p.m.

Directors present: Director Dufty.

Absent: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, and Simon.

President Dufty announced that the Board had concluded its closed session and there were no announcements to be made.

The Board Meeting adjourned at 7:08 p.m.

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The Board Meeting reconvened on January 25, 2019, at 8:35 a.m., in the Port Commission Hearing Room, 1 Ferry Building, San Francisco, California. Vice President Saltzman presided; Patricia K. Williams, District Secretary.

Directors present: Directors Ames, Foley, Li, Raburn, and Saltzman.

Absent: None. Directors Allen, McPartland, Simon, and Dufty entered the Meeting later.

Director Allen entered the Meeting.

Vice President Saltzman introduced and welcomed Ms. Julie Kirschbaum, Acting Director of Transit, San Francisco Municipal Transportation Authority. Ms. Kirschbaum addressed the Board.

Director McPartland entered the Meeting.

Ms. Crunican; Ms. Allen; Mr. John Yen, Manager of Fare Collection Engineering, Mr. David Hardt, Chief Mechanical Officer, Rolling Stock and Shops; Mr. John McCormick, Department Manager, Operations Planning; Mr. John Garnham, Group Manager, Rail Vehicle Capital Program; and Ms. Mitra Moheb, Manager of Engineering Programs, Maintenance and Engineering, gave a presentation on Fare Gate and Fleet Update.

Director Simon entered the Meeting.

The presentation was discussed.

President Dufty entered the Meeting.

Gena Alexander addressed the Board.

The Board Meeting recessed at 10:11 a.m.

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The Board Meeting reconvened at 10:22 a.m.

Directors present: Directors Ames, Foley, Li, McPartland, Raburn, Saltzman, and Dufty.

Absent: None. Directors Allen and Simon entered the Meeting later.

Mr. Holmes and Mr. Robert Franklin, Department Manager, Customer Access, gave a presentation on Parking Program Update.

Director Allen re-entered the Meeting.

Director Simon re-entered the Meeting.

The presentation was discussed.

Jerry Grace addressed the Board.

Ms. Hamill; Mr. Ravi Misra, Chief Information Officer; Mr. Maceo Wiggins, Department Manager, Office of Civil Rights; and Ms. Alicia Trost, Department Manager, Communications; gave a presentation on Engaging Communities, including segments on the BART Mobile App; Equity, Diversity, and Social Media Engagement.

Randall Glock addressed the Board.

The Board Meeting recessed at 12:19 p.m.

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The Board Meeting reconvened at 12:25 p.m.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty.

Absent: None.

The following individuals addressed the Board.

John Arantes  
Olivia Rocha

The presentation on Engaging Communities was discussed.

Ms. Crunican, Mr. Powers, and Ms. Rachel Russell, Senior Planner, gave a presentation on Moving Forward and Wrap Up of the Workshop. The presentation was discussed.

The following individuals addressed the Board.

Gena Alexander  
Jerry Grace

The Board Meeting was adjourned at 1:28 p.m.

Patricia K. Williams  
District Secretary





# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>6 FEB 2019</i> <i>Rht M. Poon</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 1/15/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Rod Maplestone Dept: Human Resources Administration <i>Rod Maplestone</i> Signature/Date: 2-1-19	General Counsel <i>Vip B...</i> 2/4/19 [ ]	Controller/Treasurer <i>Maplestone</i> 2/4/19 [ ]	District Secretary [ ]	BARC <i>P...</i> 2/4/19 [ ]

## Change order to Agreement No. 6M4282, Investigative Services to Frasco, Inc.

**PURPOSE:** To obtain Board authorization for the General Manager to extend the time of performance under Agreement No. 6M4282 for Investigation Services for the District's Workers' Compensation Program, with Frasco, Inc., for an additional six months to September 30, 2019. An RFP for a new Investigative Services agreement will be issued during the extension period.

**DISCUSSION:** On January 9, 2014, Agreement No. 6M4282 for Investigation Services for the District's Workers' Compensation Program was authorized for award to Frasco, Inc. in an amount not to exceed \$1,441,875. The Agreement expires on March 30, 2019. Due to program efficiencies \$826,261.28 remains unspent. The funds already authorized under Agreement No. 6M4282 will be sufficient to provide investigation services for an additional six months.

**FISCAL IMPACT:** This is a no cost time extension and there is no fiscal impact.

**ALTERNATIVES:** The alternative is to not extend the term of Agreement No. 6M4282, which would cause a lapse in services while the District issues an RFP for a new agreement. Alternatively, the District could discontinue investigation services under the Workers' Compensation program.

**RECOMMENDATION:** Adopt the following motion:

**MOTION:** The General Manager is authorized to extend the time of performance under Agreement No. 6M4282 with Frasco, Inc. for an additional six months to September 30, 2019. The original not to exceed amount for the Agreement remains at \$1,441,875.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Phil M. Roman</i> 6 Feb 2019		GENERAL MANAGER ACTION REQ'D:		
DATE: 1/23/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Gregory Shivy Dept. Maintenance and Engineering <i>Gregory Shivy</i> Signature/Date: 1/31/19	General Counsel <i>[Signature]</i> 2/4/19 [ ]	Controller/Treasurer <i>[Signature]</i> 2/4/19 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 2.5.2019 [ ]

### To Obtain Board Authorization to Award Agreement No. 6M3421, Traffic Control Services for C55 and R65 Interlocking Projects

#### PURPOSE:

To obtain Board authorization for the General Manager to award Agreement No. 6M3421 to CMC Traffic Control Specialists to provide Traffic Control Services for C55 and R65 Interlocking construction projects.

#### DISCUSSION:

As part of Measure RR, the C55 Interlocking in Concord and R65 Interlocking in Richmond will be rebuilt starting in April of this year. This track work will require traffic control services to provide flagging and the necessary detours on the adjacent city streets in these work areas. Request for Proposals (RFP) No. 6M3421 was issued for the Traffic Control Services necessary for the duration of these projects.

On October 31, 2018, the District provided advance notice to eleven (11) prospective proposers for RFP 6M3421. On November 1, 2018, RFP 6M3421 was advertised in several Bay Area newspapers and publications, and the RFP documents were posted on the District's Procurement Portal. Seven (7) firms downloaded the RFP through the Procurement Portal. The District held a Pre-Proposal Conference and Networking Session on November 15, 2018 - five (5) firms attended. By the proposal due date, December 11, 2018, two (2) proposals were received by the District from the following firms:

1. CMC Traffic Control Specialists, Inc., San Francisco, CA. ("CMC")
2. Statewide Traffic Safety & Signs, Inc., Fairfield, CA.

The two (2) proposals were reviewed by the Selection Committee (the "Committee"), chaired by Contract Administration and consisting of three (3) representatives from Maintenance & Engineering and one (1) member from the Office of Civil Rights. The RFP method of selection used was Acceptable Technical Proposal Lowest Price (ATPLP). The Committee reviewed the technical proposals for compliance with the four (4) minimum technical requirements set forth in the RFP. The Committee requested clarifications from both Proposers by a date certain and received the clarifications from both Proposers which the Committee determined satisfied the four (4) minimum technical requirements. Subsequently, the proposals were evaluated, reference-checked, and found to both be technically acceptable.

Both Price Proposals were opened and evaluated on January 8, 2019. In accordance with the RFP, the selection is based on the lowest-priced technically acceptable proposal methodology. Price Proposals received are summarized as follows:

PROPOSER:	TOTAL PROPOSAL PRICE:
CMC Traffic Control Specialists, Inc., San Francisco, CA.	\$345,130
Statewide Traffic Safety & Signs, Inc., Fairfield, CA.	\$421,510
Engineer Estimate	\$321,076

CMC was found to have the lowest priced technically acceptable proposal. Its total Proposal Price was found to be fair and reasonable, and within the project's budget. After the review of the Proposer's business experience and financial capabilities, the Proposer was also determined to be responsible.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services (DGS). It was determined that there were no certified Small Businesses certified by the DGS among the responsive Proposers and, therefore, the Small Business Prime Preference is not applicable.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability



As of January 23, 2019, \$7,425,000 is the total budget for the Track Mainline C55 Interlocking Replacement project. BART has expended \$2,803, committed \$0, and reserved \$0 to date. This action will commit \$172,565, leaving an available fund balance of \$7,249,632 in these fund sources for this project.

The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any fiscal impact on non-programmed District reserves.

**ALTERNATIVES:**

The District could reject all Proposals and re-advertise the RFP. However, traffic control services are required to perform this work. There is no assurance that new Proposals would be lower than the amount of the current Proposal received.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion.

**MOTION:**

The General Manager is authorized to award Agreement No. 6M3421 to CMC Traffic Control Specialists for Traffic Control Services for C55 and R65 Interlocking construction projects, for an amount not to exceed \$345,130, pursuant to the notice to be issued by the General Manager and subject to the District's protest procedures.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Pat M. Row</i> 6 FEB 2019		GENERAL MANAGER ACTION REQ'D:		
DATE: 1/25/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Tera Stokes-Hankins Dept: Transportation	General Counsel <i>[Signature]</i> 2/6/19 [ ]	Controller/Treasurer <i>[Signature]</i> 2/6/19 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 2.6.2019 [ ]
Signature/Date: <i>Tera Hankins</i> 2/6/19				

## Invitation for Bid No. 9051, Purchase of Train Operator Uniforms

### PURPOSE:

To obtain Board Authorization for the General Manager to award Invitation For Bid No. 9051, for the procurement of Train Operator Uniforms to Galls, LLC.

### DISCUSSION:

The District's current collective bargaining agreement with Amalgamated Transit Union Local 1555 requires that the District provide Train Operators with uniforms on a yearly basis. The uniform items requested in the Invitation For Bid reflect items chosen by the joint union/management uniform committee.

This is a three (3) year estimated quantity contract. Pursuant to the terms of the District's standard estimated quantity contract, the District is required to purchase from the supplier a minimum amount of fifty percent (50%) of the contract bid price. Upon Board approval of this contract, the General Manager will also have the authority to purchase up to one hundred fifty percent (150%) of the contract bid price, subject to funding availability.

The District's Nondiscrimination Program for Subcontracting is not applicable to Invitations for Bid. Accordingly, the Office of Civil Rights did not set Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) Availability Percentages for this IFB.

A notice requesting bids was published on October 9, 2018. On the same day this solicitation was uploaded onto the BART Vendor Portal. Bids were opened on January 8, 2019 and the following two (2) bids were received:

Bidders Total Bid Price:

**Grand Total including**

**Bidder**

**9.25% Sales Tax \***

**Galls, LLC**

**Lexington, KY**

**(with a local office in San Francisco, CA)**

**\$767,115.26**

**Banner Uniform Center**

**San Francisco, CA**

**\$843,013.42**

Independent cost estimate by BART staff: \$870,621.85.

Staff has determined that the apparent low bidder, Galls, LLC, submitted a responsive bid. Staff has also determined that the bid pricing is fair and reasonable based on bid competition.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this IFB for Small Businesses certified by the California Department of General Services. The apparent low Bidder, Galls LLC, is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference. The second low Bidder, Banner Uniform Center is a certified Small Business, making it eligible for the 5% Small Business Prime Preference for this IFB for evaluation purposes. After review by the Office of Civil Rights, and application of the 5% Small Business Prime Preference, the application of the Prime Preference will not alter the award to Galls LLC.

**FISCAL IMPACT:**

Funding of \$767,115.26 for this three (3) year contract will be provided from the Transportation Department's operating budget. Funds will be budgeted in the Transportation operating budget (Department 0805762 - Budget & Administration, Account 502190 - Uniform Allowance). Total funding for this contract, not to exceed 150% of the contract bid price. The uniforms are to be procured over the contract's three (3) year period at the following estimated annual costs:

FY19 \$191,778.82

FY20 \$191,778.81

FY21 \$383,557.63

\$767,115.26

Funding for FY19 is provided for in the approved FY19 Transportation Department budget. Funding for subsequent years, FY20 and FY21 will be included in the proposed annual operating budget, which is subject to Board approval. This action is not anticipated to have

**ALTERNATIVES:**

Staff could reject all bids and re-advertise. However, staff considers it unlikely that the District would receive lower bids. This would also require additional time, which would not allow the District to meet its obligation to provide uniforms per the collective bargaining agreement.

**RECOMMENDATION:**

Based on the analysis by staff and certification by the Controller-Treasurer, the funds are available for this purpose, it is recommended that the Board adopt the motion.

**MOTION:**

The General Manager is authorized to award Invitation For Bid No. 9051 an estimated quantity contract for the procurement of Train Operator Uniforms to Galls, LLC, for the amount of \$767,115.26, including taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure.





## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b> <i>6 FEB 2019</i> <i>Rht M. P...</i>		<b>GENERAL MANAGER ACTION REQ'D:</b>		
<b>DATE:</b> 1/10/2019		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Cristiano Torresi <b>Dept:</b> Rolling Stock and Shops  <b>Signature/Date:</b> <i>[Signature]</i> 2/1/19	<b>General Counsel</b> <i>[Signature]</i> 2/2/19 [ ]	<b>Controller/Treasurer</b> <i>[Signature]</i> 2/4/19 [ ]	<b>District Secretary</b>  [ ]	<b>BARC</b> <i>[Signature]</i> 2.5.2019  [ ]

### AWARD OF INVITATION FOR BID NO. 9053, BRAKE LINING, BONDED ASSEMBLY

**PURPOSE:** To obtain Board authorization to award Invitation for Bid (IFB) No. 9053 to Railroad Friction Products Corporation of Maxton, NC., in the amount of \$691,425.00, including applicable sales tax, for the purchase of Brake Lining, Bonded Assemblies.

**DISCUSSION:** The District has 669 revenue vehicles. Each vehicle has four axles and each axle uses two brake linings. Brake linings are a consumable item that must be replaced during preventive maintenance and as such, a spare inventory pool is required to support these replacements.

IFB No. 9053 is a two (2) year estimated quantity contract. Pursuant to the terms of the District's standard estimated quantity contract, during the term of the Contract the District is required to purchase from the supplier a minimum amount of 50% of the contract Bid price. Upon Board approval of this contract, the General Manager will have the authority to purchase up to 150% of the contract Bid price, subject to availability of funding.

A Notice requesting Bids was published and uploaded onto the BART Vendor Portal on October 26, 2018, on the same day this solicitation was uploaded to the BART Vendor Portal. Correspondence was sent to five (5) prospective bidders inviting them to view the solicitation on the Vendor Portal. Bids were opened on December 4, 2018 and two (2) Bids were received:

Bidder	Unit Price	Quantity	Grand Total Including 9.75% Sales Tax
Railroad Friction Products Corp	\$ 35.00	18,000	\$ 691,425.00
Carlisle Brake & Friction	\$ 53.12	18,000	\$ 1,049,385.60

Independent cost estimate by BART staff: \$750,000.00 including sales tax.

Railroad Friction Products submitted the low bid of \$691,425.00 including sales tax. After review, staff has determined that Railroad Friction Products' bid is responsive and that its bid price is fair and reasonable based upon the independent cost estimate.

The District's Non-Discrimination Program for Subcontracting is not applicable to Invitations for Bid. Accordingly, the Office of Civil Rights did not set Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) Availability Percentages for this IFB.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services. Railroad Friction Products is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference.

**FISCAL IMPACT:** Funding of \$691,425.00 for this procurement will come from Rolling Stock and Shops (RS&S) Inventory Material Usage Account (#680-010) as materials are procured. Funding for FY20 is included in the operating budget of department #0803622. Funding for FY21, will be requested as part of next year's operating budget cycle and is subject to Board approval. The proposed award of this Contract will not result in any operating costs above the current year's adopted budget. This action is not anticipated to have any fiscal impact on unprogrammed District reserves in the current Fiscal Year. Total funding for this contract in the amount not to exceed 150% of \$691,425.00, is based on the following totals by year:

FY20: \$345,712.50

FY21: \$345,712.50

Two Year Total: \$691,425.00

**ALTERNATIVES:** An alternative would be to re-advertise the Contract, which staff believes would not result in a better price or more competition.

**RECOMMENDATION:** Staff recommends that the Board adopt the following motion.

**MOTION:** The General Manager is authorized to award IFB No. 9053 for Brake Lining, Bonded Assembly to Railroad Friction Products for an amount of \$691,425.00 including tax, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Robert M. Row</i> 6 Feb 2019		GENERAL MANAGER ACTION REQ'D: Transmit General Counsel Memo and Procurement Report to the Board		
DATE: 8/6/2018		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kevin Reeg Dept: Maintenance and Engineering <i>Kevin Reeg</i> Signature/Date: 2/6/19	General Counsel <i>[Signature]</i> 2/6/19 [ ]	Controller/Treasurer <i>[Signature]</i> 2/6/19 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 2.6.2019 [ ]

## Civic Center Station - Scissor Stairs Project - Award of Contract #11IA-112

### PURPOSE:

To authorize the General Manager to award Contract No. 11IA-112, Civic Center Scissor Stairs Project, to Wickman Development and Construction (Wickman Development) of San Francisco, CA for the total bid price of \$5,734,100.00.

### DISCUSSION:

The purpose of this project is to improve egress performance at the Civic Center/U.N. Plaza Station (M40) by constructing two additional stairways. The proposed stairs connect from the BART platform to the concourse level with an intermediate landing at the MUNI level. The two additional stairways will be constructed adjacent to the two existing stairways. The project will also upgrade the existing stair lighting to increase life cycle, reduce maintenance, improve lighting levels, and match lighting levels in the newly installed stairways.

The scope of work requires the Contractor to provide all labor, equipment, material, and services required for installation of the new stairways and lighting upgrades on the existing stairways.

The District provided an Advance Notice to Bidders to 151 bidders on October 31, 2018. A Pre-Bid Meeting and site tour was conducted on November 28, 2018 with ten prospective bidders. Contract Documents were sent to nineteen contractors and four planrooms. The contract was advertised on local publications and posted to the District's Procurement Portal on November 2nd. Two addendums were issued during the bid period.

A total of two bids were received and publicly opened on January 22, 2019. Tabulation of the bids, including the Engineer’s Estimate is indicated in Table 1 as follows:

**Table 1: Contract 11IA-112 Civic Center Scissor Stairs Project Bid Prices**

<b>BIDDER</b>	<b>LOCATION</b>	<b>Total Bid Price</b>
Wickman Development and Construction	San Francisco, CA	\$5,734,100.00
Proven Management	Oakland, CA	\$7,326,369.00
<b>ENGINEER’S ESTIMATE</b>		<b>\$6,682,589.00</b>

District staff determined that Wickman Development and Construction was the lowest responsive bidder. Wickman Development’s total bid price of \$5,734,100 was found to be fair and reasonable with the Engineer’s Estimate.

**NON-DISCRIMINATION PROGRAM**

Pursuant to the District’s Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 18.2% for Minority Business Enterprises (“MBEs”) and 9.3% for Women Business Enterprises (“WBEs”). Wickman Development committed to 26.5% MBE and 0% WBE participation. Wickman Development did not meet the WBE Availability Percentage; therefore, Wickman Development was requested to provide the Office of Civil Rights with supporting documentation to determine if it had discriminated on the basis of gender. Based on the review of the information submitted by Wickman Development, the Office of Civil Rights found no evidence of discrimination.

**SMALL BUSINESS PROGRAM**

Pursuant to the District’s Non-Federal Small Business Program, the Office of Civil Rights set a 5% Local Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services and verified as Local (i.e., located in Alameda, Contra Costa or San Francisco counties) by the District. Wickman Development is a certified Local Small Business, thus, making it eligible for the Prime Preference. Since Wickman Development is the lowest responsive Bidder and is eligible for the 5% Local Small Business Prime Preference, the application of the Prime Preference will not alter the award to Wickman Development and Construction.

Funding in the amount of \$5,734,100 to award Contract No. 11IA-112 is included in the total project budget for FMS# 11IA002 – Civic Center Platform Stairs.

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following source:

<b>Proposed Funding</b>	
F/G 802A - 2017 Measure RR GOB	\$ 11,200,000
<b>TOTAL</b>	<b>11,200,000</b>

As of January 24, 2019, \$11,200,000 is the total budget for this project. BART has expended \$693,281, committed \$19,319, and reserved \$0 to date. This action will commit \$5,734,100, leaving an available fund balance of \$4,753,300 in these fund sources for this project.

The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

**ALTERNATIVES:**

Reject all bids and leave station as is. Station egress will not be improved.

Reject all bids and re-advertise. Re-advertising will delay construction of a safety critical infrastructure improvement. The lowest responsive bidder is 15% lower than the Engineer's Estimate and is also a Local Small Business. Re-advertising is not expected to lower bid prices a considerable amount.

**RECOMMENDATION:**

Adoption of the following motion.

**MOTION:**

The General Manager is authorized to award Contract No. 11IA-112 Civic Center Station Scissor Stairs Project to Wickman Development and Construction for the Bid price of \$5,734,100, pursuant to the notice to be issued by the General Manager and subject to the District's Protest Procedures.

Before the Board of Directors of the  
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

Resolution Commending  
**STEVE HEMINGER**

Resolution No. \_\_\_\_\_

**W**HEREAS, Steve Heminger has served the Bay Area as the executive director of the Metropolitan Transportation Commission (MTC) since 2001, retiring on February 28, 2019, and

**W**HEREAS, Mr. Heminger has shaped a safer and more efficient Bay Area transportation network by creating such programs as Clipper®, a visionary regional fare collection system which facilitates seamless travel within transit agencies, and

**W**HEREAS, Mr. Heminger has championed regional transportation issues before the federal government and state legislature, and he and the team at MTC have secured billions in mobility funding for projects which improve our quality of life, and

**W**HEREAS, Mr. Heminger has demonstrated great leadership in his efforts to align transportation and housing policy to increase housing production at all levels of affordability, and

**W**HEREAS, Mr. Heminger and the MTC Commission have made innumerable contributions to the Bay Area Rapid Transit District, including:

- Providing almost \$2 billion in MTC-controlled Federal, State and Regional funds toward the replacement of BART's entire fleet of rail vehicles with the Fleet of the Future;
- Providing more than \$450 million toward BART's A and B Car rehabilitation and other capital needs;
- Providing more than \$100 million in funding and financing toward the extension of BART to San Francisco International Airport;
- Providing more than \$200 million in regional funds toward the BART to Oakland International Airport connection, and helping to save the project after federal funds had been withdrawn;
- Providing more than \$300 million in regional funds toward the BART to Warm Springs extension;
- Partnering with BART to pursue more than \$1 billion in FTA Core Capacity Challenge Grant Program funds to increase transit capacity by more than 40% between the East Bay and San Francisco;

**N**OW, THEREFORE, BE IT RESOLVED that the Board of Directors of the San Francisco Bay Area Rapid Transit District does hereby recognize the contributions Mr. Heminger has made to the cause of public transportation in the Bay Area, and

**B**E IT FURTHER RESOLVED that a copy of this Resolution will be tendered to Mr. Heminger as a token of respect and gratitude from members of the San Francisco Bay Area Rapid Transit District Board of Directors.

Adopted by the Board of Directors  
of the San Francisco Bay Area Rapid Transit District  
February 14, 2019

ATTEST:

\_\_\_\_\_  
Patricia K. Williams  
District Secretary

\_\_\_\_\_  
Bevan Dufty  
President

BEFORE THE BOARD OF DIRECTORS OF THE  
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

In the Matter of Naming a Road for  
Oscar Grant III /

Resolution No. 2

WHEREAS, the Board of Directors of the San Francisco Bay Area Rapid Transit District (the "District") is aware that The Oscar Grant Foundation submitted a request to the City of Oakland to name the road 37.774478, -122.224128 on the west side of the Fruitvale BART station in honor of Oscar Grant III, who was shot and killed by a BART police officer on January 1, 2009; and

WHEREAS, the subject road, an existing throughway, is currently unnamed; and

WHEREAS, the District, not the City of Oakland, owns the subject property; and

WHEREAS, the District worked collaboratively with The Oscar Grant Foundation to pursue and acquire state legislation to create the BART Office of the Independent Police Auditor, and

WHEREAS, the District engaged The Oscar Grant Foundation in the design and creation of the BART Police Citizen Review Board; and

WHEREAS, since 2010, the District has worked with The Oscar Grant Foundation to convene an annual, community vigil in honor of Oscar Grant III at the Fruitvale BART Station; and

WHEREAS, the District desires to continue working with The Oscar Grant Foundation to help commemorate Mr. Grant's legacy in various ways, including a mural project at the Fruitvale BART Station; and

WHEREAS, in this spirit, the Board of Directors desires to honor this request to name the currently unnamed road for Oscar Grant III; and

WHEREAS, the naming of a road throughway of an existing public access roadway is exempt from the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the San Francisco Bay Area Rapid Transit District hereby approves the naming of the currently unnamed road (37.774478, -122.224128) on the west side of the Fruitvale BART station between 33<sup>rd</sup> Avenue and 35<sup>th</sup> Avenue as "Oscar Grant III Way"; and

BE IT FURTHER RESOLVED, that District staff is directed to erect street signs identifying the road as such.

# # #