

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

Board of Directors
Minutes of the 1,808th Meeting
February 22, 2018

A regular meeting of the Board of Directors was held February 22, 2018, convening at 9:03 a.m. in the Board Room, 344 20th Street, Oakland, California. President Raburn presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Dufty, Keller, McPartland, Saltzman, and Raburn.

Absent: Director Simon. Directors Allen and Josefowitz entered the Meeting later.

Director Josefowitz entered the meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of January 25, 2018, and February 8 and 9, 2018.
2. Award of Invitation for Bid No. 9034, Fiberglass Walkway.
3. 2018 Organization of Committees and Special Appointments Revision.

Director Saltzman made the following motions as a unit. Director Blalock seconded the motions, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Dufty, Josefowitz, Keller, McPartland, Saltzman, and Raburn. Noes - 0. Absent – 2: Directors Allen and Simon.

1. That the Minutes of the Meetings of January 25, 2018, and February 8 and 9, 2018, be approved.
2. That the General Manager be authorized to award Invitation for Bid No. 9034, for Fiberglass Walkway, to Atlantic Track & Turnout Co., for an amount of \$1,879,949.99, including tax, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures and the Federal Transit Administration's requirements related to protests.

(The foregoing motion was made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for this purpose.)

3. That the Board ratify the revision to the Organization of Committees and Special Appointments for 2018, creating the Labor Negotiations Review Special Committee.

Director Allen entered the Meeting.

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

Jake Luba

Yolanda Banks Reed

Jayvon Muhammad

Afiyah Chambers

Asale Chandler

Omorede Hamilton

Cat Brooks

Elliot Hosman

Cephus Johnson

James Burch

Narcella Banks

Members of the Deecolonize Academy - Race, Poverty and Media Justice Institute

LaRon Mayfield

Kevin Reed

Kanikah Mawusi LeMon

Kariem Mayfield

Deana Abello

Nailah Watkins

Shanda Mayfield

Andre Z. Sosa

Jehan Hakim

Abayomi Jones

Turha Ak

Lonnie Monroe

Sara Desumala

President Raburn announced that the order of agenda items would be changed, and that the Board would enter into closed session under Item 10-A (Public Employee Employment / Appointment), Item 10-B (Conference with Negotiators), and Item 10-C (Conference with Labor Negotiators) of the Meeting agenda, and that the Board would reconvene in open session at the conclusion of the closed session.

The Board Meeting recessed at 11:00 a.m.

The Board Meeting reconvened in closed session at 11:08 a.m.

Directors present: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Saltzman, and Raburn.

Absent: Director Simon.

The Board Meeting recessed at 11:45 a.m.

The Board Meeting reconvened in open session at 11:50 a.m.

Directors present: Directors Allen, Blalock, Dufty, Keller, McPartland, Saltzman, and Raburn.

Absent: Directors Josefowitz and Simon.

President Raburn announced that the Board had concluded Item 10A and 10B of the Regular Meeting Agenda. The Board of Directors voted in Closed Session to appoint Patricia Williams as Interim District Secretary effective February 24, 2018, until the Board in its discretion takes further action. The vote was unanimous with Director Simon absent.

President Raburn brought the matter of Compensation and Benefits for Interim District Secretary before the Board. Director Dufty moved that the base salary of Patricia Williams serving as Interim District Secretary shall be at the annual rate of \$156,432.50 during this appointment. Benefits will continue to be those applicable to non-represented managers generally. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 7: Directors Allen, Blalock, Dufty, Keller, McPartland, Saltzman, and Raburn. Noes - 0. Absent – 2: Directors Josefowitz and Simon.

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

Director McPartland, Vice-Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 15CQ-200A, Rail Procurement, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, presented the item. The item was discussed. Director Blalock moved that the General Manager be authorized to award Contract No. 15CQ-200A, an estimated quantity contract, for Rail Procurement, to L.B. Foster Company of Pittsburgh, PA, for the Base Bid Price of \$20,425,877.95, including all applicable sales taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures; and that the General Manager also be authorized to purchase up to 150 percent of the Contract Base Bid Price, subject to the availability of funds. Director Dufty seconded the motion, which carried by unanimous electronic voter. Ayes - 7: Directors Allen, Blalock, Dufty, Keller, McPartland, Saltzman, and Raburn. Noes - 0. Absent – 2: Directors Josefowitz and Simon.

Director Josefowitz entered the Meeting.

Director McPartland brought the matter of Change Order to Contract No. 01RQ-110, Construction of Hayward Maintenance Complex Project Maintenance Facilities, with Clark Construction, for Car Lift Rail Modifications to the Hayward Shop Shallow Pit Car Lifts (C.O. No. 235), before the Board. Mr. Thomas Horton, Group Manager, Hayward Maintenance Project, presented the item. The item was discussed. Director Blalock moved that the General Manager be authorized to execute Change Order No. 235 to Contract No. 01RQ-110, Hayward Maintenance Complex Maintenance Facilities, with Clark Construction, for an amount not to exceed \$816,000.00, for Car Lift Rail Modifications to the Hayward Shop Shallow Pit Car Lifts. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 8:

Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Saltzman, and Raburn.
Noes - 0. Absent – 1: Director Simon.

Director Saltzman exited the Meeting.

Director McPartland brought the matter of BART Police Citizen Oversight Model Evaluation Report before the Board. Mr. Russell Bloom, Independent Police Auditor; and Mr. Michael Gennaco and Mr. Aaron Zisser, OIR Group, presented the item. The report was discussed.

Director McPartland brought the matter of Santa Clara County BART Extension: Update on Phase I and Phase II, before the Board. Mr. Robert Mitroff, Chief Planning and Development Officer, and Ms. Bernadette Lambert, Project Manager, presented the item. The item was discussed.

Director McPartland announced that the Quarterly Performance Report would be continued to a future meeting.

Director Blalock, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Dublin/Pleasanton Station Hybrid Parking Update before the Board. Mr. Val Menotti, Chief Planning and Development Officer; Ms. Rachel Factor, Senior Planner; and Ms. Marianna Parreiras, Project Manager, presented the item. The item was discussed.

The following individuals addressed the Board.
Robert S. Allen
Jerry Grace

President Raburn called for the General Manager's Report.

Ms. 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.

Ms. Crunican thanked Kenneth Duron for his District knowledge and service over the years.

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

Director Dufty requested an In Memoriam for Sharen Hewitt, San Francisco Civil Rights Public Housing advocate and Police Accountability and Social Justice activist on his and Director Simon's behalf.

Director Dufty reported he and Director Saltzman had attended a Transit Center Workshop in New York for Board Members of transit properties.

Director Dufty reported he had toured a new 10,000 square foot facility funded by SEPTA, City of Philadelphia and Jon Bon Jovi, within a train station providing services to the homeless.

Director Dufty presented Mr. Duron with a Proclamation from the City and County of San Francisco and designated February 22, 2018, as Kenneth Duron Day in the City of San Francisco.

Director Blalock requested an In Memoriam for Don Biddle, Councilmember from the City of Dublin.

Director Blalock reported visiting the lighting project at the Lafayette Station and parking re-arrangement at the Walnut Creek Station with Director Allen.

Director Josefowitz requested: Staff prepare a plan for Board review on how BART can prevent charges to customers who enter and exit the same station within 10 minutes, or some suitable short period of time indicating that the customer has chosen not to ride BART after entering the fare gates.

Director Blalock seconded the request.

Director Josefowitz thanked Mr. Duron for his service at BART.

Director Allen reported she had attended meetings with Director Blalock and spoke at the Rotary Club of Walnut Creek.

Director Allen thanked Mr. Duron for his service and congratulated Ms. Williams on her appointment as Interim District Secretary.

Director Keller thanked Mr. Duron for his service.

Director McPartland thanked Director Dufty for the proclamation for Kenneth Duron and thanked Mr. Duron for his service to BART.

President Raburn reported he attended the Capitol Corridor Joint Powers Authority Board Meeting and Alameda Mayor's Conference.

President Raburn thanked Kenneth Duron for his service and dedication to the District.

President Raburn called for Public Comment. No comments were received.

The Meeting was adjourned at 4:15 p.m. in Memory of Sharen Hewitt and Don Biddle.

Patricia K. Williams
Interim District Secretary