

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

Board of Directors  
Minutes of the 1,770th Meeting  
September 8, 2016

A regular meeting of the Board of Directors was held September 8, 2016, convening at 9:05 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Josefowitz, Keller, Mallett, Murray, Raburn, Saltzman, and Radulovich.

Absent: None. Director McPartland entered the Meeting later.

President Radulovich called for Introduction of Special Guests. Director Saltzman introduced and welcomed Mayor of El Cerrito, Greg Lyman, and El Cerrito City Manager, Scott Hanin.

Director McPartland entered the Meeting.

President Radulovich announced that the order of agenda items would be changed.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of August 11, 2016.
2. BART Accessibility Task Force Membership Appointment.
3. Relocation for the Position of Division Manager, Traction Power Engineering.
4. Award of Invitation for Bid No. 9009, 34.5kV-208/120V 75kVA Control Transformer.

Director Mallett requested that Item 2-C, Relocation for the Position of Division Manager, Traction Power Engineering, be voted on separately. Director Raburn made the following motions as a unit. Director Murray seconded the motions, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

1. That the Minutes of the Meeting of August 11, 2016, be approved.
2. That the Board accept the recommendation of the BART Accessibility Task Force (BATF) and appoint the nominated candidates, Debora A. Leung and Catherine Callahan, for membership to the BATF for a term beginning September 8, 2016, for one year, or until the Board makes new appointments and/or reappointments for a new term, whichever occurs later.

3. That the General Manager be authorized to award Invitation for Bid No. 9009, for the purchase of eight 34.5kV-208/120V 75kVA Control Transformers to Schaffner MTC, of Wytheville, VA, in the amount of \$338,492.00, including all taxes, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.

(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.)

Director Raburn moved that the General Manager or her designee be authorized to enter into a relocation agreement with the recommended candidate for the position of Manager of Traction Power Engineering, in an amount not to exceed \$18,000.00, consistent with Management Procedure No. 70, New Employee Relocation Expense Reimbursement. Director Blalock seconded the motion, which carried by electronic vote. Ayes – 8: Directors Blalock, Josefowitz, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Abstain – 1: Director Mallett.

President Radulovich called for Public Comment. Michael Petrelis addressed the Board.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Memorandum of Understanding between BART and the City of El Cerrito to Advance Transit Oriented Development at El Cerrito Plaza Station before the Board. Mr. Sean Brooks, Department Manager, Real Estate and Property Development, presented the item.

Mayor Greg Lyman addressed the Board.

Director Saltzman moved that the General Manager or her designee be authorized to execute a Memorandum of Understanding with the City of El Cerrito to pursue a study of the feasibility of Transit Oriented Development, which may include a new public library, at the El Cerrito Plaza BART Station, with staff to report back to the Board on the final Feasibility Analysis by the end of Fiscal Year 2017. Director Murray seconded the motion. The item was discussed. The motion carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Michael Petrelis addressed the Board.

Director Raburn brought the matter of Overview of California Low Carbon Fuel Standard Program before the Board. Mr. Val Menotti, Chief Planning and Development Officer, presented the item. The item was discussed.

Director Saltzman, Chairperson of the Administration Committee, brought the matter of District's Drug and Alcohol Policy before the Board. Mr. Carter Mau, Assistant General Manager, Administration and Budgets, and Mr. David Wong, Human Resources Program Manager, presented the item. The item was discussed. Director Keller moved adoption of the District's Drug and Alcohol Policy. Director Murray seconded the motion, which carried by

unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Change Orders to Agreements for Stand-by Emergency Medical and Advance Life Support Services, for Expanded Coverage Hours and Additional Spending Authorization before the Board. Mr. Roy Aguilera, Chief Transportation Officer, and Mr. Shawn Jackson, Principal Administrative Analyst, presented the item. Director Raburn moved that the General Manager be authorized to execute Change Order No. 3, to increase the spending authorization on Agreement No. 6M3240, with King-American Ambulance Company, in the amount of \$125,579.00, for expanded coverage hours; and that the General Manager be authorized to execute Change Order No. 5, to increase the spending authorization on Agreement No. 6M8059, with Paramedics Plus, in the amount of \$167,193.00, for expanded coverage hours and to provide additional funding to extend the contract through January 1, 2017. Director Blalock seconded the motion. The item was discussed. The motion carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

President Radulovich called for the General Manager's Report.

Mr. David Kutrosky, Managing Director, Capital Corridor, gave a brief presentation on the draft agenda for the Capitol Corridor Joint Powers Board Meeting of September 21, 2016. The report was discussed.

General Manager Grace Crunican reported on steps she had taken and activities and meetings she had participated in, ridership and budget, outstanding Roll Call for Introductions items, and reminded the Board of upcoming events. The report was discussed.

Michael Petrelis addressed the Board.

President Radulovich announced that Proposed Revision to Rules of the Board of Directors: Chapter III, Section 2, Board Meetings, would be continued to a future meeting.

President Radulovich called for Board Member Reports and Roll Call for Introductions.

Director Josefowitz reported that Abigail Thorne-Lyman had been named a 2016 Top 40 Under 40 recipient by Mass Transit Magazine.

Director Josefowitz requested consideration of revision of the BART Facilities Standards to have station signage appear more frequently in the stations. Director Saltzman seconded the request.

Director Saltzman requested staff to bring a plan to the Board to transition to gender-neutral restrooms by March 1, 2017, as required by AB 1732 (Ting), which has been passed by the legislature, but has not yet been signed by Governor Brown. The request is to bring forward the plan whether the bill is signed or vetoed. President Radulovich seconded the request.

Director Saltzman requested staff to write a memo to the Board explaining the process for responding to California Public Records Act (CPRA) requests that take more than 10 days, including why some responses take longer, how the person requesting the information is notified

about the time line, and ways it would be possible to speed up these responses, particularly if more staff time is needed to be dedicated to CPRA requests. Director Mallett seconded the request.

Michael Petrelis addressed the Board.

President Radulovich called for Public Comment. Michael Petrelis addressed the Board.

President Radulovich announced that the Board would enter into closed session under Item 10-A (Conference with Legal Counsel), Items 10-B and 10-C (Conference with Real Property Negotiators), and Item 10-D (Conference with Labor Negotiators) of the regular Meeting agenda, and that the Board would reconvene in open session at the conclusion of that closed session.

The Board Meeting recessed at 10:47 a.m.

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The Board Meeting reconvened in closed session at 10:54 a.m.

Directors present: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich.

Absent: None.

The Board Meeting recessed at 11:40 a.m.

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The Board Meeting reconvened in closed session at 11:51 a.m.

Directors present: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich.

Absent: None.

The Board Meeting recessed at 2:15 p.m.

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The Board Meeting reconvened in open session at 2:18 p.m.

Directors present: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich.

Absent: None.

President Radulovich announced that there were no announcements to be made, and that Approval of First Amendment to the First Amended and Restated Joint Exercise of Powers

Agreement for the Pleasant Hill BART Station Leasing Authority would be continued to a future meeting.

President Radulovich returned to the General Manager's Report, and Ms. Crunican announced there would be a delay in the implementation of the One Ticket, One Seat ordinance.

The Meeting was adjourned at 2:19 p.m.

Kenneth A. Duron  
District Secretary