

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

Board of Directors
Minutes of the 1,796th Meeting
September 14, 2017

A regular meeting of the Board of Directors was held September 14, 2017, convening at 9:04 a.m. in the Board Room, 344 20th Street, Oakland, California. President Saltzman presided; Kenneth A. Duron, District Secretary.

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

Absent: None. Director Allen entered the Meeting later.

President Saltzman called for Introduction of Special Guests. Director Raburn introduced and welcomed Mr. Dan Barki, League of Women Voters observer. Mr. Barki addressed the Board.

President Saltzman announced that the order of agenda items would be changed and called for the General Manager's Report. A video highlighting the work accomplished during the Labor Day weekend was presented.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of August 10, 2017 (Special and Regular).
2. Award of Invitation for Bid No. 9021, Step Assemblies.
3. Award of Invitation for Bid No. 9023, Step Chain.
4. Award of Invitation for Bid No. 9032, 34.5 kV Cable.

Director Dufty made the following motions as a unit. Director McPartland seconded the motions, which carried by unanimous acclamation. Ayes – 8: Directors Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 0. Absent – 1: Director Allen.

1. That the Minutes of the Meetings of August 10, 2017 (Special and Regular), be approved.
2. That the General Manager be authorized to award Invitation for Bid No. 9021, an estimated quantity contract, for the purchase of Westinghouse escalator step assemblies, to Precision Escalator, for the amount of \$1,420,250.00, including taxes, pursuant to notification to be issued by the General Manager.

3. That the General Manager be authorized to award Invitation for Bid No. 9023, an estimated quantity contract, for the purchase of escalator step chain assemblies, to Precision Escalator, for the amount of \$679,098.00, including taxes, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.
4. That the General Manager be authorized to award Invitation for Bid No. 9032, for 34.5kV Cable Replacement between KWS-ANA and MTF-MVS Substation, to The Okonite Company, in the amount of \$1,215,525.15, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and the Federal Transit Administration's requirements related to protests; and that the General Manager be further authorized to purchase up to 150% of the Contract Bid price, subject to certification of the Controller/Treasurer that funding is available.

(The foregoing three motions were made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for these purposes.)

President Saltzman called for Public Comment. Aleta Dupree addressed the Board.

Director Josefowitz, Chairperson of the Finance, Bond Oversight, and Administration Committee, brought the matter of Title VI Mitigation Action Plan for Magnetic-Stripe Ticket Surcharge before the Board. Ms. Sharon Moore, Program Manager, Workforce and Policy Compliance, and Ms. Jennella Sambour-Wallace, Manager of Special Projects, presented the item.

Aleta Dupree addressed the Board.

Director Allen entered the Meeting.

The item was discussed. Director McPartland moved that the Board approve the Title VI Fare Mitigation Action Plan for the Magnetic-Stripe Ticket Surcharge. President Saltzman seconded the motion, which carried by unanimous acclamation. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 0.

Director Josefowitz brought the matter of Proposed Small Business Program Modification to Include Lesbian, Gay, Bisexual and Transgender Business Enterprises before the Board. Mr. Wayne Wong, Department Manager, Office of Civil Rights, presented the item.

The following individuals addressed the Board.

Paul Pendergast
Sandra Escalante
Aleta Dupree

President Saltzman moved that the Board adopt the modifications to BART's Small Business Program for non-federal contracts to add a Lesbian, Gay, Bisexual, and Transgender Business

Enterprise category and a self-performance requirement for Small Business Primes. Director Simon seconded the motion, which carried by unanimous acclamation. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 0.

Director Josefowitz brought the matter of Update of Implementation Plan for Disparity Study Recommendations before the Board. Mr. Wong presented the item. The item was discussed.

Director Josefowitz brought the matter of Amendment to Late Night Bus Service Agreement before the Board. Mr. Bob Franklin, Department Manager, Customer Access, presented the item. President Saltzman moved that the General Manager or her designee be authorized to execute an amendment to the Agreement between the Alameda-Contra Costa Transit District and the San Francisco Bay Area Rapid Transit District in Connection with the Late Night Bus Core Service Project to extend funding for enhanced late night bus core service through mid-August 2018; and that the General Manager provide ridership and financial information for this service as a part of BART's Fiscal Year 2019 Preliminary Budget. Director Raburn seconded the motion. The item was discussed. The motion carried by electronic vote. Ayes – 8: Directors Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 1: Director Allen.

Director Josefowitz brought the matter of Safety, Reliability, and Traffic Relief Program (Measure RR): Staffing and Contracting Plan, before the Board. Mr. Robert Mitroff, Acting Assistant General Manager, Planning, Development, and Construction; and Ms. Tamar Allen, Chief Maintenance and Engineering Officer, presented the item. The item was discussed.

Director Keller, Chairperson of the Operations, Safety, and Workforce Committee, brought the matters of Change Order to Contract No. 11OG-130A, Balboa Park Station – Phase 2, with Proven Management, Inc., for Concourse Ceiling and Lighting Upgrades (C.O. No. 4); and Agreements with the City of Oakland and Union Pacific Railroad for Support Services for the 34.5kV Cable Replacement Project and the M03 Interlocking Project before the Board. Director Dufty made the following motions as a unit. Director Blalock seconded the motions, which carried by unanimous acclamation. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 0.

1. That the General Manager be authorized to execute Change Order No. 004, Ceiling and Lighting Treatment, for \$2,425,000.00, to Contract No. 11OG-130A, Balboa Park Station East Side Connection Improvement Phase 2, with Proven Management, Inc.
2. That the General Manager be authorized to execute Agreements with the City of Oakland and Union Pacific Railroad for a not-to-exceed amount of \$400,000.00, for support services related to the 34.5kV Replacement Project and the M03 Interlocking Renewal Project.

Jerry Grace and Sara D. addressed the Board.

Director Keller brought the matter of Fare Evasion Reduction before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, and Chief of Police Carlos Rojas gave presentations on Fare Evasion Reduction Initiatives, Proposed Ordinance to Require Persons

inside the Paid Area of BART to Provide Proof of Payment (First Reading), and Proposed Ordinance Prohibiting Fare Evasion by Minors (First Reading).

The following individuals addressed the Board.

Randall Glock

Aleta Dupree

Jerry Grace

Jill Buck

The item was discussed.

President Saltzman exited the Meeting, and Vice President Raburn assumed the gavel.

Vice President Raburn announced that the Board would enter into closed session under item 10-A (Conference with Labor Negotiators) of the Regular Meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 12:18 p.m.

The Board Meeting reconvened in closed session at 12:29 p.m.

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

Absent: President Saltzman.

The Board Meeting recessed at 12:59 p.m.

The Board Meeting reconvened in open session at 1:07 p.m.

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

Absent: President Saltzman.

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

Director Keller brought the matter of Transportation Resource Associates Maintenance and Service Options Study before the Board. Mr. Oversier; Ms. Allen; Mr. Shane Edwards, Assistant Chief Maintenance and Engineering Officer; and Mr. Christopher Wallgren, Vice President, Transportation Resource Associates, presented the item. The item was discussed.

Director Keller brought the matter of Update on Public Safety Initiatives before the Board. Mr. Tim Chan, Manager of Planning, and Chief Rojas presented the item. The item was discussed.

The following individuals addressed the Board.

Jamie Renton
Gena Alexander
Jerry Grace

Director Raburn, Chairperson of the Planning and Legislation Committee, brought the matters of On-Demand Bicycle Locker and Bicycle Station Kiosk Maintenance Agreement and Amendment to Lease at 300 Lakeside Drive, Oakland, before the Board. Director Josefowitz made the following motions as a unit. Director Raburn seconded the motions, which carried by unanimous acclamation. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, and Simon. Noes - 0. Absent – 1: Director Saltzman.

1. That the General Manager be authorized to enter into direct negotiations with eLock Technologies to execute an agreement in an amount not to exceed \$582,755.00.
2. That the General Manager or her designee be authorized to execute Amendment No. 8 to the lease for 300 Lakeside Drive in Oakland with SIC-Lakeside LLC, consistent with the terms contained in SIC's proposal dated September 7, 2017.

Vice President Raburn called for the balance of 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. She noted the District had received a grant for \$8.7 million from the Federal Emergency Management Agency for security projects, and that the District was currently undergoing the California Public Utilities Commission Triennial Audit.

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

Vice President Raburn reported that he had attended the Ron Brown Business and Economic Summit and the Oakland Pride celebration.

Director Allen reported she had given a presentation to the Contra Costa Taxpayers Association.

Vice President Raburn called for Public Comment. Jerry Grace addressed the Board.

The Meeting was adjourned at 3:29 p.m.

Kenneth A. Duron
District Secretary