

# **San Francisco Bay Area Rapid Transit District**

2150 Webster Street, P. O. Box 12688, Oakland, CA 94604-2688



## **BOARD MEETING AGENDA**

**The Board Meeting will be via teleconference with an option for in-person public participation in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, CA 94612.**

**Thursday, November 17, 2022**

**4:00 PM**

**via Teleconference and BART Board Room, 2150 Webster Street, 1st Floor, Oakland, CA 94612.**

**Zoom Link: <https://us06web.zoom.us/j/82571998134>**

**Board of Directors**



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

## BOARD MEETING AGENDA

November 17, 2022

4:00 p.m.

A regular meeting of the Board of Directors will be held at 4:00 p.m. on Thursday, November 17, 2022, via teleconference and in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612. Please note that regular business is expected to begin at approximately 5:00 p.m., following Closed Session.

Please note that this meeting will be via teleconference with an option for in-person public participation in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612. Face masks are strongly recommended on BART property, including the BART Board Room.

Please note, pursuant to all necessary findings having been made by the Board of Directors of the San Francisco Bay Area Rapid Transit District (for itself as well as all subordinate legislative bodies) to continue remote public meetings in the manner contemplated under urgency legislation Assembly Bill No. 361, public participation for this meeting will be available via teleconference and in person.

You may watch the Board Meeting live or archived at <https://bart.gov/boardtv>

Presentation and agenda materials will be available via Legistar at <https://bart.legistar.com>

You may attend the Board Meeting in person or join the Board Meeting via Zoom by calling 833-548-0282 and entering access code 825 7199 8134; logging in to Zoom.com and entering access code 825 7199 8134; or typing the following Zoom link into your web browser:  
<https://us06web.zoom.us/j/82571998134>

Members of the public may address the Board of Directors regarding any matter on this agenda. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under Public Comment.

If you wish to make a public comment:

- 1) Submit written comments via email to [board.meeting@bart.gov](mailto:board.meeting@bart.gov), using “public comment” as the subject line. Your comment will be provided to the Board and will become a permanent part of the file. Please submit your comments as far in advance as possible. Emailed comments must be received before 9:00 a.m. on November 17, 2022, in order to be included in the record.
- 2) Complete a “Request to Address the Board” form (available at the entrance to the Board Room) and hand it to the District Secretary before the Item is considered by the Board.
- 3) Call 833-548-0282, enter access code 825 7199 8134, dial \*9 to raise your hand when you

wish to speak, and dial \*6 to unmute when you are requested to speak; log in to Zoom.com, enter access code 825 7199 8134, and use the raise hand feature; or join the Board Meeting via the Zoom link (<https://us06web.zoom.us/j/82571998134>) and use the raise hand feature.

Public comment is limited to three (3) minutes per person.

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>).

Meeting notices and agendas are available at [bart.legistar.com](http://bart.legistar.com); via email (<https://cloud.info.bart.gov/signup>); or via regular mail upon request submitted to the District Secretary.

Complete agenda packets (in PDF format) are generally available for review at [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 2150 Webster Street, 10th Floor, Oakland, CA 94612; or telephone 510-464-6083.

April B. A. Quintanilla  
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. CLOSED SESSION

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Titles: General Manager, General Counsel, Controller-Treasurer, District Secretary,  
Independent Police Auditor, and Inspector General  
Government Code Section: 54957

B. CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: President Saltzman, Vice President Li, and Director Foley  
Titles: General Manager, General Counsel, Controller-Treasurer,  
Independent Police Auditor, and Inspector General  
Government Code Section: 54957.6

3. OPEN SESSION

- A. Announcement from Closed Session, if any.
- B. Compensation and Benefits for General Manager, General Counsel, Controller-Treasurer, Independent Police Auditor, and Inspector General. Board requested to authorize.

4. REPORT OF THE BOARD PRESIDENT

5. BOARD COMMITTEE REPORTS

(An opportunity for Committee Chairpersons to report out on the activities of Board Committees that have met since the last Board Meeting.)

6. CONSENT CALENDAR

- A. Approval of Minutes of the Meetings of September 22, 2022 and October 13, 2022.

*Board requested to authorize. (Minutes will be available on Tuesday, November 15, 2022.)*

- B. Agreement with Giro, Inc. for HASTUS Software Application System and Services.

*Board requested to authorize.*

**Attachments:** [Agreement with Giro, Inc. - EDD](#)

C. Resolutions Fixing the Employer's Contribution to the California Public Employees' Retirement System (CalPERS).

*Board requested to adopt.*

- i. Public Employees' Medical and Hospital Care Act for Employees Represented by American Federation of State, County and Municipal Employees, Local 3993; Amalgamated Transit Union, Local 1555; Service Employees International Union, Local 1021; BART Police Officers' Association; BART Police Managers' Association; and Non-Represented Employees.
- ii. Public Employees' Medical and Hospital Care Act at an Equal Amount for Employees and Annuitants Represented by American Federation of State, County and Municipal Employees, Local 3993; Amalgamated Transit Union, Local 1555; Service Employees International Union, Local 1021; BART Police Officers' Association; BART Police Managers' Association; and Non-Represented Employees.

**Attachments:** [Resolutions Fixing the Employer's Contribution to the California Public Employees' Retirement System - EDD](#)  
[Resolutions Fixing the Employer's Contribution to the California Public Employees' Retirement System - Resolution Set 1](#)  
[Resolutions Fixing the Employer's Contribution to the California Public Employees' Retirement System - Resolution Set 2](#)  
[Resolutions Fixing the Employer's Contribution to the California Public Employees' Retirement System - Resolution Set 3](#)  
[Resolutions Fixing the Employer's Contribution to the California Public Employees' Retirement System - Resolution Set 4](#)

- D. Amendment to Agreement No. 6M4711, with CityHealth Urgent Care, a Medical Corporation, for Extension of Term and Increase in Funding for COVID-19 Testing Services.

*Board requested to authorize.*

**Attachments:** [Amendment to Agreement No. 6M4711 - EDD](#)

- E. Award of Invitation to Bid No. 9120A, Sewer/Vacuum Truck With Hi Rail System.

*Board requested to authorize.*

**Attachments:** [Award of Invitation to Bid No. 9120A - EDD](#)

- F. Award of Invitation to Bid No. 9104A, Bill Handling Unit Replacement.

*Board requested to authorize.*

**Attachments:** [Award of Invitation to Bid No. 9104A - EDD](#)

- G. Award of Contract No. 59CT-130, Wayfinding Improvements Phase IV.

*Board requested to authorize.*

**Attachments:** [Award of Contract No. 59CT-130 - EDD](#)

- H. Award of Invitation for Bid No. 9111A, Skid Mounted Ventilation Unit.

*Board requested to authorize.*

**Attachments:** [Award of Invitation for Bid No. 9111A - EDD](#)

- I. Single Source Procurement with Stadler Rail AG for E-Line Spare Trucks (BOGIES).

*Board requested to authorize. (TWO-THIRDS VOTE REQUIRED)*

**Attachments:** [Single Source Procurement with Stadler Rail AG - EDD](#)

- J. Agreement with Cisco Systems, Inc. for Smartnet Maintenance Service and Support.

*Board requested to authorize.*

**Attachments:** [Agreement with Cisco Systems, Inc. - EDD](#)



- K. Procurement with ePlus Technology, Inc., as the Official National Association of State Procurement Officials (NASPO) Provider, for BARTNET Hardening Equipment: Rubrik Data Storage Equipment.

*Board requested to authorize.*

**Attachments:** [Procurement with ePlus Technology, Inc. - EDD](#)

- L. Procurement with SHI International Corp., as the Official National Association of State Procurement Officials (NASPO) Provider, for BARTNET Hardening Equipment: F5 IDS / IPS Security Systems.

*Board requested to authorize.*

**Attachments:** [Procurement with SHI International Corp. - EDD](#)

- M. Change Order to Contract No. 6M3388A, Ultrasonic Rail Flaw Detection Testing Services, with Sperry Rail, Inc., to Exercise the Agreement's Third Option Year.

*Board requested to authorize.*

**Attachments:** [Change Order to Contract No. 6M3388A - EDD](#)

- N. Resolution Adopting the 2022 BART Local Hazard Mitigation Plan.

*Board requested to adopt.*

**Attachments:** [Resolution Adopting the 2022 BART Local Hazard Mitigation Plan - EDD](#)  
[Resolution Adopting the 2022 BART Local Hazard Mitigation Plan - Resolution](#)

- O. Adopt Final Supplemental Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and Approve the BART Hayward Maintenance Complex Phase 2 Project. *Board requested to adopt and authorize.*

**Attachments:** [Adopt Final Supplemental Initial Study Mitigated Negative Declaration - EDD](#)

- P. Amendment to Agreement for Restroom Attendant Services.  
*Board requested to authorize.*

**Attachments:** [Amendment to Agreement for Restroom Attendant Services - EDD](#)

- Q. Amendment to Fiscal Year 2023 Quality of Life Initiatives Agreement for Elevator Attendants.  
*Board requested to authorize.*

**Attachments:** [Amendment to Fiscal Year 2023 Quality of Life Initiatives Agreement for Elevator Attendants - EDD](#)

7. GENERAL MANAGER'S REPORT

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

8. 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. Public comment is limited to three (3) minutes per person.)

9. INSPECTOR GENERAL'S REPORT

- A. (CONTINUED from September 22, 2022 Board Meeting)  
Approval of Organizational Structure of BART's Financial Operations Audit Recommendations.  
*Board requested to authorize.*

**Attachments:** [Approval of Organizational Structure of BART's Financial Operations Audit Recommendations - Memo and Report](#)  
[Approval of Organizational Structure of BART's Financial Operations Audit Recommendations - Presentation](#)

10. ADMINISTRATION ITEMS

Director Simon, Chairperson

- A. Fiscal Year 2022 Year-End Budget Revision.

*Board requested to adopt.*

**Attachments:** [Fiscal Year 2022 Year-End Budget Revision - EDD](#)  
[Fiscal Year 2022 Year-End Budget Revision - Resolution](#)

11. ENGINEERING AND OPERATIONS ITEMS

Director Dufty, Chairperson

- A. Agreements for the Lease and Rental of Nonrevenue Vehicles and Equipment.

*Board requested to authorize.*

**Attachments:** [Agreements for the Lease and Rental of Nonrevenue Vehicles and Equipment - EDD](#)

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

Director Foley, Chairperson

- A. Update on Regional Transit Coordination.

*For information.*

**Attachments:** [Update on Regional Transit Coordination - Memo](#)  
[Update on Regional Transit Coordination - Presentation](#)

13. BOARD MATTERS

- A. 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.)

- B. 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.)

- C. In Memoriam.

(An opportunity for Board members to introduce individuals to be commemorated.)