

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 held in person with an option for public participation via teleconference. Please note that revised attachments have been added under Item 9-A and attachments have been added under Item 11-A.

Thursday, November 16, 2023

1:00 PM

BART Board Room, 2150 Webster Street, 1st Floor, Oakland, CA 94612.

Zoom Link: <https://us06web.zoom.us/j/84183779751>

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 16, 2023

1:00 p.m.

A regular meeting of the Board of Directors will be held at 1:00 p.m. on Thursday, November 16, 2023, in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612. Please note that regular business is not expected to begin before 2:00 p.m., following Closed Session.

Please note that this meeting will be held in person in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612 with an option for public participation via teleconference.

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 841 8377 9751; logging in to Zoom.com and entering access code 841 8377 9751; or typing the following Zoom link into your web browser:
<https://us06web.zoom.us/j/84183779751>

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, 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 4:00 p.m. on November 15, 2023, in order to be included in the record.
- 2) Complete a “Request to Address the Board of Directors” form (available at the entrance to the Board Room) and give it to the District Secretary before the Item is considered by the Board.
- 3) Call 833-548-0282, enter access code 841 8377 9751, 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 841 8377 9751, and use the raise hand feature; or join the Board Meeting via the Zoom link (<https://us06web.zoom.us/j/84183779751>) 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 services/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 (<https://www.bart.gov/about/bod>).

Meeting notices and agendas are available at 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 no later than 48 hours in advance of the meeting.

Please submit your requests to the District Secretary via email to BoardofDirectors@bart.gov; in person or U.S. mail at 2150 Webster Street, 10th Floor, Oakland, California 94612; or telephone at 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. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Property (including air rights) located at Ashby BART Station, 3100 Adeline Street, Berkeley 94703. APNs 53-1597-39-04 and 53-1703-009-00.

District Negotiators: Val Menotti, Chief Planning and Development Officer; Deb Castles, Principal Property Development Officer; Carli Paine, Group Manager of Transit-Oriented Development; and Darin Smith, Economic and Planning Systems.

Negotiating Parties: San Francisco Bay Area Rapid Transit District and City of Berkeley.

Under Negotiation: Price and Terms

Government Code Section: 54956.8

B. PUBLIC EMPLOYEE EMPLOYMENT

Title: General Counsel

Government Code Section: 54957(b)(1)

3. OPEN SESSION

- A. Announcements from Closed Session, if any.

4. REPORT OF THE BOARD PRESIDENT5. 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 Meeting of June 30, 2023 (Special).

Board requested to authorize.

Attachments: [Approval of Minutes of the Meeting of June 30, 2023 \(Special\)](#)

- B. Appointment of BART Police Citizen Review Board Member - District 1.

Board requested to ratify.

Attachments: [Appointment of BART Police Citizen Review Board Member - District 1 - Memo](#)
[Appointment of BART Police Citizen Review Board Member - District 1 - Application](#)

- C. Agreement with Oracle America, Inc. for Exadata Hardware and Software Upgrade.

Board requested to authorize.

Attachments: [Agreement with Oracle America, Inc. for Exadata Hardware and Software Upgrade - EDD](#)

- D. Award of Agreement No. 6M3689 with Falcon Force, Inc., for Bird Abatement Services.

Board requested to authorize.

Attachments: [Award of Agreement No. 6M3689 with Falcon Force, Inc., for Bird Abatement Services - EDD](#)

- E. Change Order to Contract No. 6M4706, Design-Build of BART Headquarters, with Turner Construction Company, for BART Headquarters Multipurpose Room and Other Improvements.

Board requested to authorize.

Attachments: [Change Order to Contract No. 6M4706 - EDD](#)

- F. Change Orders to Contract No. 15EK-102, TCCCP New Traction Power Facilities, West Bay, with C3M Clark Cupertino A Joint Venture, for Various Items.

Board requested to authorize.

- i. Change Order for Abatement of Asbestos.
- ii. Change Order for Anticipated Cost of Future Unplanned Design Modifications.

- iii. Change Order for Delay to the Critical Path and Substantial Completion to Civic Center and Montgomery Stations.
- iv. Change Order for Replenish Allowance for District Caused Delays.
- v. Change Order for Replenish Allowance for Differing Site Conditions.
- vi. Change Order for Replenish Allowance for Partnering.
- vii. Change Order for Replenish Allowance for Uniformed Off-Duty Police Officers.

Attachments: [Change Orders to Contract No. 15EK-102 - EDD](#)

- G. Change Order to Contract No. 15EK-145, Traction Power Substation Replacement KTE Installation, with Rosendin Electric, Inc., for Construction Costs Associated with Design Modifications.

Board requested to authorize.

Attachments: [Change Order to Contract No. 15EK-145 - EDD](#)

- H. Change Order to Contract No. 47CJ-230A, Procurement of Fare Gates, with STraffic America, LLC, for the Fare Gate Central System/Monitoring Control System.

Board requested to authorize.

Attachments: [Change Order to Contract No. 47CJ-230A - EDD](#)

7. GENERAL MANAGER'S REPORT

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

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

9. ADMINISTRATION ITEMS

Director Dufty, Chairperson

- A. Fiscal Year 2023 Year-End Budget Revision.
Board requested to adopt.

Attachments: [Fiscal Year 2023 Year-End Budget Revision - Revised EDD](#)
[Fiscal Year 2023 Year-End Budget Revision - Revised](#)
[Resolution - Exhibit A](#)
[Fiscal Year 2023 Year-End Budget Revision - Revised](#)
[Attachment 1](#)
[Fiscal Year 2023 Year-End Budget Revision - Revised](#)
[Attachment 2](#)
[Fiscal Year 2023 Year-End Budget Revision - Revised](#)
[Attachment 3](#)
[Fiscal Year 2023 Year-End Budget Revision - Revised](#)
[Attachment 4](#)
[Fiscal Year 2023 Year-End Budget Revision - Revised](#)
[Attachment 5](#)
[Fiscal Year 2023 Year-End Budget Revision - Revised](#)
[Attachment 6](#)

10. ENGINEERING AND OPERATIONS ITEMS

Director Foley, Chairperson

- A. Quarterly Service Performance Review - First Quarter Fiscal Year 2024.
For information.

Attachments: [Quarterly Service Performance Review - First Quarter Fiscal](#)
[Year 2024 - Memo](#)
[Quarterly Service Performance Review - First Quarter Fiscal](#)
[Year 2024 - Presentation](#)

- B. Revitalizing BART Operations Control Center.
For information.

Attachments: [Revitalizing BART Operations Control Center - Memo](#)
[Revitalizing BART Operations Control Center - Presentation](#)

- C. BART Silicon Valley Phase II Extension Update.
For information.

Attachments: [BART Silicon Valley Phase II Extension Update - Memo](#)
[BART Silicon Valley Phase II Extension Update -](#)
[Presentation](#)

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

Director Saltzman, Chairperson

- A. Purchase of Office Building at 2000 Broadway, Oakland, CA for BART Police Department Administrative Headquarters.

Board requested to authorize.

Attachments: [Purchase of Office Building at 2000 Broadway, Oakland, CA for BART Police Department Administrative Headquarters - EDD](#)
[Purchase of Office Building at 2000 Broadway, Oakland, CA for BART Police Department Administrative Headquarters - Presentation](#)
[Purchase of Office Building at 2000 Broadway, Oakland, CA for BART Police Department Administrative Headquarters - Needs Assessment Report](#)
[Purchase of Office Building at 2000 Broadway, Oakland, CA for BART Police Department Administrative Headquarters - Needs Assessment Data - Redacted](#)

- B. Ashby BART Station Transit-Oriented Development Update.

For information.

Attachments: [Ashby BART Station Transit-Oriented Development Update - Memo](#)
[Ashby BART Station Transit-Oriented Development Update - Presentation](#)

12. 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 the 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.)

13. ADJOURNMENT