

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. Please note that an attachment has been added under Item 5-A.

Thursday, January 26, 2023

9:00 AM

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

Zoom Link: <https://us06web.zoom.us/j/89621878780>

Board of Directors

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

BOARD MEETING AGENDA

January 26, 2023

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, January 26, 2023, via teleconference and in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612.

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 896 2187 8780; logging in to Zoom.com and entering access code 896 2187 8780; or typing the following Zoom link into your web browser:
<https://us06web.zoom.us/j/89621878780>

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 January 25, 2023, 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 896 2187 8780, 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 896 2187 8780, and use the raise hand feature; or join the Board Meeting via the Zoom link (<https://us06web.zoom.us/j/89621878780>) 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 (<http://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, CA 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. REPORT OF THE BOARD PRESIDENT

3. 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.)

4. BOARD MATTERS

- A. Consideration of Action in Response to Director McPartland's Alleged Violation of Board of Directors Code of Conduct Related to Comments Made at the January 12, 2023, Regular Board Meeting.

For discussion and possible action.

- i. Public Censure.
- ii. Removal of the Board Member from One or More Committees.

Attachments: [Consideration of Action - Memo](#)

5. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of November 17, 2022.
Board requested to authorize. (Minutes will be available on Monday, January 23, 2023.)

Attachments: [Approval of Minutes of the Meeting of November 17, 2022](#)

- B. Declaration of November 8, 2022, Election Results.

Board requested to authorize.

Attachments: [Declaration of November 8, 2022, Election Results - EDD](#)

- C. District Base Pay Schedule.

Board requested to authorize.

Attachments: [District Base Pay Schedule - EDD](#)

- D. Renewal of Software License with Salesforce, Inc. for Cloud-Based Customer Relationship Management and Digital Marketing Automation.

Board requested to authorize.

Attachments: [Renewal of Software License with Salesforce, Inc. - EDD](#)

- E. Procurement with Carahsoft Technology Corporation, as the Official National Association of State Procurement Officials (NASPO) Provider, for Enterprise Log Management.

Board requested to authorize.

Attachments: [Procurement with Carahsoft Technology Corporation - EDD](#)

- F. Procurement with CDW Government LLC, as the Official National Association of State Procurement Officials (NASPO) Provider, for Antivirus Detection and Security Tools.

Board requested to authorize.

Attachments: [Procurement with CDW Government LLC - EDD](#)

- G. Award of Invitation for Bid No. 9101A, Ultrasonic Rail Flaw Inspection Vehicle.

Board requested to authorize.

Attachments: [Award of Invitation for Bid No. 9101A - EDD](#)

- H. Award of Invitation for Bid No. 9125, Crew Truck with Stake Bed.

Board requested to authorize.

Attachments: [Award of Invitation for Bid No. 9125 - EDD](#)

6. GENERAL MANAGER'S REPORT

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

7. 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.)

8. ADMINISTRATION ITEMS

Director Dufty, Chairperson

NO ITEMS.

9. ENGINEERING AND OPERATIONS ITEMS

Director Foley, Chairperson

NO ITEMS.

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

Director Saltzman, Chairperson

- A. Addressing the Transit Operating Shortfall - Fiscal Action Plan, Advocacy Strategy, and Timeline.

For information.

Attachments: [Addressing the Transit Operating Shortfall - Memo](#)
[Addressing the Transit Operating Shortfall - Presentation](#)

- B. East Bay Paratransit Consortium Overview of Procurements.

For information.

Attachments: [East Bay Paratransit Consortium Overview of Procurements - Memo](#)
[East Bay Paratransit Consortium Overview of Procurements - Presentation](#)

- C. Electric Vehicle Charging Update - Approach to Customer Infrastructure.
For information.

Attachments: [Electric Vehicle Charging Update - Memo](#)
[Electric Vehicle Charging Update - Presentation](#)

11. 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.)

12. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL— EXISTING LITIGATION

Name of Case: Andrew Pisano and Kaitlyn Pisano v. San Francisco Bay Area
Rapid Transit District; Philip M. Valenzuela, Jr. et al.
Case No.: RG-19-041496
Government Code Section: 54956.9(a)

13. OPEN SESSION

- A. Announcement from Closed Session, if any.