

San Francisco Bay Area Rapid Transit District

300 Lakeside Drive, P. O. Box 12688, Oakland, CA 94604-2688



BOARD MEETING AGENDA

Thursday, April 25, 2019

9:00 AM

Board of Directors

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, April 25, 2019, in the BART Board Room, 2040 Webster Street, Oakland, California.

Members of the public may address the Board of Directors regarding any matter on this agenda. Please complete a "Request to Address the Board" form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under Public Comment.

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>), in the BART Board Room, and upon request, in person or via mail.

Meeting notices and agendas are available for review on the District's website (<http://www.bart.gov/about/bod/meetings.aspx>); at bart.legistar.com; and via email (https://public.govdelivery.com/accounts/CATRANBART/subscribe/new?topic_id=CATRANBART_1904) or via regular mail upon request submitted to the District Secretary. Complete agenda packets (in PDF format) are available for review on the District's website and 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 300 Lakeside Drive, 23rd Floor, Oakland, CA 94612; fax 510-464-6011; or telephone 510-464-6083.

Patricia K. Williams
District Secretary

Regular Meeting of the
BOARD OF DIRECTORS

1. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance
- C. Introduction of Special Guests.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of April 11, 2019. Board requested to authorize.

Attachments: [Approval of Minutes of the Meeting of April 11, 2019-OCR](#)

- B. Appointment of BART Police Citizen Review Board Member. Board requested to ratify.

Attachments: [Appointment of BART Police Citizen Review Board Member-OCR](#)

- C. Delegation of Recruitment Activity and Relocation. Board requested to authorize.

Attachments: [Delegation of Recruitment Activity and Relocation-OCR](#)

- D. Amendment to Agreement No. 6M4636 with Krauthamer & Associates, Inc. to provide Executive Recruitment Services. Board requested to authorize.

Attachments: [Amendment to Agreement No. 6M4636 with Krauthamer & Associates, Inc. to provide Executive Recruitment Services-OCR](#)

- E. Mandatory Amendment to the Non-Federal Small Business Program to include a Policy to prevent fraud and abuse. Board requested to adopt.

Attachments: [Mandatory Amendment to the Non-Federal Small Business Program to include a Policy to prevent fraud and abuse-OCR](#)

- F. Resolution Authorizing Execution of a Master Funding Agreement with the California Department of Transportation for State Funded Projects. Board requested to adopt.

Attachments: [Resolution Authorizing Execution of a Master Funding Agreement with the California Department of Transportation for State Funded Projects-OCR](#)

3. 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. An additional period for Public Comment is provided at the end of the Meeting.)

4. ADMINISTRATION ITEMS

Director Simon, Chairperson

- A. Approval of Title VI Fare Equity Analysis for BART Participation in Regional Means - Based Fares Pilot Program. Board requested to authorize.

Attachments: [Approval of Title VI Fare Equity Analysis for BART Participation in Regional Means – Based Fares Pilot Program-EDD-OCR](#)
[Title VI Fare Equity Analysis for Regional Means Based Fares Pilot Program-Report-OCR](#)
[Title VI Fare Equity Analysis for Regional Means – Based Fares Pilot Program-Presentation-OCR](#)

- B. Performance and Audit Department Overview. For information

Attachments: [Performance and Audit Department Overview-Memo-OCR](#)
[Performance and Audit Department Overview-Presentation-OCR](#)

5. ENGINEERING AND OPERATIONS ITEMS

Director Foley, Chairperson

- A. Award of Contract No. 01VM-120, Union City Intermodal Phase 2A - BART Station Improvements. Board requested to authorize

Attachments: [Award of Contract No. 01VM-120, Union City Intermodal Phase 2A - BART Station Improvements-OCR](#)

- B. Award of Contract No. 6M4549, Emergency Restoration, Preventive Maintenance, Non - Emergency Repair and Seismic Relocation Work of Commercial Fiber Optic and Wireless Network. Board requested to authorize.

Attachments: [Award of Contract No. 6M4549, Emergency Restoration, Preventive Maintenance, Non – Emergency Repair and Seismic Relocation-OCR](#)

- C. Change Order to Contract No. 15TD-250, Track Geometry Car, with Mermec Inc., for Extension of Time (C.O. No. 002). Board requested to authorize.

Attachments: [Change Order to Contract No. 15TD-250, Track Geometry Car, with Mermec Inc., for Extension of Time \(C.O. No. 002\)-OCR](#)

- D. Asset Management Policy Update. Board requested to authorize.

Attachments: [Asset Management Policy Update-OCR](#)
[Asset Management Policy Update-Presentation-OCR](#)

6. PLANNING. PUBLIC AFFAIRS ACCESS. AND LEGISLATION ITEMS

Director Raburn, Chairperson

- A. Surveillance Policy: Automated License Plate Readers.
a. Surveillance Use Policy.
b. Surveillance Impact Report.
Board requested to authorize.

Attachments: [Surveillance Policy- Automated License Plate Readers-EDD-OCR](#)
[Surveillance Use Policy Automated License Plate Readers-Report-OCR](#)
[Surveillance Use and Impact Reports Automated License Plate Readers-ANNEX-OCR](#)
[Surveillance Policy Automated License Plate Readers-Presentation-OCR](#)

- B. Federal and State Legislation for Consideration. Board requested to authorize.

Attachments: [Federal and State Legislation for Consideration-Memo-OCR](#)
[Federal and State Legislation Update-Bill Packet-OCR](#)
[Federal and State Legislation Update-Presentation-OCR](#)

7. GENERAL MANAGER'S REPORT

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

8. BOARD MATTERS

- A. Earthquake Safety Program Citizens Oversight Committee Annual Report. For information.

Attachments: [Earthquake Safety Program Citizens Oversight Committee Annual Report-Memo-OCR](#)
[Earthquake Safety Program Citizens Oversight Committee - Annual Report-OCR](#)

- B. 2019 Organization of Committees and Special Appointments Revision: Creation of General Manager Ad Hoc Committee. Board requested to ratify. (President Dufty's request.)

Attachments: [2019 Organization of Committees and Special Appointments Revision-Creation of General Manager Ad Hoc Committee-OCR](#)

- C. 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.)

- D. 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.)

- E. In Memoriam.

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

9. 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.)

10. CLOSED SESSION (Room 303, Board Conference Room)

A. CONFERENCE WITH LABOR NEGOTIATORS:

Designated representatives: Grace Crunican, General Manager; Michael Jones, Assistant General Manager, Administration; and Martin Gran, Chief Employee Relations Officer
Employee Organizations:

- (1) Amalgamated Transit Union, Local 1555;
 - (2) American Federation of State, County and Municipal Employees, Local 3993;
 - (3) BART Police Officers Association;
 - (4) BART Police Managers Association;
 - (5) Service Employees International Union, Local 1021; and
 - (6) Service Employees International Union, Local 1021, BART Professional Chapter
 - (7) Unrepresented employees (Positions: all)
- Government Code Section: 54957.6

B. PUBLIC EMPLOYEE EMPLOYMENT:

Title: Inspector General
Government Code Section: 54957(b)(1)

C. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT:

Title: General Manager/Interim General Manager
Gov't Code Section: 54957(b)(1)

D. CONFERENCE WITH NEGOTIATORS:

Designated Representatives: Directors Dufty, McPartland and Simon
Title: General Manager/Interim General Manager
Gov't Code Section: 54957.6

E. ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Government Code Section 54956.9(d)2: one potential case.

11. OPEN SESSION

A. Announcement from Closed Session if any.