

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

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



## **BOARD MEETING AGENDA**

**Thursday, November 19, 2020**

**9:00 AM**

**via teleconference only**

**Board of Directors**



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

## BOARD MEETING AGENDA

November 19, 2020

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, November 19, 2020.

Please note, pursuant to Governor Newsom's Executive Order N-29-20 and the California Shelter-in-Place mandate, which prevents all but essential travel, public participation for this meeting will be via teleconference only.

You may watch the Board Meeting live or archived at <https://www.bart.gov/about/bod/multimedia>

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

You may also join the Board Meeting via Zoom by calling 1-669-900-6833 and entering access code 922 8779 3998

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. in order to be included in the record.
- 2) Call 1-669-900-6833, enter access code 922 8779 3998, and dial \*9 to raise your hand when you wish to speak.

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.

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 for review on the District's website (<https://www.bart.gov/about/bod/meetings/>); at [bart.legistar.com](http://bart.legistar.com); and 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 available for review on the District's website and [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 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. A. Report from the Personnel Review Special Committee Meeting of November 12, 2020.  
For information.

3. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of October 22, 2020. Board requested to authorize.

**Attachments:** [Approval of Minutes of the Meeting of October 22, 2020](#)

- B. Metropolitan Transportation Commission (MTC) Replacement Funding Exchange and Reserve Account Withdrawal for Expansion Rail Cars Procurement. Board requested to authorize.

**Attachments:** [MTC Replacement Funding Exchange and Reserve Account Withdrawal for Expansion Rail Cars - EDD](#)

- C. Award of Contract No. 20LZ-130A, Train Control Room Battery Replacement, Phase 3. Board requested to authorize.

**Attachments:** [Award of Contract No. 20LZ-130A, Train Control Room Battery Replacement, Phase 3 - EDD](#)

- D. Appointment to BART Safety, Reliability and Traffic Relief Program (Measure RR) Bond Oversight Committee (BOC). Board requested to authorize.

**Attachments:** [Appointment to Measure RR Bond Oversight Committee \(BOC\) - EDD](#)  
[11-05-2020 Sonja Stewart Resume rev](#)

- E. Funding Agreement with the Metropolitan Transportation Commission for the Development of a Travel Demand Model for the New Transbay Rail Crossing Program. Board requested to authorize.

**Attachments:** [Funding Agreement with the MTC for the Development of a Travel Demand Model - EDD](#)

4. 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.)

5. INDEPENDENT POLICE AUDITOR'S REPORT

- A. Independent Police Auditor Quarterly Update. For information.

**Attachments:** [Independent Police Auditor Quarterly Update - Memo](#)  
[Independent Police Auditor Quarterly Update - Presentation](#)

6. CONTROLLER/TREASURER'S REPORT

- A. Quarterly Report of the Controller/Treasurer for the Period Ending June 30, 2020. For information.

**Attachments:** [Quarterly Report of the Controller-Treasurer - Memo](#)  
[Quarterly Report of the Controller-Treasurer - Presentation](#)

7. ADMINISTRATION ITEMS

Director McPartland, Chairperson

- A. Award of Agreement No. 6M2076, Non-Competitive and Non-Federal Procurement with Giesecke & Devrient America, Inc., for On-Call Maintenance Services Agreement on Currency Machines. Board requested to authorize.

**Attachments:** [Award of Agreement No. 6M2076, Non-Competitive and Non-Federal Procurement - EDD](#)

- B. Fiscal Year 2021 Budget and Service Plan Update. For information.

**Attachments:** [Fiscal Year 2021 Budget and Service Plan Update - Memo](#)  
[Fiscal Year 2021 Budget and Service Plan Update - Presentation](#)

- C. District Retirement Incentive Program. Board requested to authorize.

**Attachments:** [District Retirement Incentive Program - EDD](#)  
[District Retirement Incentive Program - Presentation](#)

- D. Actuarial Report on Changes to Other Postemployment Benefits (OPEB) under Consideration by the District. For Information.

**Attachments:** [Actuarial Report on Changes to Other Postemployment Benefits \(OPEB\) - Memo and Report](#)

8. ENGINEERING AND OPERATIONS ITEMS

Director Dufty, Chairperson

- A. Sole Source Procurement with Simmons Machine Tool Corporation for the Purchase of Dual Wheel Truing Machine. Board requested to authorize. (TWO-THIRDS VOTE REQUIRED)

**Attachments:** [Sole Source Procurement with Simmons Machine Tool Corporation for the Purchase of Dual Wheel - EDD](#)

- B. Change Orders to Contract No. 07EA-120, 19th St./Oakland Station Modernization Project, with Proven Management, Inc., for Replacement Lighting System. Board requested to authorize.

**Attachments:** [Change Orders to Contract No. 07EA-120, 19th St. Oakland Station Modernization Project - EDD](#)

- C. Change Order to Contract No. 09AU-120 BART Earthquake Safety Program Transbay Tube (TBT) Internal Retrofit, with Shimmick/CEC, Joint Venture, for Installation of Temporary Generators (C.O. No. 187). Board requested to authorize.

**Attachments:** [Change Order to Contract No. 09AU-120 BART Earthquake Safety Program Transbay Tube \(TBT\) - EDD](#)

- D. Change Orders to Contract No. 15EJ-171, 34.5 kV Cable Replacement M-Line MVS Switching Station and MTF, MSS, MPS, and MTW Substations, with DMZ Builders.
- i. Construction of Security Enclosures for New Isolation Disconnect Switches (IDS's) (C.O. No. 12).
  - ii. Construction of Sequencing Modifications (C.O. No. 25).
- Board requested to authorize.

**Attachments:** [Change Orders to Contract No. 15EJ-171, 34.5 kV Cable Replacement M-Line - EDD](#)

- E. Overview of the Transit Security Advisory Committee. For information.

**Attachments:** [Overview of the Transit Security Advisory Committee - Memo](#)  
[Overview of TSAC -Powerpoint](#)

- F. Quarterly Service Performance Review - First Quarter Fiscal Year 2021. For information.

**Attachments:** [Quarterly Service Performance Review – First Quarter Fiscal Year 2021 - Memo](#)  
[Quarterly Service Performance Review – First Quarter Fiscal Year 2021 - Presentation](#)

9. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

San Francisco Bay Area Rapid Transit District v. Impact Transportation, LLC

Case No.: RG20058904

Government Code Section: 54956.9(a)

B. CONFERENCE WITH LEGAL COUNSEL:

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



---

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

Director Saltzman, Chairperson

- A. Single Source Procurement with eLock Technologies, LLC for Electronic Bicycle Lockers. Board requested to authorize. (TWO-THIRDS VOTE REQUIRED)

**Attachments:** [Single Source Procurement with eLock Technologies, LLC for Electronic Bicycle Lockers - EDD](#)

- B. Exclusive Negotiating Agreement for Transit-Oriented Development with Holliday Development and The Related Companies of California, a joint venture, at the El Cerrito Plaza BART Station. Board requested to authorize.

**Attachments:** [Exclusive Negotiating Agreement for Transit-Oriented Development - El Cerrito Plaza Station - EDD](#)  
[Exclusive Negotiating Agreement for Transit-Oriented Development - El Cerrito Plaza Station - Presentation](#)

- C. Extension of the Exclusive Negotiating Agreement for Transit-Oriented Development, with LMTOD, LLC and East Bay Asian Local Development Corporation, for the Lake Merritt BART Station Project. Board requested to authorize.

**Attachments:** [Extension of the Exclusive Negotiating Agreement for Transit-Oriented Development - EDD](#)  
[Extension of Exclusive Negotiating Agreement for Transit-Oriented Development - Presentation](#)

- D. Update on BART Headquarters Office Building (2150 Webster St., Oakland, CA). For information.

**Attachments:** [Update on BART Headquarters Office Building \(2150 Webster St., Oakland, CA\) - Memo](#)  
[Update on BART Headquarters Office Building \(2150 Webster St., Oakland, CA\) - Presentation](#)

## 11. GENERAL MANAGER'S REPORT

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

12. BOARD MATTERS

- A. Resolution in Support of the Seamless Transit Principles. Board requested to adopt. (Directors Li, Saltzman, and Simon requested.)

**Attachments:** [Resolution in Support of the Seamless Transit Principles - Memo and Resolution](#)

- B. 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.)

- C. 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.)

- D. In Memoriam.

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