

San Francisco Bay Area Rapid Transit District

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



BOARD MEETING AGENDA

Thursday, September 9, 2021

9:00 AM

via Teleconference Only.

Board of Directors

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

BOARD MEETING AGENDA

September 9, 2021

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, September 9, 2021.

Please note, pursuant to Governor Newsom's Executive Order N-08-21, 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 or logging in to Zoom.com and entering access code 859 3187 0611

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 September 8, 2021 in order to be included in the record.
- 2) Call 1-669-900-6833, enter access code 859 3187 0611, dial *9 to raise your hand when you wish to speak, and dial *6 to unmute when you are requested to speak; OR log in to Zoom.com, enter access code 859 3187 0611, 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.

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; 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 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 510-464-6083.

Jacqueline R. Edwards
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 August 26, 2021. Board requested to authorize.

Attachments: [Approval of Minutes of the Meeting of August 26, 2021](#)

- B. Revision to Succession Resolution. Board requested to adopt.

Attachments: [Revision to Succession Resolution - Memo](#)

- C. Audit of Directors' Use of District Property for Fiscal Year 2021. Board requested to accept.

Attachments: [Audit of Directors' Use of District Property - Memo](#)
[Audit of Directors' Use of District Property - Report](#)

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.)

4. ADMINISTRATION ITEMS

Director Li, Chairperson

- A. Change Order to Agreement No. 6M4625A, with KPMG, LLP, for the Development of the District's Project Portfolio Management System (C.O. No. 03). Board requested to authorize.

Attachments: [Change Order to Agreement No. 6M4625A - EDD](#)

5. ENGINEERING AND OPERATIONS ITEMS

Director Simon, Chairperson

- A. Change Order to Invitation for Bid No. 9085, Hayward Maintenance Complex (Phase 2) Mainline Trackwork Procurement, with Voestalpine Railway Systems Nortrak, Inc., for Termination of Contract in Part by BART (C.O. No. 002). Board requested to authorize.

Attachments: [Change Order to Invitation for Bid No. 9085, Hayward Maintenance Complex - EDD](#)

- B. Change Orders to Contract No. 15EK-140, Traction Power Substation Replacement ASL Installation, with Aldridge Electric, Inc. Board requested to authorize.

- i. Reinforced Thermosetting Resin Conduit Upsizing 4" to 5" Labor and Materials (C.O. No. 004).
- ii. 5" Reinforced Thermosetting Resin Conduit Hanger Modifications - Resubmittals Inefficiencies and Extended Overhead (C.O. No. 010B).

Attachments: [Change Orders to Contract No. 15EK-140, Traction Power Substation Replacement - EDD](#)

6. PLANNING, PUBLIC AFFAIRS ACCESS, AND LEGISLATION ITEMS

Director Raburn, Chairperson

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

Attachments: [Update on BART Headquarters Office Building - Memo](#)
[Update on BART Headquarters Office Building - Presentation](#)

- B. Update on Link21 Program. For information.

Attachments: [Update on Link21 Program - Memo](#)
[Update on Link21 Program - Presentation](#)

- C. BART 2020 Sustainability Annual Report. For information.

Attachments: [BART 2020 Sustainability Annual Report - Memo](#)
[BART 2020 Sustainability Annual Report - Presentation](#)

- D. Electric Vehicle Charging Policy. For information.

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

7. GENERAL MANAGER'S REPORT

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

8. 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.)

9. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS:

Designated representatives: Robert Powers, General Manager; Michael Jones, Deputy General Manager; and David Coleman, Manager of Labor Relations

- 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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Letifah Wilson; Ansar El Muhammad; Alicia Grayson; Tashiya Wilson; and Decedent Nia Wilson, by and through her Successors-In-Interest v. Bay Area Rapid Transit

Case No.: RG19014736

Government Code Section: 54956.9(a)

10. OPEN SESSION

Announcement from Closed Session, if any.