

San Francisco Bay Area Rapid Transit District

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



BOARD MEETING AGENDA

Thursday, June 9, 2022

9:00 AM

via Teleconference Only. Zoom Link: <https://us06web.zoom.us/j/86077487448>

Board of Directors

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

BOARD MEETING AGENDA

June 9, 2022

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, June 9, 2022.

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 via teleconference only.

You may watch the Board Meeting live or archived at <https://bart.gov/boardtv>

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 860 7748 7448; logging in to Zoom.com and entering access code 860 7748 7448; or typing the following Zoom link into your web browser:

<https://us06web.zoom.us/j/86077487448>

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 June 8, 2022, in order to be included in the record.
- 2) Call 1-669-900-6833, enter access code 860 7748 7448, 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 860 7748 7448, and use the raise hand feature; or join the Board Meeting via the Zoom link (<https://us06web.zoom.us/j/86077487448>) 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.

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. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of May 12, 2022. Board requested to authorize.

Attachments: [Approval of Minutes of the Meeting of May 12, 2022](#)

- B. Resolution to Continue Virtual Meetings During the Pandemic. Board requested to adopt.

Attachments: [Resolution to Continue Virtual Meetings During the Pandemic - Resolution](#)

- C. BART Police Citizen Review Board Reappointments. Board requested to ratify.

Attachments: [BART Police Citizen Review Board Reappointments - Memo](#)

- D. Transit Security Advisory Committee Appointment and Reappointments. Board requested to ratify.

Attachments: [Transit Security Advisory Committee Appointment and Reappointments - Memo](#)

- E. Award of Agreement No. 6M4788 with ConvergeOne, as the Official National Association of State Procurement Officials (NASPO) Provider, for Data Domain Backup Hardware and Software Upgrade and Platform Support Services.

Board requested to authorize.

Attachments: [Award of Agreement No. 6M4788 with ConvergeOne - EDD](#)

- F. Amendment to Agreement No. 6M4711, with CityHealth Urgent Care, a Medical Corporation, for Extension of Term and Increase in Funding for COVID-19 Testing Services. Board requested to authorize.

Attachments: [Amendment to Agreement No. 6M4711, with CityHealth Urgent Care - EDD](#)

- G. Authority to Execute Contracts for On-Call Advertising Media Purchases. Board requested to authorize.

Attachments: [Authority to Execute Contracts for On-Call Advertising Media Purchases - EDD](#)

- H. Fiscal Year 2023 Quality of Life Initiatives: Amendment to Agreements for Elevator Attendants and Homeless Outreach. Board requested to authorize.

Attachments: [Fiscal Year 2023 Quality of Life Initiatives Amendment to Agreements - 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. Public comment is limited to three (3) minutes per person.)

5. GENERAL MANAGER'S REPORT

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

6. CONTROLLER/TREASURER'S REPORT

- A. Quarterly Report of the Controller/Treasurer for the Periods Ending December 31, 2021 and March 31, 2022. For information.

Attachments: [Quarterly Report of the Controller-Treasurer for the Periods Ending December 31, 2021 and March 31, 2022 - Memo](#)
[Quarterly Report of the Controller-Treasurer for the Periods Ending December 31, 2021 and March 31, 2022 - Presentation](#)

7. ADMINISTRATION ITEMS

Director Simon, Chairperson

- A. Resolution Approving Fiscal Year 2023 and Fiscal Year 2024 Two-Year Annual Budget. Board requested to adopt.

Attachments: [Resolution Approving Fiscal Year 2023 and Fiscal Year 2024 Two-Year Annual Budget - EDD](#)
[Resolution Approving Fiscal Year 2023 and Fiscal Year 2024 Two-Year Annual Budget - Resolution](#)
[Resolution Approving Fiscal Year 2023 and Fiscal Year 2024 Two-Year Annual Budget - Presentation](#)

- B. Fiscal Year 2022 Third Quarter Financial Report. For information.

Attachments: [Fiscal Year 2022 Third Quarter Financial Report - Memo](#)

- C. Award of Agreement No. 6M4782 with Claremont EAP Powered by Uprise Health, for Comprehensive Employee Assistance Program (EAP). Board requested to authorize.

Attachments: [Award of Agreement No. 6M4782 with Claremont EAP - EDD](#)

8. ENGINEERING AND OPERATIONS ITEMS

Director Dufty, Chairperson

NO ITEMS.

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

Director Foley, Chairperson

- A. State Legislative Update and Legislation for Consideration. Board requested to authorize.

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

- B. Ashby and North Berkeley BART Station Transit-Oriented Development (TOD). Board requested to authorize.
- i. Approval of City of Berkeley and BART Joint Vision and Priorities for TOD for Ashby and North Berkeley BART Stations.
 - ii. Approval of Replacement Parking Maximum.
 - iii. Authorization of Memorandum of Agreement with the City of Berkeley for Ashby and North Berkeley TOD.

Attachments: [Ashby and North Berkeley BART Station Transit-Oriented Development - EDD](#)
[Ashby and North Berkeley BART Station Transit-Oriented Development - Joint Vision and Priorities - Redline](#)
[Ashby and North Berkeley BART Station Transit-Oriented Development - Original Draft Joint Vision and Priorities](#)
[Ashby and North Berkeley BART Station Transit-Oriented Development - Memorandum of Agreement](#)
[Ashby and North Berkeley BART Station Transit-Oriented Development - Presentation](#)

- C. Lake Merritt Station Area Projects. For information.
- i. Transit-Oriented Development Update.
 - ii. BART Police Headquarters Relocation Process Update.

Attachments: [Lake Merritt Station Area Projects - Memo](#)
[Lake Merritt Station Area Projects - Presentation](#)

- D. Celebrating 50 Years of Service. For information.
- i. Program Overview.
 - ii. Next Steps for BART Headquarters (BHQ) Retail Space.

Attachments: [Celebrating 50 Years of Service - Memo](#)
[Celebrating 50 Years of Service - Presentation](#)

10. 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.)

11. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS:

Designated Representatives: Robert Powers, General Manager; Michael Jones, Deputy General Manager; and David Coleman, Interim Director 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 REAL PROPERTY NEGOTIATORS:

Property: Properties Located at 51 9th Street and 107 8th Street, Oakland, CA 94607 (near Lake Merritt Station)

District Negotiators: Abigail Thorne-Lyman, Director, Real Estate & Property Development, and Val Menotti, Chief Planning & Development Officer

Negotiating Parties: StradaCal, LLC, East Bay Asian Local Development Corporation LLC, and San Francisco Bay Area Rapid Transit District/Economic & Planning Systems

Under Negotiation: Price and Terms

Government Code Section: 54956.8

12. OPEN SESSION

A. Announcement from Closed Session, if any.

April B. A. Quintanilla
Acting District Secretary