

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

Board of Directors
Minutes of the 1,914th Meeting
August 25, 2022

A regular meeting of the Board of Directors was held on August 25, 2022, convening at 9:01 a.m., via teleconference, 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. President Saltzman presided; April B. A. Quintanilla, Acting District Secretary.

Directors Present: Directors Ames, Dufty, Foley, Raburn, Simon, and Saltzman.

Absent: Director McPartland. Director Allen and Vice President Li entered the Meeting later.

President Saltzman gave instructions regarding Public Comment.

President Saltzman brought the matter of Report of the Board President before the Board and announced that the Board Meeting on September 22, 2022, would be an evening meeting and that the Board Meeting on October 27, 2022, would be held at the Hayward Maintenance Complex.

President Saltzman called for Public Comment on the Report of the Board President. No comments were received.

President Saltzman brought the matter of Board Committee Reports before the Board. Director Dufty, Chairperson of the Audit Committee, provided a report on the Audit Committee meeting held on July 19, 2022. President Saltzman, Chairperson of the Personnel Review Special Committee (PRSC), provided a report on the PRSC meeting held on August 3, 2022.

President Saltzman called for Public Comment on the Board Committee Reports. No comments were received.

President Saltzman brought the matter of Update on Safety, Reliability, and Traffic Relief Program (Measure RR) before the Board. Carl Holmes, Assistant General Manager, Design and Construction; Suresh Devarajan, Senior Manager of Engineering Programs; Myat San, Group Manager, Electrical and Mechanical Engineering; and Sylvia Lamb, Assistant Chief Engineering Officer presented the item.

Vice President Li entered the Meeting.

President Saltzman brought the matter of Bond Oversight Committee Annual Report before the Board and introduced the following individuals and thanked them for their service on the Bond Oversight Committee (BOC): Marian Breitbart, Member of the BOC; Daren Gee, Member of the BOC; and Michael McGill, Chair of the BOC. BOC Chair McGill presented the item.

BOC Members Gee and Breitbart addressed the Board.

Aleta Dupree addressed the Board.

The item was discussed, with the following highlights:

Director Dufty commented on the importance of appreciating citizen involvement and inquired about the coordination and cooperation between the BOC and staff.

Director Raburn thanked staff for their work; commented on the work completed during the COVID-19 pandemic and the positive impact of the proactive work; recognized the BOC members for their work; and expressed appreciation for the BOC members' service.

Vice President Li echoed the comments of Directors Dufty and Raburn; thanked the BOC members for their work; thanked staff for their assistance to the BOC; commended the work of the BOC and staff; and commented on potentially returning to voters in the future and increasing weekend service.

Director Ames commended the BOC Annual Report; thanked the BOC members for their work; commented on involving the BOC in the prioritization of projects; thanked staff and the BOC for forecasting projects; and commented on addressing system failures, the importance of Measure RR, renewing an infrastructure measure, and including a detailed project list in the BOC Annual Report.

President Saltzman echoed the comments made by other Board Members; expressed appreciation for the work of staff and the BOC; commented on the delays that were essentially avoided due to infrastructure work and the positive impact of Measure RR work; expressed appreciation for the support of voters and others; suggested that the work of the Measure RR Program and BOC be shared; and thanked the BOC members for their service.

President Saltzman announced that Item 5-N, Rescind Original Authorization to Award and Reject All Bids for Contract No. 15CQ-211, Procurement of Direct Fixation Fastener Assemblies, would be removed from the Consent Calendar.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of July 28, 2022.
2. Resolution to Continue Virtual Meetings During the Pandemic.
3. District Base Pay Schedules.
4. Revision of Substance Abuse Policy and Procedures.
5. Recruitment Services for Positions Related to Engineering, Planning, Project Management, and Technology.
6. Fixed Property Tax Rates Fiscal Year 2022-2023 – General Obligation Bonds.
7. Proposed Revision to Rules of the Board of Directors.
8. Renewal of Agreement No. 6M4803, with Intergraph Corporation (dba Hexagon), for Hexagon EcoSys Project Portfolio Management Software.

9. Agreement with Alameda-Contra Costa Transit District for Feeder Service Payments for Fiscal Years 2022 and 2023.
10. Award of Contract No. 15TK-195, Station Agent Double Dutch Doors Replacement, Phase 3.
11. Award of Contract No. 15QJ-111, Roofing Work San Mateo County and Hayward Shop.
12. Award of Contract No. 6M3603, Reconditioning of Transit Vehicle Nickel Cadmium Batteries.
13. Change Order 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, for Upgrades for Closed Circuit Television System (Change Order No. 034).
14. District Fuel Card Program.
15. Agreement with Norstan Communications, Inc. (dba Black Box Network Services) for Districtwide Telecommunications Maintenance and Support Services.
16. Single Source Procurement with Knorr Brake Corporation for Brake System Overhaul and Spare Parts.

Director Dufty made the following motions as a unit. Director Simon seconded the motions.

1. That the Minutes of the Meetings of July 28, 2022, be approved.
2. That Resolution No. 5528, In the Matter of Re-Authorizing the District's legislative and subordinate legislative bodies to utilize the provisions enacted by Assembly Bill (AB) 361 to meet remotely with teleconferenced meetings during a re-proclaimed emergency as authorized by law in accordance with Government Code Section 54953(e) and other applicable provisions of the Ralph M. Brown Act for an additional period of thirty (30) days from the adoption of this Resolution, be adopted.
3. That the Board approves the base pay schedule in effect July 1, 2022 and the BART Police Managers Association (BPMA) base pay schedules for 84-hour classifications from January 1, 2017 through June 30, 2021.
4. That the District's revised Substance Abuse Policy and Procedures be adopted.
5. That the General Manager or his designee be authorized to execute agreements for recruitment services to identify suitable candidates both inside and outside of California and to help fill positions related to engineering, planning, project management and technology as identified by the Human Resources Department, in conformance with established District procedure governing the procurement of professional services.
6. That Resolution No. 5529, In The Matter of Fixing The Rate of Taxes For San Francisco Bay Area Rapid Transit District for Fiscal Year 2022/23, be adopted.
7. That the attached revisions to Board Rule 5-3.5 be adopted. (The Revised Board Rule is attached and hereby made a part of these Minutes.)

8. That the General Manager or his designee be authorized to execute an agreement with Intergraph Corporation (dba Hexagon), in an amount not to exceed \$3,802,6660.00 for a five (5) year term inclusive of a two year (2) base contract and three (3) one-year options, for Hexagon EcoSys Project Portfolio Management (PPM) software.
9. That the General Manager be authorized to execute the Fiscal Year (FY) 22 and FY23 BART/Alameda-Contra Costa Transit District (“AC Transit”) Feeder Agreement for an amount not to exceed \$5.4 million.
10. That the General Manager be authorized to award Contract No. 15TK-195, Station Agent Booth Double Dutch Doors Replacement, Phase 3, to ACR Glazing Contractors, Inc. for the Bid amount of \$697,562.00, pursuant to notification issued by the General Manager.
11. That the General Manager be authorized to award Contract No. 15QJ-111, Roofing Work San Mateo County and Hayward Shop to Best Contracting Services, Inc. of Gardena, California for the Total Base Bid amount of \$604,700.00; and that additionally, the General Manager be authorized to exercise any or all of the three options, subject to availability of funding and at the District’s sole discretion, for an additional \$530,768.00, bringing the total authorization to \$1,135,468.00.
12. That the General Manager be authorized to award Contract No. 6M3603, a five-year estimated-quantities contract, to Industrial Battery Services (IBS) for reconditioning of transit vehicle batteries for \$1,895,250.00 including options and all taxes.
13. That the General Manager be authorized to execute Change Order No. 034 to Contract No. 15EJ-171 – 34.5KV Cable Replacement M-Line for additional electrical upgrades for the Closed Circuit Television (CCTV) system in the amount of \$1,850.832.00.
14. That the General Manager be authorized to (1) enter into an agreement with the new state fuel card provider, WEX Bank Fleet Payment System, the monitor and administrator of the WEX Fleet Card Program, for the purchase of fuel by District staff for non-revenue vehicles; and (2) expend approximately \$400,000.00 to process US Bank Voyager fleet fuel card services expenses as the District transitions between different fuel service providers.
15. That the General Manager be authorized to execute a three-year agreement with Norstan Communications, Inc., dba Black Box Network Services, and at his discretion, to exercise the options to renew for two additional one-year terms in an amount not to exceed \$3,127,522.61.
16. That the Board finds pursuant to Public Contract Code Section 20227 that Knorr Brake Corporation is the single supplier for the brake system overhaul and spare parts; and that the General Manager be authorized to enter direct negotiations with Knorr to execute an agreement for the overhaul of pneumatic friction brake components and purchase of spare parts in an amount not to exceed \$1,226,493.61 including sales tax.

Director Foley requested that Item 5-Q, Single Source Procurement with Knorr Brake Corporation for Brake System Overhaul and Spare Parts, be removed from the Consent Calendar.

President Saltzman inquired whether Directors Dufty and Simon would accept a friendly amendment to Director Dufty's motions to remove Item 5-Q. Directors Dufty and Simon accepted the amendment and the motions brought by Director Dufty and seconded by Director Simon were as follows:

1. That the Minutes of the Meetings of July 28, 2022, be approved.
2. That Resolution No. 5528, In the Matter of Re-Authorizing the District's legislative and subordinate legislative bodies to utilize the provisions enacted by Assembly Bill (AB) 361 to meet remotely with teleconferenced meetings during a re-proclaimed emergency as authorized by law in accordance with Government Code Section 54953(e) and other applicable provisions of the Ralph M. Brown Act for an additional period of thirty (30) days from the adoption of this Resolution, be adopted.
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4. That the District's revised Substance Abuse Policy and Procedures be adopted.
5. That the General Manager or his designee be authorized to execute agreements for recruitment services to identify suitable candidates both inside and outside of California and to help fill positions related to engineering, planning, project management and technology as identified by the Human Resources Department, in conformance with established District procedure governing the procurement of professional services.
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13. That the General Manager be authorized to execute Change Order No. 034 to Contract No. 15EJ-171 – 34.5KV Cable Replacement M-Line for additional electrical upgrades for the Closed Circuit Television (CCTV) system in the amount of \$1,850.832.00.
14. That the General Manager be authorized to (1) enter into an agreement with the new state fuel card provider, WEX Bank Fleet Payment System, the monitor and administrator of the WEX Fleet Card Program, for the purchase of fuel by District staff for non-revenue vehicles; and (2) expend approximately \$400,000.00 to process US Bank Voyager fleet fuel card services expenses as the District transitions between different fuel service providers.
15. That the General Manager be authorized to execute a three-year agreement with Norstan Communications, Inc., dba Black Box Network Services, and at his discretion, to exercise the options to renew for two additional one-year terms in an amount not to exceed \$3,127,522.61.

President Saltzman called for Public Comment on the Consent Calendar, except for Items 5-N and 5-Q.

Aleta Dupree addressed the Board.

Director Raburn requested that Item 5-I, Agreement with Alameda-Contra Costa Transit District for Feeder Service Payments for Fiscal Years 2022 and 2023, be removed from the Consent Calendar.

President Saltzman inquired whether Directors Dufty and Simon would accept a friendly amendment to Director Dufty's motions to remove Item 5-I. Directors Dufty and Simon accepted the amendment and the motions brought by Director Dufty and seconded by Director Simon were as follows:

1. That the Minutes of the Meetings of July 28, 2022, be approved.
2. That Resolution No. 5528, In the Matter of Re-Authorizing the District's legislative and subordinate legislative bodies to utilize the provisions enacted by Assembly Bill (AB) 361 to meet remotely with teleconferenced meetings during a re-proclaimed emergency as authorized by law in accordance with Government Code Section 54953(e) and other applicable provisions of the Ralph M. Brown Act for an additional period of thirty (30) days from the adoption of this Resolution, be adopted.
3. That the Board approves the base pay schedule in effect July 1, 2022 and the BART Police Managers Association (BPMA) base pay schedules for 84-hour classifications from January 1, 2017 through June 30, 2021.
4. That the District's revised Substance Abuse Policy and Procedures be adopted.
5. That the General Manager or his designee be authorized to execute agreements for recruitment services to identify suitable candidates both inside and outside of California and to help fill positions related to engineering, planning, project management and technology as identified by the Human Resources Department, in conformance with established District procedure governing the procurement of professional services.

6. That Resolution No. 5529, In The Matter of Fixing The Rate of Taxes For San Francisco Bay Area Rapid Transit District for Fiscal Year 2022/23, be adopted.
7. That the attached revisions to Board Rule 5-3.5 be adopted. (The Revised Board Rule is attached and hereby made a part of these Minutes.)
8. That the General Manager or his designee be authorized to execute an agreement with Intergraph Corporation (dba Hexagon), in an amount not to exceed \$3,802,6660.00 for a five (5) year term inclusive of a two year (2) base contract and three (3) one-year options, for Hexagon EcoSys Project Portfolio Management (PPM) software.
9. That the General Manager be authorized to award Contract No. 15TK-195, Station Agent Booth Double Dutch Doors Replacement, Phase 3, to ACR Glazing Contractors, Inc. for the Bid amount of \$697,562.00, pursuant to notification issued by the General Manager.
10. That the General Manager be authorized to award Contract No. 15QJ-111, Roofing Work San Mateo County and Hayward Shop to Best Contracting Services, Inc. of Gardena, California for the Total Base Bid amount of \$604,700.00; and that additionally, the General Manager be authorized to exercise any or all of the three options, subject to availability of funding and at the District's sole discretion, for an additional \$530,768.00, bringing the total authorization to \$1,135,468.00.
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12. That the General Manager be authorized to execute Change Order No. 034 to Contract No. 15EJ-171 – 34.5KV Cable Replacement M-Line for additional electrical upgrades for the Closed Circuit Television (CCTV) system in the amount of \$1,850.832.00.
13. That the General Manager be authorized to (1) enter into an agreement with the new state fuel card provider, WEX Bank Fleet Payment System, the monitor and administrator of the WEX Fleet Card Program, for the purchase of fuel by District staff for non-revenue vehicles; and (2) expend approximately \$400,000.00 to process US Bank Voyager fleet fuel card services expenses as the District transitions between different fuel service providers.
14. That the General Manager be authorized to execute a three-year agreement with Norstan Communications, Inc., dba Black Box Network Services, and at his discretion, to exercise the options to renew for two additional one-year terms in an amount not to exceed \$3,127,522.61.

The motions brought by Director Dufty and seconded by Director Simon carried by unanimous roll call vote. Ayes: 7 – Directors Ames, Dufty, Foley, Li, Raburn, Simon, and Saltzman. Noes: 0. Absent: 2 – Directors Allen and McPartland.

Regarding Item 5-I, Director Raburn commented on AC Transit's feeder bus service, Early Bird Service, and mutual aid during service disruptions; and expressed support for collaborations with AC Transit.

Director Raburn moved that the General Manager be authorized to execute the Fiscal Year (FY) 22 and FY23 BART/Alameda-Contra Costa Transit District (“AC Transit”) Feeder Agreement for an amount not to exceed \$5.4 million. Director Dufty seconded the motion, which carried by unanimous roll call vote. Ayes: 7 – Directors Ames, Dufty, Foley, Li, Raburn, Simon, and Saltzman. Noes: 0. Absent: 2 – Directors Allen and McPartland.

Director Allen entered the Meeting.

Regarding Item 5-Q, Director Foley inquired whether staff is evaluating opportunities to become self-sufficient and bring the work in-house in the future.

Director Foley moved that the Board finds pursuant to Public Contract Code Section 20227 that Knorr Brake Corporation is the single supplier for the brake system overhaul and spare parts; and that the General Manager be authorized to enter direct negotiations with Knorr to execute an agreement for the overhaul of pneumatic friction brake components and purchase of spare parts in an amount not to exceed \$1,226,493.61 including sales tax. Director Raburn seconded the motion, which carried by unanimous roll call vote by the required two-thirds vote. Ayes: 8 – Directors Allen, Ames, Dufty, Foley, Li, Raburn, Simon, and Saltzman. Noes: 0. Absent: 1 – Director McPartland.

President Saltzman called for the General Manager’s Report. Robert Powers, General Manager, reported on the upcoming Tanforan Memorial event at San Bruno Station, the Clipper® Bay Pass Pilot Program, BART’s award of funding from the FY22 Transit Security Grant Program, BART’s 50th Anniversary Celebration, vintage arcade games at Powell Street Station, BART’s 50th Anniversary webpage, the City of El Cerrito’s virtual community workshop regarding BART’s Transit-Oriented Development (TOD) Program, the virtual joint study session of the City of El Cerrito’s Planning Commission and Design Review Board regarding TOD projects, BART’s receipt of the Construction Management Association of America (CMAA) 2022 Project of the Year award and the Engineering News-Record (ENR) California 2022 Regional Best Project Winner for Interior Tenant Improvements award, the BART Police Department’s recruitment for civilian and sworn officer positions, and ridership.

Aleta Dupree addressed the Board.

The item was discussed, with the following highlights:

Director Ames shared feedback she received from a participant in the Clipper® Bay Pass Pilot Program; recognized other students who were selected for the Program; commented on students contributing to ridership and including additional institutions in the Program; and thanked General Manager Powers for his work on the Fare Integration Task Force.

Vice President Li commented on increased ridership and commended staff’s work; asked the Chief of Police to comment on the BART Police Department’s assistance with the investigation of a recent violent attack in San Francisco; and thanked John Vuong, Police Sergeant, Justin Sangster, Senior Police Officer, Kenneth Rosenbaum, Senior Police Officer, and Miles Williamson, Police Officer, for their assistance with the investigation of the violent attack in San Francisco.

Director Raburn expressed appreciation for General Manager Powers’ ridership report; commented on the 50% fare discount during the month of September; and suggested that Board Members return to the Board Room in September, with the concurrence of public health officials, to help increase ridership.

President Saltzman called for general Public Comment.

Aleta Dupree addressed the Board.

Director Simon, Chairperson of the Administration Committee, had no report.

Director Dufty, Chairperson of the Engineering and Operations Committee, brought the matter of District Specialized Military Equipment Ordinance before the Board. Director Dufty briefly commented on the item, noting that there would be a presentation and action on the item at a later meeting, and provided a brief background on the item, including Director Simon's involvement in developing reform measures. Ed Alvarez, Chief of Police, and Kevin Franklin, Deputy Chief of Police, presented the item.

Aleta Dupree addressed the Board.

The item was discussed, with the following highlights:

Director Simon expressed support for the conversation and appreciation for the leadership of the Chief of Police, BART Board, and BART Police Citizen Review Board (BPCRB); and provided background information on the restrictions that were placed on some of the items that could be transferred from the military to police departments by the Obama Administration, which were lifted by the Trump Administration in 2017, inappropriate use of militarized equipment, and BART Police Department's thoughtful approach to responding to dangerous and tragic events and being a leader; and expressed support for the item.

Director Dufty recognized Director Simon's work to help facilitate the eight measures surrounding police conduct and responsibility that were adopted in 2021.

Director Raburn thanked Director Simon for her comments; commented that he attended a BPCRB meeting that included a presentation on compliance with Assembly Bill (AB) 481 and questions from the public; expressed a preference for members of the public to address how their comments were incorporated into the report to ensure that the issues were addressed; and expressed support for the item.

Director Ames expressed how heartwarming it was to see the collaboration with the BPCRB and the BART Police Department; shared her experience with observing military-type police equipment used at a George Floyd event; and expressed support for the legislation.

Director Foley, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Resolution to Adopt Assembly Bill 2923 Transit-Oriented Development Conformance Findings before the Board. Val Menotti, Chief Planning and Development Officer, presented the item.

Aleta Dupree addressed the Board.

The item was discussed with the following highlight:

President Saltzman thanked staff for all of their work on the project and expressed excitement with what staff plans to do going forward and with what BART is planning to do with its Transit-Oriented Development Program.

President Saltzman moved that after review and consideration of “Attachment A: Summary of Conformance Findings by Station Area,” Resolution No. 5530, Resolution of the Board of Directors of the San Francisco Bay Area Rapid Transit District adopting Assembly Bill No. 2923 (AB 2923) conformance findings for each of the 10 zoning standards for each affected BART-owned parcel, be adopted. Vice President Li seconded the motion.

Discussion continued, with the following highlights:

Director Ames expressed appreciation about comments made by Chief Planning and Development Officer Menotti about the job/employment sector; commented that the current Transit-Oriented Development policy identifies that job centers should be located closer to the BART Stations, which would create more ridership as we are in a ridership crisis; commented on AB 2923 and developing principles to emphasize job quality and explore incentives to generate job usage as we have a grant that is going to enable staff to talk about the potential sites for jobs; and indicated that she would abstain from the vote on the item.

Director Raburn acknowledged former BART Vice President Nick Josefowitz for his visionary work with former Assemblymember David Chiu; thanked Chief Planning and Development Officer Menotti, Abigail Thorne-Lyman, Director of Real Estate and Property Development, Kamala Parks, Senior Planner, and the Real Estate Department for their work; commented on the detailed compliance report provided to the Board in July; and noted that the resulting up-zoning provides opportunities for compact growth development at many BART stations.

The motion brought by President Saltzman and seconded by Vice President Li carried by unanimous roll call vote. Ayes: 7 – Directors Allen, Dufty, Foley, Li, Raburn, Simon, and Saltzman. Noes: 0. Abstentions: 1 – Director Ames. Absent: 1 – Director McPartland.

President Saltzman called for Board Member Reports, Roll Call for Introductions, and In Memoriam Requests.

Director Dufty commented on the situation at the 24th Street Mission Station Plaza, noting that it has been riddled with untoward activity and that recently there has been a different crowd, lots of narcotics, and threats of violence towards the community-based vendors, as well as several questions about stolen property; thanked BART executive staff, General Manager Powers, and Michael Jones, Deputy General Manager, for their diligence in responding to a very complex and difficult situation that has unfolded at the 24th Street Mission Station; acknowledged Hillary Ronen, Supervisor, City and County of San Francisco Board of Supervisors, for her and her staff’s efforts to remedy the situation; and announced that a community meeting regarding this issue would be held in the near future.

Director Raburn reported that he had attended the California Hispanic Chambers of Commerce event and recognized Julian Chacon, Principal Administrative Analyst, Office of Civil Rights (OCR), Hoa Sin, Senior Manager of Economic Opportunity Policies, Fernando Flores, Senior Administrative Analyst, OCR, and Thomas Lee for their attendance at the event. Director Raburn reported that he had attended the Alameda Council Labor Unionist of the Year Ceremony and the Oakland-Chinatown Street Fest and he recognized Henry Symons, Senior Government and Community Relations Representative, Michelle Pallen-Mendiola, Administrative Analyst, Customer Service Administration, and Michael Fong, Community Services Officer, for their attendance at the Oakland-Chinatown Street Fest.

Director Foley reported that he had attended the Brentwood City Council Workshop regarding Priority Area One Specific Plan in anticipation of a potential transit hub and future BART station in their neighborhood; noted that he, BART staff, and City of Brentwood staff discussed the required transit overlay needed to potentially house a future BART station; and thanked Deputy General Manager Jones, Shane Edwards, Assistant General Manager, Operations, and BART staff for their beautification efforts at the Pittsburg and Antioch BART stations.

Director Ames inquired about an incident that occurred in Richmond on the Richmond BART line.

Director Allen requested that staff provide an update on rider safety initiatives.

President Saltzman reported that she had spoken with Santa Cruz Yes In My Back Yard (YIMBY) about BART's Transit-Oriented Development Program and received positive comments about BART's social media.

President Saltzman announced that the Board would enter into closed session under Items 12-A (Public Employee Performance Evaluation), 12-B (Public Employee Appointment), and 12-C (Conference with Labor Negotiators) of the Regular Meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

President Saltzman called for Public Comment on closed session. No comments were received.

The Board Meeting recessed at 11:06 a.m.

The Board reconvened in closed session at 11:18 a.m.

Directors Present: Directors Ames, Duffy, Foley, Li, Raburn, Simon, and Saltzman.

Absent: Director McPartland. Director Allen entered the Meeting later.

Director Allen entered the Meeting.

Director Allen exited the Meeting.

The Board Meeting recessed at approximately 12:37 p.m.

The Board reconvened in open session at 12:38 p.m.

Directors present: Directors Ames, Duffy, Foley, Li, Raburn, and Saltzman.

Absent: Directors Allen, McPartland, and Simon.

President Saltzman announced that the Board had concluded its closed session under Items 12-A, 12-B, and 12-C; that the Board had appointed April Quintanilla as District Secretary, effective August 25, 2022, subject to completion of reference and backgrounds checks and the parties reach an agreement on terms and conditions of employment; and that the vote on the appointment was unanimous, with Directors Allen and McPartland absent.

President Saltzman, Director Dufty, Vice President Li, and Director Foley gave congratulatory remarks regarding April Quintanilla's appointment as District Secretary.

The Meeting adjourned at 12:41 p.m.

April B. A. Quintanilla
Acting District Secretary

5-3.5 Use of District Property Other than Automobiles

- (a) In addition to the use of District automobiles as authorized in Board Rule 5-3.4, each Director may have use and possession of the following property for District-related business, to the extent that such property is comparable in cost and function to property generally available to District employees:

- (1) Facsimile machine
- (2) Mobile device (i.e., tablets, portable Wi-Fi, hotspots, etc.)
- (3) Cellular Phone
- (4) Personal Computer, Laptop
- (5) Printer

All District property shall be returned to the District when a Director leaves office.

- (b) Directors shall request all District property through the District Secretary's Office. The District Secretary shall make and maintain a list of District property that is issued to each Director. This list shall be available for periodic review and audit, as required.
- (c) Not later than September 15 of each year, the Performance and Audit Department shall complete an annual review for the previous fiscal year for compliance with the requirements of this Board Rule 5-3.5, and, at its discretion, may conduct an audit based on the results of the review. The results of the review shall be presented at the next Audit Committee meeting following September 15, and, at the discretion of the Audit Committee, may be forwarded to the full Board. The presentation shall include a list of District property that is issued to each Director.
- (d) If it is determined that costs were incurred that were not for District-related business, Directors shall reimburse the District within 30 days upon request by the District Secretary. If such requests are not responded to or reimbursements are not made within 30 days, the District Secretary shall report to the President or Vice President in accordance with Board Rule 5-3.6.