

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

Board of Directors
Minutes of the 1,833rd Meeting
February 28, 2019

A regular meeting of the Board of Directors was held February 28, 2019, convening at 9:00 a.m. in the Board Room, 2040 Webster Street, Oakland, California. Vice-President Saltzman presided; Patricia K. Williams, District Secretary.

Directors present: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Simon, and Saltzman.

Absent: President Dufty.

Vice-President Saltzman called for Introduction of Special Guests. Director McPartland recognized Rick Pizio who addressed the Board.

Director Allen exited the meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of February 14, 2019.
2. Employee Relocation Assistance for the Chief Planning, Development and Construction Officer and Managing Director, Capitol Corridor.
3. District Base Pay Schedule.
4. Resolution Authorizing Execution of BART to Antioch Extension Application for the Fiscal Year 2019 Low Carbon Transit Operations Program (LCTOP).
5. Lease Extension with 19th and Broadway LLC, for the 19th Street Bike Station.

Director Simon made the following motions as a unit. Director Raburn seconded the motions, which carried by unanimous acclamation. Ayes – 7: Directors Ames, Foley, Li, McPartland, Raburn, Simon, and Saltzman. Noes - 0. Absent – 2: Directors Allen and Dufty.

1. That the Minutes of the Meeting of February 14, 2019, be approved.
2. That the General Manager or her designee be authorized to approve employee relocation assistance in accordance with Management Procedure Number 70, New Employee Relocation Expense Reimbursement, for the

following two positions: Chief Planning, Development and Construction Officer; and Managing Director, Capitol Corridor.

3. That the Board approves the base pay schedule in effect January 1, 2019. The base pay schedule is attached and hereby made a part of these Minutes.
4. Adoption of Resolution No. 5395, In the Matter of Authorizing the Execution of a Project Application for FY 2019-2020 Low Carbon Transit Operations Funding of BART to Antioch Extension.
5. That the General Manager or her designee be authorized to enter into a lease extension with 19th and Broadway LLC for commercial space at 1773/1775 Broadway for a three-year term for the 19th Street Bike Station.

Consent Calendar report brought before the Board was:

1. Fiscal Year 2019 First Quarter Financial Report.

Director Allen re-entered the meeting.

Vice-President Saltzman called for Public Comment. The following individuals addressed the Board:

Jason Bezis

Aaron Eckhause

Director Simon, Chairperson of the Administration Committee, brought the matter of Financial Outlook for Fiscal Year 2020 before the Board. Ms. Pamela Herhold, Assistant General Manager, Performance and Budgets; Mr. Michael Eiseman, Department Manager Financial Services; and Ms. Kate Jordan Steiner, Department Manager Budgets, presented the item. The item was discussed.

Jason Bezis addressed the Board.

Director Foley, Chairperson of the Engineering and Operations Committee, brought the matter of Agreements for Professional Services for BART Projects before the Board. Ms. Tamar Allen, Assistant General Manager, Operations; Mr. Carl Holmes, Assistant General Manager, Planning, Development and Construction; and Mr. Maceo Wiggins, Department Manager, Office of Civil Rights, presented the item.

The following individuals addressed the Board:

John Fisher

Charissa Frank

Greg Oslund

Jason Bezis

The item was discussed.

Vice-President Saltzman made the following motion.

That the General Manager be authorized to award the below listed Agreements to provide Architectural and General Engineering Services for BART Projects in an amount not to exceed \$40,000,000 each, pursuant to notification to be issued by the General Manager. Pursuant to the District's protest procedures and Federal Transit Administration (FTA) requirements related to protests.

1. 6M8142 to AECOM Technical Services, Inc., Oakland, CA
2. 6M8143 to HDR Engineering, Inc., Walnut Creek, CA
3. 6M8144 to HNTB Corporation/FMG Architects, a Joint Venture, Oakland, CA
4. 6M8145 to Jacobs Engineering Group, Inc., Oakland, CA
5. 6M8146 to Parsons Transportation Group, Inc., Oakland, CA
6. 6M8147 to PGH Wong Engineering, Inc., San Francisco, CA
7. 6M8148 to T.Y. Lin International/Transit Systems Engineering, Inc., a Joint Venture, Oakland, CA
8. 6M8149 to WSP USA Inc., San Francisco, CA

Director Simon seconded the motion.

Director Allen requested an amendment to include a report on the last round of agreements and how funds were spent and in what amounts. The amendment also included a request for staff to submit regular progress reports to the Board every six (6) months.

Directors Saltzman and Simon accepted the amendment, and the motion carried by electronic vote. Ayes – 7: Directors Allen, Foley, Li, McPartland, Raburn, Simon and Saltzman. Noes – 1: Director Ames. Absent – 1: President Dufty.

Vice-President Saltzman announced that agenda items would be taken out of order, and brought the Planning, Public Affairs, Access, and Legislation Committee before the Board.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, announced that Item 6-A, Surveillance Technology Approvals, would be continued to a future Board Meeting.

Director Raburn brought the matter of State Legislation for Consideration before the Board and announced that Senate Bill 50 – Planning and zoning: housing development: equitable communities' incentive, would be voted on at a future Board Meeting. Mr. Holmes; Mr. Roddrick Lee, Department Manager of Government and Community Relations; and Ms. Amanda Cruz, Legislative Program Manager, presented the item.

The following individuals addressed the Board:

Jason Bezis

Aaron Eckhause

Kevin Burke
Corey Smith
Gerald Cauthen
The item was discussed.

Ms. Cruz presented Assembly Constitutional Amendment 1 – Local government financing: affordable housing and public infrastructure (ACA1), and Senate Bill 42 - Getting Home Safe Act (SB42).

Jason Bezis addressed the Board.

Vice-President Saltzman moved that the Board of Directors support ACA1 and SB42. Director Allen seconded the motion for support of SB42.

Discussion continued.

Director Raburn made a substitute motion to watch ACA1 and request the author to amend the bill to adopt the urban land institute criteria. Director McPartland seconded the substitute motion, which carried by electronic vote. Ayes – 6: Directors Allen, Foley, Li, McPartland, Raburn, and Simon. Noes – 1: Director Saltzman. Abstain – 1. Director Ames. Absent – 1: President Dufty.

Vice-President Saltzman moved that the Board of Directors support SB42. Director Allen seconded the motion which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Simon, and Saltzman. Noes - 0. Absent – 1: President Dufty.

Director McPartland exited the meeting.

Director Raburn brought the matter of Amendment No. 10 to Lease at 300 Lakeside Drive, Oakland with SIC-Lakeside Drive, LLC before the Board. Mr. Holmes; Mr. Sean Brooks, Department Manager, Real Estate and Property Development; and Mr. Thomas Dunscombe, Group Manager, Capital Projects, presented the item. The item was discussed.

Jason Bezis addressed the Board.

Director Raburn moved that the General Manager or her designee be authorized to execute Amendment No. 10 to the Lease for 300 Lakeside Drive in Oakland with SIC-Lakeside Drive LLC, consistent with the terms contained in the SIC's proposal dated December 13, 2018. Director Simon seconded the motion which carried by unanimous electronic vote. Ayes – 7: Directors Allen, Ames, Foley, Li, Raburn, Simon, and Saltzman. Noes - 0. Absent – 2: Directors Dufty and McParland.

Director McPartland re-entered the meeting.

Director Foley brought the matter of Quarterly Performance Report, Second Quarter Fiscal Year 2019 - Service Performance Review, before the Board. Ms. Tamar Allen; and Deputy Police Chief, Lance Haight, presented the item.

Jason Bezis addressed the Board.

The item was discussed.

Vice-President Saltzman called for the General Manager's Report.

Deputy General Manager Robert Powers introduced Ms. Allen; Ms. Rachel Russell, Senior Planner; and Ms. Kerry Hamill, Assistant General Manager, External Affairs. Ms. Russell reported on addressing customer concerns in the first thirteen days of the Early Bird Express service. Mr. Powers introduced Mr. Michael Jones, Assistant General Manager, Administration, who reported on BART's Leadership Program. Mr. Powers reported on steps the General Manager had taken, and outstanding Roll Call for Introductions items.

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

Director Li reported she had toured the Hayward Maintenance Complex (HMC) and participated in the San Francisco Chinese New Year Parade with Directors Foley and Raburn, and attended the Women's Transportation Seminar.

Director Li requested on behalf of herself and Director Simon that the meeting be adjourned in memory of San Francisco Public Defender Jeff Adachi.

Director Simon spoke about Jeff Adachi and his commitment to his job and community within San Francisco.

Director Ames reported she had attended meetings in Sacramento with State legislators and the 2019 State of the Valley Conference in Silicon Valley.

Director Raburn reported he had attended the Planning and Conservation League Session on Transportation in Sacramento and meetings with State legislators.

Director Foley reported he had attended the San Francisco Chinese New Year Parade, the Pleasant Hill BART Station Leasing Authority Board, a Contra Costa Transportation Authority Board Meeting, an Antioch City Council Meeting, and Lift Up Contra Costa.

Director McParland reported he had attended a Homeland Defense Meeting, and a Tri Valley San Joaquin Regional Rail Authority meeting.

Director Allen reported she had attended the Pleasant Hill BART Station Leasing Authority Board, the Walnut Creek State of the City Meeting, the San Ramon State of the City Meeting, the Martinez State of the City breakfast, and a Contra Costa Transportation Authority Meeting, and had given a presentation to the Contra Costa Tax-Payers Association.

Director Allen requested that staff come back to the Board in the next 60 days with a plan of how to quantify the fare evasion rate, with a goal of adding a true estimated numeric value on future

Quarterly Performance Reports-Service Performance Reviews (QPR-QSP), beginning with QPR-QSP period starting July 1, 2019. Directors Ames and McPartland seconded the request.

Vice-President Saltzman reported she had attended meetings in Sacramento with State legislators.

Vice-President Saltzman called for Public Comment:

Jason Bezis addressed the Board.

The Meeting was adjourned at 1:02 p.m. in memory of Jeff Adachi.

Patricia K. Williams
District Secretary