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

Board of Directors
Minutes of the 1,879th Meeting
February 11, 2021

A regular meeting of the Board of Directors was held on February 11, 2021, convening at 9:01 a.m. via teleconference, pursuant to Governor Gavin Newsom's Executive Order N-29-20 and the California Shelter-in-Place mandate. President Foley presided; Patricia K. Williams, District Secretary.

Directors Present: Directors Allen, Ames, Dufty, Li, McPartland, Saltzman, and Foley.

Absent: None. Directors Raburn and Simon entered the Meeting later.

President Foley gave instructions on viewing the Meeting, accessing presentation materials online, and Public Comment.

Directors Raburn and Simon entered the Meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of January 28, 2021.

2. Award of Information Technology Hardware Agreement with Cornerstone Technologies, for Computer Hardware Devices at BART Headquarters Office Building.

3. Employee Recruitment and Relocation Assistance for the Controller/Treasurer and Assistant General Manager of Administration.

4. District Base Pay Schedule.

Director McPartland made the following motions as unit. Director Raburn seconded the motions.

1. That the Minutes of the Meeting of January 28, 2021, be approved.

2. That the General Manager or his designee be authorized to execute an information technology hardware and services contract with Cornerstone Technologies for the base quote of $2,633,121.65 with an option to exercise buying additional equipment for a total amount not to exceed $2,900,000.00.

3. That the General Manager or his designee be authorized to approve a national recruitment agreement to assist the District with filling the positions of Assistant General Manager, Administration, and Controller/Treasurer in conformance with established District procedures governing the use of executive search services, to identify suitable candidates both inside and outside of California for the positions of Assistant General Manager, Administration and Controller/Treasurer; and that, in addition, the General Manager be authorized to enter into a relocation agreement, if necessary, in an amount not

to exceed $18,000.00 for each position, in accordance with Management Procedure Number 70, New Employee Relocation Expense Reimbursement.

4. That the Board approves the base pay schedule in effect January 1, 2021.

President Foley called for Public Comment on the Consent Calendar. No comments were received.

The motions brought by Director McPartland and seconded by Director Raburn carried by unanimous roll call vote. Ayes: 9 – Directors Allen, Ames, Dufty, Li, McPartland, Raburn, Saltzman, Simon, and Foley. Noes: 0.

President Foley called for general Public Comment. Aleta Dupree addressed the Board.

President Foley announced that the Board would enter into closed session under Items 4-A (Public Employee Performance Evaluation); 4-B (Public Employee Employment/Appointment); and 4-C (Conference with Negotiators) of the Regular Meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 9:10 a.m.

The Board reconvened in closed session at 9:15 a.m.

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

Absent: None.

The Board Meeting recessed at 11:02 a.m.

The Board reconvened in open session at 11:16 a.m.

Directors present: Directors Dufty, Li, Raburn, Saltzman, Simon, and Foley.

Absent: None. Directors Allen, Ames, and McPartland entered the Meeting later.

President Foley announced that the Board had concluded its closed session under Items 4-A, 4-B, and 4-C and that the Board had appointed Christopher Gan as Interim Controller/Treasurer, effective March 22, 2021, by unanimous vote.

Director Dufty moved that the base salary of Christopher Gan while serving as the Interim Controller/Treasurer shall be at the annual rate of $246,925.50 and that during this appointment his benefits will continue to be those applicable to non-represented managers, generally. Director Raburn seconded the motion.

Directors Ames and McPartland entered the Meeting.

The motion brought by Director Dufty and seconded by Director Raburn carried by unanimous roll call vote. Ayes: 8 – Directors Ames, Dufty, Li, McPartland, Raburn, Saltzman, Simon, and Foley. Noes: 0. Absent: 1 – Director Allen.

Director Li, Chairperson of the Administration Committee, brought the matter of Fiscal Year 2021 Second Quarter Financial Report before the Board. Christopher Simi, Director of Budgets, presented the item.

Aleta Dupree addressed the Board.

Director Saltzman thanked and commended staff for their work and requested that staff create a PowerPoint slide outlining financial report highlights for future presentations.

Director Ames noted her concern about uncertainty regarding available funding from the federal or state governments; inquired about seeking additional funding and requesting more funding from toll lane revenues; commented on high-occupancy vehicle (HOV) express lanes and working with the state to capture funding for public transit; and requested that the base case and worst-case budget scenarios be presented at the Board Workshop.

Director Li brought the matter of Update on Fare Coordination and Integration Study before the Board. Pamela Herhold, Assistant General Manager, Performance and Budget; Hannah Lindelof, Group Manager, Policy Planning, Strategic and Policy Planning; and Michael Eiseman, Director of Financial Planning presented the item.

The following individuals addressed the Board:

Aleta Dupree
Stephanie Beecham
John Minet
Adina Levin
Nishant Kheterpal

Director Allen entered the Meeting.

The item was discussed, with the following highlights:

Director Saltzman thanked public speakers for their comments and commented on transit decision-making, the Metropolitan Transportation Commission (MTC) Blue Ribbon Task Force meeting she had attended with President Foley, BART's opportunity to be a regional leader, and seeking financial support from the MTC and state legislature.

President Foley thanked public speakers for their comments and commented on seamless transit, BART becoming a better transit option, BART as the hub for Bay Area transit, and the transit network manager concept.

Director Ames commented on collaboration among transit operators; commended public speakers' comments; and inquired about including the Altamont Corridor Express (ACE) and the Capitol

Corridor Joint Powers Authority in the fare integration concept, a fare cap, and adjusting train departure times to accommodate late bus arrivals.

Director Raburn expressed gratitude for the progression of the fare integration project; commented on the BART – Alameda-Contra Costa Transit District (AC Transit) Interagency Liaison Committee, quality control regarding regional fare integration, new fare payment options, his experience riding Caltrain, and focusing on BART's geographic intersection with other agencies and the customer experience; noted his desire for an advisory body to be created; and thanked President Foley and Director Saltzman for attending and reporting on the MTC Blue Ribbon Task Force meeting.

Director Li inquired about a working group.

Director Raburn commented on governing from transit experience and seeking input from transit users.

Director Li thanked public speakers for their comments; expressed support for fare integration; commented on BART's leadership with fare integration; inquired about the region's potential phased steps toward a more comprehensive fare integration model, the BART Board's role and points of engagement until the planning study report is released, and the steps following release of the planning study report; and encouraged advocates to continue to build other regional transit board members' receptiveness to fare integration.

Director Li brought the matter of Update on Next Steps for Government Alliance on Race and Equity (GARE) before the Board. Maceo Wiggins, Director of the Office of Civil Rights, and Russell Bloom, Independent Police Auditor, presented the item.

Aleta Dupree and Adina Levin addressed the Board.

The item was discussed, with the following highlights:

Director Raburn expressed enthusiasm for the equity strategy; commented on ensuring the District's acknowledgement of the 16 GARE training participants, the increase in demand for GARE's assistance, focusing on how the Board can further GARE principles to ensure they are woven into BART's decision-making structure, and including equity and the homelessness plan in BART's strategic framework; and inquired about how the Board can engage and utilize the GARE training.

Director Ames commented on transit justice and expanding beyond racial equity.

Director Li thanked the GARE cohort participants and Aleta Dupree for her public comment; requested that staff discuss how equity work will be performed, how issues are integrated, and how racial equity work is the bedrock of the integrated issues; and commented on creating an equity strategy in the near future.

Director Saltzman echoed Director Li's comments; expressed support for a GARE-like training for the Board, and appreciation for staff's equity work; commented on the inclusion of equity in the current strategic plan and Link21, the equity strategy, including all forms of equity, BART's history, and prioritizing racial equity; and indicated her enthusiasm and support for the equity work.

Director Simon expressed enthusiasm about the equity work and commented on BART leading the national transit community in exploring equity issues, BART's employee diversity, and the importance of public agencies' addressing racism.

President Foley commended the equity work; thanked the GARE cohort participants; expressed support for the equity strategy and a GARE-like training for the Board; commented on the touchpoints of riders, employees, and contractors and other agencies; and indicated appreciation for staff's work.

Director Simon, Chairperson of the Engineering and Operations Committee, had no report.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of State Legislation for Consideration before the Board.

Director Li moved that the Board of Directors support Assembly Constitutional Amendment (ACA) 1, Senate Constitutional Amendment (SCA) 2, and Senate Bill (SB) 10. Directors Saltzman and Simon seconded the motion.

Director Allen exited the Meeting.

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

Director Simon exited the Meeting.

Director Saltzman commented on Senate Bill (SB) 57.

Director Saltzman moved that the Board of Directors support SB 57. Director Li seconded the motion.

SB 57 was discussed, with the following highlights:

Director Li expressed alignment with Director Saltzman's comments and thanked Director Dufty for his work on the safe injection site issue.

Director Ames expressed support for SB 57 and requested a briefing on ACA 1, SCA 2, and SB 10.

President Foley expressed that he was conflicted about supporting SB 57 and commented on the support program referral provision in the bill.

Jim Lites addressed the Board.

Discussion continued, with the following highlights:

Director Raburn referenced a safe injection clinic in Vancouver, Canada; commented on monitoring SB 57 for willingness to amend the bill to mandate participation in a support program; and expressed that he was conflicted about SB 57.

Director McPartland expressed support for SB 57.

Director Dufty expressed support for SB 57.

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

Director Ames explained why she did not vote on ACA 1, SCA 2, and SB 10.

President Foley called for the General Manager's Report. Robert Powers, General Manager, reported on the Oakland Coliseum COVID-19 vaccination site.

Director Raburn announced that Coliseum Station has a new accessible fare gate at the elevator.

President Foley called for Board Member Reports, Roll Call for Introductions, and In Memoriam requests.

President Foley requested that the Meeting be adjourned in honor of Dwight Waller, Utility Worker at BART.

Director Raburn reported that he had attended the League of California Cities' legislative session, the League of Women Voters of Alameda's legislative session, the Service Review Advisory Committee for East Bay Paratransit meeting, the Alameda Chamber of Commerce meeting, a teleconference with the county health department, the Planning and Conservation League Assembly, the Bay Area Council's presentation on Link21, the San Francisco Business Times economic forecast event, the West Oakland Station modernization event with Director Simon, and California's Resilient and Inclusive Future presentation; and suggested that BART consider and plan for zero emission vehicles.

Director Dufty requested that the Meeting be adjourned in honor of The Honorable John J. Moylan, member of the Golden Gate Bridge Highway and Transportation District Board of Directors.

Director Saltzman reported that she and Director Simon had attended a virtual community meeting about the transit-oriented development vision plan in Berkeley and that she had attended a meeting with Upper Broadway Advocates.

Director Ames reported that she had attended a meeting with the City of Hayward and BART staff regarding the A-Line projects, the Link21 webinar, and climate action plan meetings with the community and City of Fremont; and that she would attend a Union City scoping session regarding Union City Station.

President Foley thanked Jeana Zelan Peterson, Attorney III, Office of the General Counsel, for her assistance with the Controller/Treasurer appointment and Board Appointed Officers' evaluations and recommended that a PowerPoint presentation containing the names of former employees and retirees who have passed away be presented at the Board meeting prior to Memorial Day.

The Meeting adjourned at 1:33 p.m. in honor of Dwight Waller and The Honorable John J. Moylan.

Patricia K. Williams
District Secretary