

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

Board of Directors
Minutes of the 1,888th Meeting
June 24, 2021

A regular meeting of the Board of Directors was held on June 24, 2021, convening at 9:03 a.m. via teleconference, pursuant to Governor Gavin Newsom's Executive Order N-08-21. President Foley presided; Jacqueline R. Edwards, District Secretary.

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

Directors Present: Directors Dufty, Li, McPartland, Raburn, Saltzman, Simon, and Foley.

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

President Foley announced that Item 7-C, Change Order to Contract No. 09AU-120, Earthquake Safety Program TBT Internal Retrofit, with Shimmick/CEC Joint Venture, for Contractor Watchpersons (C.O. No. 197), would be continued to the July 22, 2021 Board meeting, and that Item 8-A, Update on Transit-Oriented Development Program: Station Access and Parking, would be heard after Item 5, Controller/Treasurer's Report.

Director Allen entered the Meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of June 10, 2021.
 2. Renewal of Agreement with HaCon Ingenieurgesellschaft mbH for Software as a Service (SaaS) Licensing and Maintenance for the BART Multimodal Trip Planner.
 3. Award of Invitation for Bid No. 9098, A77 Special Trackwork.
 4. Award of Agreement No. 6M6150, Management Services to Operate BART's Bike Station Facilities.
 5. Award of Agreement No. 6M6151, Non-Competitive and Non-Federal Procurement with eLock Technologies, LLC, for On-Demand Bike Locker and Bike Station Kiosk Maintenance Services for BART's Bicycle Program.
 6. Agreement with Central Contra Costa Transit Authority to Provide Americans with Disabilities Act (ADA) Paratransit Services.
 7. Agreement with Eastern Contra Costa Transit Authority to Provide ADA Paratransit Services.
 8. Agreement with Livermore Amador Valley Transit Authority to Provide ADA Paratransit Services.
- Director Saltzman made the following motions as unit. Director Dufty seconded the motions.

1. That the Minutes of the Meeting of June 10, 2021, be approved.
2. That the General Manager be authorized to execute an agreement with HaCon Ingenieurgesellschaft mbH to renew software as a service (SaaS) licensing and maintenance for the BART Multimodal Trip Planner for a three-year term in an amount not to exceed \$540,285.86.
3. That the General Manager be authorized to award Invitation for Bid No. 9098, for the procurement of A77 Interlocking special trackwork to voestalpine Railway Systems Nortrak LLC, Cheyenne, WY for the bid price of \$2,748,228.86 including all taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest procedure.

(The foregoing motion was made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for this purpose.)

4. That the General Manager be authorized to award Agreement No. 6M6150, Management Services to Operate BART's Bike Station Facilities, to BikeHub for the price not to exceed \$2,804,495.00, subject to the District's protest procedures.
5. That the General Manager or his designee be authorized to negotiate and execute Agreement No. 6M6151, a five-year BikeLink locker and bike station kiosk maintenance agreement, with eLock Technologies in an amount not to exceed \$1.3 million.
6. That the General Manager be authorized to execute a cost-sharing agreement for the provision of ADA paratransit services for a period of up to ten years with the Central Contra Costa Transit Authority.
7. That the General Manager be authorized to execute a cost-sharing agreement for the provision of ADA paratransit services for a period of up to ten years with Eastern Contra Costa Transit Authority.
8. That the General Manager be authorized to execute a cost-sharing agreement for the provision of ADA paratransit services for a period of up to ten years with the Livermore Amador Valley Transit Authority.

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

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

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

President Foley brought the matter of Independent Police Auditor Quarterly Update before the Board. Russell Bloom, Independent Police Auditor (IPA), presented the item.

Aleta Dupree addressed the Board.

The item was discussed, with the following highlights:

Director Dufty thanked IPA Bloom and inquired about the failed body-worn camera activations.

Director Li thanked IPA Bloom; inquired about IPA Bloom's in-person public outreach strategy; and requested a status update on the BART Police Citizen Review Board's (BPCRB) creation of an Ad Hoc Working Group on Fare Evasion.

Director Saltzman supported Director Li's request for a status update on the BPCRB Ad Hoc Working Group on Fare Evasion and requested that the update be provided in memo format prior to the next IPA Quarterly Update; requested that staff include survey data regarding riders' awareness of the existence of the Office of the Independent Police Auditor (OIPA) in the Quarterly Service Performance Review (QPR); and expressed appreciation for IPA Bloom's work with the Communications Department to publish advertisements and messages regarding the existence of the OIPA.

Director Allen thanked IPA Bloom for his report; commented on the presentation of survey testing statement percentage results; inquired about the failed body-worn camera activations and IPA Bloom's investigation of failed body-worn camera activations during the one-minute buffer period; supported Director Saltzman's request to include survey data regarding riders' awareness of the existence of the OIPA in the QPR; requested that data from three IPA monthly reports be combined into a new data set included the IPA's quarterly update; and inquired about IPA Bloom's selection process for investigating complaints and the overall percentage of cases that he investigates in comparison to the total amount of complaints.

President Foley thanked IPA Bloom and his staff for their hard work and encouraged other Directors to reach out to the OIPA with any additional questions.

President Foley brought the matter of Quarterly Report of the Controller/Treasurer for the Period Ending March 31, 2021 before the Board. Christopher Gan, Interim Controller/Treasurer, presented the item.

Director Ames entered the Meeting.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Update on Transit-Oriented Development Program: Station Access and Parking before the Board. Val Menotti, Chief Planning and Development Officer; Kimberly Koempel, Principal Planner, Real Estate and Property Development; and Rachel Factor, Principal Planner, Station Area Planning, presented the item.

The following individuals addressed the Board:

Hayley Currier
Dave Campbell
Dan Schulman
Aleta Dupree
John Minot
Dan Cloak
Jamie Hiteshew
Anonymous Caller

The item was discussed, with the following highlights:

Director Saltzman recognized Hayley Currier of the Berkeley Community Advisory Group; thanked staff for their work with the City of Berkeley and City of El Cerrito; commented on the Berkeley-El Cerrito Corridor project as a great model for transit-oriented development (TOD) projects throughout

the District, decisions regarding replacement parking, maximizing affordable housing, ensuring access to stations, better management of parking fees, expanding the carpool program, and exploring off-site parking; and expressed support for ongoing and continued community input during the summer months.

Director McPartland commented on partnering with City Managers within his District and expressed support for the TOD program.

Director Ames inquired about the percentage of people that drive to the station, the creation of town centers, working with developers on maximizing land use, and the feasibility of the developer creating a shuttle system.

Director Li thanked the public speakers for their comments; recognized Transform for their work with BART's TOD program; thanked Directors Saltzman and Simon for their leadership, attending meetings, and their community outreach while working collaboratively with staff; commented on the importance of station access to building ridership; and requested that staff provide the Board with updates on Title VI outreach and parking management and policies.

Director Raburn commented on the El Cerrito Plaza Station TOD project; read a quote from Melanie Curry aloud; expressed that the proposal is an opportunity to transform El Cerrito Plaza Station into a regional center with a downtown area for the City of El Cerrito; and expressed support for minimal parking replacement at El Cerrito Plaza Station.

President Foley thanked public speakers for their comments; commented on the opportunity to provide housing and balancing BART's core mission of providing rail service; expressed concern about the TOD program potentially reducing revenue and negatively impacting the ability to provide affordable, reliable, clean, and safe service; requested that staff develop a metric to measure the success of a TOD project, regarding increasing revenue, generating ridership, and offsetting expenses; and commented on replacing reduced parking at stations with bus and shuttle service agreements.

Director Raburn inquired about when the item would be presented to the Board again.

Director Li, Chairperson of the Administration Committee, brought the matter of BART Digital Railway Project Update before the Board. Pamela Herhold, Assistant General Manager, Performance and Budget; Ravi Misra, Assistant General Manager, Technology; Travis Engstrom, Director of Technology; and Rodd Lee, Assistant General Manager, Office of External Affairs, presented the item.

The following individuals addressed the Board:

Aleta Dupree
Dana Tardelli
Sal Cruz

The item was discussed, with the following highlights:

President Foley inquired about whether the Project includes wayside wireless service between Pittsburg/Bay Point Station and Antioch Station and commented on ensuring that the whole system is treated equally under the Project.

Director Raburn inquired about when wayside wireless service will be extended into Santa Clara County and whether communications-based train control (CBTC) and enhanced video surveillance will be integrated into the wayside wireless service.

Director Li inquired about the status of Mobilitie's plan for how users will be able to use the Wi-Fi service.

Director Li brought the matter of Capital Project Selection Framework and Infrastructure Stimulus Update before the Board. Amanda Cruz, Manager of Government Relations and Legislative Affairs, Government and Community Relations; Priya Mathur, Manager of Financial Planning; and Rob Jaques, Principal Financial Analyst, Financial Planning, presented the item.

Aleta Dupree addressed the Board.

The item was discussed, with the following highlights:

Director Saltzman commented on the role of the Board, prioritizing projects, and the Board's involvement in the development of the next strategic plan and new capital program; and requested that staff present a report on this item at a future Board meeting.

Director Ames requested that staff provide the Board with the capital needs assessment report and commented on the seismic upgrades that might be needed in the system between Oakland and Fremont.

Director Allen expressed satisfaction with the presentation.

President Foley announced that Closed Session would not be held.

Director Simon, Chairperson of the Engineering and Operations Committee, brought the matters of (1) Sole Source Procurement with Advantech Corporation for Single Board Computers for Ticket Vending and Add Fare Machines; and (2) Award of Contract No. 15EK-230, Procurement of Portable Traction Power Substations, before the Board.

Director Dufty made the following motions as unit. Director Saltzman seconded the motions.

1. That pursuant to California Public Contract Code Section 20227, the Board of Directors finds that Advantech is the single source for the procurement of single board computers for the sole purpose of upgrading the operating systems on ticket vending machines and add fare machines currently in use throughout the District; and that the General Manager be authorized to award a sole source procurement contract to Advantech Corporation to procure single board computers for an amount not to exceed \$2,327,000.
2. That the General Manager be authorized to award Contract No. 15EK-230 Procurement of Portable Traction Power Substations to Balfour Beatty Infrastructure cable in the amount of \$15,704,981.00 (includes all applicable taxes), pursuant to notification to be issued by the General Manager and subject to the District's Protest Procedures, and Federal Transit Administration's (FTA) procedures relating to protests.

Aleta Dupree addressed the Board.

The items were discussed, with the following highlight:

Director Raburn inquired about the total number of existing ticket and add fare machines and the number of machines that would be procured under Item 7-A, Sole Source Procurement with Advantech Corporation for Single Board Computers for Ticket Vending and Add Fare Machines.

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

Director Simon brought the matter of BART's Service Plan Update before the Board. Assistant General Manager Allen presented the item.

Aleta Dupree addressed the Board.

The item was discussed, with the following highlights:

Director Dufty thanked Assistant General Manager Allen and Robert Powers, General Manager, for their assistance with providing train service for San Francisco Giants' evening baseball games and acknowledged BART leadership for their work with London Breed, Mayor of San Francisco, to provide train service following a fireworks display.

Director Li echoed Director Dufty's expression of gratitude; thanked Assistant General Manager Allen and Amalgamated Transit Union (ATU) for the additional schedules; and expressed appreciation for the additional train service.

Director Simon thanked Assistant General Manager Allen and staff for their work and requested that staff continuously reach out to local business owners, local chambers of commerce, restaurant associations, hotel associations, and union partners outside of BART, regarding the shift in train service and the pending increase of train service in late August.

Director Raburn brought the matter of Update on Regional Transit Coordination before the Board. Hannah Lindelof, Group Manager, Policy Planning, Strategic Planning and Systems Development, presented the item.

The item was discussed, with the following highlight:

Director Raburn inquired about the composition of the Transit Network Management Board and the Policy Advisory Council.

President Foley called for the General Manager's Report. General Manager Powers acknowledged BART's demonstration of pride for the LGBTQ community by dispensing short stories featuring LGBTQ characters and authors at Fruitvale, Richmond, Pleasant Hill/Contra Costa Centre, and Balboa Park stations; reported on BART's Diversity and Employee Resource Group's first virtual Pride Celebration and thanked Directors Saltzman and Simon for speaking at the event; reported that public service announcements created by BART staff were aired during Pride month; reported on Juneteenth celebrations in San Francisco and Hayward; thanked Director Simon for attending the San Francisco African American Chamber of Commerce Juneteenth event with Office of External Affairs staff; thanked Director Ames for attending the City of Hayward's National Association for the Advancement of Colored People (NAACP) inaugural event; provided an update and thanked Assistant General Manager Allen and Shane Edwards, Chief Maintenance and Engineering

Officer for their work on the A75 Interlocking Project ; and reported on the increase in ridership and continuous communication regarding the increase of service hours.

Aleta Dupree address the Board

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

Director Ames reported that she had attended the City of Hayward's first annual Juneteenth Freedom Celebration: Jobs, Wellness & Resource Fair and thanked Assistant General Manager Lee and Tamika Greenwood, Director of Government and Community Relations, for their attendance at the event; and reported that she had toured the Hayward Maintenance Complex.

Director Raburn reported that he had attended a walk audit of Richmond Station with Tom Butt, Mayor of the City of Richmond, BART Accessibility Task Force members, and Susan Poliwka, Senior Planner, Station Area Planning and that he had toured the new BART Research Laboratory located at the Metro Center; and thanked Wendy Wheeler, Manager of Computer Systems Engineering, Systems and Data Informatics Engineering, and Chief Maintenance and Engineering Officer Edwards for providing the tour of the BART Research Laboratory.

Director Dufty requested that the Meeting be adjourned in honor of Tony Rodriquez, a delegate and Trustee of the San Francisco Building and Construction Trades Council, on behalf of himself and Directors Li and Simon; reported that staff would remediate the palm trees, vegetation, and landscaping at 16th Street and Mission Street on July 2, 2021; reported that he had met with the Latino Task Force regarding COVID-19; and expressed appreciation for the work of General Manager Powers, Chief of Police Ed Alvarez, Sean Brooks, Director of Real Estate and Property Development, Paula Fraser, Assistant Chief Transportation Officer, Service Delivery, Roy Aguilera, Chief Transportation Officer, and Greg Lombardi, Assistant Chief Maintenance Officer, Facilities/Buildings, to provide access to COVID-19 testing.

Director Allen reported that she had toured the new BART Research Laboratory located at the Metro Center; thanked Computer Systems Engineering Manager Wheeler and Chief Maintenance and Engineering Officer Edwards for providing the tour of the BART Research Laboratory; and reported that she had met with Government and Community Relations Director Greenwood, that she had attended the Capitol Corridor Joint Powers Authority (CCJPA) Board meeting, and that she had attended the West Contra Costa Transportation Advisory Committee meeting.

Director Saltzman expressed interest in participating in a future BART Research Laboratory tour and reported that she had toured the new BART Headquarters office building and that she had attended the Link21 public workshops in Alameda and Contra Costa counties.

President Foley expressed interest in participating in a future BART Research Laboratory tour; reported that he had attended the Metropolitan Transportation Commission (MTC) Blue Ribbon Transit Recovery Task Force meeting, a meeting with Federal D. Glover, Contra Costa County Supervisor, District 5, and the West Contra Costa Transportation Advisory Committee meeting; and thanked Emilia Sanchez, Group Manager, Capital Projects, for providing a tour of the BART Headquarters office building.

The Meeting adjourned at 12:38 p.m. in honor of Tony Rodriguez.

Jacqueline R. Edwards
District Secretary