

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

BOARD MEETING AGENDA

February 12, 2015

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, February 12, 2015. This meeting shall consist of a simultaneous teleconference call at the following locations:

BART Board Room Kaiser Center 20 th Street Mall – Third Floor 344 – 20 th Street Oakland, CA 94612	Hotel Hume 422 Vernon Street Nelson, British Columbia V1L 4E5 Canada
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Members of the public may address the Board of Directors regarding any matter on this agenda. Please complete a “Request to Address the Board” form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under Public Comment.

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.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

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>), in the BART Board Room, and upon request, in person or via mail.

Meeting notices and agendas are available for review on the District's website (<http://www.bart.gov/about/bod/meetings.aspx>), and via email (https://public.govdelivery.com/accounts/CATRANBART/subscriber/new?topic_id=CATRANBART_1904) or via regular mail upon request submitted to the District Secretary. Complete agenda packets (in PDF format) are available for review on the District's website 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 300 Lakeside Drive, 23rd Floor, Oakland, CA 94612; fax 510-464-6011; or telephone 510-464-6083.

Kenneth A. Duron
District Secretary

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.
 - i. Police Chaplains.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meetings of January 22, 2015 (Regular), and January 29 and 30, 2015 (Special).* Board requested to authorize.
- B. Award of Invitation for Bid No. 8944, Procurement of Quill, Bull Gear.* Board requested to authorize.
- C. Execution of Agreement No. 6M3281, with the Regents of the University of California, Berkeley, for Membership in the Berkeley Seismological Lab Earthquake Research Affiliates Program.* Board requested to authorize.

3. BOARD MATTERS

- A. Consideration of Position on Prosecution of Protestors at West Oakland Station on November 28, 2014.* Board requested to approve. (Director Saltzman's request.)

4. ADMINISTRATION ITEMS

Director Keller, Chairperson

- A. Resolution Enacting Ordinance of the San Francisco Bay Area Rapid Transit District to Prohibit the Use of Electronic Smoking (Vapor) Devices (Electronic Cigarettes) on BART Trains, BART Facilities, and BART Property Whenever They Are Found within the District.* Board requested to adopt.
- B. (CONTINUED from January 22, 2015, Board Meeting)
Independent Auditor's Report on the Basic Financial Statements and Internal Control for the Fiscal Year Ended June 30, 2014.* For information.

5. ENGINEERING AND OPERATIONS ITEMS

Director McPartland, Chairperson

- A. Award of Contract No. 79HM-120, SFTS MB (San Francisco Transition Structure).* Board requested to authorize.

- B. Sole Source Procurement with Knorr Brake Corporation for Brake, Split Disc and Hub Assemblies.* Board requested to authorize. (TWO-THIRDS VOTE REQUIRED.)
- C. (CONTINUED from January 22, 2015, Board Meeting)
Customer Communications during Major Service Disruptions and Improvement Initiatives.* For information.
- D. (CONTINUED from January 22, 2015, Board Meeting)
Service Planning for Special Events.* For information.

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

Director Raburn, Chairperson

- A. 2015 State and Federal Legislative Goals.* Board requested to authorize.

7. GENERAL MANAGER'S REPORT

- A. Agreement between Capitol Corridor Joint Powers Authority and San Francisco Bay Area Rapid Transit District for Administrative Support.* Board requested to authorize.
- B. Review of the Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of February 18, 2015.* For information.
- C. Report of Activities, including Update of Roll Call for Introductions Items.

8. 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.)

9. PUBLIC COMMENT

(An opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda.)

10. CLOSED SESSION (Room 303, Board Conference Room)

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Kirchenbauer vs. Peters and BART, Alameda County
Superior Court Case No. RG13662225

Government Code Section: 54956.9(a)

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Shigeta vs. Washington Shoe Co., Nordstrom, and BART,
San Francisco County Superior Court Case No. CGC-10-
505362

Government Code Section: 54956.9(a)

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: San Francisco Bay Area Rapid Transit District vs. PPF
Industrial Whipple Road/Bowman Place, LP, et al., Case No.
RG13708269

Government Code Section: 54956.9(a)

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Doe vs. BART, Alameda County Superior Court Action
No. R14-740455

Government Code Section: 54956.9(a)