

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

BOARD MEETING AGENDA

November 21, 2013

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, November 21, 2013, in the BART Board Room, Kaiser Center 20th Street Mall – Third Floor, 344 – 20th Street, Oakland, California.

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 or via regular mail upon request. 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. Those interested in being on the mailing list for meeting notices (email or regular mail) can do so by providing the District Secretary with the appropriate address.

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.
Alan Smith, Vice Chair, BART Accessibility Task Force

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meetings of October 24, 2013 (Regular), and October 24, 2013 (Special).* Board requested to authorize.
- B. Amendment to the District's Conflict of Interest Code.* Board requested to approve.
- C. Resolution of Project Compliance and Initial Project Report for Regional Measure 1, Regional Measure 2 and AB1171 Bridge Toll Funds for the eBART Project.* Board requested to adopt.
- D. BART Accessibility Task Force New Member Appointment.* Board requested to appoint.
- E. Resolutions Fixing the Employer's Contribution under the Public Employees' Medical and Hospital Care Act.* Board requested to adopt.
- F. Reject All Bids for Contract No. 59CT-110, Wayfinding Improvements Phase II.* Board requested to reject.

3. ADMINISTRATION ITEMS

Director Murray, Chairperson

- A. Lease for Approximately 22,480 Square Feet of Warehouse Space at 1085 Whipple Avenue, Hayward, California.* Board requested to authorize.
- B. Condemnation of Real Property for the Hayward Maintenance Complex Project, BART Parcel Numbers O-ACHMC1-1A, O-ACHMC2-1A, and O-ACHMC3-1A.* Board requested to authorize. (TWO-THIRDS VOTE REQUIRED.)
- C. Amendment to Agreement No. 6M4303, with Gummerson & Conhain, Inc., for Negotiator Services.* Board requested to authorize.
- D. Productivity-Adjusted Inflation-Based Fare Increase Program.
 - i. Updated Title VI Equity Assessment for the Extension of the Productivity-Adjusted Inflation-Based Fare Increase Program.* Board requested to approve.
 - ii. Amendment to Resolution No. 5208, New Fare Rates and Charges: Productivity-Adjusted Inflation-Based Fare Increases.* Board requested to authorize.

4. ENGINEERING AND OPERATIONS ITEMS

Director Fang, Chairperson

- A. (CONTINUED from October 24, 2013, Board Meeting)
Procurement of Transit Vehicles: Exercise Option 2, for 150 Transit Vehicles; Option 3, for 115 Transit Vehicles; and Option 4, for 100 Transit Vehicles, of Contract No. 40FA-110, with Bombardier Transit Corporation.* Board requested to authorize.
- B. Change Order to Contract No. 79HM-110, San Francisco Transition Structure Security Barrier (SFTS SB), with Taber Construction, Inc., for Temporary Suspension – Contractor Costs (C.O. No. 22).* Board requested to authorize.
- C. Project Changes and Third Addendum to the East Contra Costa BART Extension (eBART Project) Final Environmental Impact Report.* Board requested to authorize.

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

Director Blalock, Chairperson

- A. Authorize a Cooperative Agreement with the City of Oakland and a Lease Agreement for an Attended Bike Station at 19th Street/Oakland Station.* Board requested to authorize.
- B. California Passenger Rail Program Guiding Principles.* Board requested to adopt. (Director Murray's request.)

6. GENERAL MANAGER'S REPORT

NO REPORT.

7. BOARD MATTERS

- A. Board of Directors Role in Investigations of the October 19, 2013, Right of Way Accident. For discussion and potential action. (Directors Fang, Mallett, and Murray's request.)
- B. (CONTINUED from October 10, 2013, Board Meeting)
Board Meeting Schedule. For discussion. (Directors Mallett and Saltzman's request.)
- C. Board Member Reports.
(Board member reports as required by Government Code Section 53232.3(d) are available through the Office of the District Secretary.)
- D. 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.)

8. 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.)

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

A. CONFERENCE WITH REAL ESTATE NEGOTIATORS

Property: 300 Lakeside Drive and 344 20th Street, Oakland, CA
District Negotiators: Robert Powers, Assistant General Manager, Planning & Development; and Jeffrey P. Ordway, Manager, Real Estate and Property Development
Negotiating Parties: The Swig Co., and San Francisco Bay Area Rapid Transit District
Under Negotiation: Price and Terms
Government Code Section: 54956.8

B. CONFERENCE WITH REAL ESTATE NEGOTIATORS

Property: Property Located at the San Leandro BART Station
District Negotiators: Robert Powers, Assistant General Manager, Planning & Development; and Jeffrey P. Ordway, Manager, Real Estate and Property Development
Negotiating Parties: Bridge Housing Corporation and San Francisco Bay Area Rapid Transit District
Under Negotiation: Price and Terms
Government Code Section: 54956.8

C. CONFERENCE WITH LABOR NEGOTIATORS

Designated representatives: Grace Crunican, General Manager; Paul Oversier, Assistant General Manager, Operations; Rudolph Medina, Department Manager – Labor Relations; and Thomas P. Hock, Veolia Transportation, Inc.
Employee Organizations: (1) Amalgamated Transit Union, Local 1555;
(2) American Federation of State, County and Municipal Employees, Local 3993;
(3) BART Police Officers Association;
(4) BART Police Managers Association;
(5) Service Employees International Union, Local 1021; and
(6) Service Employees International Union, Local 1021, BART Professional Chapter
(7) Unrepresented employees (Positions: all)
Government Code Section: 54957.6

10. OPEN SESSION

A. Resolution Ratifying Collective Bargaining Agreement with the Amalgamated Transit Union, Division 1555.* Board requested to authorize.

B. Resolution Ratifying Collective Bargaining Agreement with the Service Employees International Union, Local 1021, including the BART Professional Chapter.* Board requested to authorize.