

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

Board of Directors
Minutes of the 1,812th Meeting
April 26, 2018

A regular meeting of the Board of Directors was held April 26, 2018, convening at 9:00 a.m. in the Board Room, 2040 Webster Street, Oakland, California. President Raburn presided; Patricia K. Williams, Interim District Secretary.

Directors present: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Saltzman, and Raburn.

Absent: None. Director Simon entered the meeting later.

President Raburn called for Introduction of Special Guests. General Manager Grace Crunican introduced Carl Holmes III as the Acting General Manager for Take Our Daughters and Sons to Work Day. President Raburn also introduced Mr. Mark Green, Former Mayor, Union City, CA.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of April 12, 2018.
2. Award of Invitation for Bid No. 9045, C-Car Cab Windows.

Director Allen requested that the Minutes be amended to clarify her request on Item 2-C, OIR Recommendations for Improvement to the BART Police Oversight Structure.

Director Saltzman made the following motions as a unit. Director Blalock seconded the motions, which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Saltzman, and Raburn. Noes - 0. Absent – 1: Director Simon.

1. That the Minutes of the Meeting of April 12, 2018, be approved as amended.
2. That the General Manager be authorized to award Invitation For Bid No. 9045 for the Procurement of C-Car Cab Windows, to Baktek, for the not to exceed price of \$162,430.00, plus applicable taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures.

(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.)

President Raburn announced that the order of agenda items would be changed.

Director Blalock, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of BART to Livermore: Project Update and Summary of Public Outreach before the Board. Mr. Robert Powers, Deputy General Manager; Mr. Carl Holmes, Assistant General Manager of Planning, Development and Construction; Mr. Val Menotti, Chief Planning and

Development Officer; and Mr. Andrew Tang, Principal Planner, presented the item. The item was discussed.

Director Simon entered the meeting.

The following individuals addressed the Board:

John Marchand
Robert S. Allen
Lynda Seaver
Susanna Chau
Mary Perner
Cathy Gabor
Van Rainey
Ellen Morris
David Best
Bob Allen
Mike Tassano
Lori Parks
Roland LeBrun
Marianne Payne
Brian Warner
Eddie Alvarez
Joel Ramos
Stewart Cohen
John Arantes

Discussion continued.

Director McPartland exited the meeting.

Director Allen, Chairperson of the Administration Committee, brought the matter of Award of Agreement No. 6M7266, Manager, Advertising Franchise Program, before the Board. Ms. Pamela Herhold; Acting Assistant General Manager, Performance and Budgets; Mr. Aaron Weinstein, Department Manager, Marketing and Research; and Ms. Catherine Westphall, Manager, Advertising Franchising, presented the item. The item was discussed.

Director Dufty introduced Ryan Brooks, Outfront Media.

Discussion continued.

Director Dufty moved that the General Manager be authorized to award Agreement No. 6M7266, for the BART Advertising Franchise, to OUTFRONT Media Group LLC, pursuant to notification to be issued by the General Manager and subject to compliance with the District's protest procedures. Director Simon seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, Saltzman, Simon, and Raburn. Noes - 0. Absent – 1: Director McPartland.

Director Allen brought the matter of Award of Agreement No. 6M2067, Brokerage Services for an Owner – Controlled Insurance Program (OCIP) before the Board. President Raburn moved that the Controller/Treasurer be authorized to award Agreement No. 6M2067, to Aon Risk Insurance Services West, Inc., to provide brokerage services for OCIP for a period of three years with two one-year options, in a total amount, including options, not to exceed \$6,105,628.00, pursuant to notification to be issued by the General Manager and subject to the District’s protest procedures and Federal Transportation Administration’s (FTA) requirements related to protest procedures. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, Saltzman, Simon, and Raburn. Noes - 0. Absent – 1: Director McPartland.

Director Allen brought the matter of Fiscal Year 2019 Budget Procedural Actions: Set Date for Public Hearing, Publish Pamphlet before the Board. Ms. Herhold; Mr. Dennis Markham, Department Manager, Operating Budgets; and Mr. Michael Eiseman, Division Manager, Financial Planning, presented the item. The item was discussed.

President Raburn moved that the Board adopt the following motion: That the staff be directed to publish a Budget Pamphlet for Fiscal Year 2019 to be available for distribution no later than May 1, 2018; and that a public hearing on the Fiscal Year 2019 Preliminary Budget be set for Thursday, May 24, 2018, in the Board Room. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, Saltzman, Simon, and Raburn. Noes - 0. Absent – 1: Director McPartland.

Director Allen brought the matter of Fiscal Year 2019 Preliminary Budget before the Board. Ms. Crunican, Ms. Herhold, Mr. Markham and Mr. Eiseman presented the item. The item was discussed.

Jerry Grace and Yuri Hollie addressed the Board.

President Raburn announced that the Board would enter into closed session under Item 10-A (Conference with Labor Negotiators), Item 10-B (Public Employee Employment), and Item 10-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 12:51 p.m.

The Board Meeting reconvened in closed session at 12:58 p.m.

Directors present: Directors Allen, Blalock, Keller, Saltzman, Simon and Raburn.

Absent: Director McPartland. Directors Dufty and Josefowitz entered the meeting later.

Directors Josefowitz and Dufty entered the meeting.

Director Dufty exited the meeting.

Director Saltzman exited the meeting.

The Board Meeting recessed at 2:27 p.m.

The Board Meeting reconvened in open session at 2:28 p.m.

Directors present: Directors Allen, Blalock, Josefowitz, Keller, Simon, and Raburn.

Absent: Directors Dufty, McPartland, and Saltzman.

President Raburn announced that the Board had concluded its closed session and that there were no announcements to be made

Director Simon, Chairperson of the Engineering and Operations Committee, brought the matter of Valley Transportation Authority/Bay Area Rapid Transit Silicon Valley Phase II Extension Project before the Board.

Director Simon introduced and thanked Carolyn Gonut and staff of Valley Transportation Authority (VTA).

Mr. Paul Oversier, Assistant General Manager, Operations; Mr. Powers; Mr. Menotti,; and Ms. Susan Poliwka, Senior Planner, Systems Development, presented the item. The item was discussed.

The following individuals addressed the Board:

Carolyn Gonut
Marianne Payne
Christine Fitzgerald
Tricia Kokes
Richard Hackman
Scott Kines
Jerry Grace
Roland LeBrun

Discussion continued.

Director Josefowitz moved that after review and consideration of VTA's BART Silicon Valley Phase II Extension Project (SVSX) Final Subsequent Environmental Impact Report (SEIR) and related Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Plan (MMRP) adopted by VTA on April 5, 2018, the Board:

1. Pursuant to the Comprehensive Agreement, accepts the BART Silicon Valley Phase II Extension Project SEIR.
2. Adopts VTA's Findings and Statement of Overriding Considerations for the SEIR.
3. For each Finding by VTA that changes or alterations have been required in or incorporated into the project to avoid or substantially lessen a significant environmental effect, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15091(a)(1), finds that such changes or alterations are within the responsibility and jurisdiction of VTA and have been adopted by VTA, pursuant to CEQA Guidelines Section 15091(a)(2).

4. Pursuant to the Comprehensive Agreement, approves the Silicon Valley Phase II Extension Project.

Director Simon seconded the motion, which carried by electronic vote. Ayes – 5: Directors Blalock, Josefowitz, Keller, Simon, and Raburn. Noes - 0. Abstain – 1: Director Allen. Absent – 3: Directors Dufty, McPartland, and Saltzman.

Director Allen brought the matter of Regional Means – Based Fares Program Update before the Board. Ms. Crunican and Ms. Herhold presented the item. The item was discussed.

Director Simon exited the meeting.

Director Allen brought the matter of California Public Employees Retirement System (CalPERS) Amortization Policy Changes before the Board. Mr. Michael Jones, Assistant General Manager, Administration; Ms. Diane Iwata, Human Resources, Division Manager; and Ms. Mary Beth Redding, Vice President Bartel Associates, Inc. presented the item. The item was discussed.

Director Allen brought the matter of Other Post – Employment Benefits (OPEB) Retiree Medical Valuation before the Board. Mr. Jones; Ms. Iwata; and Ms. Redding presented the item.

Jerry Grace addressed the Board.

Director Keller exited the meeting.

The Meeting was adjourned in memory of Harvey Peskin at 3:40 p.m. for lack of quorum.

Patricia K. Williams
Interim District Secretary