

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

Board of Directors
Minutes of the 1,787th Meeting
May 11, 2017

A special meeting of the Board of Directors was held May 11, 2017, convening at 9:05 a.m. in the Board Room, 344 20th Street, Oakland, California; and Moose Lodge No. 1491, 20835 Rutledge Rd., Castro Valley, CA 94596. President Saltzman presided; Kenneth A. Duron, District Secretary.

Directors present in Oakland: Directors Blalock, Dufty, Keller, Simon and Saltzman.

Directors present in Castro Valley: Director McPartland.

Absent: None. Directors Allen, Josefowitz and Raburn entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of April 27, 2017 (Regular).

Director Dufty made the following motion. Director Blalock seconded the motion, which carried by unanimous Roll call vote. Ayes - 6: Directors Blalock, Dufty, Keller, McPartland, Simon and Saltzman. Noes - 0. Absent – 3: Directors Allen, Josefowitz and Raburn.

1. That the Minutes of the Meeting of April 27, 2017 (Regular) be approved.

President Saltzman called for Public Comment. Darrel Carey addressed the Board.

Director Raburn entered the meeting.

Director McPartland, Chairperson of the Administration, Workforce, and Legislation Committee, brought the matter of Modification to Small Business Program before the Board. Mr. Wayne Wong, Department Manager, Office of Civil Rights, presented the item.

Directors Allen and Josefowitz entered the meeting.

The following individuals addressed the Board:

Cleminatu Fields

Charrisa Frank

The item was discussed. Director Raburn moved that the Board adopt the modifications to BART's Small Business Program for non-Federal Contracts by adding a Local Small Business Preference on contracts that are funded in part or in whole by BART Measure RR, for firms located in the counties of Alameda, Contra Costa and San Francisco, that meet either the SB Prime Preference or the SB Subcontractor Participation Goal. Director Saltzman seconded the motion, which carried by unanimous roll call vote. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes – 0.

Director Dufty, Vice-Chairperson of the Administration, Workforce, and Legislation Committee, brought the matter of Agreement with George Hills Company for Public Liability Claims Adjusting Services (Agreement No. 6M2061) before the Board. Ms. Rose Poblete, Controller/Treasurer presented the item. The item was discussed. Director McPartland moved that the Board authorize the Controller/Treasurer to award Agreement No. 6M2061 to George Hills Company for public liability claims adjusting services for a not to exceed amount of \$459,900, pursuant to notification to be issued by the Controller/Treasurer and subject to the District's protest procedures. Furthermore, that the Controller/Treasurer is authorized to exercise two options for a not to exceed amount of \$162,000 each. Director Raburn seconded the motion.

Director Blalock requested to amend the motion to state that the Board authorize the Controller/Treasurer to award Agreement No. 6M2061 to George Hills Company for public liability claims adjusting services for a not to exceed amount of \$459,900 for the three year term of the contract with two (2) one-year options for up to \$162,000 for each option year pursuant to notification to be issued by the Controller/Treasurer and subject to the District's protest procedures. The amendment was accepted by Directors McPartland and Raburn who moved and seconded the item. The motion carried by unanimous roll call vote. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes – 0.

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

Director Raburn, Chairperson of the Planning Committee, brought the matter of North Concord to Antioch Station Access Study and Proposed Brentwood Transit Center before the Board. Mr. Val Menotti, Chief Planning and Development Officer, Ms. Ellen Smith, Planning Division Manager and Mr. Ian Griffiths, Senior Planner, presented the item.

The following individuals addressed the Board:

Jeanne Krieg
Bruce "Ole" Ohlson

The item was discussed. Director Keller moved that the Board adopt Resolution No. 5339 in the matter of support of the Brentwood Transit Center and Mokelumne Trail Bridge. Director Blalock seconded the item. The motion carried by unanimous roll call vote. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes – 0.

Director Josefowitz, Chairperson of the Finance, Budget, and Bond Oversight Committee, brought the matter of Safety, Reliability and Traffic Relief Program: Implementation Plan before the Board. Ms. Tamar Allen, Chief Maintenance & Engineering Officer; Mr. Carl Holmes, Group Manager, Capital Programs, Maintenance & Engineering; Mr. Val Menotti, Chief Planning and Development Officer; and Mr. Robert Mitroff, Chief Planning and Development Officer, presented the item.

The item was discussed.

Director Josefowitz brought the matter of Fiscal Year 2018 Preliminary Budget Sources, Uses and Service Plan, Capital Budget before the Board. Mr. Carter Mau, Assistant General Manager, Administration and Budgets; Mr. Umbreit, Department Manager, Operating Budgets; Ms. Pamela Herhold, Department Manager, Financial Planning, and Mr. Dennis Markham, Division Manager, Financial Planning; Mr. Paul Oversier, Assistant General Manager of Operations; and Mr. Val Menotti, Chief Planning and Development Officer, presented the item.

Jerry Grace addressed the Board.

The item was discussed.

Director Josefowitz exited the meeting.

Director Keller, Chairperson of the Operations and Safety Committee, brought the matter of Change Order to Contract No. 79HM-120, SFTS – MB San Francisco Transition Structure, with Manson Construction for Additional Weld Test Requirements (C.O. No. 41 Part 2), before the Board. Director Blalock moved that the General Manager be authorized to execute Change Order No. 41 Part 2, Additional Weld Test Requirements, in the not-to-exceed amount of \$369,639.00 to Contract No. 79HM-120, SFTS MB with Manson Construction Company, Inc. Director Dufty seconded the motion, which carried by unanimous roll call vote. Ayes – 8: Directors Allen, Blalock, Dufty, Keller, McPartland, Raburn, Simon, and Saltzman. Noes – 0. Absent – 1. Director Josefowitz.

Director Keller brought the matter of Change Order to Contract No. 59CT-120, Wayfinding Improvements Phase III, with L C General Engineering and Construction for Capitol Corridor Transit Information Displays (C.O. No. 7) before the Board. The item was discussed. President Saltzman moved the General Manager is authorized to execute Change Order No. 7, Capitol Corridor Transit Information Displays, in the not to exceed amount of \$480,000.00 to Contract No. 59CT-120, Wayfinding Improvements Phase III, with L C General Engineering and Construction Inc. Director Dufty seconded the motion, which carried by unanimous roll call vote. Ayes – 8: Directors Allen, Blalock, Dufty, Keller, McPartland, Raburn, Simon, and Saltzman. Noes – 0. Absent – 1. Director Josefowitz.

President Saltzman called for the General Manager's Report. Ms. Grace Crunican, General Manager, reported that BART received an award from the City of Oakland's Mayor's office for being a champion supporting internship programs in Oakland, reported on open Roll Call for Introductions items, and reminded the Board of upcoming events. Mr. Paul Oversier, Assistant General Manager, Operations reported on plans for the A15 Closure/Shutdown during the coming weekend. Ms. Kerry Hamill, Assistant General Manager, External Affairs reported on BART's activity to increase weekend ridership by handing out free Oakland Athletics weekend tickets at various BART Stations.

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

Director Raburn reported on his participation at the Fruitvale Cinco de Mayo Celebration and Community outreach on the Operations Control Center.

Director Blalock reported on attending a Grand Opening of a Housing Complex that was previously part of the Hayward Station parking lot.

Director Simon reported on attending the Alameda County Labor Council and the City of Oakland Annual Award Celebration. Director Simon introduced Ben & Leah summer interns working with her over the summer.

Director Dufty reported and thanked Director Raburn and the BART staff that attended the Homeless roundtable at St. Anthony's.

President Saltzman called for Public Comment: Jerry Grace addressed the Board.

President Saltzman announced that the Board would enter into closed session under Item 11-A (Conference with Legal Counsel – Existing Litigation) & 11-B (Conference with Labor Negotiators) of the special Meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 1:22 p.m.

The Board Meeting reconvened in closed session at 1:30 p.m.

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

Absent: Director Josefowitz.

The Board Meeting recessed at 2:20 p.m.

The Board Meeting reconvened in open session at 2:22 p.m.

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

Absent: Directors Josefowitz and McPartland.

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

President Saltzman brought the matter of Collective Bargaining Agreements Regarding East Contra Costa BART Extension (eBART) Operating and/or Maintenance before the Board. Director Keller moved as a unit that the Board adopt Resolution No. 5340 In the Matter of Ratifying the 2017-2022 Collective Bargaining Agreement between the District and the Amalgamated Transit Union; adopt Resolution No. 5341 In the Matter of Ratifying the 2017-2022 Collective Bargaining Agreement between the District and the American Federation of State, County and Municipal Employees; adopt Resolution No. 5342 In the Matter of Ratifying the 2017 -2022 Collective Bargaining Agreement between the District and the Service Employees International Union. Directors Dufty, Raburn and Simon seconded the motions, which carried by unanimous electronic vote. Ayes – 6: Directors Blalock, Dufty, Keller,

Raburn, Simon, and Saltzman. Noes – 0. Abstention – 1. Director Allen. Absent – 2.
Directors Josefowitz and McPartland.

The Meeting was adjourned at 2:25 p.m.

Kenneth A. Duron
District Secretary