

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

BOARD MEETING AGENDA

February 11, 2016

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, February 11, 2016, 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 (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.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meetings of January 14, 2016 (Continued from January 28, 2016, Board Meeting); January 28, 2016 (Regular); January 28, 2016 (Special); and February 4, 2016 (Special).* Board requested to authorize.
- B. Resolution Authorizing the Execution of a Project Application for the Fiscal Year 2015-16 Low Carbon Transit Operations Program.* Board requested to adopt.
- C. Award of Contract No. 15NU-110, Station Access, Parking, Path, and Wayfinding Improvements North Concord and Pittsburg/Bay Point Stations.* Board requested to authorize.
- D. Award of Invitation for Bid No. 8974, Truck, Track Crew.* Board requested to authorize.
- E. Award of Invitation for Bid No. 8978, Lining, Brake, Bonded Assembly.* Board requested to authorize.
- F. Award of Invitation for Bid No. 8982, Motor, Condenser Fan A2/B2.* Board requested to authorize.
- G. Award of Invitation for Bid No. 8986, Truck, Weld, Heavy Duty.* Board requested to authorize.
- H. Award of Invitation for Bid No. 8987, Regulators, Ballast, 66" Wide Gauge.* Board requested to authorize.
- I. Award of Invitation for Bid No. 8988, Turnouts, Concrete, Tie, #10.* Board requested to authorize.

3. PUBLIC COMMENT – 15 Minutes

(An opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda. An additional period for Public Comment is provided at the end of the Meeting.)

4. ADMINISTRATION ITEMS

Director Saltzman, Chairperson

- A. Warm Springs/ South Fremont BART Station Parking Fees.* Board requested to authorize. (TWO-THIRDS VOTE REQUIRED.)
- B. Parking Control Fees at Coliseum Station during Events at O.Co Coliseum and Oracle Arena.* Board requested to authorize.
- C. Modifications to Parking Citation Fines at BART District Parking Facilities.* Board requested to authorize.
- D. BART Major Projects Stabilization Agreement.* For information.

5. ENGINEERING AND OPERATIONS ITEMS

Director McPartland, Chairperson

- A. Escalator Status Report.* For information.
- B. Station Maintenance Standards.* For information.
- C. Quarterly Performance Report, Second Quarter Fiscal Year 2016 - Service Performance Review.* For information.

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

Director Raburn, Chairperson

- A. Warm Springs/South Fremont BART Station West Side Access Bridge.* Board requested to authorize.
- B. 2016 State and Federal Legislative Goals.* Board requested to authorize.
- C. Draft Bond Expenditure Program 2016.* For information.
- D. 2016 Regional and Local Funding Opportunities and Efforts.* For information.
- E. Development Opportunities at Balboa Park Station.* For information.

7. GENERAL MANAGER'S REPORT

- A. Review of the Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of February 17, 2016.* For information.
- B. Report of Activities, including Updates of Operational, Administrative, and Roll Call for Introductions Items.

8. BOARD MATTERS

- A. Policy Regarding Divestment from Investments in Thermal Coal.* Board requested to authorize. (Director Josefowitz's request.)

- B. **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.)
- C. **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.)
- D. **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: BART vs. General Reinsurance Corp., US District Court 14CV 1866 JSC
Government Code Section: 54956.9(a)

B. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Name of Case: Alameda Superior Court Action No. RG14-733322
Government Code Section: 54956.9(a)

C. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Name of Case: Freeman vs. BART, Alameda Superior Court Action No. RG14-736843
Government Code Section: 54956.9(a)

D. **PUBLIC EMPLOYEE EMPLOYMENT/ APPOINTMENT**

Title: Independent Police Auditor; Interim Independent Police Auditor
Government Code Section: 54957 (b) (1)

E. **CONFERENCE WITH NEGOTIATORS**

Designated Representatives: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, and Saltzman
Title: Independent Police Auditor; Interim Independent Police Auditor
Government Code Section: 54957.6

11. **OPEN SESSION**

- A. **Compensation and Benefits for Interim Independent Police Auditor.**