

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

BOARD MEETING AGENDA

February 13, 2014

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, February 13, 2014, in the BART Board Room, Kaiser Center 20<sup>th</sup> Street Mall – Third Floor, 344 – 20<sup>th</sup> 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](mailto:BoardofDirectors@bart.gov); in person or U.S. mail at 300 Lakeside Drive, 23<sup>rd</sup> 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 December 19, 2013, and January 23, 2014.\* Board requested to authorize. (7)
- B. Revision to 2014 Standing Committee and Special Appointments.\* Board requested to authorize. (7)
- C. Resolution of Local Support for the Regional Transportation Improvement Program (RTIP) Funds for the Stations Modernization Improvements Program.\* Board requested to adopt. (1)
- D. Resolution of Local Support for a Metropolitan Transportation Commission (MTC) Transit Performance Initiative Project Application for the BART Metro Priority Improvements Project.\* Board requested to adopt. (1)
- E. Award of Contract No. 15EI-170, Power Transformer Replacement and Installation for SBS and SPS Auxiliary Substations.\* Board requested to authorize. (11)
- F. Fiscal Year 2014 First Quarter Financial Report.\* For information. (1)

3. ADMINISTRATION ITEMS

Director Saltzman, Chairperson

- A. Resolution Authorizing Northern California Power Agency Renewable Power Purchase Agreement.\* Board requested to adopt. (1)
- B. Time Extension for Agreement No. 6M4042, Broker and On-Call Consulting Services for Employee Benefits.\* Board requested to authorize. (1)

4. ENGINEERING AND OPERATIONS ITEMS

Director McPartland, Chairperson

- A. Change Order to Contract No. 15PP-110A, BART Earthquake Safety Program Station Structures – C Line, with ProVen Management, Inc., for New Storefront Window Walls at Walnut Creek Station (C.O. No. 84).\* Board requested to authorize. (12)
- B. Quarterly Performance Report, Second Quarter Fiscal Year 2014 - Service Performance Review.\* For information. (11)

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

Director Raburn, Chairperson

- A. Proposed Transit-Oriented Development at the Millbrae Station - Report.\* For information. (12)

6. GENERAL MANAGER'S REPORT

- A. Review of the Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of February 19, 2014.\* For information. (3)

7. BOARD MATTERS

- A. Labor Negotiations Review Ad Hoc Committee.\* (7)
  - i. Report of the Committee. For information.
  - ii. Request for Authority. Board requested to authorize.
- B. Resolution Commending Detective Sergeant Thomas A. Smith.\* Board requested to adopt. (4)
- 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.)
- E. In Memorium.  
(An opportunity for Board members to introduce individuals to be commemorated.)

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 LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: one potential case.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 300 Lakeside Drive and 344 20<sup>th</sup> Street, Oakland, CA  
 District Negotiators: Robert Powers, Assistant General Manager, Planning & Development; and Jeffrey P. Ordway, Department 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

10. OPEN SESSION

- A. Prevailing Wage Policy for Transit-Oriented Development for the East Parcel of the Walnut Creek Transit Village Project. Board requested to authorize. (12)
- B. Expansion of District’s Existing Leased Space at 300 Lakeside Drive and 344 20<sup>th</sup> Street, Oakland, CA, and Extension of Existing Lease Term. Board requested to authorize. (7)

Staff Contacts:

(1)	Carter Mau	464-6194	Administration and Budget
(2)	Kenton Rainey	464-7022	BART Police Department
(3)	David Kutrosky	464-6993	Capitol Corridor
(4)	Kerry Hamill	464-6153	External Affairs
(5)	Mark Smith	874-7472	Independent Police Auditor
(6)	Scott Schroeder	464-6070	Office of the Controller/Treasurer
(7)	Kenneth A. Duron	464-6080	Office of the District Secretary
(8)	Matthew Burrows	464-6037	Office of the General Counsel
(9)	Grace Crunican	464-6060	Office of the General Manager
(10)	Marcia deVaughn	464-6126	Office of the General Manager
(11)	Paul Oversier	464-6710	Operations
(12)	Robert Powers	874-7410	Planning and Development