

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

BOARD MEETING AGENDA

December 3, 2015

9:00 a.m.

Please Note: The first business item on the Agenda is Closed Session. The Board will reconvene in Open Session at 10:00 a.m. or immediately following the Closed Session, whichever is later.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, December 3, 2015, 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 Meeting of November 19, 2015.* Board requested to authorize.
- B. Removal of Term Limit for Reserve Fund/Risk Management Ad Hoc Committee.* Board requested to ratify.
- C. Resolution Authorizing Statement of Continued Interest for Funding from the Affordable Housing and Sustainable Communities Program.* Board requested to adopt.

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

- A. **CONFERENCE WITH LABOR NEGOTIATORS; PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Agency Negotiators: Directors Blalock, Radulovich, and Keller
Titles: General Manager, General Counsel,
Controller/Treasurer, District Secretary, and
Independent Police Auditor
Gov't. Code Sections: 54957 and 54957.6

4. OPEN SESSION (**10:00 a.m.** or immediately following the Closed Session, whichever is later.)

- A. Compensation and Benefits for General Manager, General Counsel, District Secretary, and Independent Police Auditor. Board requested to authorize.

5. ADMINISTRATION ITEMS

Director Keller, Chairperson

- A. Professional Services Agreement with the Mineta Transportation Institute for Workforce Development, Education, Research and Other Services.* Board requested to authorize.
- B. Title VI Assessment for Discontinuing the BART Plus Ticket Program.* Board requested to approve.

- C. Change Order to Agreement No. 6M4135, Short and Long Term Disability, and Life and Accidental Death and Dismemberment Insurance Services, with Standard Insurance Company, for Time Extension and Increase of Contract Value.* Board requested to authorize.

6. ENGINEERING AND OPERATIONS ITEMS

Director McPartland, Chairperson

- A. (CONTINUED from November 19, 2015, Board Meeting)
Award of Contract No. 11OG-130A, Balboa Park Station – Phase 2.*
Board requested to authorize.
- B. Agreements for Detailed Station Cleaning Services.*
 - a. Agreement No. 6M8098A, with Aim to Please Janitorial Services, Inc.
 - b. Agreement No. 6M8099, with Zero Waste Solutions
 - c. Agreement No. 6M8100, with Bay Area Green SolutionsBoard requested to authorize.
- C. Train Control Modernization Program for the Design, Supply and Installation of a Communications Based Train Control (CBTC) System (Project) and Implementation Actions, including Solicitation Documents for a CBTC System Using Design-Build Procurement Method.* Board requested to approve and authorize.

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

Director Raburn, Chairperson

NO ITEMS.

8. GENERAL MANAGER'S REPORT

- A. Report of Activities, including Updates of Operational, Administrative, and Roll Call for Introductions Items.

9. BOARD MATTERS

- A. Policy Requiring Inclusion of Affordable Housing in Proposed Development Projects at BART Stations.* Board requested to adopt. (Director Mallett'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.)

10. 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.)

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

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Ho vs. BART, USDC Action No. C15-01128 HSG

Government Code Section: 54956.9(a)

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Alexander vs. BART, USDC Action No. C15-3225 HSG

Government Code Section: 54956.9(a)

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Property Located at the Millbrae BART Station

District Negotiators: Robert Powers, Assistant General Manager, Planning & Development; Jeffrey P. Ordway; and Sean Brooks, Manager, Real Estate and Property Development

Negotiating Parties: Urban Republic and San Francisco Bay Area Rapid Transit District

Under Negotiation: Price and Terms

Government Code Section: 54956.8

12. OPEN SESSION