

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

Board of Directors  
Minutes of the 1,805th Meeting  
January 11, 2018

A regular meeting of the Board of Directors was held January 11, 2018, convening at 9:01 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Raburn presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Dufty, Josefowitz, McPartland, and Raburn.

Absent: Director Keller. Directors Allen, Saltzman, and Simon entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of December 21, 2017.
2. Legal Services Agreement with Glynn & Finley, LLP, Regarding Wi-Fi Rail.
3. Reject All Bids for Contract No. 15QH-230, Site Improvements at Various Stations – Phase V.
4. 2018 Organization of Committees and Special Appointments.

Director Saltzman entered the Meeting.

Item 2-D, 2018 Organization of Committees and Special Appointments, was discussed.

Director Simon entered the Meeting.

Director Blalock made the following motions as a unit. Director Dufty seconded the motions, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Dufty, Josefowitz, McPartland, Saltzman, Simon, and Raburn. Noes - 0. Absent – 2: Directors Allen and Keller.

1. That the Minutes of the Meeting of December 21, 2017, be approved.
2. That the Board approve the retention of Glynn & Finley, LLP, to represent the District in the Wi-Fi Rail matter.
3. That the single Bid for Contract No. 15QH-230, Site Improvements at Various Stations – Phase V, be rejected, and that the General Manager be authorized to re-advertise the Contract.

4. That the Board of Directors ratify the attached Organization of Committees and Special Appointments for 2018 (the Organization of Committees and Special Appointments is attached and hereby made a part of these Minutes.)

Consent Calendar Report brought before the Board was:

1. Fiscal Year 2018 First Quarter Financial Report.

Director Dufty, Vice Chairperson of the Administration Committee, brought the matter of Resolution for the Authorization of the Certifications and Assurances for the State Transit Assistance State of Good Repair Program before the Board. Ms. Pamela Herhold, Acting Assistant General Manager, Administration and Budgets; and Ms. Donna Lee, Principal Planner, presented the item. Director Saltzman moved adoption of Resolution No. 5365, Authorization for the Execution of the Certifications and Assurances for the California State of Good Repair Program; and moved that the General Manager be designated to execute all required documents for participation in the Program, which will enable the receipt of funds in the amount of \$6,102,066.00 to perform critical preventative maintenance work on capital equipment and facilities. Director Dufty seconded the motion, which carried by unanimous acclamation. Ayes – 7: Directors Blalock, Dufty, Josefowitz, McPartland, Saltzman, Simon, and Raburn. Noes - 0. Absent – 2: Directors Allen and Keller.

Director Dufty brought the matter of Affordable Housing and Sustainable Communities Grant Application for MacArthur Station before the Board. Ms. Abigail Thorne-Lyman, Manager of Planning, presented the item. The item was discussed. President Raburn moved that the General Manager or her designee be authorized to enter into agreements with the Applicants (Satellite Affordable Housing Associates and the City of Oakland) for the Fiscal Year 2016 – 2017 Affordable Housing and Sustainable Communities grant program as required in order to apply and receive funds for Transit Related Amenities at MacArthur Station. Director Simon seconded the motion, which carried by unanimous acclamation. Ayes – 7: Directors Blalock, Dufty, Josefowitz, McPartland, Saltzman, Simon, and Raburn. Noes - 0. Absent – 2: Directors Allen and Keller.

Director Dufty brought the matter of California Multiple Award Schedule Information Technology Purchase before the Board. Ms. Angie West, Assistant Chief Information Officer, presented the item. The item was discussed. Director Josefowitz moved that the General Manager be authorized to utilize the California Department of General Services' Multiple Award Schedules for the procurement of information technology consulting services in any amount, until such time that the State of California ceases the California Multiple Award Schedule program, subject to the availability of funding, and with the requirement that staff report to the Board every six months on the implementation of the program and the District's use of outside firms. Director Saltzman seconded the motion, which carried by unanimous acclamation. Ayes – 7: Directors Blalock, Dufty, Josefowitz, McPartland, Saltzman, Simon, and Raburn. Noes - 0. Absent – 2: Directors Allen and Keller.

Director Simon, Chairperson of the Engineering and Operations Committee, brought the matter of Agreement with Impec Group for Graffiti Removal Services Districtwide (Agreement No. 6M3371A) before the Board. Mr. Jeff Baker, Superintendent of System Service, presented

the item. The item was discussed. Director Blalock moved that the General Manager be authorized to award Agreement No. 6M3371A, Graffiti Removal Service Districtwide, in the amount not to exceed \$2,045,826.66, to Impec Group, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures; and that the General Manager be authorized to exercise the option for Year 4, in the amount not to exceed \$777,741.36, and the option Year 5, in the amount not to exceed \$819,974.95. Director Josefowitz seconded the motion, which carried by electronic vote. Ayes – 5: Directors Blalock, Josefowitz, McPartland, Saltzman, and Raburn. Noes – 1: Director Dufty. Abstain – 1: Director Simon. Absent – 2: Directors Allen and Keller.

Director Simon brought the matter of Review of Existing Comprehensive Agreement between the Santa Clara Valley Transportation Authority and the San Francisco Bay Area Rapid Transit District in Connection with the Proposed Santa Clara County BART Extension before the Board. Mr. Robert Powers, Deputy General Manager; Mr. Robert Mitroff, Chief Planning and Development Officer; and Ms. Bernadette Lambert, Project Manager, presented the item.

Director Allen entered the Meeting.

The item was discussed.

Director Blalock, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Amendment to Facility Services Agreement, for Stationary Engineering Services at 101 8<sup>th</sup> Street, with ABM Industry Groups, LLC, before the Board. Mr. Sean Brooks, Department Manager, Real Estate and Property Development; and Mr. Joseph Basuino, Senior Right of Way Officer, presented the item. President Raburn moved that the General Manager or her designee be authorized to amend the current Facility Service Agreement with ABM Industry Groups, LLC, for an additional six months at a cost of \$110,000.00. Directors Dufty and Saltzman seconded the motion. The item was discussed.

John Arantes addressed the Board.

The motion carried by electronic vote. Ayes – 7: Directors Allen, Blalock, Josefowitz, McPartland, Saltzman, Simon, and Raburn. Noes – 1: Director Dufty. Absent – 1: Director Keller.

President Raburn called for the General Manager's Report.

General Manager Grace Crunican reported on steps she had taken and activities and meetings she had participated in, ridership, upcoming events, and outstanding Roll Call for Introductions items. Ms. Crunican reported on the District's efforts to educate and provide Clipper® cards for riders in light of the recent fare changes, and the progress of preparing Fleet of the Future rail cars for revenue service. The report was discussed.

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

Director Dufty reported Equality California had voted to recognize BART and LaVerda Allen for trailblazing work in including the LGBT community.

Director Simon reported she had spent time with the West Oakland community discussing the recent police-involved shooting there and had attended a community meeting in the Longfellow district of Oakland regarding a lighting project at MacArthur Station.

Director Josefowitz reported that the Metropolitan Transportation Commission had received a presentation on the proposed regional means-based fare program, reported on outdated escalator signage at the Embarcadero Station, and requested the Administration Committee convene in its audit review capacity at a future date.

Director Allen reported she had attended the Contra Costa County Board of Supervisors reorganization lunch, and expressed her support for a future Administration Committee meeting.

Director McPartland reported he had attended a BART to Livermore community meeting, given a “fix it first” presentation to the Livermore Chamber of Commerce, and attended a mayors’ conference in Hayward.

President Raburn reported he had attended the Three Kings event at Fruitvale Station.

President Raburn called for Public Comment.

The following individuals addressed the Board.

Manuel Hernan Barron

Jon Spangler

President Raburn announced that the Board would enter into closed session under Item 10-A (Conference with Labor 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 10:46 a.m.

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The Board Meeting reconvened in closed session at 10:53 a.m.

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

Absent: Director Keller.

The Board Meeting recessed at 11:55 a.m.

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The Board Meeting reconvened in open session at 11:56 a.m.

Directors present: Directors Simon and Raburn.

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

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

The Meeting was adjourned at 11:56 a.m.

Kenneth A. Duron  
District Secretary