

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

BOARD MEETING AGENDA

December 21, 2017

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, December 21, 2017, 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.
 - i. 2017 Holiday Toy Drive Recipient: Davis Street Family Resource Center, San Leandro

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of December 7, 2017.* 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. FINANCE, BOND OVERSIGHT AND ADMINISTRATION ITEMS

Director Josefowitz, Chairperson
NO ITEMS

5. OPERATIONS, SAFETY AND WORKFORCE ITEMS

Director Keller, Chairperson
NO ITEMS

6. PLANNING AND LEGISLATION ITEMS

Director Raburn, Chairperson
NO ITEMS.

7. GENERAL MANAGER'S REPORT

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

8. BOARD MATTERS

- A. 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.)
- B. 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.)

C. In Memoriam.
(An opportunity for Board members to introduce individuals to be commemorated.)

D. Election of Officers.
1. President.
2. Vice President.

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.)

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

Board of Directors
Minutes of the 1,803rd Meeting
December 7, 2017

A regular meeting of the Board of Directors was held December 7, 2017, convening at 8:32 a.m. in the Board Room, 344 20th Street, Oakland, California. President Saltzman presided; Kenneth A. Duron, District Secretary.

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

Absent: None. Directors Blalock, Josefowitz and Simon entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of November 16, 2017.
2. Non-California Public Employees' Retirement System (Non-CalPERS) Medical Plan Structure and Rates for Calendar Year 2018.
3. Reject All Bids for Contract No. 15CQ-200, Rail Procurement.

Director Keller made the following motions as a unit. Director McPartland seconded the motions, which carried by unanimous acclamation. Ayes – 6: Directors Allen, Dufty, Keller, McPartland, Raburn, and Saltzman. Noes - 0. Absent – 3: Directors Blalock, Josefowitz and Simon.

1. That the Minutes of the Meeting of November 16, 2017, be approved.
2. Adoption of Resolution No. 5361, In the Matter of the Non-CalPERS Medical Plan Structure and Rates for Calendar Year 2018.
3. That the Bids for Contract No. 15CQ-200, for Rail Procurement, be rejected, and that the General Manager be authorized to re-advertise the solicitation.

Consent Calendar report brought before the Board was:

1. Independent Auditor's Reports on the Basic Financial Statement and Internal Control for the Fiscal Year Ended June 30, 2017

President Saltzman announced that the Board would enter into closed session under Item 3-A (Public Employee Performance Evaluation) and Item 3-B (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 8:33 a.m.

The Board Meeting reconvened in closed session at 8:37 a.m.

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

Absent: None. Directors Josefowitz and Simon entered the Meeting later.

Director Josefowitz entered the Meeting.

Director Simon entered the Meeting.

The Board Meeting recessed at 9:32 a.m.

The Board Meeting reconvened in open session at 9:37 a.m.

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

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

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

President Saltzman announced that San Francisco Bay Area Rapid Transit District was holding a public hearing to consider the issuance of tax-exempt sales tax revenue refunding bonds in an amount not to exceed \$115,000,000.00 in order to refinance the District's outstanding Sales Tax Revenue Bonds, 2012 Series B (Federally Taxable), and opened the Public Hearing for comments from the public.

There being no public comment, the Public Hearing was closed.

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

Director Keller, Chairperson of the Operations, Safety, and Workforce Committee, brought the following items before the Board.

1. Change Orders to Contract No. 05HA-100, El Cerrito Del Norte Station Modernization, with Clark Construction, to Increase Accessible Fare Gate Quantity.
2. Change Orders to Contract No. 09AU-130, BART Earthquake Safety Program Oakland Shops Spur Tracks, with Shimmick Construction Company, Inc.

- a. Bio-Retention Changes (C.O. No. 2.1, Part 1).
 - b. Time Impacts (C.O. No. 6).
 - c. Spur Track Stub (C.O. No. 18.1, Part 1).
3. Change Order to Contract No. 79HM-120, SFTS MB, with Manson Construction Company, Inc., for Bearing Pad Field Adjustments (C.O. No. 99.2).

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

1. That the General Manager be authorized to execute up to three Change Orders in an amount not to exceed \$2,000,000.00 to increase the accessible fare gate quantity on Contract No. 05HA-100, El Cerrito Del Norte Station Modernization Project.
2. That the General Manager or her designee be authorized to execute Change Order No. 2.1, Part 1, Bio-Retention Changes, to Contract No. 09AU-130, BART Earthquake Safety Program Oakland Shops Spur Track, with Shimmick Construction Company Inc., in an amount not to exceed \$350,000.00.
3. That the General Manager or her designee be authorized to execute Change Order No. 6, Time Impacts, to Contract No. 09AU-130, BART Earthquake Safety Program Oakland Shops Spur Track, with Shimmick Construction Company Inc., in an amount not to exceed \$385,000.00.
4. That the General Manager or her designee be authorized to execute Change Order No. 18.1, Part 1, Spur Track Stub, to Contract No. 09AU-130, BART Earthquake Safety Program Oakland Shops Spur Track, with Shimmick Construction Company Inc., in an amount not to exceed \$1,150,000.00.
5. That the General Manager be authorized to execute Change Order No. 99.2, Bearing Pad Field Adjustment, in an amount not to exceed \$300,000.00, for Contract No. 79HM-120, SFTS MB, with Manson Construction Company, Inc.

Director Keller brought the matter of Award of Invitation for Bid No. 9035A, Fuel, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, presented the item.

Directors Allen and Josefowitz entered the Meeting.

Director Dufty moved that the General Manager be authorized to award Invitation for Bid No. 9035A, an estimated quantity contract for Gasoline, Renewable Diesel Fuel, Red Dyed Diesel Fuel and Diesel Exhaust Fluid, to Golden Gate Petroleum, of Martinez, California, for the

Bid price of \$10,519,219.00, including all applicable taxes, and pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures. Director Simon seconded the motion, which carried by unanimous acclamation. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes – 0.

(The foregoing motion was made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for this purpose.)

Director Keller brought the matter of BART Extension to Silicon Valley, Phase II – Single Bore Tunnel, before the Board. Mr. Oversier; Mr. Robert Powers, Deputy General Manager; Mr. Daniel Hauber, Transportation Research Associates; and Ms. Carolyn Gonot, Valley Transportation Authority, presented the item.

The following individuals addressed the Board.

Alan Smith
Hale Zukas

The item was discussed.

Director Keller brought the matter of Updates on Law Enforcement Assisted Diversion (LEAD) San Francisco Program and the San Francisco Homeless Outreach Team (HOT) Program before the Board. Mr. Oversier; Deputy Chief of Police Lance Haight; Mr. Tim Chan, Manager of Planning; and Dr. Angelica Almeida, LEAD, presented the item. The item was discussed.

Director Josefowitz, Chairperson of the Finance, Bond Oversight and Administration Committee, brought the matter of Sales Tax Revenue Bonds, Refunding Series 2017, to Apply Proceeds to Series 2010 Bonds, Series 2012A Bonds, and Series 2012B Bonds, before the Board. Ms. Rose Poblete, Controller/Treasurer; Ms. Mary Collins, Orrick, Herrington & Sutcliffe, LLP; and Mr. Bryant Jenkins, Sperry Capital, Inc., presented the item.

Director Simon exited the Meeting.

Director Raburn moved adoption of Resolution No. 5362, Resolution of the San Francisco Bay Area Rapid Transit District Authorizing and Approving the Issuance and Sale of Not to Exceed \$250 Million San Francisco Bay Area Rapid Transit District Sales Tax Revenue Bonds for Refunding Purposes; Authorizing the Execution and Delivery of a Fourth Supplemental Indenture Pursuant to Which Such Bonds Are to Be Issued and a Bond Purchase Agreement Pursuant to Which Such Bonds Are to Be Sold; Approving an Official Statement Relating to Such Bonds; Authorizing Execution and Delivery of Certain Documents in Connection with the Issuance, Sale and Security of Such Bonds, including a Continuing Disclosure Agreement and an Escrow Agreement; Delegating to the Controller/Treasurer of the District Power to Determine Final Terms of Such Bonds and to Complete Said Documents; and Authorizing Certain Other Matters Relating Thereto. President Saltzman seconded the motion.

The item was discussed.

The motion carried by unanimous acclamation. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, and Saltzman. Noes - 0. Absent – 1: Director Simon.

Director Josefowitz brought the matters of BART to Antioch Fares and BART to Antioch Parking Fees before the Board. Ms. Pamela Herhold, Acting Assistant General Manager, Administration and Budgets, presented the item on BART to Antioch Fares. Mr. Bob Franklin, Department Manager, Customer Access, presented the item on BART to Antioch Parking Fees. Director Blalock made the following motions as a unit.

1. Adoption of Resolution No. 5363, In the Matter of Adopting Fare Rates and Charges for the BART to Antioch Extension.
2. Adoption of Resolution No. 5364, In the Matter of Adopting Parking Fees for the BART Pittsburg Center and Antioch Stations.

The items were discussed. Director Allen seconded the motions, which carried by unanimous acclamation by the required two-thirds vote. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, and Saltzman. Noes - 0. Absent – 1: Director Simon.

Director Josefowitz brought the matter of Metropolitan Transportation Commission Regional Means-Based Fare Study before the Board. Ms. Herhold presented the item. The item was discussed.

Director Josefowitz brought the matter of California Public Employees' Retirement System (CalPERS) Pension Funding Update before the Board. Mr. Michael Jones, Assistant General Manager, Human Resources, and Ms. Mary Beth Redding, Bartel Associates, LLC, presented the item. The item was discussed.

Director Raburn, Chairperson of the Planning and Legislation Committee, brought the matter of Power Purchase Agreements for Renewable Energy before the Board. Ms. Holly Gordon, Sustainability Group Manager, presented the item. The item was discussed. Director Blalock moved that the General Manager or her designee be authorized to enter into a 20-year power purchase agreement with NextEra Energy and a 20-year power purchase agreement with Recurrent Energy. Directors Dufty and McPartland seconded the motion, which carried by unanimous acclamation. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, and Saltzman. Noes - 0. Absent – 1: Director Simon.

President Saltzman announced that the Board would return to closed session under Item 3-A (Public Employee Performance Evaluation) and Item 3-B (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 12:47 p.m.

The Board Meeting reconvened in closed session at 12:55 p.m.

Directors present: Directors Allen, Josefowitz, Keller, McPartland, Raburn, and Saltzman.

Absent: Director Simon. Directors Blalock and Dufty entered the Meeting later.

Director Blalock entered the Meeting.

Director Dufty entered the Meeting.

The Board Meeting recessed at 2:03 p.m.

The Board Meeting reconvened in open session at 2:03 p.m.

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

Absent: Director Simon.

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 Compensation and Benefits for General Manager, General Counsel, Controller/Treasurer, District Secretary, and Independent Police Auditor before the Board. Director Blalock moved that the base salaries of the General Manager, General Counsel, Controller/Treasurer, District Secretary, and Independent Police Auditor be increased by 2.5 percent, effective January 1, 2018, when other non-represented employees will receive the same wage increase, and that the Board President be authorized to execute on behalf of the Board any necessary changes to the Board Appointees' employment agreements to incorporate this change. Director Dufty seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, and Saltzman. Noes - 0. Absent – 1: Director Simon.

President Saltzman exited the Meeting and Vice President Raburn assumed the gavel.

Director Keller brought the matter of Quarterly Performance Report, First Quarter Fiscal Year 2018 - Service Performance Review, before the Board. Mr. Oversier and Deputy Chief of Police Haight presented the item. The item was discussed.

Director Keller exited the Meeting.

Director Raburn brought the matter of Proposed BART Transit Operations Facility and Lake Merritt Plaza Redesign Project before the Board. Ms. Hannah Lindelof, Principal Planner, presented the item. The item was discussed. Director McPartland moved that having reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Plan, the Board 1) Finds that on the basis of the whole record before the Board, there is no substantial evidence that the proposed BART Transit Operations Facility and Lake Merritt Plaza Project will have a significant effect on the

environment (the potential significant impacts identified can all be mitigated to less-than-significant levels following implementation of project-specific mitigation measures identified in the Initial Study/Mitigated Negative Declaration); and 2) Finds that the Initial Study/Mitigated Negative Declaration reflects the Board's independent judgment and analysis; and 3) Adopts the Initial Study/Mitigated Negative Declaration; and 4) Adopts the Mitigation Monitoring and Reporting Plan; and 5) Approves the BART Transit Operations Facility and Lake Merritt Plaza Project as proposed. Vice President Raburn seconded the motion, which carried by unanimous acclamation. Ayes – 6: Directors Allen, Blalock, Dufty, Josefowitz, McPartland, and Raburn. Noes - 0. Absent – 3: Directors Keller, Simon, and Saltzman.

Vice President Raburn brought the matter of 2018 State and Federal Advocacy Program before the Board. Mr. Roddrick Lee, Department Manager, Government and Community Relations, and Ms. Amanda Cruz, Program Manager of Government Relations and Legislative Affairs, presented the item. The item was discussed. Director Dufty moved that the Board approve the 2018 State and Federal Advocacy Program, as presented by staff. (The 2018 State and Federal Advocacy Program is attached.) Director Allen seconded the motion, which carried by unanimous acclamation. Ayes – 6: Directors Allen, Blalock, Dufty, Josefowitz, McPartland, and Raburn. Noes - 0. Absent – 3: Directors Keller, Simon, and Saltzman.

Vice President Raburn brought the matter of Lease of Warehouse Space at 30527 San Antonio Street, Hayward, before the Board. Mr. Sean Brooks, Department Manager, Real Estate and Property Development, presented the item. Director Blalock moved that the General Manager or her designee be authorized to execute a lease agreement with Hayward California 1 LLC for approximately 42,200 square feet of office space at 30527 and 30537 San Antonio Street, Hayward, for a ten-year term, along with a five-year option, for a total base amount (excluding electricity, gas and water, which will be billed monthly), not to exceed \$9,264,098.11. Director Dufty seconded the motion, which carried by unanimous acclamation. Ayes – 6: Directors Allen, Blalock, Dufty, Josefowitz, McPartland, and Raburn. Noes - 0. Absent – 3: Directors Keller, Simon, and Saltzman.

Vice 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.

Director Dufty had a question about the upcoming paper ticket surcharge, which was discussed.

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

Director Blalock reported he had attended meetings in Oakland and the Building Trades Council luncheon.

Director McPartland reported he had attended the Building Trades Council luncheon, and a Livermore Economic Development community meeting.

Director Josefowitz requested a report on incorporating art into the construction process for the elevator housings being installed in San Francisco.

Director Allen reported she had attended meetings regarding the homeless situation in Contra Costa County with the Hospital Council and with ConFire (Contra Costa County Fire Protection District), a Pleasant Hill BART Station Leasing Authority Board of Directors meeting, and she thanked the Controller/Treasurer and her staff for their efforts the past few months.

Director Dufty thanked External Affairs for BART Pride t-shirts. He reported he had attended meetings regarding the homeless situation with the Hospital Council in Contra Costa County and with the Everyone Home group in Alameda County.

Director Dufty requested an update on progress to implement new signage for escalators and elevators that are under repair; specifically signage that lets riders know the District's overall program and prioritization of substantial repair or replacement of the 41 escalators at the downtown San Francisco stations for the first time since 1998. Director Josefowitz seconded the request.

Vice President Raburn reported he had attended the Building Trades Council luncheon, the BART and AC Transit Coordinating Committee meeting, a meeting with the Everyone Home group in Alameda County, the Family Paths luncheon, and an event with the East Bay Small Business Council.

Vice President Raburn requested that the Meeting be adjourned in memory of the 2,403 American service personnel who had lost their lives on December 7, 1941, at Pearl Harbor.

Vice President Raburn called for Public Comment. No comments were received.

The Meeting was adjourned at 3:20 p.m. in memory of the 2,403 American service personnel who had lost their lives on December 7, 1941, at Pearl Harbor.

Kenneth A. Duron
District Secretary



EXECUTIVE DECISION DOCUMENT

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|---|---------------------------------------|--|---------------------------|--|
| GENERAL MANAGER APPROVAL: <i>29 Nov 2017</i> <i>Robert M. Pomeroy</i> | | GENERAL MANAGER ACTION REQ'D: | | |
| DATE: 11/21/2017 | | BOARD INITIATED ITEM: No | | |
| Originator/Prepared by: Amanda Cruz Dept: Gov't & Community Relations <i>AC</i> 11/27/17 Signature/Date: | General Counsel <i>MB</i> 11/29/17 | Controller/Treasurer <i>[Signature]</i> 11/29/17 [] | District Secretary [] | BARC <i>[Signature]</i> 11.29.17 [] |

2018 State and Federal Advocacy Program

PURPOSE:

To review, discuss and seek approval of the District's 2018 State and Federal Legislative Advocacy Program.

DISCUSSION:

BART's State and Federal advocacy efforts are guided by the annual goals adopted by the Board of Directors. The goals reflect BART's legislative priorities and provide guidance for the District's activities in Sacramento and Washington, D.C. Both the State Legislature and Congress will begin the second year of their respective two-year sessions in January. The following summarizes proposed State and Federal goals BART plans to actively pursue in 2018.

Proposed STATE Advocacy Program:

Protect state transportation funding, including new SB 1 revenue, from being eliminated, repealed, or diverted

BART will continue efforts to protect transit funding outlined in the Fiscal Year (FY) 2017-2018 State Budget, including new funding enacted by SB 1 (Beall). BART will track the implementation of and pursue funding from various SB 1 programs, including but not limited to the Transit and Intercity Rail Capital Program (TIRCP), State Transit Assistance "State of Good Repair" Program, Local Partnership Program, and Solutions for Congested Corridors

Program.

Opponents of SB 1 have filed two different initiative referenda measures intended to repeal SB 1's various tax and fee increases in the November 2018 election. BART will participate in advocacy efforts organized to protect transit funding such as ACA 5 (Frazier), and oppose any effort(s) to repeal, divert, or place conditions on enacted SB 1 funding.

Advocate for additional, more flexible funding for public transit through the Cap and Trade Program

Continuing efforts from last session, BART will advocate for doubling the percentage of annual Cap and Trade auction proceeds directed to transit investments such as the Low Carbon Transit Operations Program (LCTOP) and TIRCP either through a one-time appropriation or continuous allocation.

BART will also monitor and engage in efforts to reform the Affordable Housing and Sustainable Communities Program, which receives 20% of Cap and Trade revenue, to ensure more funding benefits transit.

Additionally, with the stabilization of Cap and Trade through AB 398 (Garcia), BART will explore opportunities within LCTOP to encourage and incentivize creating or expanding discount transit pass programs.

Monitor implementation of new housing legislation and funding programs for affordable housing; Pursue opportunities to advance BART's transit-oriented development (TOD) goals

This year, the Legislature passed, and the Governor signed, a package of bills to provide new funding for low-income housing development, streamline building, and control the ability of local governments to block new appropriate housing development. BART will continue to support legislation that accelerates the development of affordable housing and collaborate with local, regional, and state partners to highlight the potential benefits of SB 3 (Beall), the \$4 billion housing bond, for which transit agencies would be directly eligible.

BART will also engage in regional and statewide discussions on development requirements such as housing density, parking minimums, and other restrictions as well as collaborate with public agencies, who have adopted affordable housing policies, on strategies to pursue new state funds for transit-oriented or infill development.

Support efforts to enhance local funding for transit and promote infrastructure improvements near transit

BART will continue to support mechanisms enabling transit agencies and local governments to maintain and expand transit service and promote infrastructure near public transit. These

tools may include changes to Infrastructure Financing District laws, incentives for development near transit, and lower voter-thresholds for local sales tax initiatives such as SCA 6 (Weiner) and ACA 4 (Aguilar-Curry).

Continue to engage in the State's Greenhouse Gas emission reduction efforts

BART should continue to engage in the State's Greenhouse Gas (GHG) reduction efforts including policies that prioritize the purchase of electricity supplied from low-carbon or zero-carbon sources in addition to monitoring programs and funding that incentivize the adoption of zero-emission technology and supporting infrastructure.

Monitor legislation and regulations related to shared mobility as well as the testing and deployment of autonomous vehicles

In partnership with local governments, transit agencies, and other transportation organizations, BART should continue to monitor legislation and regulatory efforts related to shared mobility such as transportation network companies and real-time carpooling to maximize potential benefits and ensure the interests of public transit are considered.

For the past two years, BART has supported legislation authorizing autonomous vehicle pilot projects designed to serve, in part, transit users accessing BART stations. BART should continue to engage in efforts related to the testing and deployment of autonomous vehicles, specifically on projects that provide BART riders with first- and -last mile connections and help create a mode shift from single occupant vehicles to transit.

Monitor and respond to legislation that directly impacts BART

BART will ensure that the District's needs and interests are represented in any legislative effort that could directly impact BART, including bills that were recently enacted or introduced in the current session. Legislation of interest to BART may pertain to regional transit governance, agency oversight, law enforcement, pension reform, etc.

Pursue and pass necessary BART-sponsored legislation

As necessary, BART will seek to introduce and pass sponsored legislation that addresses specific BART-related problems or goals as identified by the Board and/or staff.

Proposed FEDERAL Advocacy Program:

Advocate for Congress to appropriate funding consistent with the amounts authorized in the Fixing America's Surface Transportation (FAST) Act

BART will partner with regional, state, and federal stakeholders and advocate to ensure Congress appropriates funding as authorized in the FAST Act in FY18 and FY19. This

includes supporting a minimum appropriation for all FTA formula programs, in addition to discretionary programs such as the Capital Investment Grant (CIG) Program, inclusive of the Core Capacity Program, and the TIGER program.

Secure a \$50 million FY19 budget appropriation and Full Funding Grant Agreement for the Transbay Corridor Core Capacity Project

BART's Core Capacity Project completed the two-year Project Development phase of the CIG program in August of 2017 and is expected to receive FTA approval to enter into Engineering in late December or early January. BART is applying for a total of \$1.25 billion in overall CIG funding and is requesting \$50 million in FY19 budget appropriations. A Congressional letter of support for BART's request has been secured and efforts will continue to secure a 2019 Full Funding Grant Agreement.

Engage in any advocacy efforts to advance a federal Infrastructure Initiative with a specific focus on new funding mechanisms for transit

BART will advocate to the Administration and our Congressional delegation for an Infrastructure Initiative that provides new federal funding to public transit projects. BART will partner with the American Public Transit Association and fellow passenger rail agencies through the Metropolitan Rail Discussion Group to support a federal initiative that supports the replacement of aging infrastructure; addresses growing demand for new or expanded service; and includes funds for innovative mobility and workforce development.

Advocate for continued funding to support public transit security programs

BART will continue to advocate for maintaining and increasing funding for all transit security programs within the Department of Homeland Security and pursue additional grant funding for identified security projects in 2018.

Support legislative efforts to ensure the solvency of the Highway Trust Fund

Last year, BART supported H.R. 1664 (DeFazio) and H.R. 1670 (Delaney) focused on increasing funding for the Highway Trust Fund so that the fund remains solvent and capable of supporting transit programs. BART will continue to support legislative efforts to increase revenue to the fund by raising the federal gas tax or through the exploration of other revenue sources that can be diverted to transit programs.

Continue to promote federal funding for apprenticeship and workforce development programs

BART will continue to support legislation such as the American Apprenticeship Act (S. 862) and pursue opportunities to sustain or expand current workforce development efforts such as the Transit Career Ladders Training (TCLT) Program - a partnership with local

community colleges and workforce investment boards. Federal funding for this program concludes in January 2018 and BART will continue to explore funding opportunities for future job training programs.

FISCAL IMPACT:

N/A

ALTERNATIVES:

The Board could decline to support the 2018 State and Federal Legislative Advocacy Program.

RECOMMENDATION:

For the Board to approve the following motion.

MOTION:

The Board approves the 2018 State and Federal Advocacy Program, as presented by staff.