

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

Board of Directors
Minutes of the 1,810th Meeting
March 22, 2018

A regular meeting of the Board of Directors was held March 22, 2018, convening at 9:01 a.m. in the Board Room, 2040 Webster Street, Oakland, California. President Raburn presided; Patricia K. Williams, Interim District Secretary.

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

Absent: Director McPartland. Director Dufty entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of March 8, 2018.
2. Side Letters of Agreement.
 - a. American Federation of State, County, and Municipal Employees (eBART), Local 3993, SL 17-01, Clarification of Special Pay Provisions
 - b. American Federation of State, County, and Municipal Employees, Local 3993, SL 18-01, Contract Reorganization, Modification of Disciplinary Procedures, Clarification of Special Pay Provisions, and Special Provisions for Operations Supervisor Liaison
 - c. Amalgamated Transit Union, Local 1555, SL 17-02, Clarification of Special Pay Provisions
 - d. BART Police Managers' Association SL 1-17 Clarification of Special Pay Provisions
 - e. BART Police Officers' Association SL 2-17 Clarification of Special Pay Provisions
 - f. Service Employees International Union, Local 1021, SL 18-01 Clarification of Special Pay Provisions
 - g. Service Employees International Union (eBART), Local 1021, SL 18-01 Clarification of Special Pay Provisions
3. Resolution Authorizing Execution of the Additional Rail Cars Project Application for the Fiscal Year 2018 Low Carbon Transit Operations Program (LCTOP).

Director Saltzman requested that Item 2-A, Approval of Minutes of March 8, 2018, be removed and voted on separately. Director Allen requested that Item 2-B, Side Letters of Agreement, be removed and voted on separately.

Director Saltzman moved that the Board adopt Resolution No. 5367, In The Matter of Authorizing Execution of a Project Application and Filing Related Forms for the FY 2017-18 Low Carbon Transit Operations Program (LCTOP) for \$5,635,855 in Funding for the LCTOP

Additional Rail Car Project. President Raburn seconded the motion, which carried by unanimous acclamation. Ayes – 7: Directors Allen, Blalock, Josefowitz, Keller, Saltzman, Simon and Raburn. Noes - 0. Absent – 2: Directors Dufty and McPartland.

Director Saltzman moved approval of Item 2-A, Approval of the Minutes of March 8, 2018, with the correction to the Minutes of the Board of Directors taking a position to support Senate Bill 827 if amended by working with the authors to address the concerns of the Board related to tenant protections, affordability, labor provisions, incentives for developers, and prevailing wages. Director Blalock seconded the motion, which carried by unanimous acclamation. Ayes – 7: Directors Allen, Blalock, Josefowitz, Keller, Saltzman, Simon, and Raburn. Noes – 0. Absent – 2: Directors Dufty and McPartland.

President Raburn called for Public Comment. The following individuals addressed the Board:
Robert S. Allen
Clarence Fischer
Roland LeBrun

Director Dufty entered the meeting.

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

Director Simon, Chairperson of the Engineering and Operations Committee, brought the matter of Officer-Involved Shooting: Process and Update, before the Board. General Manager Grace Crunican and Deputy Chief Jeffrey Jennings presented the item. The item was discussed.

Afiyah Chambers addressed the Board.

Discussion continued.

President Raburn brought the matter of Item 2-B, Side Letters of Agreement before the Board. Mr. Michael Jones, Assistant General Manager, Administration; Mr. Martin Gran, Chief Labor Relations Officer; and Ms. Shana Dines, Assistant Chief Labor Relations Officer, presented the item. The item was discussed. Director Raburn moved that the General Manager be authorized to execute Side Letters of Agreement:

- a. American Federation of State, County, and Municipal Employees (eBART), Local 3993, SL 17-01, Clarification of Special Pay Provisions
- b. American Federation of State, County, and Municipal Employees, Local 3993, SL 18-01, Contract Reorganization, Modification of Disciplinary Procedures, Clarification of Special Pay Provisions, and Special Provisions for Operations Supervisor Liaison
- c. Amalgamated Transit Union, Local 1555, SL 17-02, Clarification of Special Pay Provisions
- d. BART Police Managers' Association SL 1-17 Clarification of Special Pay Provisions
- e. BART Police Officers' Association SL 2-17 Clarification of Special Pay Provisions
- f. Service Employees International Union, Local 1021, SL 18-01 Clarification of Special Pay Provisions
- g. Service Employees International Union (eBART), Local 1021, SL 18-01 Clarification of Special Pay Provisions

Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, Saltzman, Simon, and Raburn. Noes - 0. Absent – 1: Director McPartland.

Director Allen, Chairperson of the Administration Committee, brought the matter Financial Outlook for Fiscal Year 2019 before the Board. Ms. Pamela Herhold, Acting Assistant General Manager, Administration and Budgets; Mr. Dennis Markham, Department Manager, Operating Budgets; and Mr. Michael Eiseman, Manager of Financial Planning, presented the item. The item was discussed.

Director Simon, brought the matter of Award of Invitation for Bid No. 9041, C55 Interlocking, before the Board. President Raburn moved that the General Manager be authorized to award Invitation for Bid No. 9041, for the procurement of turnouts, to Voelstalpine Nortrak, Inc., Seattle, Washington for the bid price of \$2,125,806.94, including all taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures.

Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, Saltzman, Simon, and Raburn. Noes - 0. Absent – 1: Director McPartland.

(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 Simon brought the matter of Santa Clara County BART Extension: Update on Phase I and Phase II, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations; Mr. Robert Mitroff, Chief Transit System Development Officer; and Ms. Leyla Hedayat, Planning and Program Manager of the Santa Clara Valley Transportation Authority, presented the item. The item was discussed.

Roland LeBrun addressed the Board.

Director Simon brought the matter of Station Wayfinding Signage/Real-time Display Improvement Update before the Board. Mr. Oversier, and Mr. Tian Feng, District Architect, presented the item. The item was discussed.

Director Simon brought the matter of Service Plan for Transbay Tube Earthquake Safety Project before the Board. Mr. Oversier; Ms. Tamar Allen, Chief Maintenance and Engineering Officer; Ms. Rachel Russell, Senior Planner; and Mr. Thomas Tumola, Manager of Schedules and Services, presented the item.

Director Keller exited the meeting.

The item was discussed.

Karen Heisler addressed the Board

Discussion continued.

Director Blalock, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Authorization of Payment to Scoop Technologies for Federal Transit Administration Grant before the Board. Mr. Carl Holmes, Assistant General Manager of Planning and Development, and Ms. Jumana Nabti, Manager of Access Programs presented the item. The item was discussed. President Raburn moved that the General Manager be authorized to pay Scoop Technologies in an amount not to exceed \$153,000.00 for services rendered under the Integrated Carpool to Transit Project Agreement, and all funding is included in the budget for the Federal Transportation Administration Mobility on Demand Sandbox Grant. Director Allen seconded the motion, which carried by unanimous electronic vote. Ayes – 7: Directors Allen, Blalock, Dufty, Josefowitz, Saltzman, Simon, and Raburn. Noes - 0. Absent – 2: Directors Keller and McPartland.

Director Blalock brought the matters of Station Access Program Update and Bicycle Program Update before the Board. Mr. Tim Chan, Manager of Planning, and Mr. Steve Beroldo, Manager of Access Programs, presented the items. The items were discussed.

President Raburn announced that the Board would enter into closed session as listed on today's regular Meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 1:08 p.m.

The Board Meeting reconvened in closed session at 1:18 p.m.

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

Absent: Directors Keller and McPartland. Director Josefowitz entered the Meeting later.

Director Josefowitz entered the Meeting.

Directors Saltzman and Simon exited the Meeting.

Director Blalock exited the Meeting.

The Meeting was adjourned at 3:02 p.m. for lack of quorum.

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

Patricia K. Williams
Interim District Secretary