



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D:		
DATE: 9/7/2016 <i>11/9/16</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Duncan Watry Dept: Planning, Development and Construction	General Counsel	Controller/Treasurer	District Secretary	BARC
Signature/Date: 11/7/16	11/7/16 []	11/8/16 []	[]	9 Nov 2016 []
Status: Routed		Date Created: 9/7/2016		

TITLE:

Adopt Transbay Corridor Core Capacity Project

NARRATIVE :

PURPOSE:

To obtain BART Board adoption of the Transbay Corridor Core Capacity Project with a finding that the Project is statutorily exempt from the California Environmental Quality Act (CEQA) in accordance with the Public Resources Code, Section 21080(b)(10).

DISCUSSION:

BART's Transbay Corridor Core Capacity Project is a candidate for funding under the Federal Transit Administration's (FTA) Capital Investment Grant (CIG) Program. The CIG Program provides discretionary funding to qualified projects and is a major source of funds for New Starts and Core Capacity projects nationwide. The purpose of the Transbay Corridor Core Capacity Project is to reduce patron crowding and to serve the future demand generated by the development anticipated in the region as part of Plan Bay Area. Federal legislation authorizing the CIG Program requires that the proposed Core Capacity project increase peak capacity by at least 10 percent. BART's proposed project will increase peak capacity by over 25 percent. BART's Transbay Corridor Core Capacity Project consists of four project elements required to enable BART to increase train frequencies and lengthen trains in the Transbay Corridor:

- Train Control Modernization Project (TCMP);
- 306 Additional Railcars;
- Hayward Maintenance Complex (HMC) Phase 2; and
- Traction Power Substations (TPSS).

BART has packaged these four project elements into one Core Capacity Project for purposes of seeking funding in the CIG Program. BART is seeking \$900 million in CIG funding for this program. Attachment A provides a more detailed description of the Transbay Corridor Core Capacity Project and details on each of the constituent project elements.

To receive CIG Program funding, eligible projects progress in discrete phases beginning with Project Development and culminating in a Full-Funding Grant Agreement (FFGA) and implementation. An FFGA is the mechanism by which FTA commits to a multi-year funding program for qualified projects. BART's Transbay Core Capacity Project was admitted into the Project Development Phase on August 28, 2015. By statute, the Project Development Phase can only last up to two years. During this period BART must complete a number of FTA requirements for the CIG Program, including completion of all required environmental documentation, both under CEQA and under the National Environmental Policy Act (NEPA). BART is anticipating initiating completion of CEQA with this BART Board action today, completing CEQA with the subsequent 35-day statute of limitations period, and completing NEPA by the FTA by the end of December 2016. BART will apply for entry into the Engineering Phase of the CIG Program in mid-2017, and BART staff anticipates an FFGA will be requested in 2019.

The HMC Phase 2 elements of the project have already completed environmental documentation through both CEQA and NEPA through the following actions and, accordingly, are not included in the Statutory Exemption action in this EDD:

- May 26, 2011: the BART Board adopted the Final Negative Declaration for the Hayward Maintenance Complex Project - Phases 1 and 2 (CEQA);
- September 21, 2011: FTA approved a Categorical Exclusion from NEPA review for HMC Phases 1 and 2; and

· May 9, 2013: the BART Board adopted an Addendum to the Negative Declaration (demolishing Building 3 and replacing it with a new building for the Component Repair Shop) for Phase 1 (CEQA).

For the other three project elements in the Transbay Corridor Core Capacity Project, BART staff is proceeding with two related environmental processes.

Counsel has determined that for CEQA purposes, the Train Control Modernization Project, the 306 additional railcars and the Traction Power Substations all fall within the definition of projects described in the Public Resources Code, Section 21080(b), which provides for Statutory Exemptions (SE) to CEQA for specific types of projects. This section states:

(b) [CEQA] does not apply to any of the following activities:

(10) A project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities.

For projects qualifying for an SE, no further analysis is needed to qualify for the exemption. It is sufficient to adopt the project through an agency's Board, and file a Notice of Exemption (NOE) with the State Office of Planning and Research (OPR). When BART files the NOE with OPR, a 35-day statute of limitations period begins. During this 35-day period, a lawsuit may be filed or other legal action taken on the Board's decision. If no legal action is taken, the SE is final. BART has recently finalized the location of all TPSS project elements, which allows this CEQA action to go forward at this point.

BART staff met with FTA staff to determine the appropriate NEPA process, which will follow the CEQA process. BART staff anticipates that a documented Categorical Exclusion (CE) is the likely NEPA process, as the three project elements are within existing transportation rights-of-way (ROW) and construction of the project elements is not expected to have significant impacts.

FISCAL IMPACT:

Approval of the Resolution is a requirement for BART to receive future funds from FTA for the constituent projects. This action will have no fiscal impact on unprogrammed District Reserves.

ALTERNATIVES:

The Board could decline to adopt the Project. In this case, the Statutory Exemption would still apply to the three project components, as the SE is based on the facts of the project, not on the Board action. However, the statute of limitations would be 180 days instead of 35 days. This would delay the schedule to complete FTA's Project Development process, and could make BART ineligible to receive the CIG funds on the schedule anticipated (BART is seeking \$900 million in CIG funds). This, in turn, could delay implementation of the project elements in the Project.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The BART Board of Directors hereby:

1. Finds that the following three project elements that are components of the Transbay Corridor Core Capacity Project:

- Train Control Modernization Project;
- 306 Additional Railcars; and
- Traction Power Substations (5 locations).

are exempt from the requirements of the California Environmental Quality Act in accordance with the Public Resources Code, Section 21080(b)(10);

2. Adopts the four-project-element Transbay Corridor Core Capacity Project; and

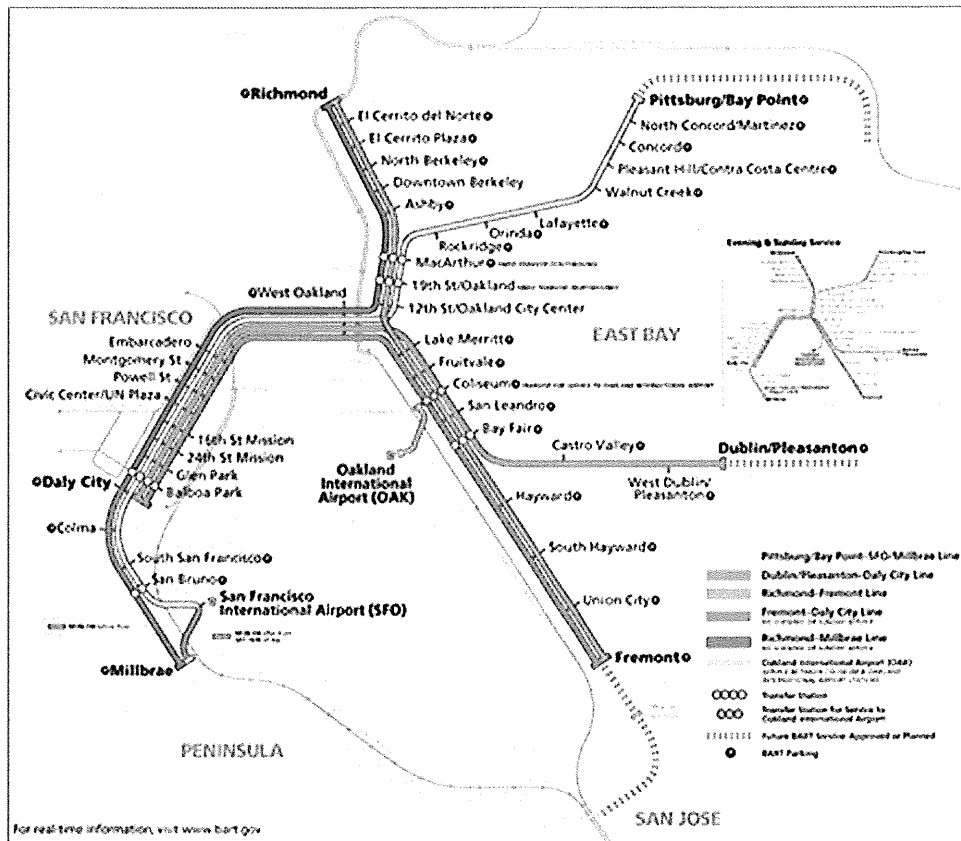
3. Directs staff to file Notice of Exemption.

BART Transbay Corridor Core Capacity Project

Project Description

The San Francisco Bay Area Rapid Transit (BART) system currently consists of 104 route miles of heavy rail transit serving 45 stations in San Francisco, in the East Bay, and on the Peninsula. An additional 15 route miles and 3 stations are under construction south of Fremont, and an additional 10 miles and 2 stations are under construction east of Pittsburg/Bay Point. The system operates as five lines designated by different colors – Yellow, Green, Red, Orange and Blue. Four of these lines – all but the Orange Line – merge into a single double-track alignment connecting San Francisco and Oakland, which operates through the Transbay Tube. BART also operates the Oakland Airport Connector as an independent line. Figure 1 shows the existing system.

Figure 1: BART System



On the main trunk of the BART system, from the Oakland Wye to Daly City, BART currently operates a maximum of 23 trains per hour in the peak direction. Train lengths vary, but currently average 8.9 cars per train in the peak. Between Oakland and San Francisco, the trains are crowded, and ridership is growing. As the system expands and as the core continues to attract development, further increases in ridership are expected.

Attachment A

BART is proposing a package of strategic investments that will increase capacity between San Francisco and Oakland by more than 30 percent. The Transbay Corridor Core Capacity Project will allow BART to operate up to 30 ten-car trains per hour on the existing system, maximizing throughput in the most heavily used part of its system. The package includes four elements: additional vehicles, Phase 2 of the Hayward Maintenance Complex, a communications-based train control system, and additional traction power.

306 Additional Railcars. In order for BART to achieve a regular schedule of 28-30 ten-car trains through the corridor, BART will require a total fleet size of 1,081 vehicles. BART currently has 775 new rail vehicles on order, which will allow us to completely replace our aged fleet of 669 vehicles and to expand the fleet by 106. When this order is completed, BART will need 306 more vehicles to get to the total requirement of 1,081.

Of the 306 additional cars required, 252 are needed for BART to operate 28-30 ten-car trains per hour on the four lines (Red, Blue, Green and Yellow) that operate through the Transbay Tube. The remaining 54 are to increase capacity on the Orange Line (which does not operate through the Transbay Tube), to increase our ready reserve fleet, and to increase our spare ratio to the industry standard.

Hayward Maintenance Center, Phase 2. The current storage capacity across BART's yards and tail tracks is 893 vehicles. To accommodate the additional 306 new vehicles, BART intends to expand the Hayward Maintenance Complex (HMC) to provide storage for 25 ten-car trains, or 250 additional vehicles. The yard will be constructed with access to the existing yard and electrified such that it may serve as a fully operational vehicle storage facility. Although the HMC is several miles from the Transbay Corridor, as defined, this is the only practical site to store the additional cars that are part of the Transbay Core Capacity Project. The HMC Phase 2 project has already been through independent CEQA and NEPA processes, and is not included in the CEQA approval being sought as part of the Statutory Exemption, but is listed in this attachment so that a complete description of the project is included.

Train Control Modernization Project (Communications-Based Train Control). To achieve the shorter headways needed to operate 28 regularly-scheduled trains per hour through the Transbay Tube and to allow 30 trains per hour capability, BART will replace its existing train control systems with a new Communications Based Train Control System. BART has developed an eight-phase implementation program that will begin by testing CBTC equipment on the existing test track adjacent to the HMC. Once the CBTC equipment has been sufficiently proven on test tracks, BART will implement CBTC along the mainline tracks starting from the system's endpoint in Millbrae and expanding north into downtown San Francisco, through the Transbay Tube, and into the East Bay, extending to Richmond, Pittsburg-Bay Point, Dublin/Pleasanton, and to Berryessa.

In order to achieve higher frequency service in the peak hour, CBTC is required along the tracks leading up to and through the Transbay Tube. Once CBTC phases 1 through phase 4 and a portion of phase 5 have been implemented, frequencies can be increased in the Transbay Corridor. The scope of the CBTC

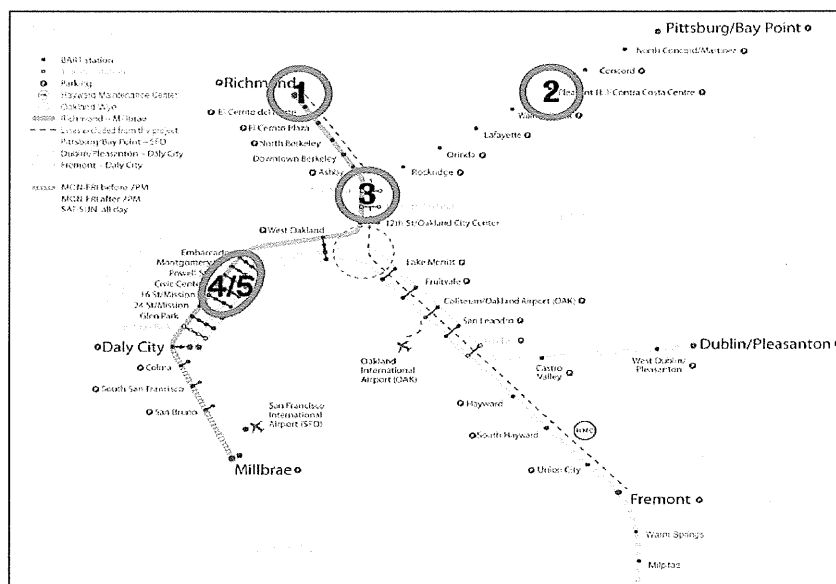
Attachment A

project includes installation of lineside equipment within BART's existing right-of-way throughout the entire system.

Traction Power Substations. BART has conducted traction power simulations to assess the power requirements associated with operating 28-30 regularly-scheduled ten-car trains through the Transbay Tube per hour. The simulation assumed 30 trains per hour, and included simulations of various delay scenarios that would lead to bunched trains, providing a safety factor or contingency in the analysis. It also assumed the electrical profile of BART's new vehicles as well as the communications-based train control system necessary to operate trains this frequently. The simulation revealed specific areas along BART's mainline where the traction power requirements exceed the capacity available from BART's existing traction power system. Five sites have been identified for new substations (Figure 2):

1. Richmond - RYE Gap Breaker Conversion
2. Pleasant Hill - David Ave and Minert Road
3. Oakland – near MacArthur station on 34th Street
4. Downtown San Francisco - Civic Center Station (West Concourse Level)
5. Downtown San Francisco - Montgomery Station (Center of Station Concourse Level)

Figure 2: General Location of Additional TPSS Substations



Although two of these sites, Richmond and Pleasant Hill, are outside that part of the system where demand exceeds capacity, added power is needed at these points in the system in order for BART to operate the added service through the Transbay Tube at the higher frequencies. Four alternate sites have been identified in case one or more of these five sites proves to be unfeasible.

Attachment A

The three locations in the East Bay are all within existing BART or Caltrans right-of-way and are at-grade locations. The two sites in San Francisco are located below grade within existing BART stations, and include two new required emergency vents per station. BART will build these vents to conform to current code, which allows these vents to be built at-grade within the sidewalk right-of-way above the stations.

BART is also undertaking a major program to replace and upgrade the existing traction power system. While this program will increase the amount of power available for train operation, it is not considered to be part of the Core Capacity Project.

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

BOARD MEETING AGENDA

November 17, 2016

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, November 17, 2016, 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 October 27, 2016.* Board requested to authorize.
- B. District Base Pay Schedules.* Board requested to authorize.
- C. Extension of Time for Agreement No. 6M2020, Brokerage Services for an Owner Controlled Insurance Program (OCIP).* Board requested to authorize.
- D. Employee Recruitment and Relocation for Chief of Police.* Board requested to authorize.
- E. Award of Contract No. 47BS-152A, Accessibility Improvements at Various BART Stations.* 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. ADMINISTRATION ITEMS

Director Saltzman, Chairperson

- A. Communications Agreement with the San Francisco Municipal Transportation Agency (SFMTA) to Extend Commercial Fiber and Cellular Infrastructure to the SFMTA Underground System.* Board requested to authorize.

5. ENGINEERING AND OPERATIONS ITEMS

Director McPartland, Chairperson

- A. State of California Department of General Services Voyager Fuel Card Program.* Board requested to authorize.
- B. Award of Agreement to Provide Stand-by Emergency Medical and Advanced Life Support Services at West Oakland Station.* Board requested to authorize.

- C. Change Order to Contract No. 79HM-120, SFTS MB, with Manson Construction Co. Inc., for Impact of Stub Wall Design Issues (C.O. No. 49).* Board requested to authorize.
- D. Quarterly Performance Report, First Quarter Fiscal Year 2017 - Service Performance Review.* For information.

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

Director Raburn, Chairperson

- A. Transbay Corridor Core Capacity Project.*
 - i. Findings that three of the four project elements (i.e.: the Train Control Modernization Project; the acquisition of 306 additional railcars; and construction of additional Traction Power Substations) are exempt from the requirements of the California Environmental Quality Act in accordance with the Public Resources Code Section 21080(b)(10). Board requested to adopt.
 - ii. Four-Project-Element Transbay Corridor Core Capacity Project. Board requested to adopt.
 - iii. Direct District Staff to file Notice of Exemption. Board requested to authorize.
- B. BART Station Access Policy: Draft Performance Measures and 4-Year Work Plan.* For information.
- C. Transit Oriented Development Policy: Draft Performance Measures and 4-Year Work Plan.* For information.

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.)

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.)

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

A. CONFERENCE WITH LABOR NEGOTIATORS:

Designated representatives: Grace Crunican, General Manager; Carter Mau, Assistant General Manager, Administration and Budget; and Carol Isen, Chief Employee Relations Officer

Employee Organizations: (1) Amalgamated Transit Union, Local 1555;
(2) American Federation of State, County and Municipal Employees, Local 3993;
(3) BART Police Officers Association;
(4) BART Police Managers Association;
(5) Service Employees International Union, Local 1021; and
(6) Service Employees International Union, Local 1021, BART Professional Chapter
(7) Unrepresented employees (Positions: all)

Government Code Section: 54957.6

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to California Government Code Section 54956.9 (d)(2). Two potential cases.

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Kellie Smith vs. BART

US District Court Case No: 3:15-cv02402-TEH

11. OPEN SESSION

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

Board of Directors
Minutes of the 1,775th Meeting
November 17, 2016

A regular meeting of the Board of Directors was held November 17, 2016, convening at 9:04 a.m. in the Board Room, 344 20th Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich.

Absent: Director Mallett. Director Josefowitz entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of October 27, 2016.
2. District Base Pay Schedules.
3. Extension of Time for Agreement No. 6M2020, Brokerage Services for an Owner Controlled Insurance Program (OCIP).
4. Employee Recruitment and Relocation for Chief of Police.
5. Award of Contract No. 47BS-152A, Accessibility Improvements at Various BART Stations.

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

1. That the Minutes of the Meeting of October 27, 2016, be approved.
2. That the base pay schedule in effect July 1, 2016, be approved.
3. That the Controller/Treasurer be authorized to extend the time of performance under Agreement No. 6M2020, with Aon Risk Services, to provide brokerage services for an OCIP, for an additional 12 months, to November 30, 2017; and that the original not-to-exceed amount for the Agreement remain at \$7,500,000.00.
4. That the General Manager or her designee be authorized, in conformance with established District procedures governing the procurement of professional services, to obtain executive search services to identify

suitable candidates both inside and outside of California for the Police Chief position; and that the General Manager be authorized to enter into a relocation agreement, if necessary, in an amount not to exceed \$18,000.00 for each position, in accordance with Management Procedure Number 70, New Employee Relocation Expense Reimbursement.

5. That the General Manager be authorized to award Contract No. 47BS-152A, Accessible Improvements at Various Stations, to Federal Solutions Group, Inc., for the Bid price of \$735,777.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and Federal Transit Administration's requirements related to protests.

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Communications Agreement with the San Francisco Municipal Transportation Agency (SFMTA) to Extend Commercial Fiber and Cellular Infrastructure to the SFMTA Underground System before the Board. Mr. Travis Engstrom, Manager of Information Systems, presented the item. Director McPartland moved that the General Manager be authorized to execute a Communications Agreement with the SFMTA, authorizing the District to negotiate license agreements with telecommunications carriers on behalf of the SFMTA, to extend the existing underground commercial fiber and cellular infrastructure in the District underground to the SFMTA underground system, for a fifteen (15) year term plus two five-year renewal periods. Director Murray seconded the motion.

Director Josefowitz entered the Meeting.

The item was briefly discussed. The motion carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Josefowitz, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Mallett.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of State of California Department of General Services Voyager Fuel Card Program before the Board. Ms. Adwoa Oni, Manager, Procurement & Contracts, Maintenance Administration, presented the item. Director Blalock moved that the General Manager be authorized to enter into an Agreement with U.S. Bank Voyager Fleet Systems, Inc., for participation in the State of California DGS CAL-Card Program, reference Participating Addendum No. 7-16-99-27 DGS-OFA-OPPS-06, for the period November 1, 2016, through December 31, 2018. The item was discussed. Director Keller seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Josefowitz, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Mallett.

Director McPartland brought the matter of Award of Agreement to Provide Stand-by Emergency Medical and Advanced Life Support Services at West Oakland Station before the Board. Mr. Shawn Jackson, Principal Administrative Analyst, presented the item. The item was discussed. Director Blalock moved that the General Manager be authorized to execute Agreement No. 6M8125, with Paramedics Plus, to provide Stand-by Emergency and Advance Life Support Services for stations and underground trackway between West Oakland Station and the downtown Oakland stations, for a not-to-exceed price of \$1,623,000.00. Director Saltzman

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

Director McPartland brought the matter of Change Order to Contract No. 79HM-120, SFTS MB, with Manson Construction Co. Inc., for Impact of Stub Wall Design Issues (C.O. No. 49) before the Board. Mr. Thomas Horton, Group Manager, Earthquake Safety Program, presented the item. Director Blalock moved that the General Manager be authorized to execute Change Order No. 49, Impact of Stub Wall Design Issues, in the not-to-exceed amount of \$431,785.89, to Contract No. 79HM-120, SFTS MB, with Manson Construction Company, Inc. President Radulovich seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Josefowitz, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Mallett.

Director McPartland brought the matter of Quarterly Performance Report, First Quarter Fiscal Year 2017 - Service Performance Review, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, presented the item. The item was discussed.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Transbay Corridor Core Capacity Project before the Board. Mr. Duncan Watry, Principal Planner, presented the item.

Chris Finn addressed Board.

The item was discussed.

Director McPartland exited the Meeting.

Director Keller made the following motions as a unit.

1. That the Board finds that the following three project elements that are components of the Transbay Core Capacity Project – Train Control Modernization Project, 306 Additional Railcars, and Traction Power Substations (5 locations) – are exempt from the requirements of the California Environmental Quality Act in accordance with the Public Resources Code, Section 21080(b)(10).
2. Adoption of the four-project-element Transbay Corridor Core Capacity Project.
3. That staff be directed to file Notice of Exemption.

Director Saltzman seconded the motions, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Josefowitz, Keller, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 2: Directors Mallett and McPartland.

Director Raburn brought the matter of BART Station Access Policy: Draft Performance Measures and 4-Year Work Plan, before the Board. Ms. Hannah Lindelof, Principal Planner,

and Mr. Robert Powers, Assistant General Manager, Planning, Development, and Construction, presented the item. The item was discussed.

Director Raburn brought the matter of Transit Oriented Development Policy: Draft Performance Measures and 4-Year Work Plan, before the Board. Mr. Sean Brooks, Department Manager, Real Estate and Property Development, and Ms. Abigail Thorne-Lyman, Manager of Planning, presented the item.

The following individuals addressed the Board.

Ann Chang
Geeta Rao
Jerry Grace

The item was discussed.

Director McPartland re-entered the Meeting.

Discussion continued.

Joel Ramos addressed the Board.

Discussion continued.

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

President Radulovich called for Public Comment. Jerry Grace addressed the Board.

President Radulovich announced that the Board would enter into closed session under Item 10-A (Conference with Labor Negotiators), and Items 10-B and 10-C (Conference with Legal Counsel) of the regular Meeting agenda, and that the Board would reconvene in open session at the conclusion of that closed session.

The Board Meeting recessed at 1:03 p.m.

The Board Meeting reconvened in closed session at 1:12 p.m.

Directors present: Directors Blalock, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich.

Absent: Director Mallett. Director Josefowitz entered the Meeting later.

Director Josefowitz entered the Meeting.

Directors Josefowitz and Murray exited the Meeting.

The Board Meeting recessed at 3:39 p.m.

The Board Meeting reconvened in open session at 3:40 p.m.

Directors present: Directors Blalock, Keller, McPartland, Raburn, and Radulovich.

Absent: Directors Josefowitz, Mallett, Murray, and Saltzman.

President Radulovich announced that there were no announcements to be made on Items 10-A and 10-B.

President Radulovich announced that under Item 10-C (Smith v. BART) of the agenda, the Board authorized settlement of the litigation for the amount of \$3.1 million; and that the vote was as follows: Ayes – 6: Directors Blalock, Keller, McPartland, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 3: Directors Josefowitz, Mallett, and Murray.

President Radulovich announced that the General Manager's Report and Board Matters would be continued to a future Meeting.

The Meeting was adjourned at 3:41 p.m.

Kenneth A. Duron
District Secretary