

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

AGENDAS FOR BOARD AND COMMITTEE MEETINGS

August 27, 2009

9:00 a.m.

A regular meeting of the Board of Directors and regular meetings of the Standing Committees will be held on Thursday, August 27, 2009, commencing at 9:00 a.m. All meetings will be held 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 and Standing Committees regarding any matter on these agendas. 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 General Discussion and Public Comment.

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, at the Office of the District Secretary, 23rd Floor, 300 Lakeside Drive, Oakland, California.

Any action requiring more than a majority vote for passage will be so noted.

Items placed under “consent calendar” and “consent calendar addenda” 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/Committee meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

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 Meetings of June 30, 2009 (Special), July 5, 2009 (Special), July 8, 2009 (Special), and July 9, 2009 (Regular).* Board requested to authorize.
- B. Agreement with Eastern Contra Costa Transit Authority to Expand and Upgrade the BART Hillcrest Park and Ride Lot.* Board requested to authorize.
- C. Fixing the Fiscal Year 2009-2010 Property Tax Rate for the General Obligation Bonds.* Board requested to authorize
- D. Award of Contract No. 15PS-110, BART Earthquake Safety Program Oakland 4th Street Storage Building.* Board requested to authorize.
- E. Award of Contract No. 15QB-130, Waterproof Orinda Substation and Reroof Concord and Richmond Yard Service & Inspection Pits.* Board requested to authorize.
- F. Award of Invitation for Bid No. 8846, Tie Inserter/Remover Machine.* Board requested to authorize.
- G. Award of Invitation for Bid No. 8847, Pinion End Bearing and Inlet End Bearing.* Board requested to authorize.
- H. Award of Invitation for Bid No. 8854, Inter-Car Barrier Materials.* Board requested to authorize.

RECESS TO STANDING COMMITTEES

Immediately following the Standing Committee Meetings, the Board Meeting will reconvene, at which time the Board may take action on any of the following committee agenda items.

ALL COMMITTEES ARE ADVISORY ONLY

ADMINISTRATION COMMITTEE

Immediately following the Board Meeting recess

Director Murray, Chairperson

- A-1. Fiscal Year 2009 Year-End Budget Revision.* Board requested to authorize.
- A-2. Change Order to Agreement No. 6M4030, to Provide Services for the Rental of Monochrome Digital Copy Machines at Various District Offices/Facilities, with Toshiba Business Solutions (C.O. No. 4).* Board requested to authorize.

- A-3. Resolution Ratifying Collective Bargaining Agreement with the Service Employees International Union, Local 1021, Including the BART Professional Chapter, to Include Change to Retirement and Postretirement Benefit for Money Purchase Pension Plan 1.627% (California Gov't. Code Section 7507).* Board requested to adopt.
- A-4. Resolution Ratifying Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees, Local 3993.* Board requested to adopt.
- A-5. General Discussion and Public Comment.

ENGINEERING AND OPERATIONS COMMITTEE

Immediately following the Administration Committee Meeting
Director Keller, Chairperson

- B-1. Award of Contract No. 15CQ-201, Procurement of Direct Fixation Rail Fasteners.* Board requested to authorize.
- B-2. Award of Contract No. 15TD-204, Procurement of Powered Flat Cars.* Board requested to authorize.
- B-3. Award of Contract No. 6M3132, a.c./d.c. Traction Motor Repair Services.* Board requested to authorize.
- B-4. New Rail Vehicle Procurement Request for Proposals.* For information.
- B-5. General Discussion and Public Comment.

PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

Immediately following the Engineering and Operations Committee Meeting
Director Sweet, Chairperson

- C-1. Teen Extreme Program Internet Ticket Sales Update.* For information.
- C-2. Legislative Update – Citizen Oversight for the BART Police Department.* For information.
- C-3. General Discussion and Public Comment.

RECONVENE BOARD MEETING

3. **CONSENT CALENDAR ADDENDA**

Board requested to authorize as recommended from committee meetings above.

4. REPORTS OF STANDING COMMITTEES

A. ADMINISTRATION COMMITTEE

- A-1. Fiscal Year 2009 Year-End Budget Revision.* Board requested to authorize.
- A-2. Change Order to Agreement No. 6M4030, to Provide Services for the Rental of Monochrome Digital Copy Machines at Various District Offices/Facilities, with Toshiba Business Solutions (C.O. No. 4).* Board requested to authorize.
- A-3. Resolution Ratifying Collective Bargaining Agreement with the Service Employees International Union, Local 1021, Including the BART Professional Chapter, to Include Change to Retirement and Postretirement Benefit for Money Purchase Pension Plan 1.627% (California Gov't. Code Section 7507).* Board requested to adopt.
- A-4. Resolution Ratifying Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees, Local 3993.* Board requested to adopt.

B. ENGINEERING AND OPERATIONS COMMITTEE

- B-1. Award of Contract No. 15CQ-201, Procurement of Direct Fixation Rail Fasteners.* Board requested to authorize.
- B-2. Award of Contract No. 15TD-204, Procurement of Powered Flat Cars.* Board requested to authorize.
- B-3. Award of Contract No. 6M3132, a.c./d.c. Traction Motor Repair Services.* Board requested to authorize.
- B-4. New Rail Vehicle Procurement Request for Proposals.* For information.

C. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

- C-1. Teen Extreme Program Internet Ticket Sales Update.* For information.
- C-2. Legislative Update – Citizen Oversight for the BART Police Department.* For information.

5. GENERAL MANAGER'S REPORT

NO REPORT.

6. BOARD MATTERS

- A. Roll Call for Introductions.

7. GENERAL DISCUSSION AND PUBLIC COMMENT

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

A. (CONTINUED from August 13, 2009, Special Board Meeting)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: one potential case.

B. CONFERENCE WITH LABOR NEGOTIATORS:

Designated representatives: Dorothy W. Dugger, General Manager; Teresa E. Murphy, Assistant General Manager – Administration; M. Carol Stevens, Burke, Williams & Sorensen, LLP

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

Government Code Section: 54957.6