

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

BOARD MEETING AGENDA

May 24, 2012

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, May 24, 2012, in the BART Board Room, Kaiser Center 20<sup>th</sup> Street Mall – Third Floor, 344 – 20<sup>th</sup> 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 General Discussion and 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 or via regular mail upon request. 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. Those interested in being on the mailing list for meeting notices (email or regular mail) can do so by providing the District Secretary with the appropriate address.

Please submit your requests to the District Secretary via email to [BoardofDirectors@bart.gov](mailto:BoardofDirectors@bart.gov); in person or U.S. mail at 300 Lakeside Drive, 23<sup>rd</sup> 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.
- D. Public Hearing: Public Hearing on Fiscal Year 2013 Budget.\*  
For information.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of May 10, 2012.\* Board requested to authorize.
- B. Award of Contract No. 17AG-130, Refurbish Breakrooms at Richmond, El Cerrito Plaza, 12<sup>th</sup> Street, 19<sup>th</sup> Street and Lake Merritt Stations. \*  
Board requested to authorize.
- C. Award of Contract No. 15NY-120, El Cerrito Plaza Station Sidewalk and Wayfinding Improvements. \* Board requested to authorize.

3. ADMINISTRATION ITEMS

Director Sweet, Chairperson

- A. Fiscal Year 2013 Capital and Operating Budgets.\* For information.

4. ENGINEERING AND OPERATIONS ITEMS

Director Fang, Chairperson

- A. Award of Invitation to Bid No. 8898, Procurement of On Board Communications Units.\* Board requested to authorize.
- B. Change Order to Contract No. 15PT-110, with R & L Brosamer, for the Earthquake Safety Program, R Line South Aerials - Increase in Allowance for Handling Hazardous Material (C.O. No. 14).\*  
Board requested to authorize.
- C. (CONTINUED from May 10, 2012 Board Meeting)  
Quarterly Performance Report, Third Quarter Fiscal Year 2012 – Service Performance Review.\* For information only.

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

Director Blalock, Chairperson

- A. Proposed Naming of the Warm Springs/ South Fremont Station.\*  
Board requested to authorize.
- B. Metropolitan Transportation Commission Sustainability Project – Inner East Bay Comprehensive Operational Analysis.\* For information.
- C. Introduction of BART Metro Strategy.\* For information.

6. GENERAL MANAGER’S REPORT

NO REPORT.

7. BOARD MATTERS

- A. Citizen Review Board: Appointment of BART Police Managers’ Association and BART Police Officers’ Association Representative.\*  
Board requested to ratify.
- B. Amendment to Consent Calendar Guidelines.\* (Director Sweet’s request)  
Board requested to adopt.
- C. Board Member Reports. For information.
- D. 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.)

8. GENERAL DISCUSSION AND PUBLIC COMMENT

9. PUBLIC COMMENT ON ITEMS 10-A, and 10-B ONLY

10. CLOSED SESSION

A. THREAT TO PUBLIC SERVICES OR FACILITIES:

Consultation with: Chief of Police; Acting Manager, Rail Security Programs;  
and Acting Assistant General Manager – Transit System  
Development  
Government Code Section: 54957(a)

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR.

Property: Property Located at the Millbrae BART Station  
District Negotiators: Carter Mau, Executive Manager, Planning & Budget; and  
Jeffrey P. Ordway, Department Manager, Real Estate  
Negotiating Parties: Justin Development, Republic Urban Properties/Green  
Valley Corporation, TMG Partners, and San Francisco Bay  
Area Rapid Transit District  
Under Negotiation: Price and Terms  
Government Code Section: 54956.8

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 1,654th Meeting  
May 10, 2012

A regular meeting of the Board of Directors was held May 10, 2012, convening at 9:12 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President McPartland presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Sweet, and McPartland.

Absent: None. Director Radulovich entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of April 26, 2012.
2. Resolution of Project Compliance Approving the Metropolitan Transportation Commission and East Contra Costa BART Extension (eBART) Project Bridge Tolls.
3. Award of Invitation for Bid No. 8901, Station Agent and Foreworker Uniforms.

Director Sweet made the following motions as a unit. Director Murray seconded the motion, which carried by unanimous ( 8 electronic, 1 voice vote). Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Sweet, and McPartland. Noes – 0. Absent – Radulovich.

Director Radulovich entered the meeting.

President McPartland called for General Discussion and Public Comment.

Directors Radulovich and Raburn exited the meeting.

The following individuals addressed the Board.

Mr. George Chang  
Mr. Tom Chang  
Ms. Judy Liu  
Mr. Kelvin Qiu  
Mr. Jeff Augusts  
Mr. Scott Chavez  
Mr. John Mc Cord  
Mr. Dennis Stiles  
Ms. Jane Lee  
Mr. Zheng Boswell

Ms. Candace Lee  
Mr. Bret Taber  
Mr. Bill Mc Inerney  
Mr. Jerry Grace  
Mr. Eric Mao  
Ms. Yolanda Huang

Directors Radulovich and Raburn entered the meeting.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 40FA-110, Procurement of Transit Vehicles, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations; Mr. Richard Wieczorek, Department Manager, Procurement; and Mr. Carter Mau, Executive Manager of Planning and Budgets presented the item.

The following individuals addressed the Board.

Ms. Linda Best  
Mr. Nathaniel Bates  
Mr. Corky Booze  
Ms. Sandy Hunter  
Mr. Charles Wochele  
Mr. Scott Emblidge  
Mr. James Beno  
Mr. Eddie Kurtz  
Ms. Linda Doppe  
Ms. Gayle Mc Laughlin  
Ms. Lisa Hoyos  
Mr. Tom Faber  
Mr. Raymond Bachant  
Mr. Robert Furniss  
Mr. Marc Boucher  
Ms. Antoinette Bryant  
Mr. Paul Junge  
Mr. Jerry Grace  
Ms. Karla Goodbody  
Mr. Keith Houston  
Ms. Serlene Grant on behalf of Dr. Patrick Kennedy  
Mr. Eddie Dillard  
Mr. Jabari Herbert  
Mr. Cheryl Archer  
Mr. Jaime Martinez  
Ms. Catherine Houston

Director Fang made a motion to Delay Award of Contract 40FA-110 Procurement of Transit Vehicles and Issue a Request for a Second Best and Final Offer. President Mc Partland seconded the motion, which failed by electronic vote. Ayes – 2: Directors Fang and McPartland. Noes – 6: Director Blalock, Franklin, Keller, Murray, Raburn and Radulovich. Abstain – 1: Director Sweet

Director Keller moved that the Board finds that Bombardier Transit Corporation’s proposal is most advantageous to the District with price and other factors considered. The General Manager is authorized to award Contract No. 40FA-110, Procurement of Transit Vehicles to Bombardier Transit Corporation, for the Proposal price of \$630,502,694, plus applicable tax and escalation for the Base Contract of 260 vehicles, and the Proposal price of \$265,832,100, plus applicable tax and escalation for Option 1, subject to the District’s protest procedures and FTA’s requirements related to protest procedures. Staff will return to the Board with a funding plan and request for approval to exercise Options 2, 3, and 4. Director Radulovich seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and Mc Partland. Noes - 0.

The Board Meeting recessed at 12:35 p.m.

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The Board reconvened at 12:57 p.m.

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

Absent: Director Fang.

Director Sweet, Chairperson of the Administration Committee, brought the matter of Resolution for the Quitclaim of BART Parcel No. O-535S, Fee and Easement Interests, and Conveyance of Personal Property at the Powell Street Station Stockton and Ellis Street to the City and County of San Francisco for the Central Subway Project before the Board. Ms. Bernadette Lambert, Project Manager of Programs presented the item. Director Blalock moved that the General Manager be authorized to adopt the Resolution to convey BART Parcel number O-S335 as excess land together with the Powell Street Station Entrance R mezzanine extension improvements, to the City and County of San Francisco. Director Mc Partland seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Franklin, Keller, Murray, Raburn, Radulovich, McPartland, and Sweet. Noes – 0: Absent – 1: Director Fang.

Director Sweet brought the matter of the Real Property Agreement between San Francisco Bay Area Rapid Transit District and Contra Costa Transportation Authority for the SR4 Widening Project and the East Contra Costa BART Extension Project. Ms. Barbara Inaba, Principal Engineer – Real Estate presented the item. Director Keller moved that the General Manager be authorized to execute the Real Property Agreement between the Contra Costa Transportation Authority and the San Francisco Bay Area Rapid Transit District in connection with the SR4 Widening Project and the East Contra Costa BART Extension Project. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock,

Franklin, Keller, Murray, Raburn, Radulovich, McPartland, and Sweet. Noes – 0: Absent – 1: Director Fang.

The following individual addressed the Board.

Mr. Jerry Grace

Director Sweet brought the matter of Resolution Endorsing Metropolitan Transportation Commission Resolution No. 5046 Memorandum of Understanding: High Speed Rail Blended System on the Peninsula Corridor and Approving Revisions to the List of Projects for the BART High Speed Passenger Train Bond Program. Ms. Stacey Perkins, Project Manager of Capital Development and Controls presented the item. Director Blalock moved that the General Manager be authorized to adopt the Resolution endorsing MTC Resolution No. 4056 and the funding strategy contained herein and approve modifications to BART's previously submitted priority list of projects of BART's High Speed Passenger Train Bond Program (HSPTB) funding. Director Radulovich seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Franklin, Keller, Murray, Raburn, Radulovich, McPartland, and Sweet. Noes – 0: Absent – 1: Director Fang

The following individuals addressed the Board.

Mr. Robert S. Allen

Mr. Jerry Grace

Director Keller exited the meeting.

President McPartland called for the General Manager's Report. General Manager Grace Crunican reported on steps she had taken and meetings she had participated in.

President McPartland called for Board Member Reports.

Director Sweet reported she had attended with President Mc Partland and General Manager Crunican the Commemoration of the Japanese American Experience at the Temporary Detention Center at Tanforan at the San Bruno Station, the San Francisco Redevelopment Oversight Committee Meeting, and meeting with General Manager Crunican with the Black Contractors, and attended job readiness training at the Sunnydale Community Center.

President McPartland reported he attended with Director Sweet and General Manager Crunican the Commemoration of the Japanese American Experience at the Temporary Detention Center at Tanforan at the San Bruno Station, the Transform Transportation Choices Summit in Sacramento with Director Raburn and Franklin, the League of Women Voters meeting, the Livermore Chamber of Commerce meeting, was a guest speaker at the Dublin Chamber of Commerce meeting, and the Oakland Fire Department Training Division regarding flammability in relation to the new rail car seats.

Director Franklin reported he attended with President McPartland and Director Raburn the Transform Transportation Choices Summit in Sacramento, the Oakland Chamber of Commerce and Port of Oakland event, and the Paratransit Conference.

Director Murray reported she attended a Lafayette Homeowners meeting regarding the solar project, the City Councils of Clayton, Danville and Pleasant Hill to invite them to attend our State of Good Repair Tour on June 8, 2012, and passed out a Military Pass to a returning marine.

Director Raburn reported he attended with President McPartland and Director Franklin the Transform Transportation Choices Summit in Sacramento, the League of Women Voters luncheon, the Mega Region Conference with the Oakland Chamber of Commerce, the Alameda League of Women Voters meet and greet, and a public session on the West Oakland Specific Plan.

President McPartland brought Roll Call for Introductions before the Board.

Director Raburn requested a review of the Capitol Corridor policy for bicycle access on-board trains to maximize bicyclist ridership.

Director Radulovich requested the evaluation of amendments to the youth discount program: Institute use of embedded Clipper Card-like chip in student ID cards for access and identification; Increase the eligibility through the age of 18; Adjust system to permit use of discount card through graduation exclusively age of 18.

Director Sweet requested the review of the Student Discount program (orange ticket) to ensure availability of discount tickets through the end of the school year, provide access/purchase on-line, and provide a single central location for customer service.

Director Sweet requested the District consider moving banking services to a different bank (from Bank of America) that ensures that customers negotiating District issued checks are not charged a fee if they do not have an account.

Board Meeting was adjourned at 3:13 p.m.

Kenneth A. Duron  
District Secretary





## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DelPueco</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board		
DATE: c <i>5/16/12</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Isaac Lim Dept: M & E <i>Isaac Lim</i> Signature/Date: <i>05/11/12</i>	General Counsel <i>Audrey Ray</i> 5/11/12	Controller/Treasurer <i>[Signature]</i> [ ]	District Secretary <i>[Signature]</i> [ ]	BARC <i>[Signature]</i> 5/14/12
TITLE:				

### Award Contract No. 17AG-130 Refurbish Breakrooms at Richmond, El Cerrito Plaza, 12th Street, 19th Street, and Lake Merritt Stations

#### NARRATIVE:

**PURPOSE:** To obtain Board authorization for the General Manager to award Contract No. 17AG-130, Refurbish Breakrooms at Richmond, El Cerrito Plaza, 12th Street, 19th Street, and Lake Merritt Stations, to DAR Construction for the Bid amount of \$139,500.00.

**DISCUSSION:** The work of this Contract includes furnishing all labor, equipment, materials, and services to refurbish the breakrooms at Richmond, El Cerrito Plaza, 12th Street, 19th Street, and Lake Merritt Stations. Items of work include installation of water lines and sewage pipes, sinks and appurtenances, water heaters, garbage disposers, air conditioning, refrigerators, cabinetry and furniture, and electrical power and outlets.

Advance Notice to Bidders was mailed on March 26, 2012 to approximately 196 prospective Bidders. The Contract Documents were sent to 22 plan rooms. The Contract was advertised on March 31, 2011. A total of six firms purchased the Contract Documents. A Pre-Bid meeting and site visit was held on April 5, 2012, with seven prospective Bidders attending the meeting. One Addendum was issued. The following four Bids were received on April 24, 2012:

BIDDER	LOCATION	TOTAL BID
DAR Construction	San Francisco, CA	\$139,500.00
Empire Engineering	Oakland, CA	\$148,500.00
Bjork Construction Company, Inc.	Fremont, CA	\$344,850.00
Rodan Builders, Inc.	Burlingame, CA	\$360,000.00
<b>Engineer's Estimate</b>		\$180,000.00

After review by District staff, the Bid submitted by the apparent low Bidder, DAR Construction, has been deemed to be responsive. Furthermore, a review of this Bidder's license, business experience, and financial capabilities has resulted in a determination that the Bidder is responsible. Staff has also determined that its Bid of \$139,500.00, which is approximately 22.5% below the Engineer's Estimate, is fair and reasonable.

BART staff has determined that there will be no significant effect on the environment due to the

refurbishment work at these five BART facilities, and that such work is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities.

Pursuant to the District's Non-Discrimination in Subcontracting Program, the availability percentages for this contract are 23% for MBEs and 12% for WBEs. The Bidder will not be subcontracting any work and will do all work with its own forces. Therefore, the District's Non-Discrimination in Subcontracting Program does not apply.

**FISCAL IMPACT:** Funding of \$139,500 for the award of Contract No. 17AG-130 is included in the total project budget for FMS #17AG000 – Break Room Reburishment. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of May 1, 2012, \$1,953,021 is available for this project from the following sources:

Fund No.	Source	Fund Description	Amount
801C	BART	Interest Earning from GOB	\$318
8302	BART	99 Bond Interest	\$1,058
850W	BART	FY 00-06 Capital Allocation	\$150,847
850Z	BART	Capital Maintenance Allocation	\$350,000
851W	BART	FY07-11 Capital Allocation	\$1,150,798
8524	BART	FY12 Operating Allocation to Capital	\$300,000
		Total	\$1,953,021

BART has expended \$990,984, committed \$0, and reserved \$0 to date for other actions. This action will commit \$139,500 leaving an available fund balance of \$822,537 in this project.

There is no fiscal impact on available unprogrammed District Reserves

**ALTERNATIVE:** The alternative is to reject all Bids, which will compromise or delay the District's ability to provide adequate breakroom facilities at these five locations.

**RECOMMENDATION:** Adoption of the following motion:

**MOTION:** The General Manager is authorized to award Contract No. 17AG-130, Refurbish Breakrooms at Richmond, El Cerrito Plaza, 12th Street, 19th Street, and Lake Merritt Stations, to DAR Construction for the Bid price of \$139,500, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Walter DeLuca</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board		
DATE: <i>5/16/12</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Jeffrey Garcia Dept: M&E <i>[Signature]</i>	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary [ ]	BARC <i>[Signature]</i> <i>5/14/12</i>
Signature/Date: <i>5/10/12</i>				

### Award Contract No. 15NY-120, El Cerrito Plaza Station Sidewalk and Wayfinding Improvements

#### NARRATIVE

**PURPOSE:** To obtain Board authorization for the General Manager to award Contract No. 15NY-120, El Cerrito Plaza Station Sidewalk and Wayfinding Improvements, to Golden Bay Construction, Inc., for the Bid amount of \$466,945.00.

**DISCUSSION:** The work of this Contract includes furnishing all labor, equipment, materials and services required for sidewalk and wayfinding improvements at El Cerrito Plaza Station. These improvements include new ramps, directional signage, and tactile wayfinding installed in the walking surface directing pedestrians from the bus-intermodal facility to the BART station concourse. Work also includes replacing sidewalk which has been damaged by overgrown trees. Approximately eighteen (18) overgrown trees will be replaced as they have been determined by an arborist to be hazardous or unlikely to survive once repairs are made to the sidewalk.

Advance Notice to Bidders was e-mailed on March 9, 2012 to 39 prospective Bidders. Contract Books were mailed to 22 plan rooms. The Office of Civil Rights conducted outreach to approximately 200 MBE/DBE/WBE firms. The Contract was advertised on March 15, 2012. A Pre-Bid meeting was held on March 29, 2012, with five (5) prospective Bidders attending the meeting. Eleven (11) Planholders purchased the Contract Book. The following four (4) Bids were received and opened on April 24, 2012.

BIDDER	LOCATION	TOTAL BID
Golden Bay Construction, Inc.	Hayward, CA	\$466,945.00
Ghilotti Bros., Inc.	San Rafael, CA	\$508,500.00
Rodan Builders, Inc.	Burlingame, CA	\$570,000.00
Sposeto Engineering, Inc.	Union City, CA	\$573,400.00
<b>ENGINEER'S ESTIMATE</b>		<b>\$543,403.00</b>

After review by District staff, the Bid submitted by the apparent low Bidder, Golden Bay Construction, Inc., was found to be responsive. Furthermore, a review of this Bidder's license, business experience, and financial capabilities has resulted in a determination that the Bidder is responsible. Staff has determined that its Bid of \$466,945.00, which is approximately 27% under

the Engineer's Estimate, is fair and reasonable.

Staff has determined that there will be no significant effect on the environment from the sidewalk and wayfinding improvements and that the action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines section 15301(d) and (f), improvements at existing facilities and structures to meet current standards of public safety protection and section 15304, minor alterations to land. The project will receive federal funding and is therefore subject to the National Environmental Policy Act (NEPA). FTA approved the funding under grant 52X, concurring that the project qualifies for categorical exclusion (c)(15), as defined under 23 CFR 771.117 (c)(15) alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.

This Contract was advertised pursuant to the revised DBE Program requirements. The Office of Civil Rights reviewed the scope of work for this contract and determined that there were subcontracting opportunities; therefore, a DBE participation goal of 16% was set for this contract. The low Bidder, Golden Bay Construction, Inc., committed to subcontracting 16.2% to DBEs.

**FISCAL IMPACT:**

Funding of \$466,945 for the award of Contract 15NY-120 is included in the total project budget for FMS #15NY000 – Enhanced ADA Wayfinding. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of May 1, 2012, \$3,682,360 is available for this project from the following sources:

Fund No.	Source	Fund Description	Amount
352T	Federal	CA-90-Y054 FY01 Capital Assistance Program	509,589
352W	Federal	CA-90-Y270 FY04 Capital Assistance Program	22,100
352X	Federal	CA-90-Y339 FY05 Capital Assistance Program	2,432,013
8202	BART	Sales Tax Revenue Bond Fond	16,283
8206	BART	1998 Sales Tax Revenue Bond	50,565
8208	BART	2001 Sales Tax Revenue Bond	1,226
8301	BART	98 Bond Interest	5,525
850N	BART	Capital Improvement Allocations	66,717
850Q	BART	FY90 Cap Allocation-Extensions Startup Fund	20,317
850W	BART	FY00-06 Capital Allocation	446,793
851W	BART	FY07- 11 Capital Allocation	78,249
8901	BART	Vehicle-Harbor/Cross Border Lease Fund	32,983
		Total	3,682,360

BART has expended \$2,012,873, committed \$5,201, and reserved \$0 to date for other actions. This action will commit \$466,945 leaving an available fund balance of \$1,197,341 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

**ALTERNATIVE:** The alternative is to reject all Bids, which will result in the deferral of sidewalk and wayfinding improvements at El Cerrito Plaza Station. As this work includes repairs to sidewalks and paths with potential trip hazards, such deferral could lead to future liability for the District.

**RECOMMENDATION:** Adoption of the following motion.

**MOTION:** The General Manager is authorized to award Contract No. 15NY-120, El Cerrito Plaza Station Sidewalk and Wayfinding Improvements, to Golden Bay Construction, Inc., for the Bid price of \$466,945.00, pursuant to notification to be issued by the General Manager and subject to the District's procedures and FTA's requirements related to protest procedures.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeLauder</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board of Directors		
DATE: c <i>5/16/12</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Chuck Rae Dept: M&E <i>CWRae</i>	General Counsel <i>Paula Weaver</i> <i>5/15/12</i>	Controller/Treasurer <i>[Signature]</i> [ ]	District Secretary [ ]	BARC <i>Paula Weaver</i> <i>5/16/12</i> [ ]
Signature/Date: <i>5-15-12</i>				

TITLE

### Invitation for Bid No. 8898 - On Board Communication Units

NARRATIVE:

**Purpose:** To obtain Board authorization to award Invitation for Bid No. 8898 to WiFi Rail, Inc., Oakland, CA. in the amount of \$2,717,663, including sales tax, for the purchase of On Board Communications Units.

**Discussion:** The On Board Communications Units will be installed on one hundred revenue cars to support the Real Time Video Project within the Critical Asset Corridor, Oakland to Civic Center. Installation of these one hundred On-Board Communication Units will increase the fleet to a total of one hundred forty four cars that are equipped with On-Board Communication Units. The On Board Communication Units will record on board train data, all camera video including cab cameras. Car video and data in real time will also be transmitted in real time to the Integrated Security Response Center, Central Operations and Engineering. Real time car video will provide situational analysis for incident responders. Real time car data will provide fault analysis for mainline technicians and performance data for car maintenance.

As funding becomes available additional cars will be equipped with On Board Communication Units.

The Invitation for Bids was published on October 6, 2011. Bid requests were mailed to five (5) prospective bidders. Bids were opened on November 1, 2011 and three (3) bids were received.

Bidders	Total Including 8.75% Sales Tax
1. WiFi Rail, Inc. Oakland, CA.	\$2,717,663
2. Media Solv Solutions Corp. Herndon, VA.	\$3,023,250
3. McLaren Electronic Systems Woking, Surrey, United Kingdom	\$3,040,650
BART staff Estimate	\$2,500,000

Staff has determined that the apparent lowest bidder, WiFi Rail, Inc. submitted a responsive bid, and that the bid pricing is fair and reasonable based on adequate price competition.

Staff has also determined that bid pricing is fair and reasonable based on previous purchases of four On Board Communication Units from WiFi Rail, Inc. on February 2011 for \$98,186 and forty on May 2011 for \$1,097,237.

The District's Non-Discrimination in Subcontracting Program does not apply to Emergency Contracts, Sole Source Contracts and Contracts under \$50,000 or any Invitation for Bid. Pursuant to the Program, the Office of Civil Rights did not set availability percentages for this contract.

**FISCAL IMPACT:** Funding of \$2,717,663 to purchase On Board Communication Units is included in the total project budget for the FMS #79HX000 - WIFI ON RAIL CARS.

The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of the 05/15/2012, \$9,993,215.84 is available for this project from the following fund sources:

F/G 362U - FY10 TSGP Security CCTC and WIFI.	3,800,000.00
F/G 3751 - FY2007 TSGP GR#2007-RL-T7-K001	1,008,992.04
F/G 3752 - FY2007 TSGP GR#2007-RL-T7-K111	634,150.94
F/G 535F - FY08-09 PROP 1B Security	1,390,000.00
F/G 535T - FY07-08 CTSGP PROP 1B(HOMELND)	1,329,368.86
F/G 5371 - FY09-10 CTSGP PROP 1B(HOMELND)	1,830,704.00
	9,993,215.84

BART has expended \$3,219,066.08 committed \$332,171.72 to date for other actions. This action will commit an additional \$2,717,663 leaving an uncommitted balance of \$3,724,315.04 in these fund sources.

There is no fiscal impact on available un-programmed District Reserves.

**Alternative:** Reject bids, develop specifications for the units and readvertise

**Recommendations:** On the basis of analysis by staff and certification by the Controller-Treasurer that the funds are available for this purpose, it is recommended that the Board adopt the following motion.

**Motion:** The General Manager is authorized to award Invitation for Bid No. 8898 for the purchase of On Board Communication Units, to WiFi Rail, Inc., for the amount of \$2,717,663, including sales tax, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and Department of Homeland Security procedures related to protest.





## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL <i>Wanda DeBenedictis</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to Board of Directors		
DATE: <i>5/16/12</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Shirley J Ng Dept: TSD	General Counsel	Controller/Treasurer	District Secretary	BARC
Signature/Date: <i>sg 5/14/12</i>	<i>MP 5/11/12</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>Paul Evensen 5/16/12</i>
Status: Routed		Date Created: 04/05/2012		

TITLE:  
**Contract No. 15PT-110, BART Earthquake Safety Program Aerial Structures - R Line South, Change Order No. 14**

NARRATIVE:

**PURPOSE:**

To authorize the General Manager to execute Change Order No. 14, Increase in Allowance for Handling and Disposal of Unknown Hazardous Materials, in an amount not to exceed \$1,000,000, to Contract No. 15PT-110, BART Earthquake Safety Program Aerial Structures - R Line South, with R & L Brosamer, Inc..

**DISCUSSION:**

The Board of Directors authorized the General Manager to award Contract No. 15PT-110, BART Earthquake Safety Program Aerial Structures - R Line South, to R & L Brosamer, Inc. on October 1, 2010. The Contract included Bid Item No. 34, an Allowance for Handling and Disposal of Unknown Hazardous Materials, in the amount of \$200,000. District staff included this Allowance as preliminary site investigations identified the potential for air-deposited lead in the top soil. The Allowance was designed to facilitate rapid response when hazardous materials are encountered during excavation and testing of the soil.

The Contractor is to retrofit sixty-nine (69) piers and has begun work on foundations from 43rd Street to 62nd Street in Oakland. During excavation, high concentrations of hazardous materials such as lead, arsenic, mercury or pesticides, were found in the soil which will require disposition at a hazardous material receiving facility. Staff estimates that the additional cost of testing, handling and off-hauling the contaminated soil to be approximately \$20,000 per pier.

Because the amount of hazardous materials encountered are more than originally anticipated at the time of Bid, the Allowance has been exhausted. To date, every foundation excavated has encountered hazardous material and it is further anticipated that all piers in this Contract may contain hazardous material. Based on the number of piers to be retrofitted, staff is requesting an increase to Bid Item No. 34, Allowance for Handling and Disposal of Unknown Hazardous Materials in an amount not to exceed \$1,000,000 which would bring the total available Allowance for Bid Item No. 34 to \$1.2 million.

Furthermore, due to the impacts and disruptions caused by these differing site conditions, the Contractor may experience delays in meeting the Contract completion date. This issue will be evaluated by staff as the Contract progresses, and any claims for extension of time will be evaluated consistent with the Contract requirements.

Pursuant to Board Rule 5-2.4, Change Orders involving expenditures greater than \$200,000 require Board approval.

The Office of the General Counsel will approve this Change Order as to form prior to execution. The Procurement Department will review this Change Order prior to execution for compliance with procurement guidelines.

**FISCAL IMPACT:**

The total not-to exceed amount of \$1,000,000 for Change Order No. 14 is included in the total project budget for the FMS #15PT000, ESP Aerial Structures – R Line South. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of 4/30/12, \$17,013,250 is available for commitment for this Contract from the following sources:

F/G 801F - ESP GO Bond	\$15,522,095.00
F/G 801J - ESP GO Bond	\$ 1,491,155.00
Total	<b>\$17,013,250.00</b>

BART has expended \$2,622,670, committed \$11,838,558, and reserved \$0.00 to date for other actions. This action will commit \$1,000,000 leaving an available fund balance of \$1,552,022.

There is no fiscal impact on available unprogrammed District Reserves.

**ALTERNATIVES:**

The Board can elect not to authorize the execution of this Change Order. The District will more likely receive a claim from the Contractor for costs related to the handling and disposal of hazardous materials.

**RECOMMENDATION:**

Recommend that the Board approve the following motion:

**MOTION:**

The General Manager is authorized to execute Change Order No. 14, Increase in Allowance for Handling and Disposal of Unknown Hazardous Materials in an amount not to exceed \$1,000,000, to Contract No. 15PT-110, BART Earthquake Safety Program Aerial Structures - R Line South, with R & L Brosamer, Inc..

**San Francisco Bay Area Rapid Transit District**

**EXECUTIVE DECISION DOCUMENT**

**Date: 05/15/2012**

**ATTACHMENT #1  
CONTRACT NO. 15PT-110**

**CO No: 14**

**CHANGE ORDER SUMMARY**

**BACKGROUND**

Program:	Earthquake Safety Program
Name of Contractor:	R&L Brosamer, Inc.
Contract No./NTP:	15PT-110/November 26, 2010
Contract Description:	Aerial Structures R-Line South
Percent Complete as of 4/30/12 – Dollars	25.41%
Percent Complete as of 4/30/12 – Time	74.43%

**COST**

**% of Award**

**CO Totals**

**Contract Amount**

Original Contract Amount			\$11,284,000.00
Change Orders:	0.60%	\$67,883.89	
Other than Board Authorized CO's	0.00%	\$0.00	
This Change Order No. 14	8.86%	\$1,000,000.00	
Subtotal of All Change Orders	9.46%	\$1,067,883.89	
<u>Revised Contract Amount</u>			\$12,351,883.89

**SCHEDULE**

Original Contract Duration:	700 days
Time Extension to Date:	0 days
Time Extension Due to Approved COs:	0 days
Revised Contract Duration:	700 days



### EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Grace Blalock</i>		GENERAL MANAGER ACTION REQ'D: APPROVE AND FORWARD TO THE MAY 24, 2012 E & O COMMITTEE MEETING		
DATE: <i>5/17/12</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Molly McArthur Dept. EXTERNAL AFFAIRS <i>Molly McArthur</i> Signature/Date: <i>5.17.12</i>	General Counsel <i>Andrew Ray</i> Signature/Date: <i>5/17/12</i>	Controller/Treasurer <i>Paula Angulo</i> Signature/Date: <i>5/17/12</i>	District Secretary [ ]	BARC <i>Paula Angulo</i> Signature/Date: <i>5/17/12</i>
Status: Routed		Date Created: 05/16/2012		

TITLE:

### Warm Springs Extension Station Name

NARRATIVE:

**Purpose:** To provide the Board with information to consider in establishing the name for the new Warm Springs Extension. The Warm Springs Extension project has advanced to the point where signage and other titled materials must be ordered.

**Discussion:** The construction currently underway for the 5.4 mile Warm Springs Extension includes one station, located in the Warm Springs District of Fremont. Since as early as 1988, when MTC passed Resolution 1876, the project has been referred to as the Warm Springs Extension and the station has been referred to as the Warm Springs Station. BART's planning and environmental documents for the project used those names as well. The City of Fremont produced a long range area plan that labeled the area Warm Springs and included plans for development around the future BART station.

In 2007, the Fremont City Council requested that BART consider naming the station the Fremont/Warm Springs Station. The project was still in planning at that time and it was suggested that consideration of the name would occur at a later time. The request was noted for future discussion. More recently the Fremont City Council discussed their preferences for the station name at a February 21, 2012 Council meeting. Director Blalock addressed the Council that evening to engage in a dialog about the options for naming the station. After discussion, the Fremont City Council voted to endorse requesting BART to consider naming the station the Warm Springs/South Fremont Station. A letter requesting consideration of this name was sent by City Manager Fred Diaz to General Manager Grace Crunican on March 29, 2012.

BART naming conventions established the general protocol of naming a station after the city in which it is situated. In localities where multiple stations exist within a city, it has been common to use north, south, east, west to differentiate stations and also to use local geographic references to further define location. Examples include:

North Concord/Martinez  
Concord

El Cerrito del Norte  
El Cerrito Plaza

North Berkeley  
Ashby  
Downtown Berkeley

West Dublin/Pleasanton  
Dublin/Pleasanton

Hayward  
South Hayward

19<sup>th</sup> Street/Oakland  
12<sup>th</sup> Street/Oakland City Center  
West Oakland

The name Warm Springs/South Fremont Station fits into the pattern of BART station names. The positioning of Warm Springs first in the name memorializes an historic district of significance in the city and South Fremont clarifies and separates it from the existing Fremont Station.

**Fiscal Impact:** The funding to pay for the station signage is contained within the project budget for the Warm Springs Extension.

**Alternatives:** Other names that have been suggested for the station include South Fremont, Warm Springs, South Fremont/Warm Springs and Fremont/Warm Springs Stations.

**Recommendation:** Adoption of the following motion:

**Motion:** The Board finds that Warm Springs/South Fremont captures and memorializes the historical reference to the Warm Springs district of Fremont, and provides riders with the geographic distinction of South Fremont to identify it as a different station from the existing Fremont Station. The new Warm Springs Extension Station in the City of Fremont shall be called Warm Springs/South Fremont Station.

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

## Memorandum

**TO:** Board of Directors

**DATE:** May 17, 2012

**FROM:** General Manager

**SUBJECT:** PPAAL Agenda Items 5B and 5C - MTC Transit Sustainability Project and BART Metro (For Information)

At the May 24, 2012 Board of Directors Meeting, staff will be presenting two related planning items as referenced above.

As you will recall, Ann Flemer, Deputy Executive Director, Policy, Metropolitan Transportation Commission (MTC) made a presentation to the BART Board on the MTC Transit Sustainability Project (TSP) on October 13, 2011. Through the TSP, MTC is seeking to establish a framework and implementation plan for a more robust, financially viable transit system that is both cost-effective and customer-focused. On May 24<sup>th</sup>, BART staff will provide an overview of MTC's recommendations, with a particular focus on the Inner East Bay (IEB) service area. The IEB service is roughly where AC Transit and BART service areas overlap (from Richmond to Bay Fair). This will include a summary of the findings on MTC's Comprehensive Operational Analysis.

BART staff will also provide an overview of the BART Metro work. The 2007 MTC's *San Francisco Bay Area Regional Rail Plan* identified "BART Metro" as encompassing 1) service, 2) capacity and 3) coverage. The current efforts will include a discussion of a Sustainable Communities Operational Analysis, and a Vision initiative. This follows a Board discussion on a long-term vision for BART to support the region's Sustainable Communities Strategy (*Plan Bay Area*), which took place at the Board workshop/retreat in November 2011. The BART Metro effort is funded from multiple sources, including BART funds for Strategic Opportunity Assessments, as adopted in the BART FY12 budget and a Caltrans grant. Staff will outline the approach and proposed screening criteria.

If you have any questions, please feel free to contact Carter Mau at (510) 464-6194.

  
Grace Crunican

### Attachments

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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Memorandum

**TO:** Board of Directors

**DATE:** May 15, 2012

**FROM:** District Secretary

**SUBJECT:** Citizen Review Board BPMA/BPOA Appointment

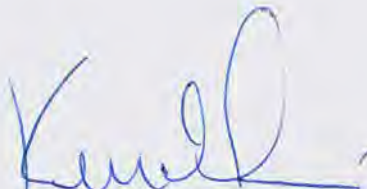
As we advised on March 28, the BART Police Managers' Association (BPMA) and BART Police Officers' Association (BPOA) representative to the Citizen Review Board (CRB), Ms. Suzanne C. Angeli, submitted her resignation from the CRB.

The BPMA and BPOA have informed us of their appointee to the CRB and the Board is being asked to ratify the appointment at the May 24 Board Meeting.

Attached for your review are the completed application and resume for Mr. Francis O. Morris.

Should you have questions or comments, please contact the Independent Police Auditor or me at your convenience.

Thank you.



Kenneth A. Duron

Attachments

cc: Board Appointed Officers  
Deputy General Manager  
Chief of Police  
President, BPMA  
President, BPOA





APPLICATION FOR APPOINTMENT TO THE  
BART CITIZEN REVIEW BOARD

NAME: Francis O. Morris

RESIDENCE ADDRESS: 65 Mesquite Lane, San Ramon, CA 94583  
Street City Zip

PHONE #: 925-556-4479 EMAIL ADDRESS: fomorris@comcast.net

BUSINESS NAME: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

OCCUPATION/PROFESSION: Semi retired. Part time for Parks San Ramon

Please list any work experience, education, attributes and training which you feel would help inform BART Directors of the contribution you would provide as a member of the Citizen Review Board and the reason why you are interested in being appointed.

*Please attach an additional page, if necessary.*

Please refer to resume for details. Employed by the City of Oakland, Oakland-Alameda County Coliseum, City of San Francisco, Ohlone College and City of San Ramon

The following individuals are qualified to comment on my capabilities:

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
August Yanke,	PO Box 27562, Bay Point, FL	850-235-4231
Curtis Wengeler	120 Mavis Place, San Ramon, CA	925-828-6915

Signature of Applicant: Francis O Morris Date: 4-23-12

## FRANCIS O. MORRIS

65 Mesquite Lane  
Home (925) 556-4479

San Ramon CA 94583  
Pager (925) 967-8528

### SUMMARY

Diversified and increasingly responsible experience in program and budget development, security and crime prevention concepts, design and direction of governmental and corporate security programs, development and direction of crowd management programs, management of entertainment and sporting events, management of building services at a large entertainment complex, development and direction of safety/training programs and ALL major operational areas of municipal law enforcement.

### WORK EXPERIENCE

**Emergency Planning Technician - City of San Ramon.** Developed emergency plans for the City of San Ramon. Purchased emergency supplies, equipment and conducted emergency drills.

**Project Manager - Ohlone Community College.** Contract project manager for special and delayed maintenance projects. The campus safety training and emergency planning are included in the project manager's responsibilities.

**Building Services Manager - Oakland-Alameda County Coliseum Complex.** Responsible for the maintenance, cleaning and landscaping at the complex's arena, stadium and exhibit hall. Twenty-nine full time engineers, janitors and groundskeepers; 130 part time janitors. Functioned as the tenant liaison with major stadium tenants, such as the Oakland Athletics and Bill Graham Presents Promotions.

**Deputy Chief/Protective Services and Investigations Bureau for the Public Utilities Commission/City and County of San Francisco.** Responsible for the supervision of criminal and civil investigations and for the design and implementation of system wide crime prevention/security programs within the Public Utilities Commission's water, power and transportation departments.

**Event Coordinator/Event Representative - Oakland-Alameda County Coliseum Complex.** Responsible for coordinating the security and crowd management activities of 350 employees. Designed programs for crowd management. Developed training programs for security officers, ushers, parking attendants and ticket takers.

**Oakland Police Department - Oakland, CA**

**Community Services Division Commander -** Responsible for all crime prevention, building design review, commercial security, residential security, personal safety and community organizing projects provided by the Oakland Police Department. Developed, implemented and administered above programs.

**Patrol Division Lieutenant.** Responsible for the delivery of uniformed police service to one-half of the city. Responsible for the delivery of uniformed police services to the entire city in the absence of the watch commander.

**Criminal Investigation Division Lieutenant.** Responsible for auto theft investigations for the City of Oakland and for the "Crime Specific Auto Theft" Program investigations for Alameda County. Responsible for Crime Analysis and Inspectional Services

**Police officer/Police sergeant.** Assigned to Patrol Division, Records Section, Planning and Research Division and Special Operations Section.

**US Army Reserves.** Non-Commissioned Officer in Charge of the General Subjects Committee and primary instructor for Basic Combat Training and Advanced Infantry Training subjects. Responsible for scheduling and training 2000-2500 soldiers per week during yearly active duty assignments.

#### **EDUCATION/SPECIALIZED TRAINING**

BS Police Administration-Michigan State University  
Basic Crime Prevention Course (CCPI)  
Crime Prevention through Environmental Design (CCPI)  
Civil Disorder Management Institute (CSTI)  
Middle Management and Command Officer's Courses (POST)  
Methods of Instruction (US Army)  
TEAM Techniques Training (Department of Transportation)  
Crowd Management (IAAM)  
Disaster Management (FEMA), Emergency Management Institute  
Disaster Management (CSTI)

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## MEMORANDUM

**TO:** Board of Directors

**DATE:** May 17, 2012

**FROM:** General Counsel

**SUBJECT:** Consent Calendar Guidelines

At Director Sweet's request, I have drafted revisions to the existing consent calendar guidelines to specify that contracts and agreements that contain either availability percentages or DBE goals will only qualify for the consent calendar if those availability percentages or DBE goals have been met. This item will come forward during the Board Matters portion of the Agenda.

The proposed changes are shown on the existing Resolution in redline/strikeout form. If approved, a new Resolution incorporating those changes would supercede the existing Resolution 4748.



Matt Burrows

Attachment

cc: Board Appointed Officers  
Deputy General Manager  
Associate General Counsel  
Executive Managers

**BEFORE THE BOARD OF DIRECTORS OF THE SAN FRANCISCO BAY AREA RAPID  
TRANSIT DISTRICT**

In the Matter of Establishing  
Guidelines for Consent Calendar  
Items Which are Referred Directly  
To the Board of Directors \_\_\_\_\_/

Resolution No. 4748

**WHEREAS**, on January 13, 2000, the Board of Directors of the San Francisco Bay Area Rapid Transit District adopted rules which modified the existing Regular Board Meeting and Committee Meeting schedules which are intended to streamline the administration of the business of the District, and

**WHEREAS**, it is the continued desire of the Board to make the most productive use of its time by focusing on policy issues and other matters of major importance to the District, and

**WHEREAS**, the Board wishes to further facilitate the business of the District by eliminating the need for routine matters to be presented first to one of the Committees of the Board and then again to the full Board at a regular or special meeting, and

**WHEREAS**, the Board desires to establish a process whereby routine items of District business will be referred directly to the Board as part of the regular Consent Calendar without first being presented to a Committee of the Board, and

**WHEREAS**, it continues to be the policy of the Board that any Board member shall be allowed to remove an item of business from the Consent Calendar upon his/her request,

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby establishes the following guidelines for items of routine District business which shall be referred directly to the Board for action on a Consent Calendar without first being presented to a Committee of the Board:

1. Awards of construction contracts or contracts for the procurement of supplies, equipment and materials when the amount of the contract award is less than \$2,000,000 which are compliant with and any applicable DBE goals of the District's DBE program or any applicable availability percentages of the District's nondiscrimination programs have been achieved. ~~when the amount of the contract award is less than \$2,000,000.~~

2. Awards of service agreements (including professional, technical, maintenance and repair agreements) and lease of license agreements for District use of real property, facilities, equipment and software when the amount of such agreement is less than \$500,000 and any applicable DBE goals of the District's DBE program or any applicable availability percentages of the District's nondiscrimination programs have been achieved.
3. Routine insurance matters.
4. Routine real estate matters such as disposal of remnant parcels or leases of District property for periods of three years or less.
5. Reports of Compliance with Environmental Mitigation and Monitoring Plans.
6. Quarterly Financial Reports (internal).
7. Quarterly Audit Reports (internal).
8. Annual District financial audits (external audit) and Directors' audits.
9. Routine personnel matters including commencing recruitment and relocation efforts for District positions and hiring executive search firms.

**BE IT FURTHER RESOLVED** that prior to the Board Meetings, written information on the foregoing matters shall be mailed to the Board in accordance with established schedules and procedures, and

**BE IT FURTHER RESOLVED** that Board members are encouraged to notify the District Secretary in advance of the Board Meeting if they wish to have items removed from the Consent Calendar so that the Secretary can notify the Board President in advance as time permits, and

**BE IT FURTHER RESOLVED** that these matters shall be itemized on the Board Agenda and Calendar of Business under a separately listed Consent Calendar as the first item of business, and

**BE IT FURTHER RESOLVED** that any matter which requires a vote of more than a simple majority of the Board shall not be placed on the Board Consent Calendar, and

**BE IT FURTHER RESOLVED** that nothing herein supercedes any authority previously or hereafter delegated to the General Manager or other staff to act with respect to District business under any statute, Board Rule, Board Resolution or Board Motion.

###

Adopted February 10, 2000