

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

Board of Directors
Minutes of the 1,725th Meeting
January 22, 2015

A regular meeting of the Board of Directors was held January 22, 2015, convening at 5:02 p.m. in the Board Room, 344 20th Street, Oakland, California. President Blalock presided; Kenneth A. Duron, District Secretary.

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

Absent: Director Keller.

President Blalock called for a moment of silence to recognize the contributions of Dr. Martin Luther King Jr.

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

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of January 8, 2015.
2. Award of Invitation for Bid No. 8945, Procurement of Modular Buildings.

Mr. Michael Petrelis requested that Approval of the Minutes of the Meeting of January 8, 2015, be removed from Consent Calendar.

Director Murray moved that the General Manager be authorized to award Invitation for Bid No. 8945, for the procurement of three modular buildings, to Mod Space Corporation, for a price of \$204,824.00, including all applicable taxes, subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protest procedures. Director McPartland seconded the motion, which carried by unanimous acclamation. Ayes - 8: Directors Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 1: Director Keller.

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

President Blalock brought the matter of Approval of the Minutes of the Meeting of January 8, 2015, before the Board.

Mr. Michael Petrelis addressed the Board.

Director Murray moved that the Minutes of the Meeting of January 8, 2015, be approved. Director McPartland seconded the motion, which carried by unanimous acclamation. Ayes - 8:

Directors Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock.
Noes - 0. Absent – 1: Director Keller.

President Blalock called for public comment on the matter of Resolution in the Matter of Adoption of an Ordinance of the San Francisco Bay Area Rapid Transit District to Prohibit the Use of Electronic Smoking (Vapor) Devices (Electronic Cigarettes) on BART Trains, BART Facilities, and BART Property Whenever They Are Found within the District.

The following individuals addressed the Board.

Ms. Serena Chen
Mr. Brian Davis
Ms. Liz Williams
Mr. Joseph Friedman
Mr. Bruce Fiedler
Mr. Jon Krueger

President Blalock called for Public Comment. The following individuals addressed the Board.

Mr. Pete Castelli
Reverend Daniel Buford
Dr. Michael Oshoosi Wright
Mr. Bill Kalman
Ms. Cynthia Crews
Ms. Shirley Pena
Ms. Betsey Stone
Mr. Charles Minster
Mr. Michael Lyon
Mr. Stan Woods
Ms. Mollie Costello
Ms. Vanessa Moses
Dr. Jennifer Davidson
Ms. Tes Welborn
Krystof
Ms. Cat Brooks
Ms. Elaine Brown
Hon. Desley Brooks
Ms. Karissa Lewis
Ms. Robbie Clark
Mr. Nedir Bey
Mr. Robert S. Allen
Ms. Levana Savon
Ms. Simone Combs
Ms. Sara Brink
Ms. Thorne Coyle
Ms. Anne Weills
Ms. Liz Derias
Ms. Ashley Yates
Mr. Bob Allen
Ms. Mignon Combs

Ms. Neva Walker
Mr. Zach Murray
Rabbi David J. Cooper
Ms. Wazi Maret Davis
Ms. Mary Elieisar
Mr. Eddie Dillard
Ms. Laila Williams
Mr. Ernest Stokes
Ms. Erin Stephens-North
Mr. Malkia Cyril
Ms. Rochelle Towers
Mr. Asa Dodsworth
Mr. Elliot Hughes
Ms. Alicia Garza
Mr. Richard Stone
Mr. Charlie Walker
Mr. Michael Petrelis
Mr. John Arantes
Ms. Tova Fry
Ms. Jessica Lehman
Ms. Andreana Clay
Ms. Patricia St. Onge
Ms. Kyla Lewis
Ms. Ronnishia Johnson
Mr. Josh Connor
Mr. Michael Gast
Ms. Celest Faison
Mr. Reuben Telushkin
Ms. Kelly Abraham
Mr. Jerry Grace
Ms. Rheema Calloway
Ms. Cynthia Monoz

The Board Meeting recessed at 8:17 p.m.

The Board Meeting reconvened at 8:30 p.m.

President Blalock called for Roll Call for Introductions.

Director Saltzman requested an item on the February 12, 2015 agenda addressing pending charges and restitution for protesters at West Oakland Station on November 28, 2014. Director Radulovich seconded the request

Director Mallett requested staff study/evaluate methods for increasing public participation in decision-making processes and bring the results back to the Board for discussion. Director Murray seconded the request.

Director McPartland, Chairperson of the Engineering and Operations Committee, announced that the items on Customer Communications during Major Service Disruptions and Improvement Initiatives and Service Planning for Special Events would be continued to a future meeting.

Director McPartland brought the matter of Award of Contract No. 01RQ-120, Construction of Hayward Maintenance Complex Project Site, Track, and Systems, before the Board. Mr. Thomas Horton, Manager of Earthquake Safety Programs, presented the item.

The following individuals addressed the Board.

Mr. Eddie Dillard
Omar

The item was discussed. President Blalock moved that the General Manager be authorized to award Contract No. 01RQ-120, for Construction of Hayward Maintenance Complex Project Site, Track, and Systems, to Proven Management, Inc., for the total Bid price of \$18,769,845.00, pursuant to notification to be issued by the General Manager, subject to the District's protest procedures and Federal Transit Administration's requirements related to protests. Director McPartland seconded the motion, which carried by unanimous acclamation. Ayes - 8: Directors Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 1: Director Keller.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Art Policy and Program: Issues, Opportunities, and Draft Goals and Objectives, before the Board. Mr. Robert Powers, Assistant General Manager, Planning and Development; Ms. Abigail Thorne-Lyman, Principal Planner; Ms. Jeannene Przyblyski, Provost at the California Institute of the Arts; and Ms. Regina Almaguer, Regina Almaguer Fine Arts, presented the item.

The following individuals addressed the Board.

Mr. Eric Murphy
Mr. Bill Purcell
Ms. Rachel Dinno Taylor
Mr. Jerry Grace

The item was discussed.

Director Saltzman, Vice Chairperson of the Administration Committee, brought the matter of San Francisco Bay Area Rapid Transit District Pay Schedules before the Board. Ms. Allison Picard, Assistant General Manager, Employee Services, presented the item. Director Murray moved approval of the base pay schedules in effect January 1, 2009; July 1, 2013 and July 5, 2013; and January 1, 2015. President Blalock seconded the motion, which carried by electronic and voice vote. Ayes - 7: Directors Josefowitz, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Abstain - 1: Director Mallett. Absent - 1: Director Keller.

Director Saltzman brought the matter of Resolution in the Matter of Adoption of an Ordinance of the San Francisco Bay Area Rapid Transit District to Prohibit the Use of Electronic Smoking (Vapor) Devices (Electronic Cigarettes) on BART Trains, BART Facilities, and BART Property Whenever They Are Found within the District, before the Board. Mr. Benson Fairrow, Deputy Chief of Police, presented the item.

Mr. Jerry Grace addressed the Board.

Director Raburn moved adoption of Resolution No. 5286, In the Matter of the Adoption of an Ordinance of the San Francisco Bay Area Rapid Transit District to Prohibit the Use of Electronic Smoking (Vapor) Devices (Electronic Cigarettes) on BART Trains, BART Facilities, and BART Property whenever they are found within the District. President Blalock seconded the motion, which carried by unanimous acclamation. Ayes - 8: Directors Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent – 1: Director Keller.

President Blalock called for the General Manager's Report. General Manager Grace Crunican thanked staff for the excellent job in keeping the trains running during the recent protests, reported on steps she had taken and activities and meetings she had participated in, and gave a report on the progress of outstanding Roll Call for Introductions items.

President Blalock called for the Independent Police Auditor's Report. Mr. Mark Smith, Independent Police Auditor, gave a presentation on the activities of the Office.

President Blalock called for Board Member Reports.

Director Mallett reported he had attended the Transportation Research Board meeting in Washington, D.C.

Director McPartland reported he had been in the Emergency Operations Center during the recent protests and thanked Police staff for their efforts.

President Blalock reported he had attended the Fremont mayor's conference and the District's annual Martin Luther King day event.

Director Murray thanked staff for handling the Board Meeting logistics.

President Blalock, bringing In Memoriam before the Board, requested the Meeting be adjourned in memory of Dr. Martin Luther King, Jr. Director Murray requested the Meeting be adjourned in honor of the retirement of Sergeant Tommy Smith's badge.

The Board Meeting was adjourned at 10:50 p.m. in memory of Dr. Martin Luther King, Jr. and Sergeant Tommy Smith.

Kenneth A. Duron
District Secretary