

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

Board of Directors  
Minutes of the 1,619th Meeting  
March 10, 2011

A regular meeting of the Board of Directors was held March 10, 2011, convening at 9:02 a.m. The meeting was held via simultaneous teleconference in the Board Room, 344 20<sup>th</sup> Street, Oakland, California, and the Offices of CJ Lake, 525 Ninth Street NW, Suite 800, Washington, DC. President Franklin presided; Kenneth A. Duron, District Secretary.

Directors present in Oakland: Directors Blalock, Fang, Keller, McPartland, Murray, and Franklin.

Director present in Washington: Director Raburn.

Absent: None. Directors Radulovich and Sweet entered the Meeting later.

Chief of Police Kenton Rainey and Assistant General Manager Paul Oversier presented plaques in recognition of the collaborative effort of employees from BART Police Department and Transportation Department in the apprehension of a violent serial robbery suspect. The individuals recognized were Sergeant McCarty, Officer Carter, Officer Barnes, Officer Plumley, Officer Abdoun, Officer Dam, Station Agents Hutchinson, Vargas, and Lee, and Detective Enriquez.

Director Radulovich entered the Meeting.

President Franklin introduced and welcomed Mr. Roy Dietrich, and thanked him for his contributions to the District.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of February 24, 2011 (Special), and February 24, 2011 (Regular).
2. Permit to Google, Inc. for Use of Parking Spaces at Millbrae Station.
3. Award of Contract No. 15LN-110, Escalator/Elevator Remote Monitoring System.

President Franklin briefly spoke on his reasons for supporting item 2-B.

Consent Calendar motions, as follow, were moved as a unit by Director Blalock. Director Murray seconded the motions, which carried by unanimous roll call vote. Ayes – 8: Directors Blalock, Fang, Keller, McPartland, Murray, Raburn, Radulovich, and Franklin. Noes – 0. Absent – 1: Director Sweet.

1. That the Minutes of the Meetings of February 24, 2011 (Special), and February 24, 2011 (Regular) be approved.
2. That the General Manager or her designee be authorized to execute a one-year permit with four one-year options to Google, Inc., to allow use of thirty (30) parking spaces, with provisions to increase use to up to sixty (60) spaces, at the BART Millbrae Station, for a beginning monthly permit fee of \$4500.00, subject to increases for additional parking spaces, and annual Consumer Price Index increases.
3. That the General Manager be authorized to award Contract No. 15LN-110, Escalator/Elevator Remote Monitoring System, to LINC Lighting & Electrical, for the total Bid price of \$278,675.00, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.

President Franklin brought the matter of Citizen Review Board Appointments before the Board. Ms. Marcia deVaughn, Deputy General Manager presented the item, and Mr. Duron reviewed the procedure to be followed in the selection process.

The following individuals addressed the Board.

Mr. Michael Bergren

Mr. George Perezvelez

Director McPartland exited the Meeting.

Director Sweet entered the Meeting.

The following individuals addressed the Board.

Mr. Les Mensinger

Mr. Marvin Warren

Mr. Ken Jones

Mr. Peter Barnett

Mr. Ben Douglas

Ms. Cydia Garrett

Ms. Crystal Porter

Mr. Jim Gillivan

Ms. Cora Ward

Ms. Sharon Kidd

Rev. Dr. Aurea Lewis

Mr. John Patrick

Mr. William White

Mr. Douglas Hambleton

Ms. Candace Hill

Mr. Ken Bukowski

Ms. Jennifer Scaife

The item was discussed.

The following individuals were appointed to the Citizen Review Board by the Director for each District as shown:

District 1	Benjamin Douglas
District 2	Sukari Beshears
District 3	William White
District 4	Peter D. Barnett
District 5	Doug Hambleton
District 6	Les Mensinger
District 7	Sharon Kidd
District 8	Ken Jones
District 9	George Perezvelez

The Board members completed weighted voting nomination forms to determine the At-Large appointee. The Meeting was recessed at 10:26 a.m. to calculate the results of the voting.

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The Board reconvened at 10:45 a.m.

Directors present in Oakland: Directors Blalock, Fang, Keller, Murray, Radulovich, Sweet, and Franklin.

Director present in Washington: Director Raburn.

Absent: Director McPartland.

Mr. Duron announced that there was a tie for the At-Large representative. At the request of Director Sweet, the second-place nominees were also considered, and Jennifer Scaife was appointed by the following vote: Ms. Scaife – 5: Directors Blalock, Fang, Murray, Radulovich, and Franklin. Ms. Garrett – 1: Director Keller. Ms. Porter – 1: Director Raburn. Ms. Oliver-Ward – 1: Director Sweet. Absent – 1: Director McPartland.

Mr. Duron announced that the BART Police Managers Association and BART Police Officers Association jointly appointed Ms. Suzanne C. Angeli to the Citizen Review Board.

Director Blalock moved that the Board of Directors ratify the Citizen Review Board Appointments representing Districts 1, 3, 5, 7, 9, and the citizen-at-large seat to one-year terms and the members representing Districts 2, 4, 6, 8, and the BART Police Associations seat to two-year terms, and shown on the attached summary. Director Murray seconded the motion, which carried by unanimous roll call vote. Ayes – 8: Directors Blalock, Fang, Keller, Murray, Raburn, Radulovich, Sweet, and Franklin. Noes – 0. Absent – 1: Director McPartland.

President Franklin announced that Item 5-B, Agreement with The Allen Group for Community Relations Services for BART Construction Projects (Agreement No. 6M8042), would be considered as the next item.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter before the Board. Ms. Molly McArthur, Government and Community Relations, presented the item.

Director Sweet moved that the General Manager be authorized to award Agreement No. 6M8042, to provide Community Relations Services for BART Construction Projects, to The Allen Group, LLC, in an amount not to exceed \$6,000,000.00, pursuant to notification to be issued by the General Manager, subject to the District's protest procedures and the Federal Transit Administration's requirements related to protest procedures. Director Blalock seconded the motion.

The following individuals addressed the Board.

Mr. Charles Walker  
Dr. Eleanor Ramsey  
Mr. Bernard Ashcraft  
Mr. Bevan Duffy  
Ms. LaVerda Allen  
Ms. Schatzie Allen Jefferson  
Ms. JayVon Muhammad  
Ms. Catherine Westphall  
Ms. Micaela Mazzani  
Ms. Surlene Grant  
Mr. Greg Doxey  
Mr. Ed Donaldson  
Ms. Yolanda Jones  
Mr. Silvestre Vera  
Mr. Ed Dillard

The item was discussed. The motion carried by unanimous roll call vote. Ayes – 8: Directors Blalock, Fang, Keller, Murray, Raburn, Radulovich, Sweet, and Franklin. Noes – 0. Absent – 1: Director McPartland.

Director Blalock, Chairperson of the Administration Committee, brought the matter of Fiscal Year 2012 Budget: Financial Priorities before the Board. Mr. Carter Mau, Executive Manager, Planning and Budget, Mr. Gregg Marrama, Department Manager of Capital Development and Control, and Mr. Robert Umbreit, Department Manager, Operating Budget and Analysis, presented the item. Discussion followed.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 15PE-110, BART Earthquake Safety Program Aerial Structures – R Line North, before the Board. Mr. Charles Stark, Assistant General Manager, Transit Development, presented the item. Discussion followed.

The following individuals addressed the Board.

Mr. Ed Dillard  
Mr. Gary Wade  
Mr. Bob Alten

Director Raburn moved that the General Manager be authorized to award Contract No. 15PE-110, Earthquake Safety Program, Aerial Structures – R Line North, to Alten Construction, Inc., for the Bid amount of \$18,418,052.16, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and the Federal Highway

Administration's requirements related to protest procedures. Director Sweet seconded the motion, which carried by unanimous roll call vote. Ayes – 8: Directors Blalock, Fang, Keller, Murray, Raburn, Radulovich, Sweet, and Franklin. Noes – 0. Absent – 1: Director McPartland.

Director Fang brought the matter of Cooperative Agreement with the City of Union City to Implement Phase 2 of the Union City Intermodal Station Project before the Board. Ms. Chris Quinn, Acting Deputy Executive Manager, Transit Systems Development, and Ms. Melena Gallagher, Manager of Capital Program – Stations, presented the item. Director Blalock moved that the General Manager or her designee be authorized to enter into a Cooperative Agreement – Phase 2, for the Implementation of the Union City Intermodal Station Phase 2 Project. Director Murray seconded the motion.

Mr. Ed Dillard addressed the Board.

The motion carried by unanimous roll call vote. Ayes – 8: Directors Blalock, Fang, Keller, Murray, Raburn, Radulovich, Sweet, and Franklin. Noes – 0. Absent – 1: Director McPartland.

Director Fang brought the matter of Cooperative Agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District for the Central Subway Project before the Board. Mr. Oversier presented the item. The item was discussed. Director Fang moved that the General Manager be authorized to execute the Cooperative Agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District. Director Sweet seconded the motion, which carried by unanimous roll call vote. Ayes – 8: Directors Blalock, Fang, Keller, Murray, Raburn, Radulovich, Sweet, and Franklin. Noes – 0. Absent – 1: Director McPartland.

Director Murray, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, had no report.

President Franklin called for the General Manager's report. General Manager Dorothy W. Dugger had no report.

President Franklin, Chairperson of the Sustainability/Green Ad Hoc Committee, gave a brief report on the activities of the ad hoc committee.

President Franklin brought Roll Call for Introductions before the Board.

Director Blalock requested a response to a customer comment proposal regarding installation of motion or other system start/stop features for escalators.

Director Blalock requested an expanded and more complete response to Roll Call for Introductions Item No. 10-381 on the issue of theft.

Director Fang requested the development of methodology to expand the opportunities for new businesses to get involved in contracting with the District.

Director Fang recommended the Board endorse the Governor's tax proposal.

Director Sweet repeated her request for an update on Strategic Maintenance Program.

Director Sweet requested the District develop signage and communication at the 12th Street/City Center Station entrance from City Center to ensure users are advised the closure of access to the Station entrance is not in the District's control.

Director Raburn requested that the signage and communication recommended by Director Sweet at the 12th Street/City Center Station include direction to alternate nearby locations to access the Station.

The following individuals addressed the Board.

Mr. Gary Wade  
Mr. Jerry Grace  
Mr. Austin Thomas

Director Sweet proposed the establishment of a Board liaison ad hoc committee to meet on a regular basis with union leadership.

President Franklin announced that the Board would enter into closed session under Item 10-A (Conference with Legal Counsel – Anticipated Litigation) and Item 10-B (Conference with Labor Negotiators - Public Employee Performance Evaluation) of the regular meeting agenda, and that the Board would adjourn upon conclusion of the closed session.

The Board Meeting recessed at 2:00 p.m.

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The Board reconvened in closed session at 2:11 p.m.

Directors present: Directors Blalock, Fang, Keller, Murray, Radulovich, and Franklin.

Absent: None. Directors McPartland, Raburn, and Sweet entered the Meeting later.

Director Sweet entered the Meeting.

Director Raburn joined the Meeting via teleconference from Washington, DC.

Director McPartland entered the Meeting.

The Board Meeting was adjourned at 3:08 p.m.

Kenneth A. Duron  
District Secretary