

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

Board of Directors
Minutes of the 1,556th Meeting
April 9, 2009

A regular meeting of the Board of Directors was held April 9, 2009, convening at 9:04 a.m. in the Board Room, 344 20th Street, Oakland, California. President Blalock presided; Kenneth A. Duron, District Secretary.

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

Absent: None. Directors Sweet and Ward Allen entered the Meeting later.

Consent Calendar item brought before the Board was:

1. Approval of Minutes of the Meeting of March 26, 2009.

Director Murray moved that the Minutes of the Meeting of March 26, 2009, be approved. Director Keller seconded the motion, which carried by electronic vote. Ayes – 6: Directors Franklin, Keller, McPartland, Murray, Radulovich, and Blalock. Noes – 0. Abstain – 1: Director Fang. Absent – 2: Directors Sweet and Ward Allen.

Directors Sweet and Ward Allen entered the Meeting.

President Blalock announced that the agenda would be reordered and General Discussion and Public Comment would be the next item.

The following individuals addressed the Board:

Dr. Ramona Tascoe

Ms. Diana M.

Mr. Jack Bryson

Krystof

a number of unidentified individuals representing No Justice No BART

The Board Meeting recessed at 10:45 a.m.

The Board reconvened at 11:22 a.m.

Directors present: Directors Keller, McPartland, Sweet, and Blalock.

Absent: Directors Fang, Franklin, Murray, and Ward Allen. Director Radulovich entered the Meeting later.

Dr. Ramona Tascoe addressed the Board.

Director Radulovich entered the Meeting.

Ms. Diana M. addressed the Board.

President Blalock announced that the Board would enter into closed session under Item 8-A (Conference with Labor Negotiators) and Item 8-B (Conference with Legal Counsel – Existing Litigation) of the regular meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 11:28 a.m.

The Board reconvened in closed session at 11:30 a.m.

Directors present: Directors Fang, Franklin, Keller, McPartland, Murray, Ward Allen, and Blalock.

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

Director Sweet entered the Meeting.

Director Radulovich entered the Meeting.

The Board Meeting recessed at 12:25 p.m.

The Board reconvened in closed session at 12:41 p.m.

Directors present: Directors Fang, Franklin, Keller, McPartland, Murray, Radulovich, Sweet, Ward Allen, and Blalock.

Absent: None.

The Board Meeting recessed at 1:22 p.m.

The Board reconvened in open session at 3:30 p.m.

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

Absent: Director McPartland.

President Blalock noted that there were no Consent Calendar Addenda items to consider.

Director Murray, Chairperson of the Administration Committee, brought the matter of Availability and Utilization Study Findings before the Board. Director Sweet made the following motions:

1. Adoption of Resolution No. 5076, In the Matter of Adopting Findings and Modifying BART's Disadvantaged Business Enterprise Program.
2. Establishment of a committee to investigate addition of professional services and procurement goals.
3. That Staff be directed to follow up on the other recommendations set forth in the Availability and Utilization study.

Director Ward Allen seconded the motions, which carried by electronic vote. Ayes – 7: Directors Franklin, Keller, Murray, Radulovich, Sweet, Ward Allen, and Blalock. Noes – 1: Director Fang. Absent – 1: Director McPartland.

Director Murray brought the matter of Consolidation of Transportation Clerks and Lost and Found Clerk into One Classification before the Board, and moved that the General Manager be authorized to execute the Side Letter of Agreement with Amalgamated Transit Union (ATU) Local 1555 entitled ATU/SL-1-09 RE: Senior Transportation Clerk, Transportation Clerk and Lost and Found Clerk Classifications, consolidating those classifications into a single classification designated Transportation Administration Specialist and modifying the ATU Collective Bargaining Agreement as specified therein. Director Sweet seconded the motion, which carried by electronic vote. Ayes – 7: Directors Franklin, Keller, Murray, Radulovich, Sweet, Ward Allen, and Blalock. Noes – 0. Abstain - 1: Director Fang. Absent – 1: Director McPartland.

Director Murray brought the matter of Fiscal Year 2010 Budget: Consider Motion to Release Budget Pamphlet and Motion to Set Date for Public Hearing before the Board, and moved that staff be directed to publish a Budget Pamphlet for Fiscal Year 2010 to be available for distribution no later than April 10, 2009; and that a public hearing on the Fiscal Year 2010 Preliminary Budget be set for Thursday, May 28, 2009, at 9:00 a.m. in the Board Room. President Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Fang, Franklin, Keller, Murray, Radulovich, Sweet, Ward Allen, and Blalock. Noes – 0. Absent – 1: Director McPartland.

Director Murray reported that the presentation on Fiscal Year 2010 Preliminary Budget Overview and the presentation on Business Advancement Plan Update had been continued to a future meeting.

Director Keller, Chairperson of the Engineering and Operations Committee, had no report.

Director Sweet, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, reported that the sole item on the agenda had been continued to a future meeting.

President Blalock asked for the General Manager's Report. General Manager Dorothy W. Dugger had no report.

Mr. Jerry Grace addressed the Board.

Director Ward Allen, Chairperson of the BART Police Department Review Committee, gave a report on the committee's activities. The Board discussed the Report of the BART Police Department Review Committee. The Board also discussed proposed new rules for Public Participation at Board and Committee meetings to promote an atmosphere of fairness, courtesy, and safety for all in attendance.

Director Fang exited the Meeting.

President Blalock brought Roll Call for Introductions before the Board.

Director Murray requested a report on the District's plans for participating in Earth Day activities.

Director Franklin requested cost estimates for audio recordings of Board and Committee meetings on the District's website.

Director Ward Allen requested that the District expand outreach and information availability to communications mediums like Twitter and Facebook, given constituent concerns of limited availability of the District's website.

Director Sweet supported Director Franklin's request regarding audio recordings of Board and Committee meetings on the District website and requested a report of use and posting of video recordings.

President Blalock called for General Discussion and Public Comment.

Director Ward Allen exited the Meeting.

Mr. Jerry Grace addressed the Board.

Director Sweet exited the Meeting.

Mr. Jesse Hunt and Mr. Scott Mace addressed the Board.

The Board Meeting adjourned at 4:10 p.m.

Kenneth A. Duron
District Secretary