

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

Board of Directors  
Minutes of the 1,624<sup>th</sup> Meeting  
May 12, 2011

A regular meeting of the Board of Directors was held May 12, 2011, convening at 9:12 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Franklin presided; Kenneth A. Duron, District Secretary.

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

Absent: Director McPartland. Director Sweet entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of April 14, 2011 (Special).
2. Suspension of Board Rule 5-1.2 – Submission of Fiscal Year 2012 Preliminary Budget from Administration Committee to Full Board.

Consent Calendar motions, as follow, were moved as a unit by Director Murray. Director Blalock seconded the motions, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Fang, Keller, Murray, Raburn, Radulovich, and Franklin. Noes – 0. Absent – 2: Directors McPartland and Sweet.

1. That the Minutes of the Meeting of April 14, 2011 (Special), be approved.
2. That the Board of Directors approve the suspension of the requirement in Board Rule 5-1.2 that the Fiscal Year 2012 tentative budget first be studied and considered by the Administration Committee prior to submission to the Board of Directors.

Consent Calendar report brought before the Board was

1. Fiscal Year 2011 Third Quarter Financial Report.

Director Blalock, Chairperson of the Administration Committee, announced that the matter of Amendment to Agreement No. 6M7066, Poster Advertising Franchise Services, with Titan Outdoor LLC, for Digital Real-time Train Arrival and Advertising Network, would be continued to a future meeting.

Director Blalock brought the matter of Fiscal Year 2012 Preliminary Budget Operating Sources, Uses and Service Plan before the Board. Mr. Carter Mau, Executive Manager, Planning and Budget; Mr. Robert Umbreit, Department Manager, Operating Budget and Analysis; and Mr. Paul Oversier, Assistant General Manager, Operations, presented the item. The item was discussed.

The following individuals addressed the Board.

Ms. Antonette Bryant

Mr. Charles Duran

Ms. Cyn Cugler

Ms. Sidra Johnson

Ms. Liz McGill

Mr. Chris Finn

Ms. Antonette Bryant

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Sole Source Procurement with Dailey and Wells Communications for Trunked Radio System for the Warm Springs Extension (WSX) Radio Site before the Board. Mr. Thomas Herold, Manager of Telecommunications Engineering, presented the item. Discussion followed.

Director Sweet moved that the Board find, pursuant to Public Contract Code Section 20227, that Dailey and Wells Communications is the single source for procurement of 800 MHz Enhanced Digital Access Communications System (EDACS) trunked radio system equipment pursuant to the requirements of Project 02EE, Warm Springs Extension (WSX) Radio Site, and that the procurement is for the purpose of duplicating or replacing equipment in use at the District; and that the General Manager be authorized to enter into direct negotiations with Dailey and Wells Communications and to execute a contract with Dailey and Wells Communications to provide engineering, parts, software, equipment placement, and startup services necessary for modifying the existing and in-service trunked radio network pursuant to the requirements of Project 02EE Warm Springs Extension (WSX) Radio Site, for a total price not to exceed \$900,000.00, plus applicable taxes. Director Blalock seconded the motion, which carried by unanimous electronic vote by the required two-thirds majority. Ayes – 8: Directors Blalock, Fang, Keller, Murray, Raburn, Radulovich, Sweet, and Franklin. Noes – 0. Absent – 1: Director McPartland.

Director Fang brought the matter of Change Order to Contract No. 15SU-110, BART Earthquake Safety Program Aerial Structures West Oakland Abutment A-1 to Pier P-109, with R&L Brosamer, Inc., for Cast in Drilled Hole (CIDH) Installation Revisions (C.O. No. 49), before the Board. Mr. Charles Stark, Assistant General Manager, Transit System Development, and Mr. Thomas Horton, Manager of Earthquake Safety Programs, presented the item. The item was discussed.

Director Radulovich exited the Meeting.

Director Blalock moved that the General Manager be authorized to execute Change Order No. 49, CIDH Installation Revisions, in an amount not to exceed \$452,643.02, to Contract No. 15SU-110, BART Earthquake Safety Program Aerial Structures West Oakland Abutment A-1 to Pier P-109, with R&L Brosamer, Inc. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Fang, Keller, Murray, Raburn, Sweet, and Franklin. Noes – 0. Absent – 2: Directors McPartland and Radulovich.

Director Radulovich entered the Meeting.

Director Fang brought the matter of Quarterly Performance Report, Third Quarter Fiscal Year 2011 - Service Performance Review, before the Board. Mr. Oversier presented the report. Discussion followed.

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

President Franklin called for the General Manager's report. Interim General Manager Sherwood G. Wakeman reported that BART would be providing extra service for the Bay to Breakers race scheduled for the upcoming weekend.

President Franklin brought the matter of General Manager Recruitment Process Update before the Board, gave a brief report on the progress of the process, and invited public comment. The item was discussed.

Mr. John Knox White addressed the Board.

Director Sweet, Chairperson of the BART Police Department Review Committee, gave a brief report on the recent activities of the committee.

President Franklin brought Roll Call for Introductions before the Board.

President Franklin proposed the development of a customer communication pilot program enabling customers to engage the District via texting regarding service, safety, security, etc.

Director Raburn requested quarterly reports on the financial condition of the Oakland Airport Connector project to include a brief statement regarding workforce composition (i.e.; minority participation).

Director Raburn requested the reconsideration of bicycle access on escalators.

Director Fang requested a report and consideration of an audit, if required, of the Business Advancement Plan program cost and effectiveness.

Director Sweet requested a report on plans to transition teenage student discount tickets (orange) to Clipper Card.

Director Radulovich requested a report specifically on the condition of the vendor equipment/facilities at the Balboa Park Station and a plan for improvement and a general review of the District's concession permitting requirements for the upkeep and maintenance of equipment by vendors on District property.

President Franklin brought General Discussion and Public Comment before the Board.

Ms. Antonette Bryant addressed the Board.

President Franklin announced that the Board would enter into closed session under Item 9-A (Public Employee Employment) and Item 9-B (Conference with Negotiators) of the regular meeting agenda, and that the Board would adjourn upon conclusion of the closed session.

The Board Meeting recessed at 12:24 p.m.

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The Board reconvened in closed session at 12:37 p.m.

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

Absent: Directors McPartland and Sweet.

The Board Meeting was adjourned at 2:17 p.m.

Kenneth A. Duron  
District Secretary