

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

Board of Directors  
Minutes of the 1,734th Meeting  
May 14, 2015

A regular meeting of the Board of Directors was held May 14, 2015, convening at 9:05 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Blalock presided; Kenneth A. Duron, District Secretary.

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

Absent: None.

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 April 23, 2015.
2. Resolution Authorizing the Application for Funding from the Affordable Housing and Sustainable Communities Program for Affordable Housing and Related Access Improvements at or near BART Stations.
3. Award of Contract No. 15QH-170, Site Improvement at San Leandro Station.
4. Award of Invitation for Bid No. 8953, Procurement of Traction Power Cable.
5. Resolution of Project Compliance and Initial Report for Regional Measure 2 Bridge Toll Funds for the BART West Oakland Bike Locker Plaza Project #20.65 – Phase I.
6. Revision to Standing Committee and Special Appointment: Asset Management Ad Hoc Committee.

Consent calendar report brought before the Board was:

1. Fiscal Year 2015 Third Quarter Financial Report.

Director Keller requested that Item 2-B, Resolution Authorizing the Application for Funding from the Affordable Housing and Sustainable Communities Program for Affordable Housing and Related Access Improvements at or near BART Stations, be removed from Consent Calendar.

Director Raburn made the following motions as a unit. Director Murray seconded the motions, which carried by unanimous electronic vote. Ayes - 9: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0.

1. That the Minutes of the Meeting of April 23, 2015, be approved.
2. That the General Manager be authorized to award Contract No. 15QH-170, Site Improvement at San Leandro Station, to Golden Bay Construction, Inc., for the Bid price of \$248,150.00, pursuant to notification to be issued by the General Manager and subject to compliance with the District's protest procedures.
3. That the General Manager be authorized to award Invitation for Bid No. 8953, an estimated quantity contract for Traction Power Cable, to Draka Cableteq USA, for the Bid price of \$682,267.52, including all taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protests.

(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.)

4. Adoption of Resolution No. 5292, In the Matter of Supporting a Resolution of Project Compliance for Regional Measure 2 Bridge Toll Funds for the BART West Oakland Bike Locker Plaza Project.
5. That the appointment of Directors Josefowitz, Keller, Murray, and Raburn to the Asset Management Ad Hoc Committee be ratified.

President Blalock brought the matter of Resolution Authorizing the Application for Funding from the Affordable Housing and Sustainable Communities Program for Affordable Housing and Related Access Improvements at or near BART Stations before the Board. Ms. Deidre Heitman, Principal Planner, presented the item. The item was discussed. Director Keller moved adoption of Resolution No. 5293, In the Matter of Authorizing the Application for Funding from the Affordable Housing and Sustainable Communities Program. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0.

Director Mallett requested a moment of silence for the many on-going issues in the world, including the two earthquakes in Nepal, the train derailment in Philadelphia, and unrest involving officer-involved shootings throughout the country.

President Blalock announced that the Board would enter into closed session under Item 9-A (Public Employment) of the Regular Meeting agenda, and that the Board would reconvene in open session upon the conclusion of the closed session.

The Board Meeting recessed at 9:25 a.m.

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The Board Meeting reconvened in closed session at 9:27 a.m.

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

Absent: None.

The Board Meeting recessed at 10:25 a.m.

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The Board Meeting reconvened in open session at 10:26 a.m.

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

Absent: None.

President Blalock announced that the Board had concluded its closed session under Item 9-A of the Regular Meeting agenda, and that there were no further announcements to be made.

Director Keller, Chairperson of the Administration Committee, announced that Employee Recruitment for the Position of Controller-Treasurer would be continued to a future Meeting.

Director Keller brought the matter of Warm Springs Extension: Proposed Service Plan Options & Title VI Equity Analysis and Public Participation Report; and Title VI Equity Analysis and Public Participation Report, before the Board. Ms. Sharon Moore, Program Manager, Workforce and Policy Compliance; and Mr. Thomas Tumola, Program Manager, presented the item. The item was discussed.

Jerry Grace addressed the Board.

President Blalock moved that the Board approve the Warm Springs Extension Title VI Equity Analysis and Public Participation Report. Director Mallett seconded the motion, which carried by electronic vote. Ayes - 7: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Saltzman, and Blalock. Noes – 2: Directors Raburn and Radulovich.

Director Keller brought the matter of Independent Auditor's Report on Audit of Federal Awards under the Single Audit Act and Office of Management and Budget Circular A-133 for the Fiscal Year Ended June 30, 2014, before the Board. Ms. Rose Poblete, Assistant Treasurer, presented the item.

Director Keller brought the matter of Fiscal Year 2016 Preliminary Budget Sources, Uses and Service Plan, before the Board. Mr. Carter Mau, Assistant General Manager, Administration and Budgets; Mr. Paul Oversier, Assistant General Manager, Operations; Mr. Robert Umbreit, Department Manager, Operating Budget and Analysis; and Mr. Dennis Markham, Acting Manager, Operating Budgets, presented the item. The item was discussed.

The following individuals addressed the Board.

Chris Finn  
Jerry Grace

Director Keller exited the Meeting.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 15PE-120, Earthquake Safety Program R Line P-377 to P380 Structure Upgrade, before the Board. Mr. Thomas Horton, Group Manager, Earthquake Safety Program, presented the item. Director Raburn moved that the General Manager be authorized to award Contract No. 15PE-120, R Line P-377 to P-380 Structure Upgrade, to Zovich & Sons, Inc., for the Bid amount of \$1,554,739.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 1: Director Keller.

Director McPartland brought the matter of Award of Contract No. 15PJ-140, Earthquake Safety Program Bay Fair Station and Ashland Avenue Underpass, before the Board. Mr. Horton presented the item. Director Saltzman moved that the General Manager be authorized to award Contract No. 15PJ-140, Earthquake Safety Program Bay Fair Station and Ashland Avenue Underpass, to ProVen Management, Inc., for the Bid amount of \$5,323,777.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 1: Director Keller.

Director McPartland brought the matter of Agreement with Parsons Transportation Group Inc., to Provide General Engineering Services for Train Control Modernization Program (Agreement No. 6M8092), before the Board. Mr. Robert Powers, Assistant General Manager, Planning and Development, presented the item.

The following individuals addressed the Board.

Lester Yoshida  
Lori Colangelo  
Jerry Grace  
Chris Finn

Director Saltzman moved that the General Manager be authorized to award Agreement No. 6M8092, General Engineering Services for BART Train Control Modernization Program, to Parsons Transportation Group Inc., in an amount not to exceed \$25,000,000.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and the Federal Transit Administration's requirements related to protests. Director Raburn seconded the motion. The item was discussed.

Director Raburn exited the Meeting.

The motion carried by unanimous electronic vote. Ayes - 7: Directors Josefowitz, Mallett, McPartland, Murray, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 2: Directors Keller and Raburn.

Director Raburn re-entered the Meeting.

Director McPartland brought the matter of Quarterly Performance Report, Third Quarter Fiscal Year 2015 - Service Performance Review, before the Board.

Director Keller re-entered the Meeting.

Mr. Oversier; Mr. Jeff Lau, Chief Safety Officer; and Mr. Jeff Jennings, Deputy Chief of Police, presented the item. The item was discussed.

Jerry Grace addressed the Board.

Director Mallett exited the Meeting.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Downtown Berkeley Bike Station One-Year Lease Extension with HSR Berkeley Investments, LLC, before the Board. Mr. Steve Beroldo, Manager of Access Programs, presented the item. The item was discussed. Director Murray moved that the General Manager or her designee be authorized to execute an amendment for a one-year extension to the existing lease with HSR Berkeley Investments, LLC, for 4,000 square feet of commercial space at 2208 Shattuck Avenue, Berkeley, for the Downtown Berkeley Bike Station, commencing July 1, 2015. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent – 1: Director Mallett.

President Blalock called for the General Manager's Report. General Manager Grace Crunican informed the Board she would submit her report via memorandum.

Director Radulovich, Chairperson of the Wayside Safety Ad Hoc Committee, gave a brief report on the recent activities of the ad hoc committee.

President Blalock called for Board Member Reports, Roll Call for Introductions, and In Memoriam.

President Blalock reported he and Director Josefowitz had given a Build a Better BART presentation at the Daly City Shops.

Director Keller shared an email he had received from a passenger regarding homeless people in stations.

Director McPartland reported on the efforts of disaster medical assistance teams to assist the island of Guam in the face of an impending typhoon.

Director Murray requested the Meeting be adjourned in honor of Ms. Doras Briggs, and District Architect Tian Feng's father, Rangxian Feng.

President Blalock called for Public Comment. Jerry Grace addressed the Board.

President Blalock announced that the Board would enter into closed session under Item 9-B (Conference with Legal Counsel) of the Regular Meeting agenda, and that the Board would reconvene in open session upon the conclusion of the closed session.

The Board Meeting recessed at 2:51 p.m.

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The Board Meeting reconvened in closed session at 2:58 p.m.

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

Absent: Director Mallett.

The Board Meeting recessed at 3:26 p.m.

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

Directors present: President Blalock.

Absent: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, and Saltzman.

President Blalock announced that the Board had concluded its closed session under Item 9-B of the Regular Meeting agenda, and that there were no further announcements to be made.

The Board Meeting was adjourned at 3:30 p.m. in memory of Doras Briggs and Rangxian Feng.

Kenneth A. Duron  
District Secretary