

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

Board of Directors
Minutes of the 1,655th Meeting
May 24, 2012

A regular meeting of the Board of Directors was held May 24, 2012, convening at 9:13 a.m. in the Board Room, 344 20th Street, Oakland, California. President McPartland presided; Kenneth A. Duron, District Secretary.

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

Absent: Director Murray.

President McPartland introduced Vice Mayor Gina Papan of the City of Millbrae who addressed the Board on Millbrae Economic Development.

President McPartland announced that under the provisions of the Rules of the Board of Directors of the San Francisco Bay Area Rapid Transit District now was the time set to hold a public hearing on the Fiscal Year 2013 Budget, that staff would give a brief presentation, and that the meeting would then be opened for comments from the public.

Mr. Robert Umbreit, Department Manager of Operating Budget and Analysis, and Mr. Gregg Marrama, Department Manager of Capital Development, presented the item.

The following individuals addressed the Board.

Mr. Robert S. Allen
Ms. Rebecca Saltzman
Mr. Jerry Grace

The public hearing was closed at 9:47 a.m.

Director Sweet, Chairperson of the Administration Committee, brought the matter of Fiscal Year 2013 Capital and Operating Budgets before the Board. Mr. Carter Mau, Executive Manager, Planning and Budget; Mr. Robert Umbreit, Department Manager of Operating Budget and Analysis; and Mr. Gregg Marrama, Department Manager of Capital Development presented the item. The item was discussed.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of May 10, 2012.
2. Award of Contract No. 17AG-120, Refurbish Breakrooms at Richmond, El Cerrito Plaza, 12th Street, 19th Street and Lake Merritt Station.

3. Award of Contract No. 15NY-120, El Cerrito Plaza Station Sidewalk and Wayfinding Improvements.

Director Sweet requested that Items 2-B Award of Contract No. 17AG-130, Refurbish Breakrooms at Richmond, El Cerrito Plaza, 12th Street, 19th Street and Lake Merritt Stations and 2-C Award of Contract No. 15NY-120, El Cerrito Plaza Station Sidewalk and Wayfinding Improvements, be removed from the Consent Calendar.

Director Fang moved that the Minutes of the Meeting of May 10, 2012 (Regular), be approved. Director Franklin seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Raburn, Radulovich, Sweet, and McPartland. Noes – 0. Absent – Director Murray.

Director Sweet brought Items 2-B Award of Contract No. 17AG-130, Refurbish Breakrooms at Richmond, El Cerrito Plaza, 12th Street, 19th Street and Lake Merritt Stations and 2-C Award of Contract No. 15NY-120, El Cerrito Plaza Station Sidewalk and Wayfinding Improvements before the Board. Paul Oversier, Assistant General Manager of Operations presented the items. The items were discussed.

Director Sweet made the motion to move Item 2-B, as amended, and 2-C of the Consent Calendar as a unit. Director Franklin seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Raburn, Radulovich, Sweet, and McPartland. Noes – 0. Absent – Murray.

1. That the General Manager is authorized to award Contract No. 17AG-130, Refurbish Breakrooms at Richmond, El Cerrito Plaza, 12th Street, and Lake Merritt Stations, to DAR Construction for the Bid price of \$139,500, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures. Director Sweet amended the motion to include (The Board is to be notified of any Change Order to Contract 17AG-130 with justification for such Change Order.)
2. That the General Manager is authorized to award Contract No. 15NY-120, El Cerrito Plaza Station Sidewalk and Wayfinding Improvements, to Golden Bay Construction, Inc., for the Bid price of \$466,945, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Change Order to Contract No. 15PT-110, with R & L Brosamer, for the Earthquake Safety Program, R Line South Aerials – Increase in Allowance for Handling Hazardous Material (C.O. No. 14). before the Board. Mr. Paul Oversier, Assistant General Manager, Operations; Mr. Thomas Horton, Manager of Earthquake Safety Programs, presented the item. The item was discussed.

Mr. Jerry Grace addressed the Board.

Director Keller exited the Meeting.

Director Raburn moved that the General Manager be authorized to execute Change Order No. 14, Increase in Allowance for Handling and Disposal of Unknown Hazardous Materials in an amount not to exceed \$1,000,000, to Contract No. 15PT-110, BART Earthquake Safety Program Aerial Structures –R Line South, with R & L Brosamer, Inc . Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes - 7: Directors Blalock, Fang, Franklin, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0. Absent – 2: Directors, Keller and Murray.

Director Keller entered the Meeting.

Director Fang brought the matter of Quarterly Performance Report, Third Quarter Fiscal Year 2012 – Service Performance Review, before the Board. Mr. Paul Oversier, Assistant General Manager – Operations, presented the item, The item was discussed.

The following individuals addressed the Board.

Mr. Jerry Grace
Ms. Antonette Bryant
Mr. Michael Healy

Director Blalock, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Proposed Naming of the Warm Springs/South Fremont Station, before the Board. Ms. Molly McArthur, Acting Department Manager, Communications, and Ms. Chris Quinn, Acting Assistant General Manager, Transit System Development, presented the item. The item was discussed.

The following individuals addressed the Board.

Ms. Cheryl Golden
Mr. Jerry Grace

Director Blalock moved that the Board finds that Warm Springs/South Fremont captures and memorializes the historical reference to the Warm Springs district of Fremont, and provides riders with the geographical distinction of South Fremont to identify it as a different station from the existing Fremont Station. The new Warm Springs Extension Station in the City of Fremont shall be called Warm Springs/South Fremont Station. Director Fang seconded the motion which carried by unanimous voice vote. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Raburn, Radulovich, Sweet, and McPartland. Noes – 0. Absent – 1: Director Murray.

Director Blalock exited the Meeting.

Director Radulovich, Vice Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of the Metropolitan Transportation Commission Sustainability Project – Inner East Bay Comprehensive Operational Analysis, before the Board. Ms. Pam Herhold, Manager, Financial Planning and Mr. Robert Mitroff, Manager, Fleet Capacity presented the item. The item was discussed.

The following individuals addressed the Board.

Mr. Jerry Grace

Ms. Dollõne Jones
Mr. Jeff Hobson

Vice Chairperson Radulovich brought the matter of Introduction of BART Metro Strategy, before the Board. Mr. Val Menotti, Department Manager, Planning and Mr. Malcolm Quint, Manager of Travel Demand Planning presented the item. The item was discussed.

The following individuals addressed the Board.

Mr. Jeff Hobson
Mr. Robert S. Allen

President McPartland called for the General Manager's report. General Manager Grace Crunican had no report.

President McPartland called for Board Matters. Citizen Review Board: Appointment of BART Police Manager's Association and BART Police Officers' Association Representative. Directors Radulovich and Sweet recommended the item be over to a future meeting. President McPartland concurred.

President McPartland called for Board Matters. Amendment to Consent Calendar Guidelines as requested by Director Sweet. The item was discussed.

Director Raburn moved to approve the revised Resolution No. 4748, existing consent calendar guidelines to specify that contracts and agreements that contain either availability percentages or DBE goals will only qualify for the consent calendar if those availability percentages or DBE goals have been met. Director McPartland seconded the motion which carried by unanimous voice vote. Ayes – 7: Directors Blalock, Fang, Franklin, Keller, Raburn, Radulovich, Sweet, and McPartland. Noes – 0. Absent – 2: Directors Blalock and Murray.

President McPartland called for Board Member Reports.

Vice President Radulovich announced that he attended the Daly City Council Meeting.

Director Franklin announced that the Lafayette Farmers Market in the BART parking lot will begin June 10, 2012, and the annual Fight Hunger Food Drive will be June 1-15, 2012 at all the Capital Corridor Train Stations.

Director Raburn announced that he attended the Citizens Review Board Meeting, Business Advisory Council Meeting, Oakland Airport Connector meeting, California Transit Association meeting, Coliseum Line Creek Transit Oriented Development meeting and the Fremont Line Environmental Impact Report meeting. He also met with Cal State East Bay Geography and Environmental Students.

President McPartland brought Roll Call for Introductions before the Board.

Director Raburn requested the District evaluate potential solutions for reopening restrooms in underground stations, including potential alternatives already vetted and acceptable to the Police Department and District Architect.

Director Raburn requested the District develop with AC Transit cooperative solutions to the citation of customers in bus zones at stations, including signage solutions.

Director Sweet exited the meeting.

President McPartland requested that the District work with Caltrans on correcting obsolete directional signage for accessing Castro Valley Station from I580.

Director Keller requested that the District consider/evaluate a 'fast pass' solution for application in Contra Costa County.

President McPartland called for General Discussion and Public Comment.

The following individuals addressed the Board.

Mr. Richard OBA

Mr. Robert S. Allen

Director Fang exited the meeting.

President McPartland called for Public Comment on Items 10-A and 10-B Only.

President McPartland announced that the Board would enter into closed session under Item 10-A (Threat to Public Services or Facilities) and Item 10-B (Conference with Real Property Negotiator) of the regular meeting agenda, and that the Board would reconvene in open session at the conclusion of the closed session.

The Board Meeting recessed at 2:09 p.m.

The Board Meeting reconvened in closed session at 2:16 p.m.

Directors present: Directors Fang, Franklin, Keller, Raburn, Radulovich, Sweet and McPartland.

Absent: Directors Blalock and Murray

The Board Meeting recessed at 3:54 p.m.

The Board reconvened in open session at 3:56 p.m.

Director present: President McPartland

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

President McPartland announced that the Board had met in closed session under Items 10-A and 10-B, and that there was no announcement to be made.

Board Meeting was adjourned at 3:57 p.m.

Kenneth A. Duron
District Secretary