

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

Board of Directors  
Minutes of the 1,569th Meeting  
July 9, 2009

A regular meeting of the Board of Directors was held July 9, 2009, convening at 9:04 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 Keller, McPartland, Murray, Sweet, Ward Allen, and Blalock.

Absent: None. Directors Fang, Franklin, and Radulovich entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of June 4, 2009 (Special).
2. Disability Discrimination and Reasonable Accommodation Policy.
3. Award of Contract No. 09DJ-213A, Procurement of DC Power Supply for Cathodic Protection.
4. Award of Contract No. 15TE-110, Aerial Structure Fall Protection – West Oakland.

Director Sweet exited the Meeting.

Consent Calendar motions, as follow, were moved as a unit by Director Murray. Director McPartland seconded the motions, which carried by unanimous electronic vote. Ayes – 5: Directors Keller, McPartland, Murray, Ward Allen, and Blalock. Noes – 0. Absent – 4: Directors Fang, Franklin, Radulovich, and Sweet.

1. That the Minutes of the Meeting of June 4, 2009 (Special), be approved.
2. That the Reasonable Accommodation and Disability Discrimination Policy be adopted. (A copy of the Policy is attached and hereby made a part of these Minutes.)
3. That the General Manager be authorized to award Contract No. 09DJ-213A, Procurement of DC Power Supply for Cathodic Protection, to On-Line Power Inc., for the bid price of \$443,480.00, plus applicable taxes, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protest procedures.

4. That the General Manager be authorized to award Contract No. 15TE-110, Aerial Structure Fall Protection, West Oakland, Phase 1, for the bid price of \$366,000.00, to Summit Steel Works, Inc., pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures and Federal Transit Administration's requirements related to protest procedures.

President Blalock announced that the Board would enter into closed session under Item 8-A (Conference with Legal Counsel – Existing Litigation) and Item 8-B (Conference with Labor Negotiators) 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 9:06 a.m.

---

---

The Board reconvened in closed session at 9:09 a.m.

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

Absent: None. Directors Fang, Franklin, and Radulovich entered the Meeting later.

Director Radulovich entered the Meeting.

Directors Fang and Franklin entered the Meeting.

The Board Meeting recessed at 9:26 a.m.

---

---

The Board reconvened in open session at 9:29 a.m.

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

Absent: None.

Consent Calendar Addenda item brought before the Board was:

1. Fiscal Year 2010 Agreement with the San Francisco Municipal Transportation Agency to Participate in the Employer Ticket Sales Program.

Director Sweet moved that the General Manager be authorized to enter into an agreement with the City and County of San Francisco Municipal Transportation Agency for the delivery and sale of transit passes or tickets (the "Employer Ticket Sales Program"), for the period starting July 15, 2009, through January 15, 2010, at a cost not to exceed \$1.20 per ticket sold, and that the General Manager be authorized to exercise the option to extend the contract for one year at

the same per-ticket cost, with the total cost under this agreement not to exceed \$100,000.00 in any six-month period. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Fang, Franklin, Keller, McPartland, Murray, Radulovich, Sweet, Ward Allen, and Blalock. Noes – 0.

Director Murray, Chairperson of the Administration Committee, had no report.

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 Committee agenda had been forwarded to Consent Calendar Addenda.

President Blalock called for the General Manager's Report. General Manager Dorothy W. Dugger introduced Carter Mau, Executive Manager of Planning and Budgets, who gave a presentation on the progress of negotiations regarding the Proposed San Francisco International Airport Employee Discount. Discussion followed.

The following individuals addressed the Board:

Mr. Whitfield McTair

Mr. Jerry Grace

President Blalock asked the General Manager to check on discrepancies in the adopted budget and the targeted budget reductions and the end result.

President Blalock brought the matter of Workshop: Disability Discrimination and Reasonable Accommodation before the Board. Ms. Elaine Kurtz, Department Manager of Human Resources, gave the brief workshop.

Director Ward Allen, Chairperson of the BART Police Department Review Committee, gave a report on the committee's activities.

President Blalock brought Roll Call for Introductions before the Board.

Director Radulovich requested that the District's facilities standards include universal accessibility provisions throughout the system, and that the District develop requirements, costs and priorities for the implementation of the revised standards.

Director Radulovich requested the screening of existing District facilities and evaluating them compared with new facilities standards, including a comparison with requirements resulting from future growth and expansion, and use data for the development of priorities.

Director Murray requested a report on the status of the removal of abandoned and vandalized bicycles at the Concord Station and comments attributed to Station Agents regarding the Police Department's responsiveness to bike theft and vandalism, and requested that the pending report from NOBLE on the Police Department include an analysis and recommendation regarding the issue.

President Blalock called for General Discussion and Public Comment.

The following individuals addressed the Board:

Mr. Robert S. Allen  
Ms. Antonette Bryant  
Mr. Jerry Grace

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

The Board Meeting recessed at 11:06 a.m.

---

---

The Board reconvened in closed session at 11:13 a.m.

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

Absent: None.

The Board Meeting adjourned at 11:43 a.m.

Kenneth A. Duron  
District Secretary