

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

Board of Directors  
Minutes of the 1,716th Meeting  
September 11, 2014

A regular meeting of the Board of Directors was held September 11, 2014, convening at 9:01 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Keller presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Fang, Mallett, McPartland, Raburn, Saltzman, and Keller.

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

President Keller called for a moment of silence in remembrance of the victims of the September 11, 2001, attacks.

Mr. Mark Smith, Independent Police Auditor, introduced Independent Police Investigator Russell Bloom.

Director Murray entered the Meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of August 28, 2014.
2. Resolution Accepting Caltrans Transportation Planning Grant Funds for the Design Guidelines for Multimodal BART Stations Planning Study.
3. Revision to 2014 Standing Committee and Special Appointments.

Director Raburn made the following motions as a unit. Director McPartland seconded the motions, which carried by unanimous acclamation. Ayes - 8: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Saltzman, and Keller. Noes - 0. Absent – 1: Director Radulovich.

1. That the Minutes of the Meeting of August 28, 2014, be approved.
2. Adoption of Resolution No. 5268, In the Matter of Accepting Transit Planning for Sustainable Communities Grant Funds from the California Department of Transportation (Caltrans) for Fiscal Year 2014 – 2015.
3. That the Board of Directors ratify the appointment of Directors Keller, Murray, and Saltzman to the Reserve Fund/Risk Management Ad Hoc Committee.

President Keller brought the matters of Training Session: Training in General Ethics Principles and Ethics Laws Relevant to Public Service, in Accordance with California Government Code

Section 53235, before the Board. Mr. Duron introduced Ms. Kelly Tuffo of Liebert Cassidy Whitmore. Ms. Tuffo conducted the training session.

President Keller called for a five minute recess. The Board Meeting recessed at 10:59 a.m.

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The Board reconvened in open session at 11:05 a.m.

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

Absent: None.

President Keller brought the matter of Report of the Citizen Review Board Chairperson before the Board. Ms. Sharon Kidd, Citizen Review Board Chairperson, gave a brief report on a meeting with Assemblymember Tom Ammiano.

President Keller announced that the order of agenda items would be changed, and brought the matter of Labor Negotiations Review Ad Hoc Committee: Bay Area Rapid Transit Collective Bargaining Report and Recommendations, before the Board. Director Fang, Chairperson of the ad hoc committee, introduced Ms. Rhonda Hilyer, Agreement Dynamics, Inc. Ms. Hilyer gave a brief report on the Report and Recommendations.

The report was discussed.

The following individuals addressed the Board.

Mr. Deslar Patten

Mr. Saul Almanzo

Mr. Chris Finn

Ms. Patricia Schuchardt

Mr. Sal Cruz

Mr. John Arantes

Discussion continued.

President Keller brought the matter of Service Disruption on August 26, 2014: Review of Rail Car Wheel Incident and Corrective Actions, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, presented the item. The item was discussed.

The following individuals addressed the Board.

Mr. Joel Ramos

Mr. Chris Finn

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Late Night Bus Service with Alameda Contra Costa Transit District and Central Contra Costa County Transit Authority before the Board. Mr. Carter Mau, Assistant General Manager, Administration and Budgets, and Ms. Mariana Parreiras, Access Coordinator, Transit & Shuttles, presented the item. The item was discussed.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 79HZ-110, MacArthur Station Site Hardening, before the Board. Mr. Anthony Seung, Principal Engineer, presented the item. Director Murray moved that the General Manager be authorized to award Contract No. 79HZ-110, MacArthur Station Site Hardening, to Shimmick Construction Company, Inc., for the Bid price of \$3,476,500.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and the Department of Homeland Security's procedures related to protests. Director Blalock seconded the motion, which carried by unanimous acclamation. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

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

President Keller called for the General Manager's Report. Ms. Grace Crunican, General Manager, reported on steps she had taken and activities and meetings she had participated in, reminded the Board of upcoming events, and gave a report on the progress of outstanding Roll Call for Introductions items.

Mr. David Kutrosky, Managing Director, Capitol Corridor, gave a brief presentation on the draft agenda for the Capitol Corridor Joint Powers Board Meeting of September 17, 2014. The presentation was discussed.

President Keller called for Board Member Reports and Roll Call for Introductions.

Director Mallett reported on the record ridership achieved on September 10, 2014, of 440,100 trips.

Director Saltzman reported she and Director Mallett had attended the Alameda County Mayors' Conference, and that Alameda County District Attorney Nancy O'Malley had recognized the BART Police Department for their assistance.

Director Blalock reported Andy Galvan and his mother, native Ohlone, had expressed appreciation for the Walnut Avenue bridge and its depiction of Ohlone heritage. Director Blalock reported he and Directors McPartland and Saltzman had attended the South Hayward BART Station Access Authority meeting.

President Keller called for Public Comment. No comments were received.

The Board Meeting was adjourned at 1:24 p.m. in memory of the victims of the September 11, 2001, attacks.

Kenneth A. Duron  
District Secretary