

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

Board of Directors
Minutes of the 1,690th Meeting
October 24, 2013

A regular meeting of the Board of Directors was held October 24, 2013, convening at 9:06 a.m. in the Board Room, 344 20th Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

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

Absent: None. Directors Fang and Raburn entered the Meeting later.

President Radulovich called for a moment of silence to honor Christopher Sheppard and Laurence Daniels.

President Radulovich announced that the Regular Meeting would be recessed at 10:30 for a Special Board Meeting, and that the Regular Meeting would reconvene at the conclusion of the Special Meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of October 10, 2013.
2. Resolution of Local Support for a Regional Transportation Improvement Program Project Application for the Daly City Station Improvements Project.
3. Revise and Supersede Resolution No. 4898, Authorizing the General Manager to File Applications, Provide Supporting Documents and Execute Funding Agreements with the United States Government, the State of California and other Entities.
4. Award of Invitation for Bid No. 8927, Cable, Power.
5. Resolution Supporting the Tanforan Assembly Center Memorial Committee Grant Application to the National Parks Service.

Director Blalock made the following motions as a unit. Director McPartland seconded the motions, which carried by unanimous electronic vote. Ayes - 7: Directors Blalock, Keller, Mallett, McPartland, Murray, Saltzman, and Radulovich. Noes - 0. Absent – 2: Directors Fang and Raburn.

1. That the Minutes of the Meeting of October 10, 2013, be approved.

2. Adoption of Resolution No. 5222, In the Matter of the Approval of a Resolution of Local Support for a Regional Transportation Improvement Program Project Application for the Daly City Station Improvements Project.
3. Adoption of Resolution No. 5223, In the matter of Authorizing the Filing of Applications, Providing Supporting Documents, and Executing Funding Agreements with the United States Government, the State of California, and other Entities.
4. That the General Manager be authorized to award Invitation for Bid No. 8927, Procurement of Cable, Power, to the Okonite Company, for the Bid amount of \$455,870.00, 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.)

5. Adoption of Resolution No. 5224, In the Matter of Approving a Resolution Supporting the Tanforan Assembly Center Memorial Committee Grant Application to the National Parks Service.

Mr. Richard Oba addressed the Board.

Director Raburn entered the Meeting.

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

Director McPartland, Vice Chairperson of the Engineering and Operations Committee, brought the matter of Change Order to Contract No. 79HW-110, Oakland Portal Hardening, with Taber Construction, Inc., for Contract Closeout (C.O. No. 023), before the Board. Mr. Carlton (Don) Allen, Chief Engineer, presented the item.

Director Fang entered the Meeting.

The item was discussed. Director Mallett moved that the General Manager be authorized to execute Change Order No. 023, Settlement of All Notice of Potential Claims, in an amount of \$573,000.00, to Contract No. 79HW-110, Oakland Portal Hardening, with Taber Construction, Inc. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Mr. Paul Oversier, Assistant General Manager, Operations, announced that Item 4-B-ii, Procurement of Transit Vehicles: Exercise Option 2, for 150 Transit Vehicles; Option 3, for 115 Transit Vehicles; and Option 4, for 100 Transit Vehicles, of Contract No. 40FA-110, with Bombardier Transit Corporation, would be continued to a future meeting.

Director Fang, Chairperson of the Engineering and Operations Committee, assumed the gavel and brought the matter of Procurement of Transit Vehicles: Project Update, before the Board. Mr. John Garnham, Group Manager, Rail Vehicle Capital Program, presented the item. The item was discussed.

The following individuals addressed the Board.

Mr. Robert Allen

Mr. Chris Finn

Mr. Steve Zeltzer

Director Blalock, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Evaluation of Modified District Bicycle Rules Pilot Program and Adoption of Modified District Bicycle Rules before the Board. Mr. Steve Beroldo, Manager of Access Programs, and Ms. Angela Borchardt, Marketing and Research, presented the item.

The following individuals addressed the Board.

Mr. Alan Smith

Mr. Bill Pinkham

Mr. Simon Poulton

Ms. Antonette Bryant

Ms. Renee Rivera

Mr. David Favello

Mr. Jerry Grace

Mr. Nadir Jeevanjee

Ms. Shirley Johnson

Mr. Jon Spangler

Mr. Steve Zeltzer

The item was discussed. Director Mallett moved that the General Manager be authorized to modify the Bike Rules, as attached, effective December 1, 2013, allowing bikes on all trains, except for the first three cars, and in all stations during commute periods, but that the policy be re-examined if ridership exceeds an average of 450,000 per day for three consecutive months.

Discussion continued.

Director Raburn made a substitute motion including Director Mallett's motion and adding continued and expanded train operator consultation on train evacuation and other safety concerns and continued and expanded station agent consultation on rule enforcement. President Radulovich proposed adding signage on trains and in escalators, a secure bicycle parking program, car interior modification program, courtesy campaigns, follow up with advisory committees and the public, and a review of policies of peer agencies that allow bikes on board. Director Raburn accepted President Radulovich's amendments. President Radulovich seconded the amended motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Mr. Gabriel Holland addressed the Board.

President Radulovich announced that the Regular Board Meeting would be recessed to convene the Special Board Meeting, and that at the conclusion of the Special Meeting the Regular Meeting would reconvene.

The Board Meeting recessed at 11:55 a.m.

The Board reconvened at 12:32 p.m.

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

Absent: None.

Director Blalock brought the matter of 2013 State Legislative Summary before the Board. Mr. Paul Fadelli, Legislative Officer, presented the item. The item was discussed.

President Radulovich called for the General Manager's report.

General Manager Grace Crunican and Mr. Oversier reported on the accident of October 19. The report was discussed.

Ms. Crunican reported that tentative agreements had been reached with Service Employees International Union, Local 1021, Amalgamated Transit Union, Local 1555, and American Federation of State, County and Municipal Employees, Local 3993.

Mr. David Kutrosky, Managing Director, Capitol Corridor, gave a brief presentation on the draft agenda for the Capitol Corridor Joint Powers Board Meeting of November 20, 2013.

Mr. Robert Allen addressed the Board.

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

Director Raburn reported he had attended the East Bay Small Business Council meeting and the Asian American Architects and Engineers convention.

Director McPartland reported he had visited the facility constructing the Oakland Airport Connector Project cars in Portland.

Director Murray requested consideration of adoption of the California Passenger Rail Program Guiding Principles be placed on a future agenda.

Director Blalock reported he had attended a press conference with the General Manager when the tentative agreements were reached with the unions.

Director Blalock requested a report on customer complaints regarding alleged “hacking” of District Human Resources employment application web site.

President Radulovich called for Public Comment. The following individuals addressed the Board.

Mr. Jerry Grace
Mr. John O’Connor
Mr. Jon Spangler

President Radulovich announced that the Board would enter into closed session in the adjacent conference room under Item 9-A (Conference with Labor Negotiators) of the regular meeting agenda, and that the Board would reconvene in open session at the end of that closed session.

The Board Meeting recessed at 1:43 p.m.

The Board reconvened in closed session at 1:59 p.m.

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

Absent: None.

The Board Meeting recessed at 4:07 p.m.

The Board reconvened in open session at 4:08 p.m.

Directors present: President Radulovich.

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

President Radulovich announced that the Board had concluded its meeting in closed session, and that there were no announcements to be made.

The Board Meeting was adjourned at 4:08 p.m.

Kenneth A. Duron
District Secretary