

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

Board of Directors
Minutes of the 1,722nd Meeting
December 11, 2014

A special meeting of the Board of Directors was held December 11, 2014, convening at 9:06 a.m. in the Board Room, 344 20th Street, Oakland, California. President Keller presided; Kenneth A. Duron, District Secretary.

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

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

Director Murray entered the Meeting.

Director Saltzman entered the Meeting.

President Keller announced that the Board would enter into closed session under Item 2-B (Conference with Labor Negotiators; Public Employee Performance Evaluation) of the Special Meeting agenda, and that the Board would reconvene in open session at the end of the closed session.

The Board Meeting was recessed at 9:08 a.m.

The Board reconvened in closed session at 9:12 a.m.

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

Absent: None.

The Board Meeting was recessed at 9:46 a.m.

The Board reconvened in open session at 9:47 a.m.

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

Absent: None.

President Keller announced that the Board had concluded its closed session and would return to the open Meeting agenda; and that there were no additional announcements to be made.

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Side Letter of Agreement between San Francisco Bay Area Rapid Transit District and Amalgamated Transit Union, Local 1555: Train Operator Special Project Assignments, before the Board. Ms. Carol Isen, Chief Employee Relations Officer, presented the item.

Mr. Chris Finn addressed the Board.

The item was discussed. Director Mallett moved that the General Manager be authorized to execute the Side Letter of Agreement with Amalgamated Transit Union, Local 1555 (ATU), regarding Train Operator Special Assignments, providing for a system of bidding for special project assignments, and a ten percent premium payment above the Train Operator base rate for all hours worked while performing special project duties as assigned; and that the ATU collective bargaining agreement be modified as specified therein. Director Murray seconded the motion, which carried by unanimous acclamation. Ayes - 9: Directors Blalock, Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

President Keller announced that the presentation on Customer Communications during Major Service Disruptions and Improvement Initiatives would be continued to a future meeting.

President Keller brought the matter of Board of Directors Standing Committees: Consideration of Structure, Nature and Responsibilities, and Functions, before the Board. Director Mallett introduced the item. The item was discussed.

President Keller announced that the Board would enter into closed session under Item 6-B (Conference with Labor Negotiators; Public Employee Performance Evaluation) of the Special Meeting agenda, and that the Board would reconvene in open session at the end of the closed session.

The Board Meeting was recessed at 10:04 a.m.

The Board reconvened in closed session at 10:10 a.m.

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

Absent: None.

The Board Meeting was recessed at 2:16 p.m.

The Board reconvened in open session at 2:18 p.m.

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

Absent: None.

President Keller announced that the Board had concluded its closed session and there were no additional announcements to be made.

President Keller brought the matter of Compensation and Benefits for General Manager, General Counsel, Controller/Treasurer, District Secretary, and Independent Police Auditor before the Board. Director McPartland moved to increase the base salary of each of the Board appointees by 3.7214 percent effective July 1, 2015, when their PERS contribution will also increase by 1% of pensionable compensation. Director Blalock seconded the motion, which carried by electronic vote. Ayes - 6: Directors Blalock, Josefowitz, McPartland, Radulovich, Saltzman, and Keller. Noes – 3: Directors Mallett, Murray, and Raburn.

Director Murray made the following motion.

That in order to help offset the impact on the General Manager of the limit on pensionable compensation under Internal Revenue Code Section 401a17, effective for the 2015 plan year, the Board wishes to provide an annual matching contribution to the Money Purchase Pension Plan equal to the General Manager's deferral contributions to the District's 457(b) Plan for the plan year. This additional contribution to the Money Purchase Pension Plan will be limited to the combined limit on deferrals for such plan under Internal Revenue Code Sections 457(e)(15) and (18) and conditioned on the General Manager remaining employed on December 1 of that year. The Board reserves the right to modify this annual contribution to the Money Purchase Pension Plan.

The actuarial impact upon future annual costs to the District as determined by the District's actuaries will not exceed \$24,000 in 2015 and each year thereafter, as adjusted each year for inflation in the same amount as the combined adjustment, if any, to Internal Revenue Code sections 457(e)(15) and (18).

The Board will work with the Office of the General Counsel and District staff to take the necessary steps to amend the Money Purchase Pension Plan to provide for such increased benefits, including compliance with Government Code 7507.

Director Blalock seconded the motion, which carried by electronic vote. Ayes - 7: Directors Blalock, Josefowitz, McPartland, Murray, Raburn, Saltzman, and Keller. Noes – 1: Director Radulovich. Abstain – 1: Director Mallett.

The Board Meeting was adjourned at 2:24 p.m.

Kenneth A. Duron
District Secretary