

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

Board of Directors  
Minutes of the 1,612th Meeting  
December 16, 2010

A regular meeting of the Board of Directors was held December 16, 2010, convening at 8:34 a.m. The meeting was held via simultaneous teleconference in the Board Room, 344 20<sup>th</sup> Street, Oakland, California, and the Hilton Garden Inn Palm Springs/Rancho Mirage 71-700 Highway 111, Rancho Mirage, California. President Fang presided; Kenneth A. Duron, District Secretary.

Directors present in Oakland: Directors Blalock, Franklin, McPartland, Murray, Raburn, Radulovich, and Fang.

Director present in Rancho Mirage: Director Keller.

Absent: None. Director Sweet entered the meeting later.

President Fang announced that the Board would enter into closed session under Item 2-A (Conference with Labor Negotiators) of the regular meeting agenda, and that the Board would reconvene in open session at the end of the closed session.

The Board Meeting recessed at 8:35 a.m.

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The Board reconvened in closed session at 8:37 a.m.

Directors present in Oakland: Directors Blalock, Franklin, McPartland, Murray, Raburn, Radulovich, and Fang.

Director present in Rancho Mirage: Director Keller.

Absent: Director Sweet.

The Board Meeting recessed at 8:45 a.m.

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The Board reconvened in open session at 8:46 a.m.

Directors present in Oakland: Directors Blalock, Franklin, McPartland, Murray, Raburn, Radulovich, and Fang.

Director present in Rancho Mirage: Director Keller.

Absent: None. Director Sweet entered the meeting later.

President Fang announced that the order of agenda items would be rearranged.

President Fang brought the matter of 2010 Holiday Toy Drive Benefiting Chinatown Community Development Center of San Francisco before the Board, and introduced Reverend Norman Fong, Deputy Director. Reverend Fong addressed the Board, and thanked District staff for organizing the Toy Drive.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of December 2, 2010.
2. Declaration of November 2, 2010, Election Results.
3. Support for the Commuter Benefits Equity Act of 2009.

Consent Calendar motions, as follow, were moved as a unit by Director Blalock. Director Franklin seconded the motions, which carried by unanimous roll call vote. Ayes – 8: Directors Blalock, Franklin, Keller, McPartland, Murray, Raburn, Radulovich, and Fang. Noes – 0. Absent – 1: Director Sweet.

1. That the Minutes of the Meeting of December 2, 2010, be approved.
2. That there be entered into the Minutes of the Board the official canvass of the returns for Election Districts 4 and 8 as taken by the Registrars of Voters of Alameda County and the City and County of San Francisco for the election of November 2, 2010, the elected candidates having received the highest number of votes cast in their respective election districts based on said official canvass; and that once passed and available from the respective counties, there be entered into the Minutes of the Board copies of the motion passed by the Board of Supervisors of Contra Costa County appointing Joel Keller as Director for District 2; and that there be entered into the Minutes of the Board a copy of the motion passed by the Board of Supervisors of Alameda County appointing Thomas M. Blalock as Director for District 6; and that the following candidates be declared elected or appointed to the Board of Directors of the San Francisco Bay Area Rapid Transit District:  
  

District 2	Joel Keller
District 4	Robert Raburn
District 6	Thomas M. Blalock
District 8	James Fang
3. That the Board affirm its support of Pre-Tax Transit Commuter Benefits and seek support of the 11<sup>th</sup> Congress to extend those benefits at current levels.

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

Director Keller, Chairperson of the Engineering and Operations Committee, had no report.

President Fang noted that there was no report for the Planning, Public Affairs, Access, and Legislation Committee.

President Fang called for the General Manager's report. General Manager Dorothy W. Dugger thanked Board and staff for contributing to a year of providing excellent transportation service.

President Fang brought the matter of Compensation and Benefits for General Manager, General Counsel, Controller-Treasurer, and District Secretary before the Board. Director Blalock moved that each of the Board-appointed officers receive the three lump-sum payments totaling \$3,000.00 that non-sworn represented employees have received or will receive pursuant to the 2009 – 2013 collective bargaining agreements, with a \$500.00 payment made in the first pay period in January 2011, a \$1,000.00 payment at the beginning of Fiscal Year 2012, and a \$1,500.00 payment at the beginning of Fiscal Year 2013; and that the Board President be authorized to execute any necessary amendments to the employment agreements to incorporate these terms in a form approved by the Associate General Counsel. Directors Franklin and McPartland seconded the motion, which carried by unanimous roll call vote. Ayes – 8: Directors Blalock, Franklin, Keller, McPartland, Murray, Raburn, Radulovich, and Fang. Noes - 0. Absent – 1: Director Sweet.

President Fang brought Roll Call for Introductions before the Board. No items were introduced.

President Fang brought the matter of Introduction of Special Guests before the Board.

Director Raburn introduced and welcomed the Honorable H. E. Christian Peeples, Director, AC Transit, and the Honorable Marie Gilmore, City Councilmember and Mayor-elect of Alameda. Mr. Peeples and Ms. Gilmore addressed the Board.

Director Franklin introduced and welcomed his wife, Jessica Franklin.

President Fang brought the matter of Resolution Commending Carole Ward Allen before the Board.

Director Sweet entered the Meeting.

President Fang moved adoption of Resolution No. 5153, Resolution Commending Carole Ward Allen for Meritorious Service. All Directors joined in seconding the motion, which passed by unanimous roll call vote. Ayes – 9: Directors Blalock, Franklin, Keller, McPartland, Murray, Raburn, Radulovich, Sweet, and Fang. Noes - 0.

President Fang brought the matter of Election of Officers before the Board, and opened the floor for nominations for President. Director McPartland nominated Director Franklin for President of the Board of Directors. There being no additional nominations, nominations were closed.

Director McPartland moved that Director Franklin be elected Board President for 2011. Director Murray seconded the motion, which carried by unanimous roll call vote. Ayes – 9: Directors Blalock, Franklin, Keller, McPartland, Murray, Raburn, Radulovich, Sweet, and Fang. Noes - 0.

President Franklin assumed the gavel.

Director Fang shared his comments on the events of the past year of his Presidency.

President Franklin shared comments on the upcoming year, and presented employee awards to Mr. John Yen and Mr. Ber-Name Lin for their work in developing a program to make faregate data useable for system planning and troubleshooting.

President Franklin opened the floor for nominations for Vice President. Director Blalock nominated Director McPartland for Vice President of the Board of Directors. There being no additional nominations, nominations were closed. Director Blalock moved that Director McPartland be elected Board Vice President for 2010. Director Murray seconded the motion, which carried by unanimous roll call vote. Ayes – 9: Directors Blalock, Franklin, Keller, McPartland, Murray, Raburn, Radulovich, Sweet, and Fang. Noes - 0.

Vice President McPartland shared comments on the upcoming year.

Director Raburn introduced and welcomed Ms. Michelle Gault, Representative from the Office of Congressman John Garamendi. Ms. Gault addressed the Board.

Mr. Peeples administered the ceremonial oath of office to Director Raburn. Director Raburn shared his comments on the upcoming year.

President Franklin called for General Discussion and Public Comment.

Mr. Eddie Dillard and Mr. Gary Wade addressed the Board.

The Board Meeting was adjourned at 9:52 a.m.

Kenneth A. Duron  
District Secretary