

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

BOARD MEETING AGENDA

July 26, 2012

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, July 26, 2012. This meeting shall consist of a simultaneous teleconference call at the following locations:

BART Board Room Kaiser Center 20 th Street Mall – Third Floor 344 – 20 th Street Oakland, CA 94612	Regal International East Asia Hotel No. 516 Hengshan Road Shanghai 2000300, China
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Members of the public may address the Board of Directors regarding any matter on this agenda. Please complete a “Request to Address the Board” form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under General Discussion and Public Comment.

Any action requiring more than a majority vote for passage will be so noted.

Items placed under “consent calendar” are considered routine and will be received, enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from a Director or from a member of the audience.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

BART provides service/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address BART Board matters. A request must be made within one and five days in advance of Board meetings, depending on the service requested. Please contact the Office of the District Secretary at 510-464-6083 for information.

Rules governing the participation of the public at meetings of the Board of Directors and Standing Committees are available for review on the District's website (<http://www.bart.gov/about/bod>), in the BART Board Room, and upon request, in person or via mail.

Meeting notices and agendas are available for review on the District's website (<http://www.bart.gov/about/bod/meetings.aspx>), and via email or via regular mail upon request. Complete agenda packets (in PDF format) are available for review on the District's website no later than 48 hours in advance of the meeting. Those interested in being on the mailing list for meeting notices (email or regular mail) can do so by providing the District Secretary with the appropriate address.

Please submit your requests to the District Secretary via email to BoardofDirectors@bart.gov; in person or U.S. mail at 300 Lakeside Drive, 23rd Floor, Oakland, CA 94612; fax 510-464-6011; or telephone 510-464-6083.

Kenneth A. Duron
District Secretary

Regular Meeting of the
BOARD OF DIRECTORS

The purpose of the Board Meeting is to consider and take such action as the Board may desire in connection with:

1. CALL TO ORDER

- A. Roll Call.
- B. Pledge of Allegiance.
- C. Introduction of Special Guests.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of June 28, 2012.* Board requested to authorize.
- B. Reject All Bids for Contract No. 01VM-110, Union City Intermodal Station Phase II – BART Station Improvements.* Board requested to reject.

3. ADMINISTRATION ITEMS

Director Sweet, Chairperson

- A. Disadvantaged Business Enterprise (DBE) Certification Process.* For information.
- B. Proposed Small Business Opportunity Plan.* For information.

4. ENGINEERING AND OPERATIONS ITEMS

Director Fang, Chairperson

- A. Warm Springs Extension Project.
 - a. Semi-Annual Project Update.* For information.
 - b. Change Order to Contract No. 02ED-110, Warm Springs Extension, Fremont Central Park Subway, with Shimmick Construction Co. Inc./Skanska USA Civil West California District Inc./a Joint Venture, for Differing Site Conditions at South Tule Pond (C. O. No. 41).* Board requested to authorize.
 - c. Exercise Bid Options for Automatic Fare Collection Equipment to Contract No. 02EE-120, Warm Springs Extension, Design-Build Line, Track, Station, and Systems, with Warm Springs Constructors.* Board requested to authorize.

5. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION ITEMS

Director Blalock, Chairperson

NO REPORT.

6. GENERAL MANAGER'S REPORT

NO REPORT.

7. BOARD MATTERS

- A. Citizen Review Board Appointment by BART Police Managers' Association and BART Police Officers' Association.* Board requested to ratify.
- B. Proposed Process and Schedule for Filling Election District No. 3 Vacancy.* For discussion.
- C. Board Member Reports. For information.
- D. Roll Call for Introductions.
(An opportunity for Board members to introduce a matter for consideration at a future Committee or Board Meeting or to request District staff to prepare items or reports.)

8. GENERAL DISCUSSION AND PUBLIC COMMENT

9. CLOSED SESSION (Room 303, Board Conference Room)

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Blanco vs. BART, Alameda County Superior Court
Case No. RG09468720

Government Code Section: 54956.9(a)

10. OPEN SESSION



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Jack Chen</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board		
DATE: c		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kevin Sanderson Dept. T&D	General Counsel <i>Andreea Rava</i> 7/18/12	Controller/Treasurer <i>[Signature]</i>	District Secretary []	BARC <i>[Signature]</i> P.O. []
Signature/Date: <i>13 JULY 12</i>				

Reject Bids for Contract No. 01VM-110 For Union City Intermodal Station Phase II - BART Station Improvements

NARRATIVE:

PURPOSE: To reject all bids for Contract No. 01VM-110 for Union City Intermodal Station Phase II - BART Station Improvements.

DISCUSSION: Improvements to the Union City BART Station are part of a long-range architectural master plan for a 50 acre transit oriented mixed use district, centered at the BART Station, encompassing both sides of the BART and Union Pacific Railroad (UPRR) tracks. Union City's 2001 Station District Master Plan envisions urban density housing, office and retail, as well as community facilities and open spaces. A number of concepts are currently being developed, including a new double sided intermodal facility that will establish a strong identity and focus for Union City's emerging mixed use downtown; a flexible framework of amenable streets and city blocks that support development integrated with transit; the close proximity between transit modes to facilitate transfer among them; and the creation of new pedestrian and bicycle improvements, new housing, office and retail development, open space, and community facilities that can be integrated with transit.

Phase I Station improvements were recently completed. The Phase I Station improvements included remodeling and expanding Union City BART Station, increasing the platform area and adding new vertical circulation (stairs and escalators) at the Fremont bound platform, adding a new plaza/pedestrian promenade fronting the renovated station with new exterior lighting and landscaping, and new transit canopies. The new canopies include a "green" feature in the form of a roof of solar panels using photovoltaic glass generating enough power to meet the station's electrical needs.

On April 13, 2012, Advance Notices to Bidders were mailed to 191 prospective bidders. The Contract was advertised on April 17, 2012 in local publications and the Contract Documents were sent to 22 plan rooms located in the vicinity of the Bay Area. A total of 19 firms purchased copies of the Contract Documents. A pre-bid meeting and site visit were conducted on May 1, 2012 with 11 prospective bidders attending. Bids were publically opened on May 29, 2012. Three bids were received by the District.

The apparent low bidder was Cal-Pacific Construction Inc., with a total bid of \$10,829,000. The day after Bids were opened, Cal-Pacific Construction, Inc. contacted the District to advise that it

had made a clerical error in its bid and asked the District to allow them to withdraw the bid. After review and approval by the District, Cal-Pacific Construction, Inc. withdrew its bid on May 30, 2012. The second lowest Bidder was West Bay Builders, Inc., with a total bid of \$13,707,600. After review of West Bay Builder's bid, the District determined that the bid was nonresponsive because it did not meet the DBE percentage. District staff reviewed good faith efforts and found that West Bay Builders, Inc. failed to meet the criteria for showing a good faith effort to meet the DBE participation goal in a number of categories. West Bay Builders was offered but did not request a reconsideration hearing. Thereafter, the District conferred with Union City to determine whether the only remaining bid was acceptable. The third lowest bidder, Taber Construction Inc. submitted a total bid of \$16,887,000. which was over 36% higher than the Engineer's Estimate. After conferring with Union City, the District determined that the bid was unreasonably high.

Tabulation of the received Bids, including the Engineer's Estimate, is as follows:

<u>Bidder</u>	<u>Location</u>	<u>Base Bid</u>	<u>Option Bid</u>	<u>Total Bid Price</u>
Cal-Pacific Construction Inc.	Pacifica, Ca.	\$10,645,000	\$184,000	\$10,829,000
West Bay Builders, Inc.	Novato, Ca.	\$12,407,600	\$1,300,000	\$13,707,600
Taber Construction Inc.	Concord, Ca.	\$15,605,000	\$1,282,000	\$16,887,000
Engineer's Estimate		\$11,114,168	\$1,252,328	\$12,366,496

FISCAL IMPACT

There is no fiscal impact by this action.

ALTERNATIVES:

Award the Contract to Taber or rebid the Contract. Rebidding the Contract, with a longer Bid Period, is recommended with the hope that the longer period will generate more bids.


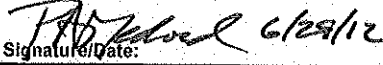
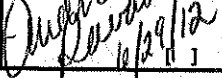
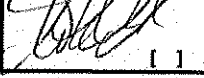

RECOMMENDATION:

Adoption of the following motion.

MOTION: All bids for Contract No. 01VM-110, Union City Intermodal Station Phase II - BART Station Improvements are rejected and the General Manager is authorized to readvertise the Contract.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board of Directors		
DATE: 6/29/12		BOARD INITIATED ITEM: No		
Originator/Prepared by: Paul Medved Dept: Transit System Development Signature:  Date: 6/29/12	General Counsel  Date: 6/29/12	Controller/Treasurer  Date: []	District Secretary []	BARC  Date: []

CHANGE ORDER NO. 41 TO CONTRACT NO. 02ED-110, WSX FREMONT CENTRAL PARK SUBWAY (DIFFERING SITE CONDITIONS AT SOUTH TULE POND)

NARRATIVE:

PURPOSE:

To obtain Board authorization for the execution of Change Order No. 41 (Differing Site Conditions at South Tule Pond) in the amount of \$810,880 to Contract No. 02ED-110, Warm Springs Extension (WSX) Fremont Central Park Subway.

DISCUSSION:

Award of Contract No. 02ED-110 (the "Subway Contract") to Shimmick Construction Co. Inc./Skanska USA Civil West California District Inc./a Joint Venture, in the amount of \$136,750,550.00 was authorized by the Board on May 28, 2009. Notice to Proceed was issued on August 24, 2009. To date, the Subway Contract is approximately 90% complete, on schedule and within budget.

Included in the Contract scope of work is the requirement to construct an engineered embankment through South Tule Pond for the purposes of supporting a BART trackway embankment. South Tule Pond is located between Walnut Avenue and Stevenson Boulevard, just south of the Fremont BART station. This site is one of two locations where the WSX trackway alignment must cross the Hayward Fault. As part of the embankment construction the Contract called for sub-excavation five feet below existing grade in order to remove unsuitable material which was identified by soil borings performed during the design phase. When the Contractor excavated to the prescribed depth, it became apparent that pockets of unsuitable foundation soil material extended deeper than five feet below grade. To ensure that the trackway embankment would be constructed on stable foundation soil material, additional excavation and appropriate backfill material were required.

These differing site conditions generated additional quantities of Excavation-Common and Aggregate Base. The Contract Bid Schedule includes estimated quantities for these Bid Items (Bid Item No. 58 and Bid Item No. 80, respectively), both of which have now been exceeded. To facilitate future payment to the Contractor, estimated quantities for these two Bid Items must be increased by 8,678 cubic yards and 6,283 cubic yards, respectively, to reflect the additional quantities needed to complete the project. The value of these additional quantities at contract unit rates totals \$810,880.

Pursuant to Board Rule 5-2.4, Change Orders involving expenditures greater than \$200,000 require Board approval.

The Office of the General Counsel will approve this Change Order as to form prior to execution. The Procurement Department will review this Change Order prior to execution for compliance with procurement guidelines.

FISCAL IMPACT:

Funding of \$810,880 for Change Order No. 41 of the Warm Springs Extension Fremont Central Park Subway Contract will come from project budget 02ED000. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of 6/18/12, \$192,171,000 is available for this project from the following sources:

Fund No.	Source	Fund Description	Amount
5553	State	CTC WSX 04A0076-03	\$ 2,773,000
663K	State/Local	ACTIA - 2 - BART WSX Stage 1	\$ 58,145,186
6217	State	RM2 Alloc 09366703 Match 663K	\$131,252,814
		Total	\$192,171,000

BART has expended \$156,673,110, encumbered \$13,287,228, and pre-encumbered \$409,549 to date. This action will encumber \$810,880 leaving an available fund balance of \$20,990,233.

There is no fiscal impact on available un-programmed District Reserves.

ALTERNATIVES:

The Board can elect not to authorize the execution of this Change Order. In that event, the District will likely receive a claim from the Contractor for costs related to addressing the differing site conditions encountered at South Tule Pond.

RECOMMENDATION:

Recommend that the Board approve the following motion:

MOTION:

The General Manager is authorized to execute Change Order No. 41, Differing Site Conditions at South Tule Pond, to Contract No. 02ED-110, Warm Springs Extension Fremont Central Park Subway, increasing Bid Item No. 58 (Excavation - Common) and Bid Item No. 80 (Aggregate Base, Class 2), by a total not to exceed amount of \$810,000.

CONTRACT No. 02ED-110

CHANGE ORDER No. 41

CHANGE ORDER SUMMARY

BACKGROUND

Program: Warm Springs Extension Project (WSX)

Contractor: Shimmick/Skanska, JV

NTP Date: August 24, 2009

Monetary Completion as of 7/1/12: 97%

Physical Completion as of 7/1/12: 94%

<u>COST</u>	<u>% of Award</u>	<u>CO Totals</u>	<u>Contract Amount</u>
Original Contract Amount			\$136,750,550
Other than Board Authorized CO's	1.50%	\$2,056,101	
Board Authorized CO's*	1.87%	\$2,552,028	
(*CCO 2, 10 & 11)			
This CO (#41)	0.59%	\$810,880	
Subtotal of all CO's	3.96%	\$5,419,009	
<u>Revised Contract Amount</u>			\$142,169,559

SCHEDULE

Original Contract 1,300 days

Time Extension to Date 36 days

Time Extension due to approved CO's 36 days

Revised Contract Duration 1,336 days



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Grace Crumley</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board of Directors		
DATE:		BOARD INITIATED ITEM: No		
Originator/Prepared by: Melena Gallagher Dept: <i>Melena G. Gallagher</i>	General Counsel	Controller/Treasurer	District Secretary	BART
Signature/Date: <i>7/16/12</i>	<i>MB 7/13/12</i>	<i>[Signature]</i>	[]	<i>[Signature] P.O.</i>
Status: Routed		Date Created: 06/19/2012		

TITLE:

Exercise Bid Options for Automatic Fare Collection (AFC) Equipment in Contract No. 02EE-120 Warm Springs Extension, Design-Build Line, Track, Station, and Systems.

NARRATIVE:

PURPOSE: To obtain Board authorization for the General Manager to exercise bid Options for Automatic Fare Collection (AFC) Equipment in Contract No. 02EE-120 Warm Springs Extension, Design-Build Line, Track, Station, and Systems.

DISCUSSION: On June 23, 2011, the Board authorized the General Manager to award Contract No. 02EE-120 Warm Springs Extension, Design-Build Line, Track, Station, and Systems to Warm Springs Constructors (WSC). The Bid submitted by WSC included four Options for the AFC Equipment as follows: (1) Additional AFC Equipment Set 1 for \$1,811,000; (2) Additional AFC Equipment Set 2 for \$2,898,000; (3) Additional AFC Equipment Set 3 for \$4,711,000; (4) Additional AFC Equipment Set 4 for \$3,864,000. The Options were incorporated into the Contract to facilitate the ability to provide AFC Equipment for other BART projects. One of the projects that have requested to take advantage of the Options in the Warm Springs Contract is the eBART Project. In addition, BART Operations is interested in purchasing additional AFC Equipment to meet needs at the existing BART stations. The Options will expire in October of this year.

Staff is seeking authority to exercise one or all of the Options, subject to the availability of funding.

FISCAL IMPACT:

There is no funding currently available to exercise any of the Options in Contract No. 02EE-120. The Options will be exercised only after Capital Development and Control certifies the eligibility of identified funding sources, and the Controller/Treasurer certifies availability of such funding for any of the Options being exercised.

There is no fiscal impact on available un-programmed District Reserves.

ALTERNATIVES: The alternative would be to not exercise the Options, however, BART would have to enter into a separate contract for the purchase of any additional AFC equipment that may be needed.

RECOMMENDATION: Adoption of the following motion.

MOTION: The General Manager is authorized to exercise any or all of the Options for Automatic Fare Collection (AFC) Equipment in Contract No. 02EE-120 Warm Springs Extension, Design-Build Line, Track, Station, and Systems, subject to certification by the Controller-Treasurer confirming the availability of funds.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

Memorandum

TO: Board of Directors

DATE: July 16, 2012

FROM: District Secretary

SUBJECT: Citizen Review Board BPMA/BPOA Appointment

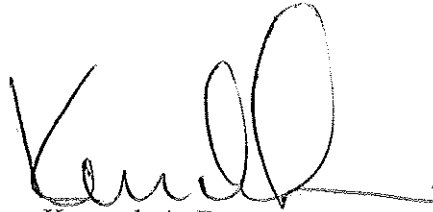
As we advised on March 28, the BART Police Managers' Association (BPMA) and BART Police Officers' Association (BPOA) representative to the Citizen Review Board (CRB), Ms. Suzanne C. Angeli, submitted her resignation from the CRB.

The BPMA and BPOA have informed us of their appointee to the CRB and the Board is being asked to ratify the appointment at the July 26 Board Meeting.

Attached for your review are the completed application and resume for Mr. Thomas H. Minshev.

Should you have questions or comments, please contact the Independent Police Auditor or me at your convenience.

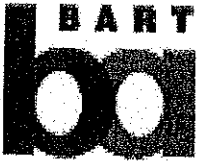
Thank you.



Kenneth A. Duron

Attachments

cc: Board Appointed Officers
Deputy General Manager
Chief of Police
President, BPMA
President, BPOA



APPLICATION FOR APPOINTMENT TO THE
BART CITIZEN REVIEW BOARD

NAME: Thomas H. Minshew

RESIDENCE ADDRESS: San Francisco
Street City Zip

PHONE #: _____ EMAIL ADDRESS: _____

BUSINESS NAME: Jefferson Union High School District

BUSINESS ADDRESS: 699 Serramonte Blvd Suite 100 Daly City, CA 94015

OCCUPATION/PROFESSION: School District Superintendent

Please list any work experience, education, attributes and training which you feel would help inform BART Directors of the contribution you would provide as a member of the Citizen Review Board and the reason why you are interested in being appointed.

Please attach an additional page, if necessary.

Please see attached resume

The following individuals are qualified to comment on my capabilities:

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>
<u>STEVES FUENTES</u>		
<u>KEITH JASH</u>		
<u>ALAN BOITARD</u>		

Signature of Applicant: [Signature] Date: 6 JULY 2012

Return this form to BART Office of the District Secretary: 300 Lakeside Drive, 23rd Floor, Oakland, CA 94612
Or Fax to (510) 464-6011 or email to BoardofDirectors@bart.gov Call 510-464-6095 with any questions.

Thomas H. Minshew

Objective:

To utilize my organizational, leadership, and interpersonal skills as a member of BART Citizen Review Board.

Education:

- **Master of Arts in Education: Concentration in Educational Administration**, San Francisco State University, San Francisco, CA, May, 1999
- **Administrative Services Credential**, San Francisco State University, San Francisco, CA, May, 1999
- **Single Subject Credential in History**, San Francisco State University, San Francisco, CA, May, 1994
- **Bachelor of Arts in History**, San Francisco State University, San Francisco, CA, January, 1992
- **Associates of Arts in Liberal Studies**, Skyline College, San Bruno, CA, June, 1991

Professional Experience:

Superintendent of Schools, Jefferson Union High School District, Daly City, CA 2011-Present Chief executive officer of the Jefferson Union High School District who reports directly to the Board of Trustees. Supervises all district operations in accordance with Board policies and Board direction. Accountable for the successful operation of the District.

Principal, Jefferson Union High School District, Terra Nova High School, Pacifica, CA 2007-2011 Supervised the school in accordance with the legal requirements of the office as set forth by the California Education Code, the rules and regulations of the Jefferson Union High School District, and the suggestions and directives from the Superintendent. Coordinated and implemented the district courses of study, organized the curriculum, and facilitated instruction improvements. Organized staff in-service training, textbook selection, and conducted ongoing staff evaluations.

Served as liaison between the JUHSD administrative team, and multiple parent organizations.

Vice Principal-Guidance, Jefferson Union High School District, Terra Nova High School, Pacifica, CA 2005-2007 Coordinated administered pupil personnel services. Supervised guidance counselors, special services counselor, school psychologist, registrar, career center coordinator and clerical aid. Evaluated certificated and credentialed staff. Organized and administered Section 504 plans and Student Study Team meetings. Participated in Individual Education Plan meetings as LEA representative. Coordinated student programming, registration and school master scheduling. Conducted parent and teacher conferences relating to student guidance programs. Coordinated site and district textbook purchases, CAHSEE, STAR, AP testing and home teaching program. 2005-06, Coordinator, JUHSD Social Science Curriculum Council. 2006-2007, Coordinator, JUHSD Home Economics Curriculum Council.

Vice Principal-Administration, Jefferson Union High School District, Terra Nova High School, Pacifica, CA 2003-2005 Coordinated, supervised and interpreted student discipline and truant issues. Supervised daily student safety on campus and during co-curricular activities. Interpreted and administered state and district discipline policies. Served as liaison between the school and law enforcement agencies. Participated in Individual Education Plan meetings as LEA representative. Evaluated certificated and credentialed staff. Conducted parent and student conferences regarding discipline and student achievement. Supervised attendance supervisor, attendance clerk, receptionist, health aid, and student welfare and attendance monitors. Made recommendations to the district screening committee for student placement in various JUHSD alternative education programs. Coordinator, JUHSD Physical Education Curriculum Council.

Vice Principal, Jefferson Union High School District Summer School, Jefferson and Terra Nova sites, 2000, 2001, and 2002 Assisted principal in academic placement of students, monitored student attendance, supervised student safety, and administered state and district discipline policies.

Teacher, Jefferson Union High School District, Daly City, CA, 1994-2003 Taught standards/framework based classes to various learning ability levels of students. Classes included World History, Cultures and Geography, United States History and Geography: Continuity and Change in the Twentieth Century, United States Government, Economics, English, Health Education, and Driver's Education at Terra Nova High School. Classes also taught at the JUHSD summer school and Adult Education programs.

Attendance Supervisor, Terra Nova High School, 1998-2001 Monitored overall student attendance. Conducted parent, teacher and student conferences for students with attendance and/or minor discipline problems. Supervised after-school detention.

School Site Council Chairperson, Terra Nova High School, 2002-2003 Chaired monthly school site council meeting and co-wrote site council by-laws. Investigated additional school funding means through state and federal agencies. Evaluated and approved the school's Single Plan for Student Achievement. Analyzed student achievement through STAR testing data and proposed additional English Language Arts and Algebra support classes for underperforming students.

Boy's Athletic Director, Terra Nova High School, 1998-2001 Assisted school principal in athletic budgetary matters and in the hiring and supervision of coaches and athletic teams, and as the school liaison to the Terra Nova Booster Club and the parents of student athletes.

Site Coordinator, WASC Accreditation, Terra Nova High School, 1999-2000 Coordinated the gathering of data between parents, leadership team, school wide Focus and Home groups, as well as supervising and participating in the writing of the self-study document.

WASC Visitation Committee Chair, West Campus High School, 2011, Mendocino High School, 2010, Roseville High School, 2009, Raskob Day School, 2008, Lionel Wilson College Preparatory Academy, 2007. Chaired accreditation committee.

WASC Visitation Committee Member, Oakland Aviation High School, 2010, Sierra High School, 2006, Buhach Colony High School, 2005, Merrill F. West High School, 2005, Mendocino High School, 2004, Granada High School, 2002, Castro Valley High School 2000. Secondary school accreditation visiting committee member.

Head Girl's Tennis Coach, Terra Nova High School, Pacifica, CA, 1995-1997 Managed all aspects of the girl's tennis program. *Assistant Freshman Football Coach, 1998-2000* Assisted head coach in teaching skill positions and monitored the academic status of the student athletes.

Advisor, Black Student Union 1997-1998, Samoan Club, 1998-2000 Responsible for teaching leadership skills to students that would aid in promoting cultural awareness throughout the school.

Prior Employment:

Brentwood Markets/Safeway Stores 1976-1994 Retail clerk

United States Army 1977-1980 Parachute Rigger, Specialist 5th Class
Novice Parachutist Badge, Army Commendation Medal, Honorable Discharge

Professional Development:

Total School Solutions Chief Business Officer Academy Fairfield, California,

February -December 2011

*Association of California School Administrators Logged On Seminar
Sacramento, California 2011*

*Stanford English Learner Institute for School Leaders
Burlingame, California 2010*

*Association of California School Administrators Superintendents Academy San
Jose, California 2009/10*

*Association of California School Administrators Leadership 3.0 Symposium
Santa Clara, California 2010*

*Association of California School Administrators Personnel Administrators
Academy Danville, California 2008/09*

*Association of California School Administrators Categorical Programs
Academy Glendale, California 2007*

*Association of California School Administrators Special Education
Academy Sacramento, California 2006/07*

*Master Schedule Building Workshop Association of California School
Administrators, Fairfield, California January 5-6, 2007 Pearson School Systems,
Burlingame, California February 13-14, 2007*

*Association of California School Administrators Student Services and Special
Education Symposium Monterey, California January 10-13, 2007*

*University of California Counselor Conference Davis, California September 9,
2006*

*Association of California School Administrators Annual Conference
Sacramento, California November 3-5, 2005*

AP National Conference Houston, Texas July 14-18, 2005

*The Rights of School & Police Personnel: Managing Your School Environment
and Beyond the Basics: How to Expand Your Rights and Power Within the School
Zone Response Law Training, Pleasanton, California May 10-11, 2005*

*AB 75 Training Modules I, II and III Association of California School
Administrators 2005*

*Special Education and 504 Law Response Law Training, Pleasanton, California
November 17, 2004*

*Association of California School Administrators Colloquium for New &
Aspiring Principals Los Angeles, California July 18-22, 2004*

*Association of California School Administrators Twenty-Seventh Annual
Personnel Institute Pomona, California February 25-27, 2004*

*Defuse & Manage Problem Students and Confrontational Parents Response
Law Training, Pleasanton, California November 19, 2003*

Professional Memberships:

Association of California School Administrators, Member

*Association of California School Administrators Past Region V Representative,
Student Services and Special Education Council 2005-2008*

California League of High Schools, Member

California Council for History Education, Member

California Council for the Social Studies, Member

National Council for History Education, Member

National Association of Secondary School Principals, Member

NASSP Principal's Leadership Award Nation Selection Committee, Member

San Mateo County Superintendents Association, Member

References are available



BPOA/BPMA Citizen Review Board Selection

Christopher Vogan

to:

boardofdirectors

07/06/2012 06:54 PM

Hide Details

From: Christopher Vogan <cdvogan@gmail.com>

To: boardofdirectors@bart.gov,

History: This message has been replied to.

1 Attachment



CRB Application.pdf

BART Board of Directors,

The BART Police Officer's Association (BPOA) and the BART Police Manager's Association (BPMA) have selected Thomas Minshew as our representative for the Citizen Review Board. I have attached the application and resume for Thomas Minshew. Thomas Minshew will be filling the seat vacated by Sue Angeli earlier this year. If you have any questions, please feel free to contact myself or Nate Weissich. I can be reached at 650-219-7176.

Respectfully,

Christopher Vogan

Vice President

BART Police Officer's Association

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors

DATE: July 19, 2012

FROM: District Secretary

SUBJECT: Proposed Process and Schedule for Filling Election District No. 3 Vacancy

At the June 28 Board Meeting, Directors raised questions regarding the process for filling the District 3 vacancy created with Bob Franklin's resignation from the Board of Directors particularly in the context of the upcoming district election November 6. The General Counsel responded to topics raised in a memorandum dated July 5. Additionally, President McPartland presented a letter to the President of the Alameda County Board of Supervisors discussing the vacancy and the Supervisors' potential role in the appointment process.

ELECTION CODE TIMELINE REQUIREMENTS

The Board may appoint a person to fill the vacancy within 60 days of the effective date of the resignation. (The option to call for an election to fill the vacancy has expired.) If the Board does not make an appointment within 60 days, the Alameda County Board of Supervisors (county representing the larger portion of the district area) may make an appointment within the ensuing 30 days.¹

PROPOSED SCHEDULE

The following is a proposed schedule of key dates and activities associated with the Board's appointment of a person to fill the vacancy for the balance of the unexpired term (through December 7, 2012).

June 21 Effective date of Director Franklin's resignation.

Jul 30-Aug 1 "Notice of Vacancy on Governing Board" is published in local newspapers of general circulation and posted in the administrative offices of the counties of Alameda and Contra Costa, and stations in District 3. (Notice must be posted at least 15 days before the Board makes the appointment.)

August 8 Candidate letters of interest and biographical information are due to the Office of the District Secretary.

¹ California Government Code Section 1780 also provides that if the vacancy has not been filled and no election is called for, then the Board shall call an election to fill the vacancy on the next established election date that is 130 or more days after the Board calls the election (March 2013). Given the applicable date, this provision has no material effect upon the filling of the vacancy.

August 10 Close of Nomination period for November 6 election

August 16 Special Board Meeting. Agenda includes candidate opportunity to address the Board, interview by the Board, public comment, and appointment to fill the vacancy.

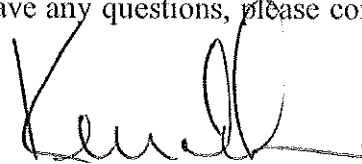
August 20 60-day deadline for Board appointment to vacant District 3.

INTERVIEW PROCESS

Individuals expressing an interest in filling the vacancy will be provided an information packet modeled on the contents of our standard District Election packet. Letters will be sent to prospective candidates with instructions to confirm through their respective Registrar of Voters that they are voting residents of the vacant District 3 seat Bob Franklin was elected to represent and informing them of the date, time and location of the candidate interviews with the Board. Letters of introduction and biographical information submitted by candidates will be forwarded to the Board in advance of the Special Board Meeting.

The Board may interview the candidates at the Special Board Meeting. The public will be afforded the opportunity to comment. The appointment will be by majority vote. We expect the appointee will participate in their first Board Meeting on August 23.

Should you require any additional information or have any questions, please contact me at your earliest convenience.



Kenneth A. Duron

Attachment

cc: Board Appointed Officers
Deputy General Manager
Associate General Counsel



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

2012

June 29, 2012

John McPartland
PRESIDENT

Tom Radulovich
VICE PRESIDENT

Grace Crunican
GENERAL MANAGER

The Honorable Nathan Miley
President
Alameda County Board of Supervisors
1221 Oak Street, Suite 536
Oakland, CA 94612

DIRECTORS

Gail Murray
1ST DISTRICT

Joel Keller
2ND DISTRICT

Bob Franklin
3RD DISTRICT

Robert Baburn
4TH DISTRICT

John McPartland
5TH DISTRICT

Thomas M. Blalock, P.E.
6TH DISTRICT

Lynette Sweet
7TH DISTRICT

James Fang
8TH DISTRICT

Tom Radulovich
9TH DISTRICT

Re: Vacancy on BART Board of Directors


Dear President Miley:

Bob Franklin, the Board member representing District 3 has resigned his seat on the BART Board. The BART Board has 60 days to appoint a successor and if it does not act, the Board of Supervisors may make the selection if it so desires.

I am contemplating recommending to my fellow BART Board members that we leave the BART District 3 seat vacant, largely because I don't wish to give an advantage to any potential candidate this close to the November election at which this seat is scheduled to be filled by the voters. Similarly, I am leaning against recommending to the BART Board that it appoint a "caretaker," i.e. someone not interested in running for the seat, as time is so short before the November election that the attention of the Board is better focused on the important business of the District we have before us.

In deciding whether to go down this path, I would like to discuss with you whether you or the Board of Supervisors share my feelings about the benefits of leaving the BART Board seat vacant until the voters speak in November. I look forward to the opportunity to discuss this with you further.

I can be reached at (510) 915-7972.


John McPartland
President

cc: Alameda County Board of Supervisors
Board of Directors