

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

Board of Directors
Minutes of the 1,729th Meeting
March 12, 2015

A regular meeting of the Board of Directors was held March 12, 2015, convening at 9:06 a.m. in the Board Room, 344 20th Street, Oakland, California; and King David Hotel, 23 King David Street, Jerusalem, Israel. President Blalock presided; Kenneth A. Duron, District Secretary.

Directors present in Oakland: Directors Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Blalock.

Director present in Jerusalem: Director Josefowitz.

Absent: None. Director Radulovich entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of February 26, 2015.
2. Resolution Authorizing Actions Necessary to Obtain Cycle 4 Lifeline Transportation Funds.

Consent Calendar report brought before the Board was:

1. Fiscal Year 2015 Second Quarter Financial Report.

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

1. That the Minutes of the Meeting of February 26, 2015, be approved.
2. Adoption of Resolution No. 5288, In the Matter of Authorizing Actions Necessary to Obtain Cycle 4 Lifeline Transportation Funds from the Metropolitan Transportation Commission.

Director Keller, Chairperson of the Administration Committee, brought the matter of Hayward Maintenance Complex: Project Stabilization Agreement, before the Board. Ms. Carol Isen, Chief Employee Relations Officer, presented the item.

The following individuals addressed the Board.

Andreas Cluver
Andrew Slivka

President Blalock moved that the General Manager be authorized to execute a Project Stabilization Agreement with the Alameda County Building and Construction Trades Council and its affiliated local unions in connection with the Component Repair Building and Shop Modification Project at the Hayward Maintenance Complex consistent with the substantive terms described in the Executive Decision Document; and that the agreement be approved as to form by the General Counsel. Director McPartland seconded the motion. Director Raburn requested the motion be amended to include the requirement of posting all relative documents on the District's web site, and that a third party administrator be included in the terms of the agreement.

Director Radulovich entered the Meeting in Oakland.

The proposed amendments were discussed. The maker and seconder of the motion accepted the amendment to post all relative documents about the Project Stabilization Agreement on the District's web site. The amended motion carried by unanimous roll call vote. Ayes - 9: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes – 0.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Sole Source Procurement with Cubic Transportation Systems, Inc., for Procurement and Installation of Upgraded Components for Automatic Fare Collection Equipment before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, and Mr. John Yen, Acting Manager, Fare Collection Engineering Division, presented the item. The item was discussed. Director Keller moved that, pursuant to Public Contract Code Section 20227, the Board find that Cubic Transportation Systems, Inc., is the single source for the Procurement and Installation of Upgraded Components for Automatic Fare Collection Equipment, and that the purchase is for the sole purpose of duplicating or replacing equipment in use at the District; and that the General Manager be authorized to enter into direct negotiations and execute a contract with Cubic Transportation Systems, Inc., for the Procurement and Installation of Upgraded Components for Automatic Fare Collection Equipment, in the form of "asset refresh" kits at 44 stations, for an amount not to exceed \$12,636,550.00, plus applicable taxes. Director Saltzman seconded the motion. Discussion continued. The motion carried by roll call vote by the required two-thirds majority. Ayes - 6: Directors Keller, McPartland, Raburn, Radulovich, Saltzman, and Blalock. Noes – 2: Directors Josefowitz and Murray. Abstain – 1: Director Mallett.

President Blalock returned to the matter of Hayward Maintenance Complex: Project Stabilization Agreement, and Eddie Dillard addressed the Board.

Director McPartland brought the matter of Warm Springs Extension Project: Semi-Annual Project Update, before the Board. Mr. Paul Medved, Project Manager, Warm Springs Extension Program; and Mr. Robert Mitroff, Manager of Fleet and Capacity Planning, and Mr. Oversier presented the item.

The following individuals addressed the Board.
Randall Glock
Jerry Grace

The item was discussed.

Director McPartland brought the matter of Change Order to Contract No. 02EE-120, Warm Springs Extension Design-Build Line, Track, Station, and Systems, with Warm Springs Constructors, for Differing Site Conditions (C.O. No. 95) before the Board. Mr. Medved presented the item. President Blalock moved that the General Manager be authorized to execute Change Order No. 95, Differing Site Conditions – Contaminated Soil, to Contract No. 02EE-120, Warm Springs Extension Design-Build Line, Track, Station, and Systems, in the amount of \$2,500,000.00. Director Mallett seconded the motion, which carried by unanimous roll call vote. Ayes - 9: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes – 0.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Bicycle Access to BART: Annual Update, before the Board. Mr. Steve Beroldo, Manager of Access Programs, presented the item.

The following individuals addressed the Board.

Alan Smith
Jerry Grace

The item was discussed.

President Blalock called for the General Manager's Report.

General Manager Grace Crunican 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.

President Blalock called for the Controller/Treasurer's Report. Mr. Scott Schroeder, Controller/Treasurer, reported on the activities of the Office over the past quarter. The report was discussed.

President Blalock brought the matter of Resolution In the Matter of Creation of a Life Insurance and Employee Survivor Benefits Trust, Approval of an Investment Policy for the Trust and Indemnification of the Trustee before the Board. Mr. Schroeder presented the item. Director Murray moved adoption of Resolution No. 5289, In the Matter of Creation of a Life Insurance and Employee Survivor Benefits Trust, Approval of an Investment Policy for the Trust and Indemnification of the Trustee. Director Saltzman seconded the motion, which carried by unanimous roll call vote. Ayes - 9: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes – 0.

President Blalock called for Board Member Reports, Roll Call for Introductions, and In Memoriam.

Director Raburn reported he had attended the 19th Street/Oakland Station bicycle station opening, the ribbon cutting of the 19th Street/Oakland Station escalator canopy, and the BART / AC Transit Interagency Liaison Committee meeting.

Director Saltzman reported she had attended the BART / AC Transit Interagency Liaison Committee meeting and the Citizen Review Board meeting.

President Blalock called for Public Comment. Jerry Grace addressed the Board.

President Blalock announced that the Board would enter into closed session under Item 10-A (Conference with Legal Counsel), Item 10-B (Conference with Real Property Negotiators), and Item 10-C (Conference with Real Property Negotiators) of the Regular Meeting agenda, and that the Board would reconvene in open session upon the conclusion of the closed session.

The Board Meeting recessed at 1:06 p.m.

The Board Meeting reconvened in closed session at 1:15 p.m.

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

Director present in Jerusalem: Director Josefowitz.

Absent: None.

The Board Meeting recessed at 2:36 p.m.

The Board Meeting reconvened in open session at 2:38 p.m.

Directors present in Oakland: Directors Mallett and Blalock.

Director present in Nelson: None.

Absent: Directors Josefowitz, Keller, McPartland, Murray, Raburn, Radulovich, and Saltzman.

President Blalock announced that the Board had concluded its closed session under Items 10-A through 10-C of the Regular Meeting agenda, and that there were no further announcements to be made.

President Blalock announced that Authorization for Completion of Negotiations and Execution of Agreements to Purchase Joseph P. Bort Metro Center, 101 8th Street, Oakland, California, from the Metropolitan Transportation Commission and the Association of Bay Area Governments would be continued to a future meeting.

The Board Meeting was adjourned at 2:38 p.m.

Kenneth A. Duron
District Secretary