

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

Board of Directors
Minutes of the 1,651st Meeting
March 22, 2012

A regular meeting of the Board of Directors was held March 22, 2012, convening at 9:08 a.m. in the Board Room, 344 20th Street, Oakland, California. President McPartland presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, and McPartland.

Absent: None. Directors Radulovich and Sweet entered the Meeting later.

President McPartland noted that BART Police Officer Gerald Dominguez was in the hospital after a heart attack.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of March 8, 2012.
2. Consolidation of 2012 District Elections.
3. Award of Contract No. 79HS-110, Oakland Wye and Berkeley Hills Tunnel Intrusion Detection System.
4. Approval of East Bay Paratransit Consortium Service Plan for Fiscal Year 2013 Alameda County Measure B Claim.

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

1. That the Minutes of the Meeting of March 8, 2012, be approved.
2. Adoption of Resolution No. 5188, Resolution of the Board of Directors of the San Francisco Bay Area Rapid Transit District Requesting the Boards of Supervisors of Alameda County, Contra Costa County, and the City and County of San Francisco to Provide for the Consolidation of a District Election, Electing Members of the Board of Directors, with the State of California General Election, to Be Held on November 6, 2012.

3. That the General Manager be authorized to award Contract No. 79HS-110, Oakland Wye & Berkeley Hills Tunnel Intrusion Detection System, to Blocka Construction, Inc., for the Bid price of \$1,295,300.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures and the Department of Homeland Security's procedures related to protests.
4. Adoption of Resolution No. 5189, In the Matter of Approving the East Bay Paratransit Consortium Service Plan for Fiscal Year 2013 for Submittal to Alameda County Transportation Commission.

President McPartland announced that the order of agenda items would be changed.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 49GG-210, Procurement of Vehicle Automatic Train Control (VATC) Refurbished Printed Circuit Boards and Modules, before the Board. Mr. Henry Kolesar, Group Manager for Engineering, Rolling Stock and Shops, presented the item.

Director Sweet entered the Meeting.

The item was discussed.

Director Radulovich entered the Meeting.

Director Raburn moved that the General Manager be authorized to award Contract No. 49GG-210, an estimated quantity contract for the procurement of new VATC printed circuit boards and modules, to LeeMah Electronics, Inc., for the Bid price of \$3,824,271.62, including applicable taxes, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and Federal Transportation Administration's requirements related to protest procedures; and that subject to the availability of funds, the General Manager also be authorized to increase the value of the Contract to 150 percent of the award amount. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0.

Director Fang brought the matter of Oakland Airport Connector Project: Quarterly Update, before the Board. Mr. Thomas Dunscombe, Project Manager – Oakland Airport Connector, presented the item. The item was discussed.

The following individuals addressed the Board.

Mr. Robert S. Allen

Mr. Eddie Dillard

Director Fang brought the matter of National Organization of Black Law Enforcement Executives (NOBLE) Report Management Audit Response Matrix Update before the Board. Chief of Police Kenton Rainey presented the item.

Director Fang exited the Meeting.

The item was discussed.

Director Sweet, Chairperson of the Administration Committee, brought the matter of Amendments to the Disadvantaged Business Enterprise (DBE) Program before the Board. Mr. Thomas Parker, Executive Manager, Transit System Compliance, and Mr. Wayne Wong, Department Manager, Civil Rights, presented the item.

The following individuals addressed the Board.

Mr. Eddie Dillard

Mr. Victor Martinez

The item was discussed.

Director Blalock moved adoption of the Core Disadvantaged Business Enterprise Program for the San Francisco Bay Area Rapid Transit District. (The Program is attached and hereby made a part of these Minutes.) Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Franklin, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0. Absent – 2: Directors Fang and Keller.

Director Sweet brought the matter of Execution of Contract Option for CDSNet, LLC, for the Sales and Exchange of Tickets before the Board. Ms. Jennifer Barton, Executive Manager, External Affairs, and Ms. Julie Yim, Department Manager of Customer Service, presented the item. The item was discussed.

Director Blalock exited the Meeting.

Director Radulovich moved that the General Manager be authorized to extend Agreement No. 6G4435, Operation of Booths for the Sale of Transit Tickets, for 60 days. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes – 6: Directors Franklin, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0. Absent – 3: Directors Blalock, Fang, and Keller.

Director Radulovich, Vice Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, had no report.

President McPartland called for the General Manager's Report. General Manager Grace Crunican reported on steps she had taken and meetings she had participated in. She advised the Board that the annual Report to Congress had been presented to the Congressional delegation during the APTA Legislative Conference. Ms. Crunican reminded Board members that there would be a groundbreaking event in Santa Clara on April 12.

President McPartland announced that Board Member Reports and Roll Call for Introductions would be combined.

Director Radulovich requested an update on the proposed robust late night bus service in the District's service area.

Director Franklin requested a report on the economic viability of the installation of fiber optic infrastructure on the Oakland Airport Connector alignment.

Director Murray reported that she had attended the Title VI community meeting in Concord, a TransPac meeting, and would attend a State of Good Repair tour.

Director Raburn reported that he had attended the Title VI community meeting in Oakland, a meeting with the City of Oakland regarding fiber optics, the Business Advisory Committee workshop, the Citizens Review Board meeting, and the American Public Transit Association's Legislative Conference in Washington, D.C.

Director Raburn requested that the proposal for late night bus service include information regarding what motivates passengers to use BART, including person security, and that those important features be included in the late night service program.

President McPartland reported he had attended meetings regarding BART to Livermore, a Joint Powers Authority for Hayward, and a Title VI community meeting.

President McPartland requested the status of his request for a standardized method of handling complaints.

Director Sweet exited the Meeting.

President McPartland called for General Discussion and Public Comment. The following individuals addressed the Board.

Mr. Robert S. Allen

Mr. Randall Glock

President McPartland announced that the Board would enter into closed session under Item 9-A (Public Employee Performance Evaluation) of the regular meeting agenda, and that the Board would reconvene in open session at the conclusion of the closed session.

The Board Meeting recessed at 12:40 p.m.

The Board Meeting reconvened in closed session at 12:51 p.m.

Directors present: Directors Franklin, Murray, Raburn, Radulovich, and McPartland.

Absent: Directors Blalock, Fang, Keller, and Sweet.

The Board Meeting recessed at 1:49 p.m.

The Board Meeting reconvened in open session at 1:50 p.m.

Directors present: Director McPartland.

Absent: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Radulovich,
and Sweet.

President McPartland announced that there was no action to be reported from closed session.

Board Meeting was adjourned at 1:50 p.m.

Kenneth A. Duron
District Secretary