

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

Board of Directors
Minutes of the 1,679th Meeting
June 13, 2013

A regular meeting of the Board of Directors was held June 13, 2013, convening at 6:05 p.m. in the Board Room, 344 20th Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

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

Absent: None.

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

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of May 9, 2013, and May 23, 2013.
2. Resolutions of Support for Metropolitan Transportation Commission One Bay Area Grant Discretionary Funding and Alameda County Transportation Commission Vehicle Registration Fee for Berkeley BART Plaza & Transit Area Improvements Project.
3. Award of Contract No. 15QJ-140, Reroof Dublin/Pleasanton Station Supervisor's Building.
4. Award of Invitation for Bid No. 8921, Motor, Condenser Fan.
5. Reject All Bids for Invitation for Bid No. 8915, Double-Ended Cleaning Carts.

Director Fang made the following motions as a unit. Director Blalock seconded the motions, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

1. That the Minutes of the Meetings of May 9, 2013, and May 23, 2013, be approved.
2. Adoption of Resolution No. 5215, In the Matter of Approving the Resolution of Local Support for Metropolitan Transportation Commission Discretionary Funding, and Resolution No. 5216, In the Matter of Approving the Resolution of Support for Alameda County Transportation Commission Measure B and/or Vehicle Registration Fee Grant Funding.

3. That the General Manager be authorized to award Contract No. 15QJ-140, Reroof Dublin/Pleasanton Station Supervisor's Building, for the Bid price of \$113,382.60, to Stronger Building Services, pursuant to notification by the General Manager and subject to compliance with the District's protest procedures.
4. That the General Manager be authorized to award Invitation for Bid No. 8921, an estimated quantity contract for procurement of motor, condenser fan, to Dahl-Beck Electric, for the Bid price of \$204,297.17, including applicable sales tax, pursuant to notification to be issued by the General Manager and subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protests.

(The foregoing motion was made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for this purpose.)

5. That all Bids for Invitation for Bid No. 8915, Procurement of Vehicle, Yard, Double Ended Carts, be rejected and the General Manager be authorized to re-advertise the IFB.

President Radulovich brought the matter of Appointment of Citizen Review Board Members before the Board. Mr. Mark Smith, Independent Police Auditor, presented the item.

Ms. Gena Alexander addressed the Board.

Director Blalock moved that the Board ratify the Citizen Review Board reappointment of the following members for the term of two years, beginning on July 1, 2013, and expiring on June 30, 2015: Sukari Beshears, District 2; Peter Barnett, District 4; Les Mensinger, District 6; Ken Jones, District 8, and Thomas Minshew, BART Police Officers' Association/BART Police Managers' Association. Director Keller seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director Murray, Chairperson of the Administration Committee, brought the matter of Fiscal Year 2014 Budget before the Board. Mr. Carter Mau, Assistant General Manager, Administration and Budgets; Mr. Gregg Marrama, Department Manager of Capital Development; and Mr. Robert Umbreit, Department Manager, Operating Budget and Analysis, presented the item.

The following individuals addressed the Board.

Mr. Jeff Hobson

Mr. John O'Connor Sr.

Ms. Gena Alexander

Mr. Marty Frates

Mr. Thaddeus King

Ms. Yvonne Williams

Mr. Leo Ruiz

Ms. Maureen O'Connor
Mr. Chris Finn
Mr. Gary Jimenez
Ms. Antonette Bryant
Mr. John Arantes
Mr. Deslar Patten
Ms. Josie Mooney
Ms. Eryn Yula
Mr. Manuel Vega
Mr. Steve Zeltzer
Mr. Samuel Merlo
Ms. Sarah Bump
Mr. George Sergio Figueroa
Ms. Yuri Hollie

The item was discussed. Director Mallett requested the change of line item language on Attachment 3, Fiscal Year 2014 District Budget Initiatives, to “Strategic Opportunity Assessment – West Contra Costa County Corridor, including a full analysis of extending off the current Richmond Station and BART to the Beach.” Director Fang moved adoption of Resolution No. 5217, In the Matter of Approving the Annual Budget for the San Francisco Bay Area Rapid Transit District and Authorizing Expenditures for the Fiscal Year July 1, 2013, to June 30, 2014. Director Mallett seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

Director Murray brought the matter of Agreement with Acquia, Inc., for Web Site Migration and Platform Management Services (Agreement No. 4299), before the Board. Mr. Ravi Misra, Chief Information Officer, presented the item. The item was discussed. Director Fang moved that the General Manager be authorized to execute Agreement No. 6M4299, with Acquia, Inc., for web site content management software provisioning, content migration and hosting services, for an amount not to exceed \$509,800.00, in Fiscal Year 2014, \$115,700.00 in Fiscal Year 2015, and \$125,800.00 in Fiscal Year 2016. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

Director Murray brought the matter of Modification to Travel Reimbursement Policy for BART Advisory Committees before the Board. Ms. Julie Yim, Department Manager, Customer Services, presented the item. President Radulovich moved that the General Manager be authorized to set the program procedures and the reimbursement rate for advisory committee member travel to meetings, in an amount deemed reasonable by the General Manager. Director Saltzman seconded the motion. The item was discussed.

The following individuals addressed the Board.
Mr. Les Mensinger
Ms. Sharon Kidd
Mr. Randall Glock

Discussion continued. Director Blalock made a substitute motion, that the General Manager be authorized to: 1) direct the Customer Services Department to load the nominal travel reimbursement value of \$15.00 on any Regional Transit Connection or Clipper® card designated by advisory committee members; 2) add the Title VI/Environmental Justice Advisory Committee, the Limited English Proficiency Advisory Committee, and the Transit Security Advisory Committee to the program, and 3) add additional advisory committees to the program, when appropriate, and notify the Board of other changes, including dollar amounts. Director Fang seconded the substitute motion. Discussion continued. The substitute motion carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

Director Murray brought the matter of Travel Pass for Attendees of the 2013 American Public Transportation Association (APTA) Sustainability and Public Transportation Workshop and Multimodal Operations Planning Workshop before the Board. Ms. Yim presented the item. The item was discussed. Director Keller moved that the General Manager be authorized to participate in the Flash Pass Program with San Francisco Municipal Transportation Agency, Golden Gate Bridge Highway & Transportation District, San Mateo County Transit District, and Peninsula Corridor Joint Powers Board, to provide complimentary rides for up to 350 attendees of the APTA 2013 Sustainability and Public Transportation Workshop and the APTA 2013 Intermodal Workshop to be held in San Francisco. Director Blalock seconded the motion.

Ms. Eryn Yula addressed the Board.

The motion carried by electronic vote. Ayes - 8: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Saltzman, and Radulovich. Noes – 1: Director Raburn.

Directors Murray and Saltzman exited the Meeting.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Change Order to Contract No. 15PB-110A, Earthquake Safety Program Aerial Structures – A Line North, with Atkinson Contractors, LP, for Seismic Retrofit of Pier P-238 (C.O. No. 25), before the Board. Mr. Thomas Horton, Manager of Earthquake Safety Programs, presented the item. Director Blalock moved that the General Manager be authorized to execute Change Order No. 25 to Contract No. 15PB-110A, BART Earthquake Safety Program, Aerial Structures – A Line North, for the retrofit of Pier P-238, in an amount not to exceed \$1,300,000.00. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes - 7: Directors Blalock, Fang, Keller, Mallett, McPartland, Raburn, and Radulovich. Noes – 0. Absent - 2: Directors Murray and Saltzman.

Director Fang brought the matter of Cost-Sharing Agreement between San Francisco Bay Area Rapid Transit District and Santa Clara Valley Transportation Authority for the Hayward Maintenance Complex Project before the Board. Ms. Christine Quinn, Chief Extensions Officer, presented the item.

Directors Murray and Saltzman re-entered the Meeting.

The item was discussed. Director Blalock moved that the General Manager be authorized to execute a cost-sharing agreement between BART and Santa Clara Valley Transportation

Authority for the Hayward Maintenance Complex Project on terms consistent with those described in the Executive Decision Document (EDD). (The EDD is attached and hereby made a part of these Minutes.) Directors Saltzman and McPartland seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. 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.

Director Fang brought the matter of Noise Generation and Abatement Report before the Board. Mr. Carlton Allen, Chief Engineer, presented the item.

Mr. Carter Lavin addressed the Board.

The item was discussed.

Director Fang brought the matter of Quarterly Performance Report, Third Quarter Fiscal Year 2013 - Service Performance Review, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, presented the item. The item was discussed.

Director Blalock, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of 2013 State and Federal Legislative Advocacy Goals before the Board. Ms. Kerry Hamill, Acting Assistant General Manager, External Affairs, and Mr. Paul Fadelli, Legislative Analyst, presented the item.

Ms. Eryn Yula addressed the Board.

The item was discussed. Director Saltzman moved that the Board support state and federal legislation as recommended by staff. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

Director Blalock brought the matter of Agreement with Alameda Park Street Bicycles, Inc., for Management Services to Operate BART's Bike Facilities (Agreement No. 6M6063) before the Board. Mr. Steve Beroldo, Manager of Access Programs, presented the item. Director Mallett moved that the General Manager be authorized to award Agreement No. 6M6063, Management Services to Operate BART's Bike Station Facilities, to Alameda Park Street Bicycles, Inc., for the Base Proposal Price not to exceed \$886,133.00, subject to the District's protest procedures, and that the General Manager be further authorized to exercise the three options for the proposal price not to exceed \$439,404.00. Director McPartland seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

President Radulovich brought the matter of Public Comment before the Board. No comments were received.

President Radulovich called for Board Member Reports and Roll Call for Introductions.

Director Mallett reported he had attended a West Contra Costa Transportation Advisory Committee meeting, the Capitol Corridor Joint Powers Authority Board meeting, various meetings with planning commissions, city council meetings, and met with city councilmembers.

Director Murray reported she had attended the American Public Transportation Association Rail Conference in Philadelphia.

Director Murray requested the District develop a program for communicating efforts to address the homeless on the system.

Director Keller reported he had attended the American Public Transportation Association Rail Conference in Philadelphia and made an eBART presentation to the Antioch Rotary Club.

President Radulovich requested the District develop a 'whistleblower' policy.

Director Fang requested the District address, in the near term, issues raised in media reports involving former General Manager compensation in 2012.

Director Raburn reported he had attended the Capitol Corridor Joint Powers Authority Board meeting.

President Radulovich 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. Mr. Oversier gave a brief report on the accident in the TransBay Tube on May 31, 2013. Ms. Crunican reported the District had received the Gold Standard Award from the Transportation Security Administration for excellence in security.

Director Fang exited the Meeting.

President Radulovich called for the Independent Police Auditor's report. Mr. Smith gave a report on the activities of the Citizen Review Board and the Office of the Independent Police Auditor.

Director McPartland exited the Meeting.

The Board Meeting was adjourned at 11:22 p.m.

Kenneth A. Duron
District Secretary