

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

Board of Directors
Minutes of the 1,565th Meeting
June 25, 2009

A regular meeting of the Board of Directors was held June 25, 2009, convening at 9:07 a.m. in the Board Room, 344 20th Street, Oakland, California. President Blalock presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Franklin, Keller, McPartland, Murray, Ward Allen, and Blalock.

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

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of May 28, 2009.
2. Agreement with Crown Worldwide Moving and Storage for On-Call Moving Services (Agreement No. 6M4087).
3. Award of Contract No. 15RW-150, Repaint Outdoor Substations and Gap Breakers.
4. Award of Contract No. 60BD-205, Purchase of Eight Projectors and Placement of Six at Operations Control Center.

Consent Calendar motions, as follow, were moved as a unit by Director Murray. Director McPartland seconded the motions, which carried by unanimous electronic vote. Ayes – 6: Directors Franklin, Keller, McPartland, Murray, Ward Allen, and Blalock. Noes – 0. Absent – 3: Directors Fang, Radulovich, and Sweet.

1. That the Minutes of the Meeting of May 28, 2009, be approved.
2. That the General Manager be authorized to execute Agreement No. 6M4087, for On-Call Moving Services, with Crown Worldwide Moving and Storage, for a period of three years, with options to extend for up to two additional one-year periods under the same terms and conditions, for a total not-to-exceed amount for the base period and option years of \$270,570.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures.
3. That the General Manager be authorized to award Contract No. 15RW-150, Repaint Outdoor Substations and Gap Breakers – Phase V, to F. D. Thomas, Inc., for the bid price of \$253,450.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and Federal Transit Administration's requirements related to protests.

4. That the General Manager be authorized to award Contract No. 60BD-205, Purchase of Eight Projectors and Placement of Six at Operations Control Center, to Spinitar, for the bid price of \$141,758.47, plus applicable taxes and freight charges, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures.

Director Sweet entered the Meeting.

President Blalock called for Public Comment on Item 3-A (Closed session – conference with labor negotiators) only. The following individuals addressed the Board.

Ms. Carolyn DeRoo
Ms. Kellie Bewley

Director Radulovich entered the Meeting.

Mr. Austin Thomas
Ms. Debbie Smith
Ms. Jean Hamilton

Director Fang entered the Meeting.

Ms. Patricia Schuchardt
Ms. Damita Davis-Howard
Ms. Marsha Aikens
Ms. Geri Cardenas
Ms. Sharon Cornu
Mr. Stan James
Ms. Guylene Gaines
Mr. Peter Mendoza
Mr. Leo Ruiz
Ms. Carolyn DeRoo for Ms. Mary Contreras
Ms. Maureen O'Connor
Mr. Ken Johnson
Mr. Alan W. Hollie
Mr. Tony Pasol
Mr. Jerry Grace
Ms. Caroline McKee
Mr. Jesse Hunt
Mr. Aaron Seivertson
Ms. Roxanne Sanchez
Ms. Marilyn Fong
Ms. Christine Nicholas

President Blalock announced that the Board would enter into closed session under Item 3-A (Conference with Labor Negotiators) of the regular meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 10:37 a.m.

The Board reconvened in closed session at 10:47 a.m.

Directors present: Directors Fang, Franklin, Keller, McPartland, Murray, Radulovich, Sweet, Ward Allen, and Blalock.

Absent: None.

The Board Meeting recessed at 12:30 p.m.

The Board reconvened in closed session at 12:47 p.m.

Directors present: Directors Fang, Franklin, Keller, McPartland, Murray, Radulovich, Sweet, Ward Allen, and Blalock.

Absent: None.

The Board Meeting recessed at 1:40 p.m.

The Board reconvened in open session at 3:21 p.m.

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

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

Consent Calendar Addenda item brought before the Board was:

1. Station Retail Policy Development and Release of Request for Qualifications for Master Station Retail Vendor(s).

Director Keller moved that the Board authorize release of a Request for Qualifications for a Master Station Retail Vendor(s) with the District for the development of retail activities at BART stations and that staff be directed to return to the Board for policy modification considerations prior to requesting exclusive negotiations with any Master Vendor(s). Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes – 7: Directors Fang, Franklin, Keller, McPartland, Murray, Ward Allen, and Blalock. Noes – 0. Absent – 2: Directors Radulovich and Sweet.

Director Radulovich entered the Meeting.

Director Sweet entered the Meeting.

Director Murray, Chairperson of the Administration Committee, reported that the Committee had received and discussed a presentation on Fiscal Year 2008 – 2009 Budget Update – Sales Tax and Ridership Performance.

Director Keller, Chairperson of the Engineering and Operations Committee, reported that the Committee had received and discussed a presentation on Passenger Environment Survey: New Customer-Based Methodology.

Director Sweet, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, reported that the sole item on the Committee agenda had been forwarded to Consent Calendar Addenda.

President Blalock called for the General Manager's Report. Assistant General Manager – Operations, Paul Oversier, reported on a Washington Metropolitan Area Transit Authority (WMATA) train accident of June 22, 2009.

President Blalock brought the matter of Ratification of the Ad Hoc Committee on Disadvantaged Business Enterprise Participation in Procurement Contracts before the Board, and announced that the item had been continued.

Director Ward Allen, Chairperson of the BART Police Department Review Committee, gave a report on the committee's activities.

President Blalock brought Roll Call for Introductions before the Board.

Director Murray requested an expanded report from the System Safety Department on the rail car collision in early 2009, with the expanded report to include additional detail and specific findings, discussion of recommendations, and status of implementation of recommendations.

Director Murray requested the District consider the adoption of unisex restrooms in stations.

President Blalock called for General Discussion and Public Comment.

Mr. Charlie Walker addressed the Board.

Director Fang exited the Meeting.

Mr. Jerry Grace addressed the Board.

Director Sweet exited the Meeting.

The Board Meeting adjourned at 3:40 p.m.

Kenneth A. Duron
District Secretary