

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

Board of Directors  
Minutes of the 1,688th Meeting  
September 26, 2013

A regular meeting of the Board of Directors was held September 26, 2013, convening at 9:10 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

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

Absent: Director Fang. Director McPartland entered the Meeting later.

President Radulovich brought Introduction of Special Guests before the Board. General Manager Grace Crunican and Mr. Thomas Dunscombe, Project Manager, Oakland Airport Connector Project, welcomed and introduced the following guests, and thanked them for their efforts in achieving the Project's local hiring goals: Mr. Tony Innocencio, Flatiron Construction/Parsons Transportation JV; Ms. Andrea Lowe, A Squared Ventures; Mr. Victor Uno, Port of Oakland Commissioner and International Brotherhood of Electrical Workers Business Manager; Ms. Kitty Creech, Devallier & Sloan; and Mr. Arthur Shanks and Mr. Eric Shanks, Cypress Mandela Training Center.

Director McPartland entered the Meeting.

Mr. Uno addressed the Board. Mr. Arthur Shanks addressed the Board, and introduced the students of Cypress Mandela Training Center in attendance.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of September 12, 2013.
2. Agreement with Omega Termite and Pest Control for Pest and Bee Control Services Districtwide (Agreement No. 6M6065).

President Radulovich requested that Agreement with Omega Termite and Pest Control for Pest and Bee Control Services Districtwide (Agreement No. 6M6065) be removed from Consent Calendar. The item was briefly discussed and replaced onto the Consent Calendar. Director Blalock made the following motions as a unit. Director Mallett seconded the motions, which carried by unanimous electronic vote. Ayes - 8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent - 1: Director Fang.

1. That the Minutes of the Meeting of September 12, 2013, be approved.
2. That the General Manager be authorized to award Agreement No. 6M6065 to Omega Termite and Pest Control, for a three year period, to provide

Pest and Bee Control Services Districtwide, for a total compensation not to exceed \$232,360.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures; and that the General Manager be authorized to exercise a first year option to the Agreement for an amount not to exceed \$72,960.00, and to exercise a second year option for an amount not to exceed \$76,800.00, subject to the availability of funding.

Director Murray, Chairperson of the Administration Committee, brought the matter of Authorization of the Issuance and Sale of \$240 Million General Obligation 2013 Series C Bonds and the Execution and Delivery of the Required Documents before the Board. Ms. Rose Poblete, Assistant Treasurer, presented the item. The item was discussed. Director Mallett moved adoption of Resolution No. 5221, Authorizing and Approving the Issuance and Sale of Not to Exceed \$240,000,000 Aggregate Principal Amount of San Francisco Bay Area Rapid Transit District General Obligation Bonds (Election of 2004), 2013 Series C; Authorizing the Execution and Delivery of a Second Supplemental Paying Agent Agreement Pursuant to which Such Bonds Are to Be Issued, a Bond Purchase Agreement Pursuant to which Such Bonds Are to Be Sold by Negotiated Sale; Approving an Official Statement Relating to Such Bonds; Authorizing Execution and Delivery of the Official Statement and Certain Documents in Connection with the Issuance and Sale of Such Bonds, Including a Continuing Disclosure Agreement; Delegating to the Controller/Treasurer of the District Power to Determine Final Terms of Such Bonds and Complete Said Documents and Authorizing Certain Other Matters Relating Thereto; and moved that staff be instructed to post Appendix A on the District's web site. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent - 1: Director Fang.

Director McPartland, Vice Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 46BA-110, Procurement of Destination Sign Units, before the Board. Mr. Robert Powers, Assistant General Manager, Planning and Development, presented the item. The item was discussed. Director Raburn moved that the General Manager be authorized to award Contract No. 46BA-110, Procurement of Destination Sign Units (DSU), to Daktronics, Inc., for the Base Bid amount of \$1,087,055.00, plus applicable taxes, 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; and that subject to certification by the Controller/Treasurer that funds are available, the General Manager be authorized to exercise Option 1 and Option 2, in the amount of \$255,850.00 and \$843,500.00 respectively, plus applicable taxes. Directors Murray and Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent - 1: Director Fang.

Director McPartland noted that the item entitled Change Order to Contract No. 79HM-110, San Francisco Transition Structure Security Barrier (SFTS SB), with Taber Construction, Inc., for Temporary Suspension - Contract Costs (C.O. No. 22), would be continued to a future meeting.

Director McPartland brought the matter of Agreements for Plaza Cleaning Services: Agreement with WEBCO Sweeping for Areas 2 and 3 (Agreement No. 6M3230); and Agreement with IMPEC Group for Area 1 (Agreement No. 6M3231), before the Board. Mr. Paul Oversier,

Assistant General Manager, Operations, presented the item. The item was discussed. Director Mallett moved that the General Manager be authorized to award Agreement No. 6M3230 to WEBCO Sweeping for Plaza Cleaning Services (Areas 2 and 3), for a three year period, for a total compensation not to exceed \$833,805.20, and to award Agreement No. 6M3231 to IMPEC Group for Plaza Cleaning Services (Area 1), for a three year period, for a total compensation not to exceed \$460,423.37, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures; and that the General Manager be authorized to exercise a first option year to Agreement No. 6M3230 for an amount not to exceed \$287,575.00, and to exercise a second option year for an amount not to exceed \$287,575.00; and that the General Manager be authorized to exercise a first year option to Agreement No. 6M3231 for an amount not to exceed \$163,231.42, and to exercise a second option year for an amount not to exceed \$168,128.36, with the exercise of these options subject to the availability of funding; and that staff be directed to report back to the Board on the feasibility of performing plaza cleaning services with District employees before the end of the initial three year period. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent - 1: Director Fang.

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

President Radulovich called for the General Manager's report.

Ms. Crunican reported that BART Police SWAT team had participated in the Best of the West invitational SWAT competition.

President Radulovich noted that the procedure for Board Member Reports had been revised. The revision was discussed.

Director Blalock reported he had met with the Central Labor Council, met with consultants, attended the Capitol Corridor Joint Powers Board Meeting, given a presentation on the State of Good Repair and the Warm Springs extension to the Sons in Retirement, and given a presentation at the Senior Center in Milpitas.

President Radulovich called for Roll Call for Introductions.

Director Mallett requested the amendment of Roll Call for Introductions item number 13-716 to include the phrase "new credit card and mobile device payment options."

Director Mallett requested Board discussion of aging items on the Roll Call for Introductions report and options for resolution of outstanding items.

Director Mallett requested the District develop marketing opportunities to provide the use and distribution of u-locks for securing bicycles on the system.

Director Keller requested the review of the design, location, and availability of change machines in stations, currently in the free area only, to redistribute to both the free and paid areas.

Director Keller requested that changes to Clipper® Card rules (preventing 'going negative') be aggressively publicized in advance of the change.

Director Keller requested a comprehensive review and Board discussion of fare evasion in early calendar year 2014.

Director Raburn requested the discount fare and age categories for youth and senior Clipper® Cards be consistent with other transit agencies and requested consideration of the redesign the applicable cards to be readily distinguishable/recognizable.

Director Saltzman requested an update on bicycle parking capacity Districtwide concurrent with the return of the report on the expanded bicycle access pilot program.

President Radulovich called for Public Comment. The following individuals addressed the Board.

Mr. Sean Lacsado

Ms. Steve Zeltzer

Mr. John Reimann

Mr. Steve Sorensen

Ms. Patricia Schuchardt

Mr. Sal Cruz

Mr. Alan Hollie

Ms. Antonette Bryant

Mr. John Johns

Mr. Chris Finn

Mr. Charles Sapp

President Radulovich announced that the Board would enter into closed session in the adjacent conference room under Item 9-A (Conference with Real Estate Negotiators) and Item 9-B (Conference with Labor Negotiators) of the regular meeting agenda, and that the Board would reconvene in open session at the end of that closed session.

The Board Meeting recessed at 10:51 a.m.

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The Board reconvened in closed session at 11:04 a.m.

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

Absent: Director Fang.

The Board Meeting recessed at 11:55 a.m.

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The Board reconvened in closed session at 12:05 p.m.

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

Absent: Director Fang.

Director Blalock exited the Meeting.

The Board Meeting recessed at 1:53 p.m.

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The Board reconvened in open session at 1:54 p.m.

Directors present: President Radulovich.

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

President Radulovich announced that the Board had concluded its meeting in closed session, and that there were no announcements to be made.

The Board Meeting was adjourned at 1:55 p.m.

Kenneth A. Duron  
District Secretary