

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

Board of Directors
Minutes of the 1,720th Meeting
November 20, 2014

A regular meeting of the Board of Directors was held November 20, 2014, convening at 9:04 a.m. in the Board Room, 344 20th Street, Oakland, California; and 809 Sacramento Street, San Francisco, California. President Keller presided; Kenneth A. Duron, District Secretary.

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

Directors present in San Francisco: None.

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

President Keller introduced and welcomed Mr. Alan Smith, Chair of the BART Accessibility Task Force. Mr. Smith gave a report of the task force's activities over the past year.

Director Murray entered the Meeting.

Director Fang entered the Meeting in San Francisco.

Mr. Randall Glock, Vice Chair of the BART Accessibility Task Force, addressed the Board.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of October 23, 2014.
2. Award of Contract No. 15NU-130, Station Access, Path and Wayfinding Improvements, San Bruno.
3. Award of Contract No. 15QJ-150, Reroof Fremont Station Entrance Canopies.
4. Award of Contract No. 15QJ-160, Reroof Fruitvale Station Train Control Facilities and Bay Fair Station Entrance Canopy.
5. Award of Contract No. 17AG-140, Refurbish Breakrooms.
6. Award of Invitation for Bid No. 8938A, Transformers, Control, 75KVA.

Director Blalock made the following motions as a unit. The motion was seconded and carried by unanimous roll call vote. Ayes - 7: Directors Blalock, Fang, Mallett, Murray, Raburn, Saltzman, and Keller. Noes - 0. Absent - 2: Directors McPartland and Radulovich.

1. That the Minutes of the Meeting of October 23, 2014, be approved.
2. That the General Manager be authorized to award Contract No. 15NU-130, Station Access, Path and Wayfinding Improvements, San Bruno, to Sustainable Group, Inc., for the bid price of \$174,569.00, 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 protest procedures.
3. That the General Manager be authorized to award Contract No. 15QJ-150, Reroof Fremont Station Entrance Canopy, to Stronger Building Services of Hayward, California, for the bid price of \$132,500.00, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.
4. That the General Manager be authorized to award Contract No. 15QJ-160, Reroof Fruitvale Station Train Control Facilities and Bay Fair Entrance Canopy, to Andy's Roofing Company, Inc., of San Leandro, California, for the bid price of \$134,740.60, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.
5. That the General Manager be authorized to award Contract No. 17AG-140, Refurbish Break Rooms, to Barrera's Builders, for the bid price of \$349,766.56, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.
6. That the General Manager be authorized to award Invitation for Bid No. 8938A, for purchase of Transformer, Control, 75KVA, to Graybar Electric, Dublin, California, in the amount of \$169,896.12 (including all taxes), pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protest procedures.

(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.)

President Keller announced that the Board would enter into closed session under Item 2-A (Public Employee Performance Evaluation) of the Regular Meeting agenda, and that the Board would reconvene in open session at the end of the closed session.

The Board Meeting was recessed at 9:13 a.m.

The Board reconvened in closed session at 9:18 a.m.

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

Directors present in San Francisco: None.

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

Director Fang entered the Meeting in San Francisco.

Director Radulovich entered the Meeting in Oakland.

The Board Meeting was recessed at 10:31 a.m.

The Board reconvened in open session at 10:34 a.m.

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

Directors present in San Francisco: None.

Absent: None. Director Fang entered the Meeting later.

President Keller announced that the Board had concluded its closed session and there were no announcements to be made.

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

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Lease of Retail Space at the Richmond BART Station Parking Structure before the Board. Mr. Jeffrey Ordway, Department Manager, Real Estate and Property Development, presented the item.

Director Fang entered the Meeting in San Francisco.

The following individuals addressed the Board.

Ms. Amanda Elliott

Mr. Chadrick Smalley

Mr. Derreck Johnson

Director Mallett moved that the General Manager or her designee be authorized to execute a lease for ten years, with options to renew for two additional ten-year terms, with Phillips Hospitality Corporation dba Home of Chicken and Waffles, for approximately 9,000 square feet of commercial space on the 1500 block of Macdonald Avenue, located on the ground floor of the Richmond BART Station parking structure. Director Blalock seconded the motion, which

carried by unanimous roll call vote. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

Director Raburn brought the matter of Emeryville-Berkeley-Oakland Transit Study Update by Diana Keena, Associate Planner, Community Development Department, City of Emeryville, before the Board. Mr. Duncan Watrey, Principal Planner, introduced Ms. Keena, who presented the item. The item was discussed.

Mr. Jerry Grace addressed the Board.

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Implementation of Bay Area Rapid Transit Collective Bargaining Report before the Board. Ms. Allison Picard, Assistant General Manager, Employee Relations, and Ms. Carol Isen, Chief Employee Relations Officer, presented the item.

The following individuals addressed the Board.

Mr. Deslar Patten
Mr. Chris Finn

The item was discussed.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Agreements with Fluoresco Lighting & Signs, for Spot Relamping Services for BART Facilities (Agreements No. 6M3254 and 6M3263), before the Board. Mr. Paul Oversier, Assistant General Manager – Operations, and Mr. Larry Fisher, Manager of Maintenance Administration, presented the item.

The following individuals addressed the Board.

Mr. John Arantes
Mr. Jerry Grace

The item was discussed. Director Murray moved that the General Manager be authorized to award Agreements No. 6M3254 (West Bay Zone) and No. 6M3263 (East Bay Zone), to provide spot relamping services for BART facilities, to Fluoresco Lighting & Signs of Oakland, California, for a base period of three years, for the bid prices of \$853,271.00 and \$1,142,802.35 respectively, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures. Director Keller seconded the motion.

Director Radulovich proposed an amendment to the motion, adding that the General Manager be authorized to award up to two one-year options for Agreement No. 6M3254 for \$176,510.00 each, and for Agreement No. 6M3263 for \$297,396.53 each, provided that the Board be provided with a report on staff's exploration of the possibility of creating a new entry level electrician position to perform similar work with District employees and that the Board authorizes the General Manager to exercise the options. Directors Murray and Keller accepted the amendment.

Director Fang exited the Meeting.

Discussion continued. The amended motion carried by unanimous acclamation. Ayes - 8: Directors Blalock, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0. Absent – 1: Director Fang.

Director McPartland brought the matter of Agreement with WEBCO Sweeping LLC for Systemwide Parking Lot Sweeping Services (Agreement No. 6M3258) before the Board. Mr. Fisher presented the item. The item was discussed. Director Blalock moved that the General Manager be authorized to award Agreement No. 6M3258, to provide systemwide parking lot sweeping services, (Zone 1 and 2) to WEBCO Sweeping, LLC, for an amount not to exceed \$2,155,276.62, for a base period of three years; and that the General Manager be authorized to exercise up to two one-year options for Zone 1, each for \$285,532.68, and up to two one-year options for Zone 2, each for \$432,892.86. Director Murray seconded the motion, which carried by unanimous acclamation. Ayes - 8: Directors Blalock, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0. Absent – 1: Director Fang.

Director McPartland brought the matter of Quarterly Performance Report, First Quarter Fiscal Year 2015 - Service Performance Review, before the Board. Mr. Oversier presented the item. The item was discussed.

Ms. Sheela Gunn-Cushman addressed the Board.

President Keller 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, especially the opening of the BART to Oakland Airport service, and gave a report on the progress of outstanding Roll Call for Introductions items.

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

Director Blalock, Chairperson of the Wayside Safety Ad Hoc Committee, gave a brief report on the activities of the committee.

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

Director Mallett requested an update on a previous Roll Call for Introductions item on urinal detection sensors.

Director Raburn reported he had attended an Oakland City Council meeting and the Lake Merritt Station Area Plan had been approved.

Director Raburn requested a report on efforts to reduce greenhouse gas (GHG) emissions, how those efforts (staffing, adopted goals, investments and monitoring) are meeting state GHG reduction goals, and whether there are models from other large organizations in California that BART could follow. Director Saltzman seconded the request.

Director Saltzman reported she had attended the or Vision Planning meeting, given introductory comments at the Oakland Chamber of Commerce Pulse of Oakland award event, had attended

the Future BART event at Fruitvale Station, and gave a Building a Better BART presentation at Alameda's Elder Village.

Director Saltzman reported she had attended the Joint BART/AC Transit Interagency Liaison Committee meeting, spoke at an Orinda City Council meeting.

Director Saltzman requested staff bring an action item to the Board with a policy limiting the percentage of advertisement space any one advertiser could purchase at one time in any one station, not limiting the number of stations an advertiser could advertise in at any given time, and if there are serious legal barriers to making this policy change, staff should bring an informational report to the board with these findings. Director Radulovich seconded the request.

President Keller called for In Memoriam commemorations. Director Murray requested the Meeting be adjourned in memory of former Board member Barclay Simpson.

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

Mr. Nicholas Sese

Mr. Jerry Grace

The Board Meeting was adjourned at 1:20 p.m. in memory of Mr. Barclay Simpson.

Kenneth A. Duron
District Secretary