

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

Board of Directors
Minutes of the 1,695th Meeting
December 5, 2013

A regular meeting of the Board of Directors was held December 5, 2013, convening at 9:23 a.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.

Consent Calendar items brought before the Board were:

1. Award of Contract No. 03QD-120, Concord Maintenance Shop Lighting Improvements.
2. Award of Invitation for Bid No. 8925, Purchase of Lining, Brake, Bonded Assembly.

Director Blalock made the following motions as a unit. Director Mallett 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 General Manager be authorized to award Contract No. 03QD-120, Concord Maintenance Shop Lighting Improvements, to ABM Electrical & Lighting Solutions Inc., for the Bid price of \$302,646.00, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.
2. That the General Manager be authorized to award Invitation for Bid No. 8925, an estimated quantity contract for Lining, Brake, Bonded Assemblies, to Railroad Friction Products Corp., for the Bid price of \$683,430.00, including all applicable sales tax, pursuant to notification to be issued by the General Manager.

(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.)

Director Murray, Chairperson of the Administration Committee, announced that the order of agenda items would be changed, and brought the matter of Agreement No. 6M4284, with Merriwether and Williams Insurance Services, for Small Business Bonding Assistance Program, before the Board. Mr. Jim Bridgeman, Department Manager, Insurance, presented the item. The item was discussed, Director Raburn moved that the Controller/Treasurer be authorized to award

Agreement No. 6M4284, to Merriwether and Williams Insurance Services, to provide Small Business Bonding Assistance Program Services for a base period of one (1) year for a maximum amount of \$285,000.00, and to exercise up to two (2) one year Options with maximum amounts of \$270,000.00 and \$281,000.00 respectively, for a total compensation not to exceed \$836,000.00, subject to notification to be issued by the Controller/Treasurer. Director Blalock 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 Evaluation of Additional Fare Options before the Board. Mr. Carter Mau, Assistant General Manager, Administration and Budgets, and Ms. Pamela Herhold, Financial Planning, presented the item. The item was discussed. Director Saltzman moved that the Board move to direct staff to perform additional evaluation, including public outreach and completion of the Title VI analysis to extend the 62.5% youth discount to riders through age 17, and that staff return to the Board with an update on the Metropolitan Transportation Commission's (MTC's) process to evaluate transit fares in the region. Director Blalock seconded the motion. Director Raburn requested an amendment to the motion to include evaluation of transfer credit. Director Fang requested the motion be clarified to include that staff report back to the Board on the District's fare evaluation process alignment with the Metropolitan Transportation Commission's regional fare evaluation process. Director Saltzman accepted Director Fang's clarification but suggested that Director Raburn's request be addressed separately. The amended motion carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director Murray reiterated items for further staff work, including increased outreach to seniors, especially minority seniors, on Clipper® card, analysis on means test for low-income seniors, the creation of an ad hoc fare committee, evaluation of transfer credit, evaluation of FastPass reimbursement, and that staff report to the Board at a future meeting.

Directors Blalock and Fang exited the Meeting.

Director Murray brought the matter of Hayward Maintenance Complex Project: Relocation Plan for Displacees before the Board.

Mr. Joe Basuino, Senior Right of Way Officer, presented the item. The item was discussed. Director Mallett moved adoption of the Relocation Plan. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 7: Directors Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 2: Directors Blalock and Fang.

Director Blalock re-entered the Meeting.

Director McPartland, Vice Chairperson of the Engineering and Operations Committee, 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.

Mr. Robert S. Allen addressed the Board.

Director Fang, Chairperson of the Engineering and Operations Committee, re-entered the Meeting and assumed the gavel.

Director Fang brought the matter of State of Good Repair and Asset Management System before the Board. Mr. Mau, Mr. Carlton Allen, Chief Engineer, and Mr. Frank Ruffa, Group Manager, Asset Management, presented the item. The item was discussed.

Director Blalock exited the Meeting.

President Radulovich announced that the order of agenda items would be changed, and called for Public Comment on Item 11-A, Ground Lease with Bridge Housing Corporation for the San Leandro Transit Oriented Development Project.

The following individuals addressed the Board.

Ms. Wilhelmina O. deLeon

Ms. Rosa Guzman

Mr. Julio Sanches

Ms. Candy Giron

Mr. Moises Ayala

Mr. Anthony Martinez

Mr. Michael Wharton

Director Fang brought the matter of Quarterly Performance Report, Fourth Quarter Fiscal Year 2013 - Service Performance Review, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, Mr. Jeffrey Lau, Chief Safety Officer, and Chief Rainey presented the item. The item was discussed.

Director Raburn, Vice Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Proposed Livermore Extension Project Level Environmental Update before the Board. Mr. Robert Powers, Assistant General Manager, Planning and Development, and Mr. Val Menotti, Department Manager, Planning, presented the item.

Mr. Robert S. Allen addressed the Board.

Director Blalock re-entered the Meeting.

Mr. Bob Vinn addressed the Board.

The item was discussed.

Director Fang exited the Meeting.

President Radulovich called for the General Manager's report. Ms. Grace Crunican, General Manager, reported on steps she had taken and activities and meetings she had participated in. Ms. Crunican reported the American Federation of State, County, and Municipal Employees (AFSCME) Local 3993 had voted to ratify their tentative collective bargaining agreement with the District. Ms. Crunican noted several upcoming holiday activities, including the Office of External Affairs and BART Police Department's annual toy drive, the BART Accessibility Task

Force's annual party, the BART Police Department's annual award ceremony and holiday reception.

Mr. Oversier gave a report on the incident of December 4, 2013, in the Berkeley Hills Tunnel.

Director Blalock exited the Meeting.

The report was briefly discussed.

President Radulovich called for the Independent Police Auditor's Report. Mr. Mark Smith, Independent Police Auditor, briefly reviewed the 2012 – 2013 Annual Report. The presentation was discussed.

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

Director Mallett requested costs of sensor based parking space availability reporting at District lots and structures.

President Radulovich called for Public Comment. Mr. Robert S. Allen addressed the Board.

President Radulovich announced that the Board would enter into closed session in the adjacent conference room under Item 10-A (Conference with Labor Negotiators) and Item 10-B (Conference with Real Property 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 2:38 p.m.

The Board reconvened in closed session at 2:49 p.m.

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

Absent: Directors Blalock and Fang.

The Board Meeting recessed at 4:27 p.m.

The Board reconvened in open session at 4:29 p.m.

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

Absent: Directors Blalock, Fang, and McPartland.

President Radulovich announced that the Board had met in closed session under Items 10-A and 10-B of the agenda, and that there were no announcements to be made from those closed sessions.

President Radulovich brought the matter of Ground Lease with Bridge Housing Corporation for the San Leandro Transit Oriented Development Project before the Board. Director Saltzman made the following motions as a unit.

1. That the General Manager or her designee be authorized to execute an Option Agreement with Bridge Housing Corporation for a ground lease of up to 99 years for approximately 2.27 acres of BART land east of San Leandro Boulevard.
2. That Bridge Housing Corporation and BART agree to pursue increased development density for the second phase of the project.
3. That the General Manager or her designee be authorized to execute any and all actions in support of the aforementioned motion.

Director Raburn seconded the motions, which carried by unanimous electronic vote. Ayes - 6: Directors Keller, Mallett, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 3: Directors Blalock, Fang, and McPartland.

The Board Meeting was adjourned at 4:31 p.m.

Kenneth A. Duron
District Secretary