

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

Board of Directors  
Minutes of the 1,747th Meeting  
December 10, 2015

A special meeting of the Board of Directors was held December 10, 2015, convening at 9:06 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Blalock presided; Kenneth A. Duron, District Secretary.

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

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

President Blalock called for Public Comment on Item 3 only. No comments were received.

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

The Board Meeting recessed at 9:07 a.m.

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The Board Meeting reconvened in closed session at 9:09 a.m.

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

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

Director McPartland entered the Meeting.

Director Radulovich entered the Meeting.

Director Josefowitz entered the Meeting.

Director Josefowitz exited the Meeting.

The Board Meeting recessed at 12:03 p.m.

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The Board Meeting reconvened in open session at 12:41 p.m.

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

Absent: Director Josefowitz.

President Blalock announced that the Board had concluded its closed session under Item 3-A of the Special Meeting agenda, and that there were no further announcements to be made.

President Blalock called for Public Comment on Item 4 only. No comments were received.

President Blalock brought the matter of Compensation and Benefits for General Manager, General Counsel, District Secretary, and Independent Police Auditor before the Board.

Ms. Jeana Peterson, Office of the General Counsel, read the following motions.

1. That the base salaries of the General Manager and Independent Police Auditor be increased by 3.7214 percent, effective July 1, 2016, when their Public Employees' Retirement System (PERS) contribution will also increase by 1 percent of the pensionable compensation.
2. That the General Manager and Independent Police Auditor receive the \$1,000 conditional lump sum payment that was received by other non-represented employees on July 1, 2015.
3. That the Board President be authorized to execute on behalf of the Board any necessary changes to the Board Appointees' employment agreements to incorporate these changes.

Director Murray moved the above motions as a unit. Director McPartland seconded the motions, which carried by roll call vote. Ayes – 7: Directors Keller, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes – 0. Abstain – 1: Director Mallett. Absent – 1: Director Josefowitz.

Ms. Peterson read the following motion.

1. That in order to help offset the impact on the General Manager of the limit on pensionable compensation under the Internal Revenue Code Section 401(a)(17), effective for the 2016 plan year, the Board wishes to provide annual contributions to the Money Purchase Pension Plan equal to \$36,000 per year for five years. These contributions will be made for each payroll period. The additional contributions to the Money Purchase Pension Plan will be conditioned on the General Manager making the maximum deferral contributions to the District's 457(b) Plan under Internal Revenue Code Sections 457(e)(15) and (18). The Board reserves the right to modify the annual contributions to the Money Purchase Pension Plan.

The actuarial impact upon future annual costs to the District will not exceed \$36,000 per year in 2016 and for four years thereafter.

The Board will work with the Office of the General Counsel and District staff to take the necessary steps to amend the Money Purchase Pension Plan to provide for such increased benefits, including compliance with Government Code Section 7507.

Director Murray moved the above motion. Director McPartland seconded the motion, which carried by roll call vote. Ayes – 5: Directors Keller, McPartland, Murray, Raburn, and Blalock. Noes – 3: Directors Mallett, Radulovich, and Saltzman. Absent – 1: Director Josefowitz.

The Meeting was adjourned at 12:46 p.m.

Kenneth A. Duron  
District Secretary