

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

Board of Directors
Minutes of the 1,639th Meeting
October 13, 2011

A regular meeting of the Board of Directors was held October 13, 2011, convening at 9:12 a.m. in the Board Room, 344 20th Street, Oakland, California. President Franklin presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Fang, Keller, McPartland, Murray, Raburn, and Franklin.

Absent: Director Blalock. Directors Radulovich and Sweet entered the Meeting later.

President Franklin noted that it was Assistant General Manager, Operations, Paul Oversier's birthday.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of September 22, 2011.
2. Resolution of Local Support for a State Transportation Improvement Program (STIP) Grant Related to the Walnut Creek BART Transit Oriented Development (TOD) Intermodal Project.
3. Award of Contract No. 02EE-130, Warm Springs Extension, Tail Track Building Demolition.
4. Award of Contract No. 79NK-110B, Replacement of Lake Merritt Administration Building Main Uninterruptible Power Supply.

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

1. That the Minutes of the Meeting of September 22, 2011, be approved.
2. Adoption of Resolution No. 5174, In the Matter of the Approval of a Resolution of Local Support for a Regional Transportation Improvement Program (RTIP) Project Application for the Walnut Creek BART Transit Oriented Development (TOD) Intermodal Project.
3. That the General Manager be authorized to award Contract No. 02EE-130, Warm Springs Extension Tail Track Building Demolition, to Parc Services, Inc., for the Bid amount of \$1,061,683.00, 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. 79NK-110B, Replacement of Lake Merritt Administration Building (LMA) Main Uninterruptible Power Supply (UPS), to Harris Electric, for the Bid price of \$827,000.00, pursuant to notification issued by the General Manager, subject to compliance with the District's protest procedures and Federal Transportation Agency's requirements related to protests.

Consent Calendar report brought before the Board was:

1. Audit of Directors' Use of District Property for Fiscal Year 2011.

Director Radulovich entered the Meeting.

Director Murray, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Metropolitan Transportation Commission (MTC) Transit Sustainability Project before the Board. Mr. Carter Mau, Executive Manager of Planning and Budgets, introduced Ms. Ann Flemer, Deputy Executive Director, Policy, MTC, and Ms. Carolyn Clevenger, MTC, who presented the item.

Director Sweet entered the Meeting.

The item was discussed.

President Franklin announced that the order of the agenda items would be rearranged, and brought Roll Call for Introductions before the Board.

Director Raburn requested the development of a sustainable customer service program for the distribution and maintenance of Clipper Cards to seniors and persons with disabilities, particularly in eastern Alameda and Contra Costa counties.

Director Fang requested a letter to Shanghai expressing the Board's condolences regarding the tragic train accident and extending an offer of the District's assistance.

Director Fang requested development of an action expressing the Board's encouragement of the development of labor agreements between the District's labor unions and the firm contracted to operate and maintain the Oakland Airport Connector.

Director Sweet, Vice Chairperson of the Administration Committee, brought the matter of Resolution for New and Modified Fare Rates and Charges: Discount Fares for Seniors, People with Disabilities, and Youth Using Clipper Cards before the Board. Ms. Pamela Herhold, Financial Planning, presented the item. The item was discussed. Director Raburn moved adoption of Resolution No. 5175, In the Matter of Adopting Modified Fare Rates and Charges: Discount Fares for Seniors, People with Disabilities, and Youths Using Clipper Cards. Director Fang seconded the motion, which carried by electronic vote by the required two-thirds majority. Ayes – 8: Directors Fang, Keller, McPartland, Murray, Raburn, Radulovich, Sweet, and Franklin. Noes – 0. Absent – 1: Director Blalock.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Authorization to Acquire Real Estate and Execute a Cost-Sharing and Property Transfer Agreement between BART and Santa Clara Valley Transportation Authority for the Hayward Shop Project and the Hayward Maintenance Complex Project before the Board. Mr. Paul Oversier, Assistant General Manager – Operations; Mr. Ric Rattray, eBART Project Manager, Transit System Development; and Mr. John McCormick, Manager of Strategic Maintenance Program, presented the item. The item was discussed. Director Murray moved that the General Manager be authorized to acquire real estate necessary for the Hayward Maintenance Complex Project and to execute a Cost-Sharing and Property Transfer Agreement between BART and Santa Clara Valley Transportation Authority for the Hayward Shop Project and the Hayward Maintenance Complex Project on terms consistent with those described in the Executive Decision Document. (The Executive Decision Document is attached and hereby made a part of these Minutes.) Director Sweet seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Fang, Keller, McPartland, Murray, Raburn, Radulovich, Sweet, and Franklin. Noes – 0. Absent – 1: Director Blalock.

President Franklin called for the General Manager's report.

General Manager Grace Crunican announced that the District had received the 2011 Grand Prize in the American Public Transportation Association's (APTA) AdWheel competition, and invited Ms. Jennifer Barton, Executive Manager, External Affairs, and Mr. Aaron Weinstein, Department Manager, Marketing and Research, to describe the award.

Ms. Crunican reported that Board members would begin receiving monthly tentative reports on potential upcoming Board items.

Director Fang exited the Meeting.

Ms. Crunican reported on meetings and activities she had participated in.

Director Sweet, Chairperson of the BART Police Department Review Special Committee, gave a brief report on the Meeting of October 3, 2011.

President Franklin gave a brief report on the Board Workshop – Business Advancement Program (BAP) of October 7, 2011.

President Franklin brought Board Member Reports before the Board.

Director Keller reported he had attended the APTA Annual Meeting in New Orleans, including tours of a diesel multiple unit (DMU) exhibit with several East Contra Costa County elected officials.

Director Keller exited the Meeting.

Director Radulovich reported he and the General Manager had met in the Mission District.

Director Sweet reported she had had two Redistricting meetings, one in Richmond and one in San Francisco. Director Sweet reported on the recent activities of the Business Advisory Committee.

Director McPartland reported he had attended a Wheelchair Regatta, the APTA Annual Meeting, the Board Workshop on BAP, an event at Fleet Week, and an Alameda County Transportation Commission (ACTC) meeting. Director McPartland spoke about the upcoming Urban Shield exercise he would be participating in.

Director Murray reported she had attended a Lafayette City Council meeting, a Redistricting meeting, and the APTA Annual meeting, where she learned about new seat cover materials.

Director Raburn reported he had attended a Redistricting meeting, two ACTC meetings, a meeting with the Mayor of Shanghai, two meetings regarding the Lake Merritt Station Area Plan, and a BART Bicycle Accessibility Task Force meeting.

President Franklin reported he had attended the APTA Annual Meeting, had taught a class at the University of California at Berkeley on public policy of BART, had attended the Oakland Mayor's meeting with Ms. Crunican, attended a Redistricting meeting, and attended an Alameda County Transportation Commission meeting.

President Franklin called for General Discussion and Public Comment.

The following individuals addressed the Board.

Ms. Antonette Bryant

Mr. John Arantes

The Board Meeting was adjourned at 11:52 a.m.

Kenneth A. Duron
District Secretary