

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

Board of Directors
Minutes of the 1,714th Meeting
August 14, 2014

A regular meeting of the Board of Directors was held August 14, 2014, convening at 9:04 a.m. in the Board Room, 344 20th Street, Oakland, California. President Keller presided; Kenneth A. Duron, District Secretary.

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

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

Director Raburn introduced Citizen Review Board Chairperson Sharon Kidd, and congratulated her on being acknowledged as Citizen of the Year by the California Peace Officers Association.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of July 24, 2014 (Special), and July 24, 2014 (Regular).
2. Fixed Property Tax Rates Fiscal Year 2014-2015 - General Obligation Bonds.

Director Blalock made the following motions as a unit. Director Raburn seconded the motions, which carried by unanimous acclamation. Ayes - 7: Directors Blalock, Fang, McPartland, Murray, Raburn, Saltzman, and Keller. Noes - 0. Absent – 2: Directors Mallett and Radulovich.

1. That the Minutes of the Meetings of July 24, 2014 (Special), and July 24, 2014 (Regular), be approved.
2. Adoption of Resolution No. 5267, In the Matter of Fixing the Rate of Taxes for San Francisco Bay Area Rapid Transit District for Fiscal Year 2014/15.

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Collateral Pool for Small Business Bonding Assistance Program and Risk Mitigation before the Board. Mr. Jim Bridgeman, Department Manager, Insurance, presented the item. The item was discussed.

Director Radulovich entered the Meeting.

Discussion continued.

Director Mallett entered the Meeting.

Discussion continued.

Director Raburn moved that the Controller/Treasurer be authorized to establish a Collateral Pool to support the issuance of bonds under its Small Business Bonding Assistance Program in an amount not to exceed three million dollars (\$3,000,000.00) and be authorized to exercise an option to increase it to five million dollars (\$5,000,000.00); and that Collateral provided for any bond will not exceed forty percent (40%) of the bond amount or seven hundred and fifty thousand dollars (\$750,000.00) whichever is less; and that the Controller/Treasurer be further authorized to establish a Third-Party Funds Administration Program at a cost not to exceed one percent (1%) of the amount of bonds issued. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

Director Saltzman brought the matter of Time Extension to Agreement No. 6M2020, Brokerage Services for an Owner Controlled Insurance Program, before the Board. Mr. Bridgeman presented the item. Director Murray moved that the Controller/Treasurer be authorized to extend the time of performance under Agreement No. 6M2020, with Aon Risk Services, to provide Owner Controlled Insurance Program services, for an additional two years, to November 30, 2016, and that the original not-to-exceed amount for the Agreement remains at \$7,500,000.00. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

President Keller announced that the order of agenda items would be changed, and brought the matter of Assembly Bill 2493 (Bloom), Statewide Economic Development, Infrastructure Construction, Affordable Housing and Job Creation. Director Blalock welcomed and introduced Mr. Mark Green, former Mayor of Union City. Mr. Green addressed the Board. The item was discussed. Director Blalock moved that the Board support Assembly Bill 2493 (Bloom), Statewide Economic Development, Infrastructure Construction, Affordable Housing and Job Creation. Director Saltzman seconded the motion. Director Raburn requested the motion be amended to include the Board's emphasis on sustainable communities. Directors Blalock and Saltzman accepted the amendment. The amended motion carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

Director Saltzman brought the matters of Amended Reserve Fund Policy and Risk Management Policy before the Board. Mr. Scott Schroeder, Controller/Treasurer; and Mr. Bridgeman presented the items. The items were discussed.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Change Order to Contract No. 15CQ-201, Procurement of Direct Fixation Rail Fasteners, with L.B. Foster Company, for Extension of Time, before the Board. Mr. Paul Oversier, Assistant General Manager – Operations, and Mr. Gregory Shivy, Principal Track Engineer, presented the item. The item was discussed. Director Mallett moved that the General Manager be authorized to issue a Change Order to extend the term of the Contract No. 15CQ-201, for the Procurement of Direct Fixation Rail Fasteners, to L.B. Foster Company, of Pittsburg, Pennsylvania, until September 17, 2019. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

Director McPartland brought the matter of Quarterly Performance Report, Fourth Quarter Fiscal Year 2014 - Service Performance Review, before the Board. Mr. Oversier; Mr. Jeffrey Lau, Chief Safety Officer; and Mr. Benson Fairow, Deputy Chief of Police, presented the item. The item was discussed.

The following individuals addressed the Board.

Mr. Chris Finn

Mr. John Arantes

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, announced that the matter of Station Profile Survey Funding Agreement with Metropolitan Transportation Commission would be continued to a future meeting.

President Keller 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, reminded the Board of upcoming events, and gave a report on the progress of outstanding Roll Call for Introductions items.

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

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

Director Saltzman requested that staff bring an informational report to the Board about planning and service for special events, including but not limited to parades and sports games. This report should include station staffing and train service levels. Director Mallett seconded the request.

Director Blalock reported he had attended the Fremont Festival of the Arts.

Director Murray commented on the continuing vacancy of the Police representative on the Citizen Review Board, and complimented staff on the removal of the Legs hanging sculpture from the Embarcadero Station.

President Keller called for In Memoriam commemorations, and requested that the meeting be adjourned in memory of Lisa Isler, BART employee and former Service Employees International Union, BART Chapter, President.

President Keller called for Public Comment. No comments were received.

President Keller announced that the Board would enter into closed session in the adjacent conference room under Item 10-A (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 was recessed at 12:21 p.m.

The Board reconvened in closed session at 12:30 p.m.

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

Absent: None. Director McPartland entered the Meeting later.

Director McPartland entered the Meeting.

The Board Meeting was recessed at 12:55 p.m.

The Board reconvened in open session at 12:57 p.m.

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

Absent: None.

President Keller announced that the Board had concluded its closed session as noticed on the agenda, and that there was no further announcement.

President Keller brought the matter of Time Extension to the Exclusive Negotiating Agreement between the Pleasant Hill BART Station Leasing Authority Joint Powers Agency and Pleasant Hill Leasing Associates, LLC, before the Board. Director Murray moved that the BART representatives to the Pleasant Hill BART Station Leasing Authority (JPA) be authorized to vote that the JPA extend the Exclusive Negotiating Agreement with Pleasant Hill Transit Village Associates, LLC, for development of Block "C" at the Pleasant Hill/Contra Costa Centre BART Station, for a period of six months, with a right by the JPA to extend for up to one 90-day period. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

President Keller returned to Roll Call for Introductions. Director Mallett requested a comprehensive overview of station maintenance performance standards and corresponding accountability standards for Board of Directors consideration on a future agenda.. Director Radulovich seconded the request.

The Board Meeting was adjourned at 1:00 p.m. in memory of Ms. Lisa Isler.

Kenneth A. Duron
District Secretary