

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

Board of Directors
Minutes of the 1,522nd Meeting
January 10, 2008

A regular meeting of the Board of Directors was held January 10, 2008, convening at 9:05 a.m. in the Board Room, 344 20th Street, Oakland, California. President Murray presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Franklin, Keller, Luce, and Murray.

Absent: Director Ward Allen. Directors Fang, Radulovich, and Sweet entered the Meeting later.

President Murray announced that the order of the agenda would be adjusted as follows:

- Item 2 (Consent Calendar)
- Administration Committee Meeting
- Board Items 1-C (Introduction of Special Guests) and 1-D (Public Hearing)
- Planning, Public Affairs, Access, and Legislation Committee Meeting
- Engineering and Operations Committee Meeting
- Board Meeting, Items 3 through 7.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of December 20, 2007.
2. Agreement with Alameda County Water District to Allow Temporary Non-Standard Water Service Configuration at Union City Station.

Consent Calendar motions, as follow, were moved as a unit by Director Keller. Director Blalock seconded the motions, which carried by unanimous voice vote. Ayes – 5: Directors Blalock, Franklin, Keller, Luce, and Murray. Noes – 0. Absent – 4: Directors Fang, Radulovich, Sweet, and Ward Allen.

1. That the Minutes of the Meeting of December 20, 2007, be approved.
2. That the General Manager or her designee be authorized to enter into an agreement between San Francisco Bay Area Rapid Transit District and Alameda County Water District to allow a temporary, non-standard water service configuration at BART's Union City Station property during BART's Union City Station site improvements construction project.

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

The Board reconvened at 9:27 a.m.

Directors present: Directors Blalock, Fang, Franklin, Keller, Luce, Radulovich, Sweet, and Murray.

Absent: Director Ward Allen.

Director Fang welcomed and introduced his brother, Mr. Ted Fang, who thanked the District for its participation in the Asian Heritage Street Faire.

Mr. Jerry Grace addressed the Board.

President Murray announced that under the provisions of the Rules of the Board of Directors of the San Francisco Bay Area Rapid Transit District, now was the time to hold a public hearing on Fees for Bicycle Lockers; that staff would give a brief presentation on the item and the meeting would then be opened for comments from the public; that the Board would discuss the topic at the Planning, Public Affairs, Access, and Legislation Committee Meeting following the public hearing; and that the item would be brought back to the Planning, Public Affairs, Access, and Legislation Committee on January 24, 2008, for the purpose of forwarding the item to the Board for consideration.

Ms. Laura Timothy, Customer Access Department, gave a presentation on Fees for Bicycle Lockers.

The following individuals addressed the Board:

Mr. Robert Raburn

Mr. David Favello

Mr. Jerry Grace

The public hearing was closed, and the Board Meeting recessed at 10:11 a.m.

The Board reconvened at 10:52 a.m.

Directors present: Directors Blalock, Fang, Franklin, Keller, Luce, Radulovich, Sweet, and Murray.

Absent: Director Ward Allen.

Consent Calendar Addenda items brought before the Board were:

1. Approval of Agreements with Northern California Power Agency: Amended Northern California Power Agency Joint Powers Agreement.
2. Approval of Agreements with Northern California Power Agency: Amended Green Power Project Agreement.
3. Change Order to Contract No. 15CW-205, Procurement of Running Rail and Other Track Materials, with Progress Rail Services, for Central Contra Costa County Crossover Project Track Material (C.O. No. 3).

Consent Calendar Addenda motions, as follow, were moved as a unit by Director Blalock. Director Fang seconded the motions, which carried by electronic vote. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Luce, Radulovich, Sweet, and Murray. Noes – 0. Absent – 1: Director Ward Allen.

1. Adoption of Resolution No. 5036, In the Matter of Approving the Execution of the Amended Northern California Power Agency Joint Powers Agreement.
2. Adoption of Resolution No. 5037, In the Matter of Approving the Execution of the Amended Northern California Power Agency Green Power Project Third Phase Agreement, amended to provide that any power purchase agreement with an initial cost that exceeds \$100 per megawatt hour must be brought to the Board of Directors for approval.
3. That the General Manager be authorized to execute Change Order No. 3 to Contract No. 15CW-205, Procurement of Running Rail and Other Track Materials, for the procurement of track materials for the Central Contra Costa County Crossover Project, including a time extension not to exceed 365 days, with Progress Rail Services, Albertville, Alabama, in the amount not to exceed \$709,645.00, plus applicable taxes.

Director Franklin, Chairperson of the Administration Committee, brought the matter of Approval of Agreements with Northern California Power Agency: Phase Two Agreement for Funding the Planning and Development Activities of the Lodi Energy Center before the Board. Director Blalock moved adoption of Resolution No. 5038, In the Matter of Approving the Execution of the Second Phase Agreement for Funding the Planning and Development Activities of the Lodi Energy Center. Director Keller seconded the motion, which carried. Ayes – 5: Directors Blalock, Fang, Keller, Sweet, and Murray. Noes – 2: Directors Luce and Radulovich. Abstentions – 1: Director Franklin. Absent – 1: Director Ward Allen.

Director Fang, Chairperson of the Engineering and Operations Committee, reported that the sole item on the committee agenda had been forwarded to consent calendar addenda.

Director Radulovich, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, reported that the committee had discussed the presentation on Fees for Bicycle Lockers.

President Murray asked for the General Manager's Report. General Manager Dorothy W. Dugger reminded the Board that the District would be providing flash passes for the Martin Luther King Jr. Day Freedom Trains on Monday, January 21, 2008. Ms. Dugger reported that new fares and service schedules had been successfully implemented on January 1, 2008. Ms. Dugger briefly addressed the upcoming State of the State address from the governor, noting that budget shortfalls were anticipated. Ms. Dugger announced the appointment of Ms. Marcia deVaughn as Deputy General Manager.

President Murray brought Roll Call for Introductions before the Board.

Director Sweet requested an update on the availability of Teenage Student Discount Tickets via website/on-line application as an alternative to directly through schools. Ms. Dugger advised the Board that staff was scheduled to provide an update in February 2008.

Director Blalock requested a report on thefts, vandalism and automobile related property crime at stations.

President Murray called for General Discussion and Public Comment.

Director Blalock requested the District investigate pursuing ideas to deter auto thefts and vandalism.

Director Sweet announced that the District would be holding a celebration of Dr. Martin Luther King Jr.'s birthday on January 15, 2008.

Director Fang thanked staff for contributing guidance and expertise to the John Mack Future Cities program participants.

Mr. Jerry Grace addressed the Board.

The Board Meeting adjourned at 11:05 a.m.

Kenneth A. Duron
District Secretary