

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

Board of Directors
Minutes of the 1,532nd Meeting
June 26, 2008

A regular meeting of the Board of Directors was held June 26, 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, Fang, Franklin, Keller, Radulovich, Sweet, and Murray.

Absent: Directors Luce and Ward Allen.

Director Franklin introduced the 2008 BART Dragon Boat Team and congratulated them on winning the overall championship for the Paddle for Life benefit event, which raised \$20,000 for the California Chinese Unit of the Asian American Cancer Society Network.

President Murray recognized Director Tom Radulovich's and General Manager Dorothy W. Dugger's birthdays.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of June 12, 2008.
2. Award of Contract No. 09DJ-110, Replacement and Repairs of Anode Arrays and Cable Installations at Transbay Tube Cathodic Protection System.
3. Award of Contract No. 15QC-130, Repave the CHB Parking Lot and Miscellaneous Pavement Repairs at Fremont and San Leandro Stations.

Consent Calendar motions, as follow, were moved as a unit by Director Blalock. Director Keller seconded the motions, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Fang, Franklin, Keller, Radulovich, Sweet, and Murray. Noes – 0. Absent – 2: Directors Luce and Ward Allen.

1. That the Minutes of the Meeting of June 12, 2008, be approved.
2. That the General Manager be authorized to award Contract No. 09DJ-110, for Replacement and Repairs of Anode Arrays and Cable Installations at Transbay Tube Cathodic Protection System, to Vortex Marine Construction, Inc., for the bid price of \$1,809,356.00, pursuant to notification issued by the General Manager, subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protests.

3. That the General Manager be authorized to award Contract No. 15QC-130, Repave the CHB Parking Lot and Miscellaneous Pavement Repairs, to Galedrige Construction, Inc., for the bid price of \$407,402.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.

The Board Meeting recessed at 9:11 a.m.

The Board reconvened at 10:50 a.m.

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

Absent: Directors Luce and Ward Allen.

Consent Calendar Addenda items brought before the Board were:

1. Agreement with King American Ambulance Company to Provide Standby Emergency Medical Services at Specific Locations (Agreement No. 6M3093).
2. Award of Contract No. 19CSWD, Spot Relamping for BART Facilities.

Consent Calendar Addenda motions, as follow, were moved as a unit by Director Blalock. Director Sweet seconded the motions, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Fang, Franklin, Keller, Radulovich, Sweet, and Murray. Noes – 0. Absent - 2: Directors Luce and Ward Allen.

1. That the General Manager be authorized to execute Agreement No. 6M3093, to Provide Standby Emergency Medical Services at Specific Locations, with King American Ambulance Company, for a base term of three years, at a cost not to exceed \$403,563.00, with the option to extend the agreement for two additional one-year terms, for an additional amount not to exceed \$134,521.00 per year, for a total agreement cost not to exceed \$672,605.00.
2. That the General Manager be authorized to award Contract No. 19CSWD, to provide Spot Relamping for BART Facilities, to Fluoresco Lighting & Signs, of Oakland, California, for a period of three years, and to exercise the options to extend the contract for two additional one-year periods, for the bid price of \$3,080,000.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.

Director Franklin, Chairperson of the Administration Committee, brought the matter of Condemnation of Real Property for the Warm Springs Extension Project, BART Parcel No. J-1027-1, -3A, before the Board. Director Blalock moved adoption of Resolution No. 5053, Resolution of Necessity to Condemn Real Property; Make Findings and Determinations;

Authorize Eminent Domain Proceedings and Application for Possession Prior to Judgment; Draw and Deposit Warrant. Director Franklin seconded the motion, which carried by electronic vote by the required two-thirds majority. Ayes – 7: Directors Blalock, Fang, Franklin, Keller, Radulovich, Sweet, and Murray. Noes – 0. Absent - 2: Directors Luce and Ward Allen.

Director Franklin reported that the committee had received and discussed two reports related to the District's Energy Program: Update to Strategic Energy Plan, and Update on Solar Photovoltaic and Energy Conservation Projects.

Director Franklin brought the matter of Approval of Phase IIB Funding for Lodi Energy Center Project before the Board. Director Blalock moved that the Board authorize payment not to exceed \$529,412.00 for the District's share of Phase IIB project funds. Director Keller seconded the motion, which carried by electronic vote. Ayes – 6: Directors Blalock, Fang, Franklin, Keller, Sweet, and Murray. Noes – 1: Director Radulovich. Absent - 2: Directors Luce and Ward Allen.

Director Fang, Chairperson of the Engineering and Operations Committee, reported that both items on the committee agenda had been forwarded to Consent Calendar Addenda.

Director Sweet, Vice Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, had no report.

President Murray asked for the General Manager's Report. General Manager Dorothy W. Dugger invited the Board to join the District's delegation in the annual Pride parade in San Francisco on Sunday, June 29, 2008.

President Murray brought Roll Call for Introductions before the Board.

Director Sweet requested a more detailed review of proposed changes to the District's prohibition on eating and drinking, with the review to include more real data, specific analyses of costs and potential revenues, non-enforcement of existing rules, and passenger survey results. Discussion followed. It was determined that the item would be placed on a future committee agenda.

President Murray requested a report on the District's enforcement of quality of life rules be placed on a future committee agenda.

President Murray called for General Discussion and Public Comment. Mr. Jerry Grace addressed the Board.

The Board Meeting adjourned at 11:15 a.m.

Kenneth A. Duron
District Secretary