

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

Board of Directors
Minutes of the 1,521st Meeting
December 20, 2007

A regular meeting of the Board of Directors was held December 20, 2007, convening at 9:08 a.m. in the Board Room, 344 20th Street, Oakland, California. President Sweet presided; Kenneth A. Duron, District Secretary.

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

Absent: Director Luce. Director Blalock entered the Meeting later.

Director Murray welcomed and introduced her husband, Mr. Jim Murray.

Consent Calendar item brought before the Board was:

1. Approval of Minutes of the Meeting of December 6, 2007.

Director Keller moved that the Minutes of the Meeting of December 6, 2007, be approved. Director Ward Allen seconded the motion, which carried by unanimous roll call vote. Ayes – 7: Directors Fang, Franklin, Keller, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0. Absent – 2: Directors Blalock and Luce.

The Board Meeting recessed at 9:10 a.m.

The Board reconvened at 9:20 a.m.

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

Absent: Director Luce.

Director Franklin, Chairperson of the Administration Committee, brought the matter of Proposed Revision to Board Rules – Board Rule 5-5.1 – Contractor/Subcontractor Contributions before the Board. Director Keller moved that Board Rule 5-5.1 be revised to institute a monetary limit on contributions of \$1,000 and that the period of prohibition be from the receipt of bids until the time of award for all types of agreements and contracts; and that any Director who wishes to voluntarily continue to abide by the existing Rule shall demonstrate his or her commitment by advising the District Secretary in writing; and that said Director, upon change of circumstances, may elect to rescind his or her election, and that upon such an election, a Director shall also

inform the Secretary in writing. Directors Blalock and Fang seconded the motion, which carried by electronic vote. Ayes – 6: Directors Blalock, Fang, Franklin, Keller, Murray, and Ward Allen. Noes – 2: Directors Radulovich and Sweet. Absent – 1: Director Luce.

Director Fang, Chairperson of the Engineering and Operations Committee, had no report.

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

President Sweet asked for the General Manager's Report. General Manager Dorothy W. Dugger reminded the Board that the District would be partnering with Kaiser Permanente to sponsor a Kids Ride Free day on December 22, 2007, and wished the Board a happy holiday season.

President Sweet brought Roll Call for Introductions before the Board.

Director Radulovich requested the District research and report on the feasibility and costs associated with providing discount tickets for seniors and persons with disabilities using the EZ Rider smart card.

Director Blalock requested a report on the potential for raising the Commuter Check limit and reducing the limits granted to parking.

President Sweet brought the matter of Election of Officers before the Board, and shared her comments on the events of the past year of her Presidency. She then opened the floor for nominations for President.

Director Keller nominated Director Murray for President of the Board of Directors. There being no opposition, nominations were closed. Director Keller moved that Director Murray be elected Board President for 2008. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Murray, Radulovich, Sweet, and Ward Allen. Noes – 0. Absent – 1: Director Luce.

President Murray assumed the gavel, and opened the floor for nominations for Vice President.

Director Ward Allen nominated Director Blalock for Vice President of the Board of Directors. There being no opposition, nominations were closed. Director Ward Allen moved that Director Blalock be elected Board Vice President for 2008. Director Fang seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Murray, Radulovich, Sweet, and Ward Allen. Noes – 0. Absent – 1: Director Luce.

Vice President Blalock shared his comments on the upcoming year.

President Murray shared her comments on the upcoming year.

President Murray called for General Discussion and Public Comment. The following individuals addressed the Board:

Honorable Suzanne Angeli, Vice Mayor of Pleasant Hill
Mr. Jerry Grace
Ms. Waafa Aborashed

Director Sweet thanked District employees for their participation in the 2007 Toy Drive sponsored by the Office of External Affairs.

Director Radulovich thanked Director Sweet for her year of leadership as President.

Director Franklin announced that Habitot, a children's museum in Berkeley, was providing free admission to all BART employees through the end of December as thanks for helping with "train week."

President Murray announced that the Board would enter into closed session under Item 7-A (Conference with Real Property Negotiator) of the regular meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 10:05 a.m.

The Board reconvened in closed session at 10:11 a.m.

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

Absent: Director Luce.

The Board reconvened in open session at 10:48 a.m.

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

Absent: Director Luce.

President Murray brought the matter of Execution of Six Month Exclusive Negotiating Agreements with Each of the Following Entities for Properties in Connection with the Proposed East Contra Costa County BART Extension (eBART) before the Board. Director Keller moved that the Board authorize execution of exclusive negotiating agreements as follows:

1. With Pittsburg Redevelopment Agency, for property located at the Pittsburg/Bay Point BART Station bounded by Route 4 on the north, the

existing BART parking lot on the west, private land on the east, and West Leland Road on the south in Pittsburg, CA;

2. With Pittsburg Redevelopment Agency, for property located at Bliss Avenue approximately one-quarter mile east of Railroad Avenue bounded by Route 4 on the north, Bliss Avenue on the south and private property on the east and west in Pittsburg, CA; and
3. With City of Antioch and B&W FKP, LLC, for property located at Hillcrest Avenue bounded by Route 4 on the south, Hillcrest Avenue on the west, Sunset Avenue on the north and private property on the east in Antioch, CA.

Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Murray, Radulovich, Sweet, and Ward Allen. Noes – 0. Absent – 1: Director Luce.

The Board Meeting adjourned at 10:50 a.m.

Kenneth A. Duron
District Secretary