

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

AGENDAS FOR BOARD AND COMMITTEE MEETINGS

February 9, 2006

9:00 a.m.

A regular meeting of the Board of Directors and regular meetings of the Standing Committees will be held on Thursday, February 9, 2006, commencing at 9:00 a.m. All meetings will be held in the BART Board Room, Kaiser Center 20th Street Mall – Third Floor, 344 – 20th Street, Oakland, California.

Members of the public may address the Board of Directors and Standing Committees regarding any matter on these agendas. Please complete a “Request to Address the Board” form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under General Discussion and Public Comment.

Any action requiring more than a majority vote for passage will be so noted.

Items placed under “consent calendar” and “consent calendar addenda” are considered routine and will be received, enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from a Director or from a member of the audience.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

BART provides service/accommodations upon request to persons with disabilities who wish to address BART Board matters. A request must be made within one and five days in advance of Board/Committee meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

Kenneth A. Duron
District Secretary

Regular Meeting of the
BOARD OF DIRECTORS

The purpose of the Board meeting is to consider and take such action as the Board may desire in connection with:

1. CALL TO ORDER

- A. Roll Call.
- B. Pledge of Allegiance.
- C. Introduction of Special Guests.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of January 26, 2006.* Board requested to authorize.

- B. Authorization to Execute a Memorandum of Understanding with the Unity Council to Enable BART to Pass through Caltrans' Planning Grant Funds for Phase II of the Fruitvale Village.* Board requested to authorize.
 - C. Award of Contract No. 6H3258A, Maintenance of Commercial Fiber Optic Cable System.* Board requested to authorize.
 - D. Award of Invitation for Bid No. 8758, Battery Assembly.* Board requested to authorize.
 - E. Rejection of Bids for Invitation for Bid No. 8740, Flat Bed Hi-Rail & Scissor Lift Truck.* Board requested to reject.
 - F. Fiscal Year 2006 Second Quarter Financial Report.* For information.
3. **CLOSED SESSION** (Room 303, Board Conference Room)
- A. Conference with Real Property Negotiator.

Property:	538 West Grand Avenue, Oakland, CA
District Negotiators:	Marcia deVaughn, Acting Executive Manager, Planning and Budget; Jeffrey P. Ordway, Manager, Property Development; and Yvette McCoy, Senior Real Estate Officer
Negotiating Parties:	Turtle Estates, LLC
Under Negotiation:	Price and Terms of Lease Option Agreement
Government Code Section:	54956.8
 - B. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: two potential cases.
 - C. **CONFERENCE WITH LABOR NEGOTIATORS – PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Agency Negotiators:	Directors Keller, Sweet, and Ward Allen
Titles:	General Manager General Counsel Controller/Treasurer District Secretary
Gov't. Code Sections:	54957 and 54957.6

RECESS TO STANDING COMMITTEES

Immediately following the Standing Committee Meetings, the Board Meeting will reconvene, at which time the Board may take action on any of the following committee agenda items.

ALL COMMITTEES ARE ADVISORY ONLY

ADMINISTRATION COMMITTEE

Director Keller, Chairperson

A. NO REPORT.

ENGINEERING AND OPERATIONS COMMITTEE

Immediately following the Board Meeting recess

Director Fang, Chairperson

B-1. (CONTINUED from January 26, 2006, Engineering and Operations Committee Meeting)

Earthquake Safety Program: Appointment of Citizens' Oversight Committee.*

a. Seismic Engineering Seat.

b. Auditing Seat.

c. Engineering Seat.

d. Project Manager Seat.

e. Community at Large Seat.

Board requested to appoint.

B-2. Update on Environmental Management Systems.* For information.

B-3. Quarterly Performance Report, Fiscal Year 2006 – Service Performance Review.* For information.

B-4. General Discussion and Public Comment.

PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

Immediately following the Engineering and Operations Committee Meeting

Director Radulovich, Chairperson

C-1. (CONTINUED from January 12, 2006, Administration Committee Meeting)

Funding Plan for Station Access Improvements Demonstration Program.*

Board requested to authorize. (Director Franklin's request.)

C-2. General Discussion and Public Comment.

RECONVENE BOARD MEETING

4. CONSENT CALENDAR ADDENDA

Board requested to authorize as recommended from committee meetings above.

5. REPORTS OF STANDING COMMITTEES

A. ADMINISTRATION COMMITTEE

NO REPORT.

B. ENGINEERING AND OPERATIONS COMMITTEE

B-1. (CONTINUED from January 26, 2006, Engineering and Operations Committee Meeting)

Earthquake Safety Program: Appointment of Citizens' Oversight Committee.*

- a. Seismic Engineering Seat.
- b. Auditing Seat.
- c. Engineering Seat.
- d. Project Manager Seat.
- e. Community at Large Seat.

Board requested to appoint.

B-2. Update on Environmental Management Systems.* For information.

B-3. Quarterly Performance Report, Fiscal Year 2006 – Service Performance Review.* For information.

C. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

C-1. (CONTINUED from January 12, 2006, Administration Committee Meeting)

Funding Plan for Station Access Improvements Demonstration Program.*

Board requested to authorize. (Director Franklin's request.)

6. GENERAL MANAGER'S REPORT

A. Review of the Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of February 15, 2006.* For information.

7. BOARD MATTERS

A. Report of the District Security Advocacy Ad Hoc Committee. For information.

B. Roll Call for Introductions.

8. GENERAL DISCUSSION AND PUBLIC COMMENT