

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

Board of Directors
Minutes of the 1,499th Meeting
January 25, 2007

A regular meeting of the Board of Directors was held January 25, 2007, convening at 9:20 a.m. in the Board Room, 344 20th Street, Oakland, California. President Sweet presided; Kenneth A. Duron, District Secretary.

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

Absent: None. Director Radulovich entered the meeting later.

Consent Calendar items brought before the Board were:

1. Approval of the Minutes of the Meeting of January 11, 2007.
2. Award of Contract No. 6M3044, Station Cleaning Various Locations.

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

1. That the Minutes of the Meeting of January 11, 2007, be approved.
2. That the General Manager be authorized to award Contract No. 6M3044, Station Cleaning Various Locations, to Clean Innovation, for the bid price of \$330,920.00 (Base Bid plus Additive Items 1 and 2), pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.

Director Radulovich entered the meeting.

President Sweet brought the matter of Authority to Execute Agreement No. 6M5006 for an Availability and Utilization Study for the Bay Area Public Transportation Agencies (BAPT) before the Board. General Manager Thomas E. Margro made a brief presentation on the item.

Director Fang moved that the motion voted on by the Board of Directors on December 7, 2006, authorizing the General Manager to execute Agreement No. 6M5006, with CRA International, to provide services to conduct an Availability and Utilization Study, be rescinded. Director Blalock seconded the motion, which carried. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0.

Director Fang moved that all proposals received in response to the request for Statement of Qualifications No. 6M5006, for Availability and Utilization Study for the Bay Area Public Transportation Agencies, be rejected, and that the General Manager be directed to initiate a new solicitation for a BART only Availability and Utilization Study. Director Blalock seconded the motion, which carried. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0.

President Sweet brought the matter of Ratification of 2007 Standing Committee and Special Appointments before the Board. Director Fang moved that the Board ratify the proposed Standing Committee and Special Appointments for 2007. Director Blalock seconded the motion, which carried. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0.

President Sweet brought the Report of the District Security Advocacy Ad Hoc Committee before the Board. Chairperson Ward Allen had no report.

President Sweet brought Roll Call for Introductions before the Board. No items were introduced.

The Board Meeting was recessed at 9:30 a.m.

The Board Meeting reconvened at 11:36 a.m.

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

Absent: None.

Director Franklin, Chairperson of the Administration Committee, brought the matter of Employee Recruitment and Relocation for the Position of Chief Engineer and Relocation for the Position of Manager, Rail Security Programs before the Board, and moved that the General Manager or his designee be authorized, in conformance with established District procedures governing the procurement of professional services, to obtain executive search services to identify suitable candidates both inside and outside of California for the position of Chief Engineer, Maintenance and Engineering, and that the General Manager be authorized to enter into a relocation agreement, if necessary, in an amount not to exceed \$18,000.00 for the position of Chief Engineer and the position of Manager, Rail Security Programs, in accordance with Management Procedure Number 70, New Employee Relocation Expense Reimbursement. Director Blalock seconded the motion, which carried. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Murray, Radulovich, Ward Allen, and Sweet. Noes – 1: Director Luce.

Director Fang, Chairperson of the Engineering and Operations Committee, reported that the committee had received and discussed a report on State Investment Bond Strategy (Measure 1B).

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 Thomas E. Margro, in response to an inquiry from Vice President Murray and Director Blalock briefly described the District's participation in the Spare the Air Day program.

President Sweet called for General Discussion and Public Comment. Mr. Andre Spearman addressed the Board.

President Sweet announced that the Board would enter into closed session under Item 8-A (Conference with Real Property Negotiators) and Item 8-B (Conference with Labor Negotiators - Public Employee Performance Evaluation) of the regular meeting agenda, and that the Board would reconvene in open session under Item 9-A (Compensation of Board-Appointed Officers) of the meeting agenda immediately upon conclusion of the closed session.

The Board Meeting recessed at 11:44 a.m.

The Board entered into closed session at 11:56 a.m.

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

Absent: Directors Fang and Sweet.

Director Luce exited the meeting.

The Board reconvened in open session at 12:36 p.m.

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

Absent: Directors Fang, Luce, and Sweet.

Vice President Murray brought the matter of Compensation of Board-Appointed Officers before the Board.

Director Keller, Chairperson of the Personnel Evaluation Committee, moved that the Board authorize a merit increase of two percent for each of the Board-Appointed Officers, effective January 1, 2007; and that the Board President be authorized to execute amendments to the employment agreements of the Board-Appointed Officers incorporating the compensation changes and such revisions to the arbitration provisions and other non-substantive clarifying amendments as may be recommended by the Associate General Counsel. Director Blalock

seconded the motion, which carried. Ayes – 6: Directors Blalock, Franklin, Keller, Murray, Radulovich, and Ward Allen. Noes – 0. Absent – 3: Directors Fang, Luce, and Sweet.

Vice President Murray announced that the Board would enter into closed session under Item 8-A (Conference with Real Property Negotiators) of the meeting agenda, and that the Board would adjourn immediately upon conclusion of the closed session.

The Board re-entered into closed session at 12:38 p.m.

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

Absent: Directors Fang, Keller, Luce, and Sweet.

The Board Meeting adjourned at 12:45 p.m.

Kenneth A. Duron
District Secretary