

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

Board of Directors  
Minutes of the 1,500th Meeting  
February 8, 2007

A regular meeting of the Board of Directors was held February 8, 2007, convening at 9:05 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, Luce, Murray, Radulovich, Ward Allen, and Sweet.

Absent: None. Director Keller entered the meeting later.

Consent Calendar item brought before the Board was:

1. Approval of the Minutes of the Meetings of January 18, 2007 (Special), and January 25, 2007 (Regular).

Director Blalock moved that the Minutes of the Meetings of January 18, 2007 (Special), and January 25, 2007 (Regular), be approved. Director Ward Allen seconded the motion, which carried by unanimous acclamation. Ayes – 8: Directors Blalock, Fang, Franklin, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0. Absent – 1: Director Keller.

Consent Calendar report brought before the Board was:

1. Fiscal Year 2007 Second Quarter Financial Report.

President Sweet announced that the Board would enter into closed session under Item 3-A (Conference with Real Property Negotiators), Item 3-B (Conference with Legal Counsel – Anticipated Litigation), and Item 3-C (Conference with Labor Negotiators – Public Employee Performance Evaluation) of the regular meeting agenda, and that the Board would reconvene in open session immediately upon conclusion of the closed session.

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

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The Board entered into closed session at 9:09 a.m.

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

Director Keller entered the meeting.

Closed session recessed at 10:41 a.m.

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The Board reconvened in open session at 12:26 p.m.

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

Absent: Director Fang.

Consent Calendar Addenda items brought before the Board were:

1. Agreement No. 6M4031 with Universal Field Services, Inc., and Agreement No. 6M4054 with Paragon Partners Ltd., for Real Property Comprehensive Acquisition and Relocation Services.
2. Agreement No. 6M4037 with Charles D. Bailey and Associates, Inc./Diaz, Diaz and Boyd, Inc., A Joint Venture, and Agreement No. 6M4058 with Smith & Associates, Inc., for Real Property Appraisal Services.
3. Agreement with Stevens & Associates for General Engineering Services for the Dismantling of Lake Merritt Administration Building (Agreement No. 6M8010).
4. Proposed 2007 State and Federal Legislative Advocacy Program.

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

1. That the General Manager be authorized to execute Agreement No. 6M4031, with Universal Field Services, Inc., to provide real property acquisition, relocation and property management services, in an amount not to exceed \$1,000,000.00; and that the General Manager be authorized to execute Agreement No. 6M4054, with Paragon Partners Ltd., to provide real property acquisition, relocation and property management services, in an amount not to exceed \$1,000,000.00, each subject to notification by the General Manager and compliance with the District's protest procedures and the Federal Transit Administration's requirements related to protest procedures.
2. That the General Manager be authorized to execute Agreement No. 6M4037, with Charles D. Bailey & Associates, Inc./Diaz, Diaz and

Boyd, Inc., A Joint Venture, to provide appraisal services, in an amount not to exceed \$750,000.00; and that the General Manager be authorized to execute Agreement No. 6M4058, with Smith & Associates, Inc., to provide appraisal services, in an amount not to exceed \$750,000.00, each subject to notification by the General Manager and compliance with the District's protest procedures and the Federal Transit Administration's requirements related to protest procedures.

3. That the General Manager be authorized to execute Agreement No. 6M8010, with Stevens & Associates, for general engineering services for the dismantling of the Lake Merritt Administration Building, in an amount not to exceed \$650,000.00, pursuant to notification by the General Manager, and subject to the District's protest procedures.
4.
  - a) That the Board approve the following basic components of a state legislative program: to monitor and respond to the state and legislative processes involving the implementation of funds from the recently passed infrastructure bonds; to advance BART/California Transit Agency legislative goals, which include responding to transit cuts included in the 2007 – 2008 budget; and to respond to specific BART state issues in on-going legislative and administration proceedings. Components added as an amendment by the Board include: to encourage the use of Proposition 1C funding to emphasize effective transit-oriented development; and to encourage adequate state funding of the high-speed rail program for continued program planning.
  - b) That the Board approve the following basic components of a federal legislative program: to pursue new long-term funding for transit seismic retrofit efforts; to secure final appropriation for the San Francisco Airport Extension project; to seek new sources for transit security funding; and to respond to BART-specific federal issues in on-going legislative and administration proceedings.

Director Franklin, Chairperson of the Administration Committee, reported that the two items on the committee agenda had been forwarded to Consent Calendar Addenda.

Director Keller, Vice Chairperson of the Engineering and Operations Committee, brought the matter of General Engineering Services Agreements for BART Projects before the Board, and moved that the General Manager be authorized to execute Agreement No. 6M8006, with PGH Wong Engineering Inc., and Agreement No. 6M8007, with Kal Krishnan Consulting Services, Inc., with each agreement for a term not to exceed five years, and each in an amount not to exceed \$15,000,000.00, subject to satisfaction of the Caltrans pre-award audit requirements, as appropriate, and subject to the District's protest procedures and Federal Transit Administration's requirements related to protest procedures. Director Blalock seconded the motion, which carried. Ayes – 7: Directors Blalock, Franklin, Keller, Luce, Murray, Ward Allen, and Sweet. Noes – 0. Abstain – 1: Director Radulovich, due to potential conflict of interest. Absent - 1: Director Fang.

Director Keller, continuing on the same item, moved that the General Manager be authorized to execute Agreement No. 6M8008, with Jacobs Engineering Group, Inc., for a term not to exceed five years, and in an amount not to exceed \$15,000,000.00, subject to satisfaction of the Caltrans pre-award audit requirements, as appropriate, and subject to the District's protest procedures and Federal Transit Administration's requirements related to protest procedures. Director Blalock seconded the motion, which carried. Ayes – 7: Directors Blalock, Franklin, Keller, Luce, Radulovich, Ward Allen, and Sweet. Noes – 0. Abstain – 1: Director Murray, due to potential conflict of interest. Absent - 1: Director Fang.

Director Keller reported that the committee had received and discussed a report on the Status of Daily Paid Parking Program.

Director Keller reported that three items had been continued to a future Engineering and Operations Committee meeting: Oakland International Airport Connector Project, Project Changes and Addendum to FEIR/FEIS; Smart Card Parking and Fare Solutions; and Quarterly Performance Report, Quarter Fiscal Year 2007 - Service Performance Review.

Director Radulovich, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, reported that the sole item on the committee agenda had been forwarded to Consent Calendar Addenda as amended.

President Sweet asked for the General Manager's Report. General Manager Thomas E. Margro had no report.

President Sweet announced that Compensation of Board-Appointed Officers had been continued to a future meeting.

Director Ward Allen, Chairperson of the District Security Advocacy Ad Hoc Committee, had no report.

Director Blalock, Chairperson of the District Organizational Review Ad Hoc Committee, gave a brief report on the committee's recent activities, and advised that there would be a proposed action plan brought forward at an upcoming meeting for consideration by the Board.

Director Keller exited the meeting.

President Sweet brought Roll Call for Introductions before the Board.

Director Murray requested that the District's brochures display AC Transit transbay routes as a part of an update underway to include reference to the region's "All Nighter" service.

Director Radulovich requested that the District's system maps show the routes and service operated on Saturdays and Sundays and transfer stations.

Director Radulovich requested that the District integrate a constant display of the next two trains and the current time on the train destination signs on station platforms.

President Sweet requested that the District reinforce the effective communication of service announcements and information, particularly on board trains.

President Sweet requested an update on a recent customer complaint regarding the reported distribution of material by members of the Church of Scientology at the Powell Street Station.

President Sweet called for General Discussion and Public Comment. Mr. Mark Marrocco and Mr. Jerry Grace addressed the Board.

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

Kenneth A. Duron  
District Secretary