

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

Board of Directors
Minutes of the 1,476th Meeting
February 9, 2006

A regular meeting of the Board of Directors was held February 9, 2006, convening at 9:06 a.m. in the Board Room, 344 20th Street, Oakland, California. President Ward Allen presided; Kenneth A. Duron, District Secretary.

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

Absent: None. Director Radulovich entered the meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of January 26, 2006.
2. 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.
3. Award of Contract No. 6H3258A, Maintenance of Commercial Fiber Optic Cable System.
4. Award of Invitation for Bid No. 8758, Battery Assembly.
5. Rejection of Bids for Invitation for Bid No. 8740, Flat Bed Hi-Rail & Scissor Lift Truck.

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

1. That the Minutes of the Meeting of January 26, 2006, be approved.
2. That the General Manager be authorized to execute a pass-through agreement with the Spanish Speaking Unity Council of Alameda County, Inc., for up to \$260,784.00 in State Highway Account Community Based Transportation Planning Grant Funds for planning Phase II of the Fruitvale Transit Village.
3. That the General Manager be authorized to award Contract No. 6H3258A, Maintenance of Commercial Fiber Optic Cable System, to E-3 Systems, of Union City, California, for a one-year term, with the option to extend the

contract for one additional year, for a total bid price not to exceed \$305,100.00, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.

4. That the General Manager be authorized to award Invitation for Bid No. 8758, for Battery Assembly, to Saft American Inc., for an amount of \$108,576.00, including all applicable sales tax, pursuant to notification to be issued by the General Manager.

(The foregoing motion was made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for this purpose.)

5. That the sole responsive bid received for Invitation for Bid No. 8740, Flat Bed Hi-Rail & Scissor Lift Truck, be rejected.

Consent Calendar report brought before the Board was:

1. Fiscal Year 2006 Second Quarter Financial Report.

President Ward Allen announced that the Board would enter into closed session under Item 3-A (Conference with Real Property Negotiator), 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 upon conclusion of the closed session.

The Board entered into closed session at 9:10 a.m.

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

Absent: None. Director Radulovich entered the meeting at 9:32 a.m.

Director Luce exited the meeting at 10:48 a.m.

Closed session recessed at 11:28 a.m.

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

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

Absent: Director Luce.

Director Keller, Chairperson of the Administration Committee, had no report.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Earthquake Safety Program: Appointment of Citizens' Oversight Committee before the Board, and moved that the Board appoint the following members:

Seismic Engineering:	Mei Kuen Liu Steven Tipping, Alternate
Auditing:	Raymond A. Jee Amintas J. Major, III, Alternate
Engineering:	Colin Paul Dr. Herbert A. Franklin, Alternate
Project Manager:	Robert Barksdale Arrietta Chakos, Alternate
Community at Large:	Guy EJ Miller Jeff Li, Alternate

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

Director Fang reported that the committee had received and discussed the Quarterly Performance Report, Fiscal Year 2006 – Service Performance Review.

Director Keller exited the meeting.

Director Radulovich, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Funding Plan for Station Access Improvements Demonstration Program before the Board. Director Franklin moved that the Board adopt a policy for a three-year station access improvement demonstration program, to be funded at \$625,000 per year as amended by the committee and described in Exhibit A. (Exhibit A is attached and hereby made a part of these Minutes.) Director Sweet seconded the motion, which carried. Ayes – 7: Directors Blalock, Fang, Franklin, Murray, Radulovich, Sweet, and Ward Allen. Noes – 0. Absent – 2: Directors Keller and Luce.

Director Fang exited the meeting.

President Ward Allen asked for the General Manager's Report. General Manager Thomas E. Margro introduced Mr. Eugene Skoropowski, Managing Director, Capitol Corridor, who gave a brief overview of the Agenda for the Capitol Corridor Joint Powers Board Meeting of February 15, 2006.

Vice President Sweet, Chairperson of the District Security Advocacy Ad Hoc Committee, reported that the committee had been working to secure representation for BART in the Urban Area Security Initiative funding plans, and that there would be another committee meeting on February 13, 2006.

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

President Ward Allen called for General Discussion and Public Comment. Mr. Jerry Grace and Mr. Scott Mace addressed the Board.

Dir. Radulovich requested that the District ensure its employees are aware that there is no policy prohibiting taking pictures inside the paid areas of stations.

The Board Meeting adjourned at 12:42 p.m.

Kenneth A. Duron
District Secretary