

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

Board of Directors
Minutes of the 1,478th Meeting
March 9, 2006

A regular meeting of the Board of Directors was held March 9, 2006, convening at 9:15 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, Luce, Murray, Sweet, and Ward Allen.

Absent: Director Keller. Director Radulovich entered the meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of February 23, 2006.
2. Authorization to Replace State Computer Store for Purchase of Computers and Related Items.
3. Authorization to Use the Western States Contracting Alliance (WSCA) for Computer Equipment, Hardware, Software and Related Services.
4. Agreement with Eaton Electrical Services & Systems to Provide Emergency Response Services at the Willow Pass, East Dublin, Shaw Road and Santa Paula Avenue Substations (Agreement No. 6M3008).
5. Award Invitation for Bid No. 8770, Hands Free Telephones for Elevators.
6. Reject all Bids for Invitation for Bid No. 8751, Gear, Bull.

Consent Calendar motions, as follow, were moved as a unit by Director Sweet. Director Murray seconded the motions, which carried by unanimous acclamation. Ayes – 7: Directors Blalock, Fang, Franklin, Luce, Murray, Sweet, and Ward Allen. Noes – 0. Absent – 2: Directors Keller and Radulovich.

1. That the Minutes of the Meeting of February 23, 2006 be approved.
2. That the General Manager be authorized to replace the State of California's Computer Store with the newly created California Strategic Sourcing Initiative (CSSI) for the procurement of computer equipment, computer software and related supplies until such time that the State of California ceases these or subsequent contracts, subject to the availability of funding.
3. That the General Manager be authorized to utilize the Western States Contracting Alliance (WSCA) for the procurement of computer equipment, computer software and related services until such time that the State of

California ceases these or subsequent contracts, subject to the availability of funding.

4. That the General Manager be authorized to award Agreement No. 6M3008 to provide Inspection, Preventive Maintenance and Emergency Response Services for the Willow Pass, East Dublin, Shaw Road and Santa Paula Avenue Substations to Eaton Electrical Services & Systems for the proposal price of \$264,000, subject to the District's Protest Procedures.
5. That the General Manager be authorized to award IFB 8770 for the Purchase of Hands-Free Telephones to Gai-Tronics, Reading, Pennsylvania for an amount of \$141,236.89 (including applicable sales tax), pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and FTA's requirements related to protests.
6. That all bids received for IFB 8751, Purchase of Gear, Bulls, are rejected.

The Board Meeting was recessed at 9:16 a.m.

The Board Meeting reconvened at 10:21 a.m.

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

Absent: Director Keller.

Director Blalock, Vice Chairperson of the Administration Committee, had no report.

Director Fang, Chairperson of the Engineering and Operations Committee, reported that the committee had received and discussed a report on the Environmental Management System; and that the other agenda items had been moved to the consent calendar addenda.

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

Consent Calendar Addenda items brought before the Board were:

1. Agreements with Sprint/Nextel Regarding Radio Rebanding.
2. Central Contra Costa County Crossover Project Draft Initial Study/Mitigated Negative Declaration.
3. Central Contra Costa County Crossover Project Regional Measure 2 Resolutions of Project Compliance and Initial Project Reports.

Consent Calendar Addenda motions, as follow, were moved as a unit by Director Blalock. Director Sweet seconded the motions, which carried by unanimous acclamation. Ayes – 8: Directors Blalock,

Fang, Franklin, Luce, Murray, Radulovich, Sweet, and Ward Allen. Noes – 0. Absent – 1: Directors Keller.

1. That the General Manager be authorized to enter into a Planning Funding Agreement and a Frequency Reconfiguration Agreement with Sprint/Nextel for the purpose of receiving funding from Sprint/Nextel for BART to reband its radio system in accordance with FCC Report and Order FCC 04-168.
2. That the Board having reviewed and considered the information in the Final Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Central Contra Costa County Crossover Project, together with comments received during the public review process, the Board hereby:
 - a. Finds on the basis of the whole record before the Board that there is no substantial evidence that the Central Contra Costa County Crossover Project will have a significant effect on the environment.
 - b. Finds that the Mitigated Negative Declaration reflects the Board's independent judgment and analysis.
 - c. Adopts the Mitigated Declaration and adopts the Mitigated Monitoring and Reporting Plan for the Central Contra Costa County Crossover Project.
 - d. That the Board Adopt BART Central Contra Costa Crossover Project with a preference for locating the southern Gap Breaker Station on the West Side of the BART alignment, if feasible based on the City of Walnut Creek's cooperation in providing access to the site through their corporation yard, and consideration will be given to landscaping the slope with native plants.
 - e. That the Board approves the attached Subsequent Resolution of Project Compliance and Initial Project Report Summary for Regional Measure 2 for the BART Central Contra Costa County Crossover project.

President Ward Allen asked for the General Manager's Report. General Manager Thomas E. Margro gave an overview of the proposed State Infrastructure Bond and BART's efforts with working with District advocates in Sacramento. Mr. Margro also spoke on the recent trip to the APTA Legislative Conference in Washington, D.C. and the District's representatives' efforts with the Department of Homeland Security to obtain financial assistance for District Security efforts.

President Ward Allen asked for the Report of the District Security Advocacy Ad Hoc Committee. Vice President Sweet had no report.

President Ward Allen brought Roll Call for Introductions before the Board. Director Radulovich requested a report on the amount of District funds spent for memberships in non-transportation organizations (i.e., Bay Area Council, Chambers of Commerce). Director Murray requested that the

District consider as a promotional opportunity, providing a free trip to customers on the day the bridge tolls go up \$1 on the Bay Bridge.

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

President Ward Allen announced that the Board would enter into closed session under Items 8-A and 8-B of the regular meeting agenda, and that the Board Meeting would be adjourned at the conclusion of the closed session (in recognition of the upcoming birthday of Mr. Jerry Grace).

The Board meeting recessed at 10:33 a.m.

The Board entered into closed session at 10:41 a.m.

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

Absent: Director Keller. Director Murray entered the meeting later.

The Board Meeting adjourned at 12:13 p.m

Kenneth A. Duron
District Secretary