

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

Board of Directors  
Minutes of the 1,506th Meeting  
May 10, 2007

A regular meeting of the Board of Directors was held May 10, 2007, convening at 9:09 a.m. in the Board Room, 344 20th Street, Oakland, California. President Sweet presided; Kenneth A. Duron, District Secretary.

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

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

President Sweet recognized the Honorable Bill Dodd, Chairperson of the Metropolitan Transportation Commission. Mr. Dodd addressed the Board.

President Sweet announced that under the provisions of the Rules of the Board of Directors of the San Francisco Bay Area Rapid Transit District, now was the time to hold a public hearing on the Fiscal Year 2008 Preliminary Budget, and that staff would give a brief presentation, and that the meeting would then be opened for comments from the public.

Mr. Robert Umbreit, Department Manager, Operating Budgets, gave a presentation on the Fiscal Year 2008 Budget.

Director Fang entered the meeting.

Mr. Clarence Fischer and Mr. George Dashiell addressed the Board.

The public hearing was closed.

Consent Calendar items brought before the Board were:

1. Approval of the Minutes of the Meeting of April 26, 2007.
2. Adoption of a Resolution of Local Support for a State Transportation Improvement Grant Related to the Ed Roberts Campus Project at the Ashby BART Station.
3. Adoption of a Resolution of Local Support for a Federal Congestion Mitigation and Air Quality Improvement Grant for BART's Electronic Bicycle Locker Project.
4. Award of Contract No. 15QB-110, Reroof Four Facilities.

Award of Contract No. 15QB-110, Reroof Four Facilities, was removed from the Consent Calendar at the request of President Sweet and Director Franklin. After discussion, the item was replaced on Consent Calendar.

Director Fang exited the meeting.

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

1. That the Minutes of the Meeting of April 26, 2007, be approved.
2. Adoption of Resolution No. 5011, Regional Transportation Improvement Program Augmentation Project Application Part 1: Resolution of Local Support related to the Ed Roberts Campus Project at the Ashby BART Station.
3. Adoption of Resolution No. 5012, Resolution of Local Support – Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA) Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) Funding for BART’s Electronic Bicycle Locker Project.
4. That the General Manager be authorized to award Contract No. 15QB-110, Reroof Four Facilities, to Best Contracting Services, Inc., for the bid price of \$346,000.00, pursuant to notification to be issued by the General Manager and subject to the District’s protest procedures and Federal Transit Administration’s requirements related to protest procedures.

Consent Calendar report brought before the Board was:

1. Fiscal Year 2007: Third Quarter Financial Report.

The Board Meeting recessed at 9:47 a.m.

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The Board reconvened in closed session at 11:45 a.m.

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

Absent: Director Keller.

Closed session recessed at 12:36 p.m.

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The Board Meeting reconvened in open session at 12:38 p.m.

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

Absent: Director Keller.

President Sweet brought the matter of Employee Recruitment and Relocation for the Position of General Manager before the Board, and requested Mr. Sherwood Wakeman, General Counsel, to read the motion, as follows: That staff be authorized to enter into an agreement with Bennett Yarger Associates for a nationwide search to identify suitable candidates for the position of General Manager; and that staff be authorized to enter into a relocation reimbursement agreement with the successful candidate, if necessary, in an amount not to exceed \$18,000.00, in accordance with Management Procedure No. 70, New Employee Relocation Expense Reimbursement; and that the Office of the General Counsel would approve the agreements as to form. Directors Fang and Radulovich moved the above motion. The motion was seconded by Director Murray, and carried unanimously. Ayes – 8: Directors Blalock, Fang, Franklin, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0. Absent – 1: Director Keller.

The Board Meeting recessed at 12:41 p.m.

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The Board Meeting reconvened at 1:06 p.m.

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

Absent: Director Keller.

Consent Calendar Addenda item brought before the Board was:

1. Change Order to Agreement No. 6G2282 for Benefits Consulting and Brokerage Services with Mercer Human Resources Consulting.

Director Murray moved that the General Manager be authorized to execute a Change Order for an additional \$440,000.00 in funding to the Benefits Consulting Agreement No. 6G2282, with Mercer Human Resources Consulting. Directors Blalock and Fang seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Fang, Franklin, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0. Absent – 1: Director Keller.

Director Franklin, Chairperson of the Administration Committee, reported that the committee had received and discussed a presentation on Fiscal Year 2008 Preliminary Budget: Operating

Sources, Uses, and Service Plan; and Capital Budget, and that the Committee had forwarded the Fiscal Year 2008 Preliminary Budget to the Board of Directors.

Director Fang, Chairperson of the Engineering and Operations Committee, reported that the entire committee agenda had been continued to a future meeting.

Director Radulovich, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Execution of Contract Option for CDSNet, LLC for the Sales and Exchange of Tickets before the Board. Director Fang moved that the General Manager be authorized to execute a Change Order to exercise the first option to extend Agreement No. 6G4435, Operation of Booths for the Sale of Transit Tickets, with CDSNet, LLC, for an additional five years. Director Blalock seconded the motion, which carried by electronic vote. Ayes – 7: Directors Blalock, Fang, Franklin, Luce, Murray, Ward Allen, and Sweet. Noes – 1: Director Radulovich. Absent – 1: Director Keller.

President Sweet asked for the General Manager's Report. General Manager Thomas E. Margro gave an Update on Infrastructure Bond Spending Plans.

Directors Franklin and Ward Allen exited the meeting.

The Board discussed the General Manager's Report.

Director Fang exited the meeting.

Mr. Jerry Grace addressed the Board.

President Sweet announced that there was no report of the District Security Advocacy Ad Hoc Committee.

Director Blalock, Chairperson of the District Organizational Review Ad Hoc Committee, had no report.

President Sweet brought Roll Call for Introductions before the Board.

Director Murray requested a status report on the labeling of escalators at the Concord Station to assist the visually impaired.

Director Radulovich requested an update on the District's signage program.

President Sweet called for General Discussion and Public Comment. No comments were received.

The Board Meeting adjourned at 1:45 p.m. in honor of former Assemblymember Lou Papan.

Kenneth A. Duron  
District Secretary