

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

Board of Directors  
Minutes of the 1,485th Meeting  
June 22, 2006

A regular meeting of the Board of Directors was held June 22, 2006, convening at 9:12 a.m. in the Board Room, 344 20th Street, Oakland, California. Director Keller, Chairperson of the Administration Committee presided; Kenneth A. Duron, District Secretary.

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

Absent: President Ward Allen. Director Sweet entered the meeting later.

Director Keller asked if there were any special guests. Director Blalock recognized Mr. James Van Epps, Executive Manager, Silicon Valley Extension, in honor of his last day at BART.

Director Keller 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 Proposed Revision of Fee Schedule for Plan Reviews, Permits, Easements and Inspections, and that staff would give a brief presentation, and that the meeting would then be opened for comments from the public.

Ms. Laura Giraud, Division Manager, Right of Way Management, gave a presentation on the Proposed Revision of Fee Schedule for Plan Reviews, Permits, Easements and Inspections.

There being no public comment, the public hearing was closed.

Vice President Sweet entered the meeting and assumed the gavel.

Consent Calendar items brought before the Board were:

1. Approval of the Minutes of the Meeting of June 8, 2006.
2. Joint Grant of Sanitary Sewer Easement at Colma Station.
3. Award of Invitation for Bid No. 8754, Center, Wheel Aluminum.
4. Award of Invitation for Bid No. 8771, Current Collector Fuse.

Director Blalock moved adoption of the Consent Calendar. Director Radulovich requested that Item 2-B, Joint Grant of Sanitary Sewer Easement at Colma Station, be removed from the Consent Calendar. Director Keller seconded the remaining three motions, as follow, which carried by unanimous acclamation. Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, Radulovich, and Sweet. Noes – 0. Absent – 1: President Ward Allen.

1. That the Minutes of the Meeting of June 8, 2006, be approved.

2. That the General Manager be authorized to award Invitation for Bid No. 8754, for Aluminum Wheel Centers, to BCH Manufacturing Co., for the price of \$431,791.87, including all applicable taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedures.
3. That the General Manager be authorized to award Invitation for Bid No. 8771, for the purchase of Current Collector Fuses, to Alameda Electrical Distribution Inc., for the amount of \$363,986.25, including sales tax, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedures.

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

After discussion, Item 2-B was continued to a future Board Meeting.

The Board Meeting was recessed at 9:18 a.m.

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The Board Meeting reconvened at 11:20 a.m.

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

Absent: President Ward Allen.

Consent Calendar Addenda items brought before the Board were:

1. Revision of Fee Schedule for Plan Reviews, Permits, Easements and Inspections.
2. Real Property Transfer Agreement between BART, the San Mateo County Transit District (Sam Trans) and the Peninsula Corridor Joint Powers Board (JPB) for a Real Property Exchange along the Railroad Corridor for the San Francisco Airport Extension.
3. Extend Professional Services Agreement with Security Life Insurance Company of America and Claremont Behavioral Services (Agreement No. 6G6401) for Employee Assistance Program.
4. Approval of 2006-2007 Muni Fast Pass Agreement.
5. Approval of BARTPlus Agreements.

6. Proposed State Infrastructure Bonds and Legislative Update:
  - a. Proposition 1C, Housing and Emergency Shelter Trust Fund Act of 2006.
  - b. Assembly Bills 372, 713, 2444; and Senate Bill 1611.

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

1. Adoption of Resolution No. 4989, In the Matter of Adopting an Increase in the Current Fee Schedule for Plan Reviews, Permits and Inspections Associated with Non-District Projects; and that staff be directed to report back to the Board in six months on the progress of the new fee schedule.
2. Adoption of Resolution No. 4990, In the Matter of Authorizing the Acceptance of Easement and Fee Deeds from the Peninsula Corridor Joint Powers Board and San Mateo County Transit District for the BART San Francisco Airport Extension Project; and that the General Manager or his designee be authorized to execute the Real Property Transfer Agreement and related documents with the Peninsula Corridor Joint Powers Board and San Mateo County Transit District in connection with the San Francisco Airport Extension Project.
3. That the General Manager be authorized to execute a change order to Agreement No. 6G6401, with the joint venture of Security Life Insurance Company of American and Claremont Behavioral Services, extending the period of performance by ten months, through April 30, 2007.
4. That the General Manager be authorized to execute the Special Transit Fare (Fast Pass) Agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District for the period January 1, 2006, through June 30, 2007.
5. That the General Manager be authorized to execute the following:
  - a. The Agreement among the San Francisco Bay Area Rapid Transit District, the Central Contra Costa Transit Authority, the City and County of San Francisco, the Dumbarton Bridge Service Consortium, the Eastern Contra Costa Transit Authority, the Livermore Amador Valley Transit Authority, the San Mateo County Transit District, the Santa Clara Valley Transportation Authority, the City of Union City, and the Western Contra Costa Transit Authority for the period January 1, 2006, through June 30, 2006.

b. The Agreement among the San Francisco Bay Area Rapid Transit District, the Central Contra Costa Transit Authority, the City and County of San Francisco, the Dumbarton Bridge Service Consortium, the Eastern Contra Costa Transit Authority, the Livermore Amador Valley Transit Authority, the San Mateo County Transit District, the Santa Clara Valley Transportation Authority, the City of Union City, the Western Contra Costa Transit Authority, and the City of Benicia for the period July 1, 2006, through December 31, 2007.

6. a. That the Board endorse Proposition 1C: “Housing and Emergency Shelter Trust Fund Act of 2006”; and
- b. That the Board support the following four pieces of legislation before the State Legislature: Assembly Bill 372 (Nation) – Public Contracts: Transit Design-Build Contracts; Assembly Bill 713 (Torrice) – Safe, Reliable High Speed Passenger Train Bond Act for the 21<sup>st</sup> Century; Assembly Bill 2444 (Klehs) – Congestion Management and Motor Vehicle Environmental Mitigation Fees; and Senate Bill 1611 (Simitian) – Congestion Management Fees.

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

Director Fang, Chairperson of the Engineering and Operations Committee, had no report.

Director Radulovich, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, reported that the committee had received and discussed a report on Strategic Plan Discussion: Access; and that two items from the Proposed State Infrastructure Bonds and Legislative Update had been forwarded to Consent Calendar Addenda.

Director Radulovich brought the matter of the remaining two items from the Proposed State Infrastructure Bonds and Legislative Update before the Board. Director Blalock moved that the Board endorse Proposition 1A: “Transportation Investment Fund,” and Proposition 1B: “Highway Safety, Traffic Reduction, Air Quality and Port Security Act.” Director Murray seconded the motions. The motion to endorse Proposition 1A carried. Ayes – 7: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, and Sweet. Noes – 1: Director Radulovich. Absent – 1: President Ward Allen. The motion to endorse Proposition 1B carried. Ayes – 6: Directors Blalock, Fang, Keller, Luce, Murray, and Sweet. Noes – 2: Directors Franklin and Radulovich. Absent – 1: President Ward Allen.

Vice President Sweet asked for the General Manager’s Report. General Manager Thomas E. Margro reported that today was a Spare the Air Day, and that passengers could ride transit and park free, with the Metropolitan Transportation Commission and the Bay Area Air Quality Management District to reimburse the District for fares and parking charges. Director Radulovich requested that people be encouraged to bicycle to stations on Spare the Air Day. Mr. Margro reported that the District was working with City Councils in the region to sponsor field trips for low income students to expose them to the BART system and encourage them to explore future careers in transportation.

Vice President Sweet, Chairperson of the District Security Advocacy Ad Hoc Committee, noted that a comprehensive security report would be given during closed session.

Vice President Sweet brought Roll Call for Introductions before the Board.

Director Murray requested an update on when the Board would receive a report on proposed improvements to communications with customers during train delays (noting in particular the incident of June 21, 2006).

Directors Blalock and Murray requested a report on proposed cellular telephone free rail cars.

Director Keller gave a brief report on the American Public Transportation Association Rail Conference in New York City June 11 through 14.

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

Director Radulovich reported that Habitat for Humanity had built housing for twelve families on land that had formerly been a BART right of way.

Vice President Sweet announced that the Board would enter into closed session under Item 8-A (Threat to Public Services or Facilities) of the regular meeting agenda, and that the Board would adjourn upon conclusion of the closed session.

The Board Meeting recessed at 11:38 a.m.

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The Board entered into closed session at 11:47 a.m.

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

Absent: President Ward Allen.

The Board Meeting adjourned at 12:59 p.m. in honor of Patricia Walkup.

Kenneth A. Duron  
District Secretary