

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

Board of Directors
Minutes of the 1,535th Meeting
August 14, 2008

A regular meeting of the Board of Directors was held August 14, 2008, convening at 9:02 a.m. in the Board Room, 344 20th Street, Oakland, California. President Murray presided; Kenneth A. Duron, District Secretary.

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

Absent: None.

Director Franklin introduced the Honorable Janet Abelson, El Cerrito City Councilmember and member of the Bay Area Accessibility Task Force.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of July 24, 2008.
2. Fixing the Fiscal Year 2008-2009 Property Tax Rate for the General Obligation Bonds.
3. Award of Invitation for Bid No. 8837, Escalator Handrail.

Consent Calendar motions, as follow, were moved as a unit by Director Franklin. Director Blalock seconded the motions, which carried unanimously. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Radulovich, Sweet, Ward Allen, and Murray. Noes – 0.

1. That the Minutes of the Meeting of July 24, 2008, be approved.
2. Adoption of Resolution No. 5056, In the Matter of Fixing the Rate of Taxes for San Francisco Bay Area Rapid Transit District for Fiscal Year 2008/2009.
3. That the General Manager be authorized to award Invitation for Bid No. 8837, an estimated quantity contract, for Escalator Handrail, to Porta Flex, Incorporated, for the bid price of \$404,574.47, including all applicable taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures.

(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.)

The Board Meeting recessed at 9:04 a.m.

The Board reconvened at 12:16 p.m.

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

Absent: None.

Consent Calendar Addenda items brought before the Board were:

1. Fiscal Year 2008 Year-End Budget Revision.
2. Policy Governing the Use of Electric Personal Assistive Mobility Devices.

Consent Calendar Addenda motions, as follow, were moved as a unit by Director Fang. Director Blalock seconded the motions, which carried unanimously. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Radulovich, Sweet, Ward Allen, and Murray. Noes – 0.

1. Adoption of Resolution No. 5057, In the Matter of Amending Resolution No. 5017 (as amended by Resolution No. 5032) Regarding Fiscal Year 2008 Annual Budget.
2. Adoption of Resolution No. 5058, In the Matter of Adopting Factual Findings and Policies Regulating the Use of Electric Personal Assistive Mobility Devices upon BART Trains, Stations and Facilities for the San Francisco Bay Area Rapid Transit District; and that staff be authorized to modify the resolution to comply with amendments by the Board.

Director Franklin, Chairperson of the Administration Committee, brought the matter of Special Flash Pass for Rail~Volution 2008 Conference before the Board, and moved that the Board approve BART's participation with other transit operators to provide a free Flash Pass for up to 1,500 attendees at the 2008 National Rail~Volution Conference to be held in San Francisco from October 26 through 30, 2008. Director Blalock seconded the motion, which carried electronically by the required two-thirds majority. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Radulovich, Sweet, Ward Allen, and Murray. Noes – 0.

Director Franklin reported that the Agreement with B&C Transit Consultants, Inc., for On-Call Support Services for Technical Training Development (Agreement No. 6M3083) had been continued to a future Administration Committee Meeting, and that the remaining item on the committee agenda had been forwarded to Consent Calendar Addenda.

Director Fang, Chairperson of the Engineering and Operations Committee, reported that one item on the committee agenda had been forwarded to Consent Calendar Addenda and that the Quarterly Performance Report, Fourth Quarter Fiscal Year 2008 - Service Performance Review, had been received by the Board.

Director Ward Allen, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, had no report.

President Murray asked for the General Manager's Report. General Manager Dorothy W. Dugger reported that BART would be recognized that evening by the Conference of Minority Transportation Officials (COMTO) as Employer of the Year. Ms. Dugger invited the Board to attend the Ed Roberts Campus groundbreaking ceremony in September.

President Murray brought Resolution Commending Richard C. Ambrose before the Board. Director Luce moved Adoption of Resolution No. 5059, Resolution Commending Richard C. Ambrose. Director Blalock seconded the motion, which carried unanimously. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Radulovich, Sweet, Ward Allen, and Murray. Noes – 0.

President Murray brought Roll Call for Introductions before the Board.

President Murray requested that the District consider a program to provide system passes for active duty military personnel while on leave in the Bay Area.

President Murray called for General Discussion and Public Comment. Mr. Robert S. Allen addressed the Board.

Director Radulovich requested that the meeting be adjourned in honor of former BART employee and Mayor of South San Francisco Joe Fernekes.

Ms. Dugger reported that former District employee and Amalgamated Transit Union President Robert Smith had recently passed away.

President Murray announced that the Board would enter into closed session under Item 8A (Conference with Legal Counsel – Anticipated Litigation) of the regular meeting agenda, and that the Board would adjourn upon conclusion of the closed session.

The Board Meeting recessed at 12:29 p.m.

The Board entered into closed session at 12:41 p.m.

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

Absent: Directors Fang, Keller, and Ward Allen. Director Sweet entered the meeting later.

The Board Meeting adjourned at 1:52 p.m. in honor of Joe Fernekes and Robert Smith.

Kenneth A. Duron
District Secretary