

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

Board of Directors  
Minutes of the 1,513th Meeting  
August 23, 2007

A regular meeting of the Board of Directors was held August 23, 2007, convening at 9:08 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Sweet presided; Kenneth A. Duron, District Secretary.

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

Absent: None. Director Radulovich entered the meeting later.

Acting General Manager Dorothy W. Dugger introduced Mr. Carl Guardino, California Transportation Commissioner, and President and Chief Executive Officer of the Silicon Valley Leadership Group.

Director Radulovich entered the meeting.

Mr. Guardino addressed the Board, and the Board briefly addressed Mr. Guardino.

Director Blalock introduced Ms. Christine Monsen, Executive Director of the Alameda County Transportation Improvement Authority. Ms. Monsen addressed the Board.

The Board Meeting recessed at 9:41 a.m.

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The Board Meeting reconvened at 11:43.

Consent Calendar item brought before the Board was:

1. Approval of Minutes of the Meeting of August 9, 2007.

Director Murray moved that the Minutes of the Meeting of August 9, 2007, be approved. Director Blalock seconded the motion, which carried by unanimous acclamation. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0. Absent – 0.

The Board Meeting recessed at 11:44 a.m.

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The Board Meeting reconvened at 11:48 a.m.

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

Absent: None.

Director Blalock moved to suspend the standard procedure and move Items 4-A-1 and 4-B-2 from the Administration Committee and Engineering and Operations Committee agendas, respectively, directly to the Board for immediate consideration. Director Ward Allen seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0. Absent – 0.

President Sweet brought Item 4-A-1, Ratification of Side Letter 11 with BART Police Managers' Association (BPMA) Revising Step Progression Rates, before the Board. Director Blalock moved that the General Manager or her designee be authorized to execute the BPMA Side Letter – 11 with the BART Police Managers' Association regarding the equity adjustments. Director Radulovich seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0. Absent – 0.

President Sweet brought Item 4-B-2, Sole Source Procurement with Group Alpha, Inc., for Gate Driver Printed Circuit Boards, before the Board. Director Blalock moved that the Board find, pursuant to Public Contract Code Section 20227, that Group Alpha, Inc., is the sole source for procurement of gate driver printed circuit boards, and that the purchase is for the purpose of duplicating or replacing equipment in use at the District, and that the General Manager to authorized to enter into direct negotiations with Group Alpha, Inc., and to execute a three-year sole source contract, for the purchase of this equipment, at a price not to exceed \$825,000.00, plus applicable sales tax. Director Radulovich seconded the motion, which carried, by the required two-thirds majority, by electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Murray, Radulovich, Ward Allen, and Sweet. Noes – 0. Absent – 0.

The Board Meeting recessed at 11:51 a.m.

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The Board Meeting reconvened at 12:09 p.m.

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

Absent: Directors Keller and Sweet.

Consent Calendar Addenda items brought before the Board were:

1. Transfer of Steele Ranch Property to California State Parks and Establishment of Steele Ranch Endowment.
2. Award of Invitation for Bid No. 8828, Purchase of Gasoline and Diesel Fuel for Non-Revenue Vehicle Fleet.
3. Agreements for General Environmental Services for BART Projects:
  - a. Agreement No. 6M5007 with Environmental Resources Management
  - b. Agreement No. 6M5008 with Camp Dresser and McKee.

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

1. That subject to receiving the approval of the Federal Transit Administration, the United States Fish and Wildlife Service, and the California Department of Fish and Game, the General Manager or her designee be authorized (i) to effect the transfer of Steele Ranch (Parcel No. D-3723) to the California Department of Parks and Recreation and (ii) to establish an endowment of \$1 million for the maintenance and enhancement of Steele Ranch.
2. That the General Manager be authorized to award Invitation for Bid No. 8828, an estimated quantity contract, for gasoline and diesel fuel, to Valley Oil Company of Mountain View, California, for the bid price of \$2,475,780.75, 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 execute Agreement No. 6M5007, with Environmental Resources Management, and Agreement No. 6M5008, with Camp Dresser and McKee, both for general environmental services, and each in an amount not to exceed \$5,000,000.00 over a five year period with two (2) one year options to extend, 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.

Director Franklin, Chairperson of the Administration Committee, reported that Fiscal Year 2007 Year-End Budget Revisions had been continued to a future meeting, as had the report on Fiscal Year 2008: Draft Short Range Transit Plan (SRTP) and Capital Improvement Program (CIP), that the Draft SRTP/CIP would be released for public comment, and that the remaining two items on the committee agenda had already been acted on by the Board.

Director Fang, Chairperson of the Engineering and Operations Committee, reported that the Quarterly Performance Report, Fourth Quarter Fiscal Year 2007 - Service Performance Review,

had been continued to a future meeting, and that the remaining three items on the committee agenda had been acted on by the Board.

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

Vice President Murray asked for the General Manager's Report. General Manager Dorothy Dugger had no report.

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

Director Radulovich requested a report on recent performance of CDSNet contractor.

Director Radulovich requested an item on a future Planning, Public Affairs, Access, and Legislation Committee agenda to review the District's recently issued criteria for the placement of newspaper advertising.

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

The Board Meeting adjourned at 12:14 p.m.

Kenneth A. Duron  
District Secretary