

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

Board of Directors
Minutes of the 1,539th Meeting
September 25, 2008

A regular meeting of the Board of Directors was held September 25, 2008, convening at 9:03 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, and Murray.

Absent: None. Directors Radulovich, Sweet, and Ward Allen entered the meeting later.

Director Fang introduced and welcomed Mr. Diarmuid J. Philpott, Vice President, and Mr. Jerry Casey, Treasurer, of the United Irish Societies of San Francisco. Mr. Philpott addressed the Board.

Director Ward Allen entered the meeting.

General Manager Dorothy W. Dugger recognized Mr. Tian Feng, District Architect, for his election to the American Institute of Architects College of Fellows.

Director Sweet entered the meeting.

President Murray announced that under the provisions of the Rules of the Board of Directors, this was the time set to hold a public hearing on the proposed EZ Rider Program card and parking hangtag fees and charges, and that staff would give a brief presentation, and that the meeting would then be opened for comments from the public.

Mr. Kevin Hagerty, Department Manager, Customer Access, gave a presentation on the proposed EZ Rider Program card and parking hangtag fees and charges.

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

Director Radulovich entered the meeting.

Consent Calendar item brought before the Board was:

1. Approval of Minutes of the Meetings of September 11, 2008 (Regular), and September 11, 2008 (Special).

Director Blalock moved that the Minutes of the Meetings of September 11, 2008 (Regular), and September 11, 2008 (Special) be approved. Director Ward Allen seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Luce, Radulovich, Sweet, Ward Allen, and Murray. Noes – 0.

Consent Calendar report brought before the Board was:

1. Audit of Directors' Use of District Property.

The Board Meeting recessed at 9:21 a.m.

The Board reconvened at 11:23 a.m.

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

Absent: Director Luce.

Consent Calendar Addenda items brought before the Board were:

1. Award of Contract No. 15PF-110, Earthquake Safety Program – West Oakland Station.
2. Award of Contract No. 15PM-110, Earthquake Safety Program - Parking Structures Retrofit for the Concord, Daly City, El Cerrito del Norte, Hayward, Pleasant Hill and Walnut Creek BART Parking Structures.

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

1. That the General Manager be authorized to award Contract No. 15PF-110, Earthquake Safety Program, West Oakland Station, to Cal Pacific Construction Inc., for the bid amount of \$7,438,754.68, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and the Federal Highway Administration's requirements related to protest procedures.
2. That the General Manager be authorized to award Contract No. 15PM-110, Earthquake Safety Program - Parking Structures Retrofit for the Concord, Daly City, El Cerrito del Norte, Hayward, Pleasant Hill and Walnut Creek BART Parking Structures, to West Bay Builders, Inc., for the bid amount of \$7,813,181.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures.

Director Franklin, Chairperson of the Administration Committee, had no report.

Director Fang, Chairperson of the Engineering and Operations Committee, reported that both items on the committee agenda had been forwarded to Consent Calendar Addenda.

Director Ward Allen, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, reported that the committee had discussed the Strategic Plan Update and continued the item to a future Planning, Public Affairs, Access, and Legislation Committee meeting; and that the committee had received and discussed the BART EZ Rider and Regional Translink® Smart Cards Status Report.

President Murray asked for the General Manager's Report. General Manager Dorothy W. Dugger advised the Board the State budget had been passed the day before, and funding for public transit had been cut, and that a revision to the District's Fiscal Year 2009 budget would be presented to the Board at a future meeting. Ms. Dugger reported that a rider appreciation event had been held on September 23, 2008, with Tully's Coffee providing gift cards and coupons as a way to highlight Fair Trade Certified coffees. Ms. Dugger reminded the Board that a press conference would be held that afternoon in support of Assemblymember Fiona Ma's proposed legislation to advance transit-oriented development. Ms. Dugger announced that the Final Environmental Impact Report (FEIR) on eBART was now available, and that two public hearings would be held on the eBART FEIR.

President Murray brought forward the idea of a "Sacramento surcharge" to replace some of the revenue diverted by the new State budget and asked that District staff investigate the possibility of implementing a small surcharge.

President Murray brought Roll Call for Introductions before the Board. Director Ward Allen requested that the District provide "get out the vote" services in stations, consistent with programs conducted by AC Transit.

Director Radulovich requested a comprehensive analysis, including cost estimates (both capital and operating) for a BART branded late night bus service to operate in District service corridors when BART rail service is not operating.

Director Fang exited the meeting.

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

The Board Meeting adjourned at 11:37 a.m.

Kenneth A. Duron
District Secretary