

BART opens race's doors to funding

■ Four incumbents to run under relaxed rules, which allow contributions from contractors

By Denis Cuff

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Four BART Board members have filed to run for reelection, kicking off the first board race in 12 years in which incumbents can accept campaign contributions from contractors seeking business with BART jobs.

Board President Gail Murray of Walnut Creek, Bob Franklin of Oakland, and Tom Radulovich and Lynette Sweet, both of San Francisco, all filed by Friday's deadline to retain their seats in their districts.

Board member Zoyd Luce of Dublin decided not to run. Filing for his seat remains open through 5 p.m. Wednesday.

As of late Friday afternoon, Radulovich faced at least one challenger, Peter Klivans of San Francisco, and no one had filed to run against the other three incumbents. But it will take until Monday before election officials in the three BART counties can process candidate paperwork and say whether other hopefuls entered the race.

The race could be pricier this year because of relaxed campaign funding rules. The board voted 6-2 in December to scrap a ban on board members soliciting or receiving campaign contributions from contractors bidding on BART jobs or seeking no-bid contracts for specialized work or services.

The ban was enacted in 1996 in response to a well-publicized FBI investigation that resulted in two board members — Wilfred Ussery and Margaret Pryor — pleading guilty to lying to the FBI about money they took from BART contractors. Both were put on probation and no longer hold office.

"I voted for the rule (ban) in 1996 to improve BART's credibility with the public, but this is a different board and different time," said Joel Keller, a BART board member from Antioch. "I trust this board."

At Keller's suggestion, the board replaced the ban with a contribution limit of \$1,000 from would-be contractors.

The limit applies to BART board members throughout their term, and to challenger candidates once they file to run.

Board members Sweet and Radulovich said they wanted to keep the ban to prevent even the appearance of undue influence from campaign donors.

"I think the ban was a good check," Radulovich said. "I agree with Joel that we have a more responsible board today than in the early 1990s. But I don't want any problem with fundraising to mar the functioning of this board."

Keller said the ban served its purpose. But in the last 12 years, campaign costs have soared for mailers and other political advertising, he said.

In low-profile special district races such as BART, there often are few donors other than family members, friends and transit contractors who are willing to make contributions, he said.

Keller also asserted that the old ban gave an unfair advantage to challengers over incumbents.

Board members could not accept contributions from winning bidders until three months after they landed a contract, yet a challenger could accept a contribution from the same firm during that period as long as he hadn't filed to run for office yet.

The new rule says the \$1,000 contribution limit for a company is lifted once the contract has been awarded.

Franklin, the BART board member from Oakland, said he thinks the new \$1,000 limit

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on contractor contributions is a reasonable one to prevent against undue influence.

"When I accept a contribution from someone, I'm not selling my vote," Frankin said.

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