



Agenda Item No. (6)(B)

**REPORT OF THE ATTORNEY
BOARD OF DIRECTORS
MEETING OF MAY 24, 2024**

President Cochran and Members of the Board:

Set forth below is a status report of legal matters on which Hanson Bridgett has worked since our last written report for the April 26, 2024 meeting of the Board of Directors.

In addition to provision of day-to-day assistance and advice, such as attendance at E-Team, Committee and Board meetings; review of draft minutes and staff reports, resolutions and ordinances; and, assistance with on-going personnel and labor relations matters, our time has been devoted to assisting the District and its operating divisions with the following specific matters:

District:

- District Division Procurements: Assisted District staff with several procurement matters including: the agreement for stormwater compliance services; the amendment to the agreement for substance abuse counseling services; the agreement for on-call IT project management services; the B2Gnow diversity management compliance system agreement; the agreement for on-call electronic document scanning and management services; and, the radio system upgrade contract amendment.
- District Division Matters: Provided assistance to staff in connection with the update of the Master Ordinance; the review of documents and preparation of responses to Public Records Act requests; the ADA transition plan; and, potential conflicts of interest for Board members.
- Financial Matters: Assisted staff in connection with the toll increase program; the opinion of counsel for the RM3 funding application; the utility bill audit services RFP; the amendment to the deferred compensation plan provider agreement; the agreement for on-call grants management and professional services; as well as with fiscal cliff strategies.
- Labor Negotiations: Assisted staff with on-going negotiations with the ATU and Coalition units; implementation of agreements reached; responses to opening proposals for negotiations; and, bargaining.

Bridge Division:

- Suicide Deterrent Project (Litigation): Defended District in lawsuit brought by SDS contractor and other related claims that have been consolidated in the action and engaged in discovery and motion practice.
- Seismic Retrofit Project: Provided advice and assistance to Engineering Department staff related to the amendment to consultant services agreement; and, CMGC Phase 2 document review.
- All Electronic Tolling Litigation and Legislation: Attended to the aftermath of the class action litigation and appeals in the *Kelly/ Kendrick/ Montgomery* lawsuits, which concern the District's alleged improper sharing of information with the Department of Motor Vehicles and the class action plaintiffs' claim for improper penalties where the District defeated class certification; continued the process of reimbursement by co-defendant Conduent and our insurance carrier; and, monitoring and analyzing new legislation regarding tolling.

- Bridge Division Matters/Procurement: Provided assistance in connection with various Bridge Division matters, including the toll plaza admin building project; the admin building door and window replacement project; legislative matters; and, matters related to the toll gantry project.

Bus Division:

- Bus Division Matters/Procurement: Provided assistance and advice in connection with various Bus Division matters, including: the bus scheduling software agreement; and, the RFP for on-call zero emission bus consultant services.
- ATU Pension Plan: Assistance with research on the health and financial condition of the Plan and options to improve that condition; and, participation in solution-based advisory body/ working group, as agreed by the parties.

Ferry Division:

- Vessel Refurbishment/Maintenance: Attention to various ferry refurbishment contracts and maintenance issues, including the MS San Francisco scheduled drydocking and capital improvements project; and, the change order to the agreement for scheduled drydocking and capital improvements project for MV Del Norte and MV Mendocino.
- Ferry Division Matters: Assisted District staff in connection with various Ferry Division matters, including: protests aboard ferry vessels; service animals; and, the Sausalito ferry terminal project.
- Ferry Division Procurements: Provided assistance to District staff in connection with the San Francisco ferry terminal security improvements agreement; the emergency agreements for the Sausalito pier repair, the San Francisco ferry terminal west berth repairs, guide pile assessment, and guide pile repairs; and, the Sonoma elevator repair contract.

Sincerely,



Kimon Manolius