



Agenda Item No. (6)(B)

**REPORT OF THE ATTORNEY
BOARD OF DIRECTORS
MEETING OF NOVEMBER 15, 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 October 25, 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 amendment to the agreement for electronic records management services; the radio consultant agreement; and, the amendment to the on-site medical services agreement.
- District Division Matters: Provided assistance to staff in connection with the review of documents and preparation of responses to several Public Records Act requests; review of IS policies; and, potential conflicts of interest for Board members.
- Financial Matters: Assisted staff in connection with the agreement for utility audit services; the CAI grant agreement; the FTA triennial review; as well as with fiscal cliff strategies.
- Labor Negotiations: Assisted staff with on-going negotiations with the District's labor organizations; and, implementation of agreements reached.

Bridge Division:

- Seismic Retrofit Project: Participated in meeting with Engineering staff regarding CMGC construction contract specifications.
- Suicide Deterrent Project: Provided advice and assistance to staff in connection with multiple consultant agreement amendments.
- 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; prepared for the October 7 and October 21 trial date; filed two writs in the First Appellate District; sued the federal government regarding violation of the Administrative Procedure Act; and, worked on settlement documents.
- 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: Assisted staff regarding no-trespassing/climbing signage on the Bridge; the amendment to the agreement for Lead Cleanup Phase II feasibility study; the RFP for underwater inspection services; legislative matters; and matters related to the toll gantry project, including amendment to the interim toll system contract.

Bus Division:

- Bus Division Matters/Procurement: Provided assistance and advice in connection with various Bus Division matters, including: the Agency Safety Plan update; FTA requirements for bus leases; and, the passenger ban policy.
- 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 IFB for scheduled drydocking and capital improvements project for MS Sonoma; the change order for scheduled drydocking and capital improvements for MV Del Norte and MV Mendocino; and, the contract to remove and reseal main deck windows for MV Golden Gate.
- Ferry Division Matters/Procurement: Assisted District staff in connection with various Ferry Division matters, including the Larkspur expansion project; the amendment to the ParkMobile agreement; the zero emissions feasibility study agreement; the San Francisco ferry terminal west and east berth ramp repair project; the Larkspur ferry terminal sidewalk repairs project; the RFP for Larkspur ferry terminal landscaping services; and, the amendment to the agreement for Angel Island fixed ramp and platforms.

Sincerely,


Kimon Manolius