



Agenda Item No. (6)(B)

**REPORT OF THE ATTORNEY
BOARD OF DIRECTORS
MEETING OF JANUARY 24, 2025**

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 December 20, 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: Analysis of FTA Third Party Contracting Circular changes; the on-site medical trailer procurement; the amendment to the transportation statistics reporting system agreement; the AT&T FatPipe equipment agreement; the amendment to the substance abuse professional services agreement; the database managed services agreement; the on-call IT project management services agreement; the DataOn HCI migration contract; and, the RFP for advertising services.
- **District Division Matters:** Provided assistance to staff in connection with the Master Ordinance update; review of documents and preparation of responses to several Public Records Act requests; review of IS policies; template document updates; DBE program issues and template language; and, potential conflicts of interest for Board members.
- **Financial Matters:** Assisted staff in connection with the Blue & Gold ticket reciprocity agreement; RFP for uniform administrative requirements, cost principles, and audit requirements for federal awards; the amendment to the agreement for actuarial services; 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:** Provided assistance and advice to Engineering staff regarding CMGC construction contract specifications; and, consultant agreement amendments.
- **Suicide Deterrent Project:** Provided advice and assistance to staff in connection with consultant agreement amendments.
- **Suicide Deterrent Project (Litigation):** Attended to aftermath and settlement of lawsuit brought by SDS contractor and other related claims that were consolidated in the action; implemented aspects of settlement agreement; and, continued prosecuting lawsuit against federal government regarding violation of the Administrative Procedure Act.
- **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 the Bridge surveillance video policy; 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 Agency Safety Plan update; the Safety Management System Implementation Plan; FTA General Directive 24-1; the amendment to the College of Marin MOU; the San Rafael bus parking lot improvements and solar panel installation project; and, the San Rafael Transit Center Project.
- 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 change order to the midlife engine maintenance contract for MS San Francisco; the change order for midlife engine maintenance contract for MV Golden Gate, MV Del Norte, MV Mendocino, and MV Napa; the change order for the scheduled drydocking and capital improvements for MV Del Norte and MV Mendocino; and, the scheduled drydocking and capital improvements for MS Sonoma project.
- Ferry Division Matters/Procurement: Provided assistance and advice to District staff in connection with various Ferry Division matters, including the zero emissions ferry program; the response resources agreement; the Larkspur ferry terminal ceiling removal and installation RFQ / RFP; Berth 3 deck and structure repairs; the Larkspur ferry terminal Berth 1 and 2 repair project; the amendment to the interior ferry advertising services agreement; and, the ferry fleet replacement program.

Sincerely,


Kimon Manolius