



San Francisco Bay Area Rapid Transit District (BART)
 Earthquake Safety Program

Citizens' Oversight Committee Meeting

Tuesday, December 21, 2010 4:30 pm

**BART Board Room
 Kaiser Center 20th Street Mall, Third Floor
 344 20th Street, Oakland CA 94612**

Meeting Number	Meeting Date	Meeting Time
Term 3, Meeting 1	December 21, 2010	4:40 – 5:15
Attendees	<i>Current Members</i> H. Andy Franklin William Kaplan Elmo Wedderburn	<i>Staff</i> Nathan Hood Thomas Horton Molly McArthur
Agenda Item	Action Taken	
<i>Welcome & Introductions</i>	M. McArthur called the meeting to order at approximately 4:40 pm. Members, staff and a member of the public introduced themselves.	
<i>Welcome to the 2010 – 2012 Term</i>	M. McArthur welcomed members to the new term, noting the following: <ul style="list-style-type: none"> • This is the first meeting of the 2010-2012 term. • One order of business will be to select a new Committee Chair for the term. • Another order of business will be to schedule the next meeting. • Naomi Briley has left BART and N. Hood will take over her COC responsibilities. 	





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*Review of Administrative
Matters*

Members reviewed and approved the January 20, 2010 meeting minutes.

M. McArthur read a memo from BART Treasurer Scott Schroeder that detailed the status of unspent bond proceeds in 2010. The memo explained that:

- The Treasurer invested the original bond proceeds in two guaranteed investment contracts (GICs), which have since matured.
- The proceeds and are now invested in United States Treasury Notes, to mature in June 2011.

E. Wedderburn asked for the rate of return on the United States Treasury Notes, and for the reasons the BART Treasurer decided to invest in United States Treasury Notes, which yield lower rates of return than other securities.

T. Horton stated that many GIC vendors have experienced financial difficulties and GIC rates of return are now much lower. The United States Treasury Notes appear to be the most sensible investment option.

M. McArthur agreed to request detailed information from the BART Treasurer.





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Project Update

T. Horton provided an overview of the program's progress since the last COC Meeting, noting the following:

- All preliminary engineering and design is complete.
- Eight contracts have been advertised and awarded.
- Seven contracts are currently in bidding.
- By February 2011, all but two contracts will be presented to the Board of Directors for approval.
- Retrofit of several stations, parking garages and the San Francisco and Oakland ends of the Transbay Tube are complete.
- The only contract that has not reached final design is the remaining Transbay Tube retrofit.
- Ten contracts are currently under construction.
- The Board of Directors has asked to increase the scope of the program to include operability improvements at Bay Fair and Fruitvale stations. T. Horton will present the proposals to the Board of Directors in January 2011. This will extend the program's end date by 12-15 months.

H. A. Franklin asked for specifics about what "operability" improvements entail.

T. Horton stated that the program has employed two levels of design: safety and operability. Bay Fair and Fruitvale stations have already been designed for increased safety in the event of an earthquake, but will now undergo additional retrofits in order to maintain operability in the event of an earthquake. The retrofits are essentially "more of the same" in terms of safety, but there are more retrofits.

H. A. Franklin asked if the program's project management structure or philosophy has changed.

T. Horton stated that BART has hired one additional staff person. Staff and consultants are hired with the intention that they will see contracts through to completion. The program has hired more construction management consultants, while designers are now on-call.



Financial Report

T. Horton provided an overview of the program's finances, noting the following:

- The program has expended \$248,452,300 in general obligation bond funds, of the projected total of \$980,000,000.
- The BART Treasurer has issued two tranches, for \$100 million and \$400 million, which has yet to be expended, and expects to issue a third tranche in mid-2012.
- The projected total budget was originally \$1.3 billion, but is now \$1.2 billion after unspent funds were removed for other uses. About \$740 million has been received, which includes the general obligation bond funds.
- The forecasted management reserve of \$155 million is particularly high and is one reason the Board of Directors asked the program to consider further upgrades.

T. Horton provided an overview of the program's schedule, noting the following:

- The program's projected completion date is now mid-2014. This schedule does not include any increases in the program's scope.
- Stations will be completed last because BART allows work on only a few stations at a time for operational reasons.
- Train yards and shop complexes are also completed over longer periods of time in order to limit the program's impact on system operations.
- Several aerial structures will be completed early: Concord and Daly City line aerials will each be completed one year ahead of schedule.
- Federal requirements for environmental revalidation and funding have caused some delays in contracts going to bid, but have not resulted in any major adverse affects.

H. A. Franklin asked if final design was complete on stations east of the Berkeley Hills Tunnel.

T. Horton stated that all stations east of the Berkeley Hills Tunnel have been designed and are now in bidding.



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<p><i>Next Meeting</i></p>	<p>M. McArthur proposed holding meetings in March, June, September and December 2011.</p> <p>All members agreed.</p> <p>M. McArthur proposed that future meetings be held on Tuesday afternoons.</p> <p>All members agreed.</p> <p>M. McArthur asked H. A. Franklin if he would like to maintain or relinquish his position as Committee Chair.</p> <p>H. A. Franklin stated that he would like to relinquish his position as Committee Chair.</p> <p>M. McArthur proposed that members and staff communicate via email about selecting a Chair between this and the next meeting.</p> <p>All members agreed.</p>
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<i>Public Comment</i>	<p>Vance Williams, a member of the public, addressed the Committee. He noted the following:</p> <ul style="list-style-type: none">• His parents, Beverly and Culver Williams, live and own several properties near the BART alignment on Springbrook Road in Walnut Creek.• The Williams noticed a construction manager photographing the foundations of homes on their property.• The Williams are concerned about noise, debris and vibration as a result of upcoming construction work.• V. Williams would like contact information for the appropriate BART staff member to address the issue. <p>M. McArthur stated that subcontractors are required to obtain permission to photograph property, and offered to meet with V. Williams and his parents about the matter at hand.</p> <p>E. Wedderburn proposed that COC Member Guy Miller be copied on all communications, since G. Miller holds the Community at Large Seat.</p> <p>All members agreed.</p>
<i>Other Business</i>	<p>E. Wedderburn suggested that quarterly statements of cash flows be included in meeting materials.</p> <p>M. McArthur stated that quarterly statements of cash flows will be provided and distributed with meeting minutes.</p>
<i>Adjournment</i>	<p>The meeting was adjourned at approximately 5:15 pm.</p>

