



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

**Citizens' Oversight Committee Meeting**

**Wednesday, May 6, 2015 4:30 pm**

**Conference Room 1700  
Kaiser Center Tower, 17<sup>th</sup> Floor  
300 Lakeside Drive, Oakland CA 94612**

<b>Meeting Number</b> Term 5, Meeting 1	<b>Meeting Date</b> May 6, 2015	<b>Meeting Time</b> 4:40pm – 5:25pm
<b>Attendees</b>	<i>Current Members</i> Janine De Hart Sang Bak Lee Clinton J. Loftman Derek Schaible Karen Varnado Ching Wu	<i>Staff</i> Thomas Horton Micaela Mazzini Molly McArthur  <i>BART Director</i> Robert Raburn
<b>Agenda Item</b>	<b>Action Taken</b>	
<i>Welcome &amp; Introductions</i>	<p>M. McArthur called the meeting to order at approximately 4:40 pm.</p> <p>M. McArthur invited BART staff and members of the Committee to introduce themselves, noting that a returning member, Ralph Mason was not in attendance but would be present at future meetings.</p> <p>M. McArthur noted that BART Director Robert Raburn was in attendance.</p> <p>Director Raburn later addressed the Committee members, remarked on the critical role of the COC and thanked members for their services.</p>	
<i>Welcome to the 2015 – 2017 Term</i>	<p>M. McArthur welcomed members to the first meeting of the 2015-2017 term.</p> <p>M. McArthur delivered a brief summary of the Committee's history and responsibilities, noting the following:</p> <ul style="list-style-type: none"> <li>• The 2004 Measure AA Bond established the Citizens' Oversight Committee</li> <li>• Review of the Measure AA Bond language</li> </ul>	



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	<ul style="list-style-type: none"> <li>• Review of the Brown Act</li> <li>• The role of the Committee</li> <li>• BART Staff will provide administrative support.</li> <li>• The requirement for a Report to the BART Board of Directors</li> </ul> <p>M. McArthur notified the members that they will select a new Committee Chair and Vice Chair for the term at the next meeting.</p>
<p><i>Program Overview</i></p>	<p>M. McArthur provided a history of the Earthquake Safety Program, including an overview of program milestones, purpose and scope.</p> <p>T. Horton detailed the construction of the BART system, and the seismic issues related to it. He discussed vulnerability and various retrofit concepts, including:</p> <ul style="list-style-type: none"> <li>• Liquefaction around the Transbay Tube</li> <li>• Areas being addressed in the Transbay Tube</li> <li>• Foundations, columns and bent caps are being reinforced on BART elevated structures and stations</li> <li>• Life Safety vs. Operability</li> <li>• Retrofit Locations within the BART system</li> </ul>
<p><i>Committee Orientation</i></p>	<p>M. McArthur and T. Horton further reviewed the language of Measure AA and remarked on the limitations for spending of General Obligation Bond funds, stating:</p> <ul style="list-style-type: none"> <li>• Measure AA will limit work to retrofit construction and not allow for construction of new facilities or betterment</li> <li>• Funds will only be used toward “Real Property”</li> <li>• The COC’s role is to review expenditure of Bond money and not other sources of program funding</li> </ul> <p>T. Horton identified the various sources of funds for ESP.</p> <p>M. McArthur further detailed the role and responsibilities of the Citizens’ Oversight Committee, noting the following:</p> <ul style="list-style-type: none"> <li>• Scheduling and budgeting of projects funded by the Bond measure</li> <li>• Confirm that work is completed and Bond funds are expended in accordance with the Bond measure</li> <li>• Inform the public concerning the expenditure of</li> </ul>



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	<p>Bond revenues</p> <ul style="list-style-type: none"><li>• The Committee can receive independent audits of the General Obligation Bond</li><li>• BART will provide administrative assistance and reimbursement of expenses for travel on BART to travel to the meetings</li></ul> <p>M. McArthur apologized to the Committee for Clipper Card issues. Members will be reimbursed for their travel on BART and the problem will be resolved.</p> <p>M. McArthur notified the Committee that they will be choosing a Committee Chair and remarked that key functions of those roles were to provide a Report to the BART Board and to represent the Committee.</p> <p>M. McArthur provided another brief review of the Brown Act, the Conflict of Interest Code and associated exhibits, Ethics Training, and the COC Bylaws.</p> <p>M. Mazzini requested that members perform the free online Ethics Training by the next meeting and provide certification of the completed training when the Committee gathers again.</p> <p>C. Loftman asked if all of the new members were familiar with the Brown Act.</p> <p>M. McArthur expanded on details related to the Brown Act which governs public meetings for local bodies including requirements for public notice and attendance.</p>
<p><i>Project Update</i></p>	<p>T. Horton provided an overview of the program's progress, noting the following:</p> <ul style="list-style-type: none"><li>• Completed activities: most work has been completed except limited areas of the Transbay Tube and along the Fremont Line</li><li>• Current activities: design for Transbay Tube retrofit is underway; two "miscellaneous" contracts are under construction</li><li>• Upcoming activities: two contracts for work at Bay Fair Station and several columns on the northern part of the Richmond Line will be awarded this month; larger contracts for work on the Fremont Line will be advertised later this year</li></ul>



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	<p>M. McArthur noted the significant amount of construction that has already been completed since the program's inception.</p>
<i>Financial Report</i>	<p>T. Horton provided an overview of the program's finances and schedule, noting the following:</p> <ul style="list-style-type: none"><li>• The projected total budget was originally \$1.3 billion, but has been reduced by \$25 million after unspent funds were removed for other uses</li><li>• The program has expended \$560,543,892 in general obligation bond funds, of the projected total of \$980,000,000</li><li>• There was slippage in the schedule due to increases in the program's scope</li><li>• The program's projected completion date is now 2022, with most of the time accounting for work on the Transbay Tube</li><li>• Average spending is \$870,383 per month which will increase as work accelerates with the start of upcoming construction contracts</li><li>• The BART Treasurer has issued three tranches, for \$100 million, \$400 million, and \$240 million</li></ul> <p>M. McArthur invited the members to submit questions or continue the discussion on the Financial Report.</p> <p>D. Shaible asked for clarification of "R, C, M, and A Lines".</p> <p>T. Horton explained that these terms are short-hand for the BART service lines (Richmond, Pittsburgh/Bay Point, Millbrae, and Fremont). Staff was directed to provide a graphic to the members to illustrate the terminology.</p> <p>C. Loftman inquired about which contracts will have federal funds and how that will affect procurement requirements.</p> <p>T. Horton explained that only two remaining contracts, both on the Fremont Line, will have federal funds, and that does not federalize the entire project.</p>
<i>Review of Administrative Matters</i>	<p>M. McArthur reviewed usage of the Clipper Cards for travel to the meetings and explained that they would be</p>



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	<p>distributed at the next meeting.</p> <p>M. Mazzini stated that members will be requested to submit a W-9 for use of the Clipper Cards.</p> <p>M. McArthur proposed holding meetings on a quarterly basis, with the next in August.</p> <p>M. Mazzini noted that dates should avoid conflicting with BART Board meetings.</p> <p>Members requested to meet on Thursdays and selected August 6, 2015 as the next meeting date.</p> <p>M. McArthur reviewed action-items for the next meeting, including:</p> <ul style="list-style-type: none"><li>• Completion of the online Ethics Training and submission of certification</li><li>• Selection of the Committee Chair and Vice Chair</li></ul>
<i>Adjournment</i>	The meeting was adjourned at approximately 5:25 pm.