



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Rat M. Poon</i> 3 April 2019		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 3/13/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Zecharias Amare Dept: Design and Construction	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>Chris Gan</i>	District Secretary	BARC <i>[Signature]</i>
Signature/Date: <i>Zecharias Amare</i> 4/1/19	4/1/19 [ ]	4/2/19 [ ]	[ ]	4.2.2019 [ ]

### BART Earthquake Safety Program Citizens' Oversight Committee Membership Appointment for the 2019 – 2021 Term

#### PURPOSE:

Request that the General Manager seek BART Board of Directors appointment of the Nominated Candidates to the BART Earthquake Program Safety Citizens' Oversight Committee (ESP COC) for the 2019-2021 term.

#### DISCUSSION:

In November 2004, voters in the San Francisco Bay Area Rapid Transit District passed Measure AA, giving BART the authority to issue bonds not to exceed \$980 million to make earthquake safety improvements to the BART System. Measure AA also required that a Citizens' Oversight Committee (Committee) be established to review and report to the public the expenditure of the bond proceeds. Since January 2006, the BART Committee has been in existence. The measure authorized the BART District to issue bonds for \$980 million dollars to make earthquake safety improvements to BART facilities in Contra Costa, San Francisco and Alameda counties, stipulating that BART establish a Citizens' Oversight Committee (Committee) to verify that bond measures are spent as promised.

The measure called for a five-member panel to be created from interested individuals who must reside within the three-county BART District. The Committee is comprised of one Committee member and one alternate representing specific expertise and fulfillment of one of the following areas:

- Seismic Retrofitting

- Auditing
- Engineering
- Public Finance or Project Management
- Community at Large

The Committees' duties and oversight is confined to bond proceeds generated under Measure AA in the following areas as described in its bylaws, as set forth in BART Board Resolution 4920, passed by the BART Board in June 2004: 1) Review scheduling and budgeting of projects to be funded by Measure AA bond funds. 2) Confirm that work is completed, and bond funds are expended in accordance with Measure AA. 3) Inform the public concerning the expenditure of bond funds.

It is expected that if approved by the Board, the new and/or reappointed five members and five alternates will be the seventh Committee to begin serving a new two-year term. Below is the list of Nominated Candidates for the BART Earthquake Safety Program Citizens' Oversight Committee 2019-2021 Term:

<b><u>NAME</u></b>	<b><u>AREA OF EXPERTISE:</u></b>	<b><u>NEW OR REAPPOINTMENT</u></b>
Derek Schaible	Seismic Retrofitting	Reappointment
Clinton J. Loftman	Auditing	Reappointment
Karen Varnado	Community-at-Large	Reappointment
Eric Tandy	Engineering	New Appointment
Sang Bak Lee	Project Management / Public Finance	Reappointment
Thomas Horton	Seismic Retrofitting - Alternate	New Appointment
Katherine Buckley	Auditing – Alternate	New Appointment
Monica Tell	Community-at-Large - Alternate	New Appointment
Ken Mark	Engineering – Alternate	New Appointment
Louise Engel	Project Management / Public Finance – Alternate	New Appointment

#### **FISCAL IMPACT:**

Members may elect to receive a \$15.00 Clipper card stipend for roundtrip travel to attend regularly scheduled committee meetings.

Funds will be budgeted in the Earthquake Safety Program Department budget (Department 1010261, Account 690300). Additionally, agenda management support services are provided through The Allen Group, LLC On-Call Community Relations Contract #6M-

8042. Funding for the COC Clipper card stipend and on-call community relations services in the Fiscal Year are included in the Department's budget for the Earthquake Safety Program.

This action is not anticipated to have any fiscal impact on the unprogrammed District reserves in the current fiscal year.

**ALTERNATIVES:**

Do not make the appointments of the BART ESP COC Nominated Candidates. However, this would result in BART being out of compliance with the terms of Measure AA, which requires the establishment of the Citizens' Oversight Committee.

**RECOMMENDATION:**

Approve the Nominated Candidates for the BART Earthquake Safety Program Citizens' Oversight Committee for the 2019-2021 Term.

Attached is the Summary Document, listing each nomination by seat, county residence, past committee service if applicable, and preference for seat or alternate position; and background.

**MOTION:**

The BART Board hereby appoints the Nominated Candidates for BART Earthquake Safety Program Citizens' Oversight Committee (ESP COC) and appoints the nominated candidates for membership and/or alternate seat appointments for the 2019-2021 Term as described in the attached Summary Document.



## Earthquake Safety Program Citizens' Oversight Committee Membership Appointment 2019 – 2021 Term Summary

<u>Area of Expertise</u>	<u>First Name</u>	<u>County</u>	<u>Status</u>
Seismic Retrofitting	Derek Schaible	San Francisco	Member – Reappointment
<p><b>Derek Schaible</b> is the incumbent member representing the Seismic Retrofitting expertise seat since May 2015 and has served as Committee Chair for the past two terms. Mr. Schaible has a degree in Geology and juris doctorate with a license to practice in California (Bar #310777). <b>Mr. Schaible is seeking to continue into the new term in the Member seat, Seismic Retrofitting.</b> In 2017, Mr. Schaible was interviewed by NBC 11 Bay Area News as chair of the Earthquake Safety Program and provided the last Citizens' Oversight Committee report to the BART Board of Directors in May 2017. Mr. Schaible recently served as a member of San Francisco Civil Grand Jury (2017-2018), is a classically-trained choral baritone, conversationally fluent in German and on a quest to find the perfect ballpoint pen. He currently works as a project manager for <i>Tradeshift</i>, leading major strategic initiatives focusing on law and policy, and driving cross-functional product launch strategies. His work experience also includes working in various positions with the California Coastal Commission, Supreme Court of the United States and United States Senate. Mr. Schaible has his Juris Doctorate from the University of California at Hastings Law School where he also served as co-editor-in-chief for the <i>Hastings Science and Technology Law Journal</i>. He has a BA in Geology &amp; Political Science from Pomona College.</p>			
Auditing	Clinton J. Loftman	Alameda	Member - Reappointment
<p><b>Clinton Loftman</b> is the incumbent member representing the Auditing expertise seat since May 2015. <b>Mr. Loftman is seeking to continue into the new term in the Member seat, Auditing.</b> Mr. Loftman has over 20 years of experience in real estate development, urban planning, community and economic development, and finance in the public and private sectors. He is currently a Development Program Manager for the Oakland Housing Authority, where he has financed and developed award-winning affordable residential and mixed-use real estate development projects. Mr. Loftman has been active in the Bay Area community including, among others, serving as charter member on the Treasure Island Restoration Advisory Board, on the Boards of Directors of The Development Fund and San Francisco Beautiful, and as a judge for Stanford University's Social Entrepreneurs Challenge Competitions. He has an MBA from Northwest University's Kellogg School of Management, a Certificate in Urban Design from Harvard University Graduate School of Design, and a B.A. from Williams College.</p>			

**Community At Large****Karen Varnado**

Alameda

Member - Reappointment

**Karen Varnado** is the incumbent member representing the Community at Large seat since July 2018 due to a vacancy that opened the seat. Ms. Varnado has served on the Committee since 2015 as an Alternate having missed only one meeting. **Ms. Varnado is seeking to continue into the new term in the Member seat, Community at Large.** She is an international educator and speaker on the topic of financial literacy. Ms. Varnado has over 20 years' experience with IBM, Oracle and a Venture Capital firm as a sought-after global business development strategist working on profitability for companies that operate globally. Ms. Varnado is an expert on teaching you how money works so that you can become your own money manager. Her motto, "Don't leave your financial future to someone else, 'Watch Your Own Wallet'." She delivers financial literacy presentations as live events and speaks domestically and internationally. Ms. Varnado most recently spoke at the United Nations. Visit [www.karenavarnado.com](http://www.karenavarnado.com)

**Engineering****Eric Tandy**

Contra Costa

Member – New Appointment

**Eric Tandy** is a retired Bechtel Infrastructure employee who served as the Engineer Project Manager on the BART Earthquake Safety Program from 2006 through 2018. **Mr. Tandy is seeking to fill the Member, Engineering Seat which will be vacated by Ching Wu in the new term.** Mr. Tandy is a career Bechtel employee working on regional, national and international engineering projects in various capacities: project manager, construction manager, county manager, capture manager, civil project superintendent, field engineering manager, executive assistant, project field engineer, constructability engineer, and job engineer. Additionally, he served as general manager for S.B.D. Inc., Assistant General Manager and Project Manager for C.S. McCandless & Sons, Inc., and as Chief Estimator and Project Manager for Ray Wilson Company. Mr. Tandy is interested in BART, the earthquake safety retrofit program, and the patrons (BART riders).

**Project Management****Sang Bak Lee**

Contra Costa

Member – Reappointment

**Sang Bak Lee** is the incumbent member representing the Project Management Expertise seat on the current BART Earthquake Safety Program Citizens' Oversight Committee and began his service on the Committee as an Alternate in 2015. **Mr. Lee is seeking to continue into the new term in the Member seat, Project Management.** He is currently the Founder and Chief Executive Officer of Lee Intelligence Network Associates (LINA). LINA provides project and construction management consulting services to major engineering and construction companies with regional activity in North America, Asia and the Middle East. Their major clients include Bechtel Corporation in addition to other major engineering and construction firms. Prior to founding LINA, Mr. Lee was the Principal Vice President serving as Country Manager for Bechtel International in Korea. He also has 27 years of engineering and construction experience with Bechtel Corporation in San Francisco, 10 years with Hyundai Construction in Seoul, Korea, and 7 years with LINA in Orinda.

**Alternate – Seismic  
Retrofitting**

**Thomas Horton**

Contra Costa

Alternate – New Appointment

**Thomas “Tom” Horton** is a career civil engineer with extensive experience in seismic retrofitting. **He is seeking to fill the Alternate, Seismic Retrofitting seat.** Mr. Horton retired in 2018 after serving 17 of his 22 years at BART as the Group Manager for the Earthquake Safety Program, among other capital project responsibilities. Prior to working with BART, he worked as a facilities engineering manager and utilities coordinator for the Los Angeles County Metropolitan Transportation Authority (MTA); prior to MTA, he worked as the sole engineer with the US Army Corps of Engineers Los Angeles District; and prior to that, he served with the US Army in the 8<sup>th</sup> (Republic of Korea) as company commander for a 160-person heavy engineer company, including more than 60 representing the Republic of Korea, and in the 7<sup>th</sup> (Republic of Germany) as platoon leader, heavy equipment platoon leader and battalion adjutant within a 600-person combat engineer battalion. Mr. Horton has a MS graduate degree in Construction Engineering and Management from University of California at Berkeley, and his BS in General Studies from the United States Military Academy.

**Alternate - Auditing**

**Katherine Buckley**

San Francisco

Alternate – New Appointment

**Katherine “Kathy” Buckley** is a seasoned audit professional; bringing more than 17 years of experience in internal audit & audit management in Bay Area governmental organizations. Throughout her career, she has identified and delivered recommendations that prevent financial losses, improve compliance, and strengthen internal controls. In doing so, Ms. Buckley has built collaborative relationships while ensuring compliance with relevant regulations, policies, and professional standards. **Ms. Buckley is seeking to fill the Alternate, Auditing seat.** She believes that all of us should do our part to support our communities and the public good. Ms. Buckley sees serving on the Citizens’ Oversight Committee as an opportunity to make a positive contribution, by leveraging her 17 plus years of internal audit experience for the City and County of San Francisco, and Port of Oakland.

**Alternate –  
Community At Large**

**Monica Tell**

Alameda

Alternate – New Appointment

**Monica Tell** is a lifelong resident of Oakland and is committed to making a difference where she lives and works. She is raising her 5-year old daughter to value herself, community and resources -- one of those resources being BART. In her career and community work, she has spent many hours working with stakeholders, community leaders, international visitors, and understands that diversity is not just a reflection of the people, but also its geography and resources. Ms. Tell previously served as the Chair of the Community Development Block Grant (CDBG) Board for the Fruitvale District. That role allowed Ms. Tell to understand the needs of the community at a deeper level as well as understand the role and services provided by the non-profits within those communities. In her capacity as a CDBG Board member and chair, she reviewed applications, set metrics and selected recipients for federal grants. Additionally, the CDBG Board completed follow-ups and assessments once funds were disbursed to

ensure that programs stayed on-track, complied with goals, and delivered the services to the community as described in their proposals. **Ms. Tell is seeking to fill the Alternate, Community at Large seat.** She believes that she is well-suited for this position, given her professional and academic experience along with her civic engagement activities and understanding of communities, not just locally, but regionally. Ms. Tell is also fluent in Spanish and understands that the mode and method of communication is integral to message delivery.

**Alternate -  
Engineering**

**Ken Mark**

Alameda

Alternate – New Appointment

**Kenneth “Ken” Mark** is a retired structural engineer and project manager since 2016. He is seeking to fill the Alternate, Engineering seat. Mr. Mark’s brings strong engineering expertise with a PhD in structural mechanics/ earthquake engineering, an MBA in Management, along with 30-years of experience in earthquake engineering, structural engineering, and project management. He is also a registered structural engineer. Mr. Mark is also a retired Bechtel employee who would bring historical, relevant, and expertise experience to the Committee with a strong desire to see the successful completion of the BART Earthquake Safety Program.

**Alternate – Project  
Management/ Public  
Finance**

**Louise Engel**

Alameda

Alternate – New Appointment

**Louise Engel** is an urban planning professional and project manager with vast experience working on transportation and commercial development projects within planning, environmental and economic development departments. **Ms. Engel is seeking to fill the Alternate, Project Manager seat.** Ms. Engel is registered with the American Institute of Certified Planners (AICP), Project Management Institute (PMI), Association of Environmental Professionals (AEP), and American Planning Association (APA). She has worked in the private and public sector with organizations such as: RBF Consulting (currently Michael Baker Corporation), Port of Oakland, Clorox, Port of Portland, City of Salem, Oregon; and is currently the independent business owner of MP Dreams, Inc. since 2007. Ms. Engel is trained in emergency response with the following certifications as a citizen volunteer: Flood Fight Methods, Alameda County Fire Department (2019), Community Emergency Management Institute (CERT) Basic Training (2017), FEMA – Emergency Management Institute, IS-00317, Introduction to CERT, Certificate of Achievement (2017). Ms. Engel would like to continue her volunteer service activities in the regional community, drawing upon her prior work experience in major infrastructure projects.