



August 1, 2008

**BOARD OF DIRECTORS MEETING**  
**FRIDAY, AUGUST 8, 2008**

**5. CONSENT CALENDAR:**

**A. Approve the Minutes of the Following Meetings:**

1. Finance-Auditing Committee of July 25, 2008; and,
2. Regular Meeting of the Board of Directors of July 25, 2008.

**Motion**

**B. Attorney's Report  
Denial of Claims**

1. Claim of Annette L. Stubbs
2. Claim of Roger Garety

**Motion**

**C. Meeting of the Finance-Auditing Committee/Committee of the Whole  
July 25, 2008  
Chair J. Dietrich Stroeh**

1. Ratification of Actions by the Auditor-Controller
  - a. Ratify Commitments and/or Disbursements
  - b. Ratify Previous Investments
  - c. Authorize Investments
  - d. Investment Report, June 2008

**Resolution**

Attachments



July 25, 2008

## **REPORT OF THE FINANCE-AUDITING COMMITTEE**

Honorable Board of Directors  
Golden Gate Bridge, Highway  
and Transportation District

Honorable Members:

A meeting of the Finance-Auditing Committee was held in the Board Room, Administration Building, Toll Plaza, San Francisco, California, on Friday, July 25, 2008, at 9:45 a.m., Chair Stroeh presiding.

**Committee Members Present (6):** Chair Stroeh; Vice Chair Pahre; Directors Boro, Cochran, Eddie; President Moylan (Ex Officio)

**Committee Members Absent (2):** Directors Grosboll and Reilly

**Other Directors Present (3):** Directors McGlashan, Newhouse Segal and Sanders

**Staff Present:** General Manager Celia G. Kupersmith; District Engineer Denis J. Mulligan; Auditor-Controller Joseph M. Wire; Secretary of the District Janet S. Tarantino; Attorney Madeline Chun; Deputy General Manager/Bridge Division Kary H. Witt; Deputy General Manager/Bus Division Teri W. Mantony; Deputy General Manager/Ferry Division James P. Swindler; Public Affairs Director Mary C. Currie; Executive Assistant to the General Manager Amorette Ko; Assistant Clerk of the Board Patsy Whala

**Visitors Present:** None

### **1. Ratify Actions by the Auditor-Controller**

In a memorandum to Committee, Auditor-Controller Joseph Wire and General Manager Celia Kupersmith outlined commitments, disbursements and investments made on behalf of the District. The report also included a copy of the District's Investment Report from PFM Asset Management LLC (PFM). A copy of the staff report, with attachments, is available in the Office of the District Secretary and on the District's web site.

**FINANCE-AUDITING COMMITTEE**  
**JULY 25, 2008/PAGE 2**

Nancy Jones was not present at the meeting. A copy of her written report is included in the staff report.

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/EDDIE** to forward the following recommendation to the Board of Directors for its consideration:

**RECOMMENDATION**

The Finance-Auditing Committee recommends that the Board of Directors authorize the following actions by the Auditor-Controller:

- a. Ratify commitments and/or expenditures for the period June 1, 2008, through June 30, 2008, totaling \$10,000.00;
- b. Ratify investments made by the Auditor-Controller during the period June 17, 2008, through July 14, 2008, as follows;

<b>Security</b>	<b>Purchase Date</b>	<b>Maturity Date</b>	<b>Original Cost</b>	<b>Percent Yield</b>
FHLB Tap Bonds	06/17/08	06/08/12	4,857,050.00	4.42
Toronto Dominion Certificate of Deposit	06/30/08	07/30/08	4,640,000.00	2.40
Banque National De Paris Certificate of Deposit	07/07/08	07/30/08	5,000,000.00	2.36
CBA (Delaware) Finance Commercial Paper	07/07/08	08/21/08	7,337,000.00	2.51

- c. Authorize the Auditor-Controller to re-invest, within the established policy of the Board, investments maturing between July 15, 2008, and August 11, 2008, as well as the investment of all other funds not required to cover expenditures that may become available; and,
- d. Accept the Investment Report for June 2008 prepared by PFM.

**Action by the Board at its meeting of August 8, 2008 – Resolution**  
**CONSENT CALENDAR**

- AYES (6):** Chair Stroeh; Vice Chair Pahre; Directors Boro, Cochran, Eddie; President Moylan (Ex Officio)
- NOES (0):** None
- ABSENT (2):** Directors Grosboll and Reilly

**2. Receive the Independent Auditor's Engagement Letters as Submitted by Vavrinik, Trine, Day & Co., LLP for the Annual Financial Audit**

In a memorandum to Committee, Auditor-Controller Joseph Wire and General Manager Celia Kupersmith provided staff's recommendation to receive the Independent Auditor's Engagement Letter, as submitted by Vavrinik, Trine, Day & Co., LLP (VTD) for their upcoming annual audit of the District's Financial Statements for the fiscal year ending June 30, 2008. The report stated that in the Engagement Letter, which was attached to the report, VTD reconfirms its understanding of services to be provided to the District, to ensure compliance with the Governmental Accounting Standards Board (GASB) regulations.

The report also stated that VTD is in the process of completing its first year of a three-year contract with the District. The Engagement Letter describes the scope of VTD's audit, the audit objectives, the responsibilities of management and audit procedures pertaining to the audit, in accordance with the contract between VTD and the District. A copy of the staff report, with attachments, is available in the Office of the District Secretary and on the District's web site.

At the meeting, Joseph Wire summarized the staff report, noting that the Engagement Letter is a routine document submitted each year by the District's external auditors. He noted that, in accordance with GASB regulations, the auditors are reconfirming their understanding of services with the District and will submit their final report in August 2008, which will be presented to Board at its meeting in November 2008.

Staff recommended and the Committee concurred by motion made and seconded by **Directors EDDIE/COCHRAN** to forward the following recommendation to the Board of Directors for its consideration:

**RECOMMENDATION**

The Finance-Auditing Committee recommends the Board of Directors receive the Engagement Letter as submitted by Vavrinik, Trine, Day & Co., LLP (VTD) for their upcoming annual audit of the District's Financial Statements for the fiscal year ending June 30, 2008.

**Action by the Board at its meeting of July 25, 2008 – Resolution**  
**NON-CONSENT CALENDAR**

**AYES (6):** Chair Stroeh; Vice Chair Pahre; Directors Boro, Cochran, Eddie; President Moylan (Ex Officio)  
**NOES (0):** None  
**ABSENT (2):** Directors Grosboll and Reilly

3. **Approve Actions Relative to the Execution of Change Order No. 2 to Contract No. 2008-BT-3, Fare Collection System, with GFI Genfare, a Unit of SPX Corporation**

In a report to Committee, Deputy General Manager/Bus Division Teri Mantony and General Manager Celia Kupersmith provided staff's recommendation to approve actions relative to execution of Change Order No. 2 to Contract No. 2008-BT-3, *Fare Collection System*, with GFI Genfare, a Unit of SPX Corporation (GFI Genfare).

The report stated that the Board of Directors, by Resolution No. 2008-012 at its meeting of February 22, 2008, authorized award of Contract No. 2008-BT-3, *Fare Collection System*, to GFI Genfare. The new fare collection system consists of high capacity validating fareboxes, probing equipment and reporting software, as well as refurbishment of existing revenue collection equipment, for the District's bus fleet and revenue collection sites located in San Rafael, Santa Rosa and Novato. The report also stated that the bid specifications required that the data programming of the fare collection system be programmed based on a ride value system and configured to incorporate the District's current fare structure. After much consideration, it has been determined that a stored value system is a more efficient and flexible method to collect fares.

The report explained that stored value cards do not expire when fares increase; therefore it will not be necessary to provide a "grace period" for cards with old fare values. The cards will expire 6 months after the cards are initialized by a farebox, eliminating the need to dispose of unused, expired inventory. Therefore, overall inventory costs are reduced and the need to purge old dated inventory will be eliminated. Additionally, fewer cards will be required (five instead of nine) reducing production costs. Magnetic striped media will be sold to customers in denominations of \$18, \$25, \$36, \$50, and \$75. Fewer cards will also require less reconciliation time. Overall, among other benefits, a stored value system will help the District realize savings on printing costs and staff time.

The report further explained that switching to a stored value system will require approximately 360 engineering hours for reprogramming of the fare collection system, and GFI Genfare has provided a cost estimate of \$45,000 to undertake this reprogramming. Staff recommends that Change Order No. 2 to Contract No. 2008-BT-3 be executed with GFI Genfare, for the total cost of \$76,464.21, to include the reprogramming of the fare collection system, purchase of one encoding machine with training, eight hours of database training for Information Technology staff, magnetic striped media and spare cash box keys and locks.

In addition, staff recommends authorization of a budget increase in the FY 08/09 Bus Transit Division Capital Budget in the amount of \$100,000, to be funded with \$80,000 FTA grant funds and \$20,000 from District reserves, in order to fully fund this project, and to accommodate unforeseen issues that may arise during the installation and implementation of the stored value fare collection system. This project is 80% Federal Transit Administration grant funded and 20% District funded. A copy of the report is available from the Office of the District Secretary and on the District's web site.

**FINANCE-AUDITING COMMITTEE**  
**JULY 25, 2008/PAGE 5**

At the meeting, Teri Mantony summarized the staff report, stating that staff found that a stored value fare card, which is similar to an electronic parking card, would allow passengers to prepay their bus fare and use the fare card each time they board a Golden Gate Transit bus. She noted that the project completion date is November 10, 2008.

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/BORO** to forward the following recommendation to the Board of Directors for its consideration:

**RECOMMENDATION**

The Finance-Auditing Committee recommends the Board of Directors approve the following actions relative to Contract No. 2008-BT-3, *Fare Collection System*:

- a. Authorize execution of Change Order No. 2, with GFI Genfare, a unit of SPX Corporation, Elk Grove Village, IL, in the amount of \$76,464.21, to cover costs for reprogramming the fare collection system to implement a stored value system that is a more efficient and flexible method to collect fares.
- b. Authorize a budget increase in the FY 08/09 Bus Transit Division Capital Budget in the amount of \$100,000, to be funded with \$80,000 in grant funds and \$20,000 from District reserves for a total project budget in the amount of \$3,155,100 (80% Federal/20% District).

**Action by the Board at its meeting of July 25, 2008 – Resolution**  
**NON-CONSENT CALENDAR**

**AYES (6):** Chair Stroeh; Vice Chair Pahre; Directors Boro, Cochran, Eddie; President Moylan (Ex Officio)  
**NOES (0):** None  
**ABSENT (2):** Directors Grosboll and Reilly

**4. Review of Golden Gate Bridge Traffic/Tolls and Bus and Ferry Transit Patronage/Fares for Twelve Months Ending June 30, 2008**

In a memorandum to Committee, Auditor-Controller Joseph Wire and General Manager Celia Kupersmith provided a schedule comparing categories of Bridge traffic, as well as a monthly review of Bridge traffic and tolls and transit patronage and fares, for twelve months ending June 30, 2008. A copy of the report is available in the Office of the District Secretary and on the District's web site.

**Action by the Board – None Required**

5. **Review of Financial Statements for Twelve Months Ending June 30, 2008**

a. **Statement of Revenue and Expenses**

In a memorandum to Committee, Auditor-Controller Joseph Wire and General Manager Celia Kupersmith provided a financial statement entitled, *Statement of Revenues and Expenses for Twelve Months Ending June 30, 2008*. A copy of the report is available in the Office of the District Secretary and on the District's web site.

Discussion ensued, including the following comments and inquiries:

- Director Sanders asked for clarification on the attachments to the staff report entitled, *Statement of Revenues and Expenses for Twelve Months Ending June 30, 2008*, in regards to negative figures that appear in parentheses. She inquired as to why page 4 of the report showing revenues and expenditures for the Bus Transit Division includes so many negative figures, while the summary on the first page of the report shows a positive bottom line. In response, Mr. Wire explained that the Bus Transit Division operates at a loss, and that the figures on page 4 reflect that reality. He noted that the Bridge Division has a positive cash flow, and that Bridge tolls are used to subsidize both the Bus Transit and the Ferry Transit divisions. He further explained that the revenues and expenses from all of the District's operating divisions are then consolidated in the summary shown on page 2 of the report, resulting in a positive bottom line.

**Action by the Board – None Required**

b. **Statement of Capital Programs and Expenditures**

The staff report for the above-referenced item has been postponed until the Finance-Auditing Committee meeting of August 21, 2008.

**Action by the Board – None Required**

6. **FY 07/08 Fourth Quarterly Report on Contracts and Change Orders/Contract Amendments Executed Under the General Manager's Authority**

In a memorandum to Committee, Auditor-Controller Joseph Wire and General Manager Celia Kupersmith provided a report summarizing all contracts and change orders executed under the General Manager's procurement authority, as set forth in the *Rules of the Board*, during the three-month period from April 1, 2008, through June 30, 2008. A copy of the report, including attached charts outlining applicable contracts and change orders, is available in the Office of the District Secretary.

**FINANCE-AUDITING COMMITTEE**  
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Discussion ensued, including the following:

- Chair Stroeh inquired as to why the staff report included so many Change Orders for Contract No. 99-B-5, *Golden Gate Bridge, Seismic Retrofit (Phase II), South Approach Structures*. In response, Denis Mulligan explained that the 29 Change Orders for Contract No. 99-B-5 were issued over a period of time, but that it took a while for the Contractor, Shimmick/Obayashi, Joint Venture, to receive Federal Highway Administration approval and to fully execute all of the Change Orders. Mr. Mulligan noted that earlier this week, the District filed Notices of Completion for Contract No. 99-B-5 and that project was closed out in a business-like fashion, with no claims resulting from the work. He commended the Engineering Department staff led by Deputy District Engineer Ewa Z. Bauer and the consultants for the excellent work on the Phase II Seismic Retrofit project. He further noted that staff was extremely pleased with the high quality of the construction work performed by the Contractor.

**Action by the Board – None Required**

**7. FY 07/08 Fourth Quarterly Report on Authorized Budget Adjustments and Budget Transfers**

The staff report for the above-referenced item was not available at this time and has been postponed until the Finance-Auditing Committee meeting of August 21, 2008.

**8. Public Comment**

There was no public comment.

**9. Adjournment**

All business having been concluded, the meeting was adjourned at 9:55 a.m.

Respectfully submitted,

J. Dietrich Stroeh, Chair  
Finance-Auditing Committee

JDS:JST:KBE:kbe



14-2008

**GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT**

**MEMORANDUM OF MINUTES**

**BOARD OF DIRECTORS MEETING**

**JULY 25, 2008**

The Board of Directors of the Golden Gate Bridge, Highway and Transportation District (District) met in regular session in the Board Room, Administration Building, Toll Plaza, San Francisco, California, on Friday, July 25, 2008, at 10:00 a.m., President Moylan presiding.

**ROLL CALL**

**Directors Present (10):** Directors Cochran, Dufty, Eddie, McGlashan, Newhouse Segal, Pahre, Sanders and Stroeh; First Vice President Boro; President Moylan

**Directors Absent (8):** Directors Brown, Grosboll, Hernández, Kerns, McGoldrick, Reilly and Sandoval; Second Vice President Ammiano

**[On this date, there was one vacancy on the Board of Directors.]**

**Staff Present:** General Manager Celia G. Kupersmith; District Engineer Denis J. Mulligan; Auditor-Controller Joseph M. Wire; Secretary of the District Janet S. Tarantino; Attorney Madeline Chun; Deputy General Manager/Bridge Division Kary H. Witt; Deputy General Manager/Bus Division Teri W. Mantony; Deputy General Manager/Ferry Division James P. Swindler; Public Affairs Director Mary C. Currie; Deputy District Engineer Ewa Z. Bauer; Assistant Clerk of the Board Karen B. Engbretson; Executive Assistant to the General Manager Amorette Ko

**Visitors Present:** Ray Messier, Golden Gate Transit–Amalgamated

**PLEDGE OF ALLEGIANCE**

First Vice President Albert J. Boro led the Board of Directors in the Pledge of Allegiance to the Flag.

**BOARD OF DIRECTORS MEETING  
JULY 25, 2008/PAGE 2**

**PUBLIC COMMENT**

There was no public comment.

**CONSENT CALENDAR**

**Directors STROEH/EDDIE** moved approval of the Consent Calendar. All items were approved by the following vote of the Board of Directors:

- AYES (10):** Directors Cochran, Dufty, Eddie, McGlashan, Newhouse Segal, Pahre, Sanders and Stroeh; First Vice President Boro; President Moylan  
**NOES (0):** None  
**ABSENT (8):** Directors Brown, Grosboll, Hernández, Kerns, McGoldrick, Reilly and Sandoval; Second Vice President Ammiano

**1. Approve the Minutes of the Following Meetings:**

- a. Finance-Auditing Committee/Committee of the Whole of July 10, 2008; and,  
b. Regular Meeting of the Board of Directors of July 11, 2008. **Carried**

**2. Denial of Claims**

- a. Claim of Tamarah Seielstad **Carried**  
b. Subrogation Claim of Allstate Insurance Company  
(Insured: Ricardo A. Montalvo) **Carried**

**GENERAL MANAGER'S REPORT**

**3. Approve Actions Relative to Petition from the Amalgamated Transit Union, Local Division No. 1575, for Recognition of Employee Unit Comprised of Unrepresented Non-Professional Employees, excluding Managers, Supervisors and Confidential Employees**

General Manager Celia Kupersmith reported that on July 7, 2008, the District had received a petition for recognition of an employee unit comprising all currently unrepresented non-professional District employees from the Amalgamated Transit Union, Local Division No. 1575 (ATU). Ms. Kupersmith stated that having reviewed the petition from the ATU, she is satisfied that the unit in question is an appropriate one for bargaining purposes. She also stated that there is an adequate showing of interest for the petition by at least 40 percent of the members of the employee unit. She recommended that the Board of Directors ratify the determination that the unit of unrepresented non-professional District employees constitutes an appropriate bargaining unit and authorize that a secret ballot election be conducted by the State Conciliation Service, in keeping with customary practice at the District.

**BOARD OF DIRECTORS MEETING  
JULY 25, 2008/PAGE 3**

Discussion ensued, including the following:

- Director Pahre inquired as to how many total employees would comprise the unit of all currently unrepresented non-professional District employees. In response, Ms. Kupersmith stated that approximately 30 individuals would be in the unit, including the following positions: Office Specialist, Office Assistant, Office Coordinator, Safety/Training Coordinator, Transit Scheduler, Scheduling Coordinator, Lead Route Checker, Casual Checkers, Reproduction Assistant, Lead Storekeeper, Storekeeper, Assistant Vault Supervisor, Vault Officer, Stock Clerk, Sales Associate and Timekeeping Specialist.
- Attorney Madeline Chun noted that the employee unit excludes managers, supervisors, confidential employees and professional employees.

**Directors STROEH/BORO**

**Resolution No. 2008-067** approves actions relative to a petition from the Amalgamated Transit Union, Local Division No. 1575, for recognition of an employee unit comprising all currently unrepresented non-professional District employees, as follows:

- a. Ratify the General Manager's determination as appropriate for collective bargaining, a unit comprising all currently unrepresented non-professional District employees, excluding managers, supervisors and confidential employees; and,
- b. Authorize a secret ballot election to be conducted by the State Conciliation Service to determine whether or not all currently unrepresented non-professional District employees desire to be represented by Amalgamated Transit Union, Local Division No. 1575.

**Adopted**

**AYES (10):** Directors Cochran, Dufty, Eddie, McGlashan, Newhouse Segal, Pahre, Sanders and Stroeh; First Vice President Boro; President Moylan

**NOES (0):** None

**ABSENT (8):** Directors Brown, Grosboll, Hernández, Kerns, McGoldrick, Reilly and Sandoval; Second Vice President Ammiano

**4. California Coastal Conservancy Commemorative License Plate**

Celia Kupersmith distributed to the Board of Directors postcards and applications for the California Coastal Conservancy (Conservancy) new commemorative license plate featuring the Golden Gate Bridge. Ms. Kupersmith announced that the District has signed a formal agreement to enter into a partnership with the Conservancy so that a portion of the proceeds from the commemorative license plate program will be used to fund improvements to visitor amenities at the Golden Gate Bridge Toll Plaza East Visitor's Area. She also stated that the new commemorative license plate design was unveiled at a kick-off ceremony on Crissy Field on July 22, 2008. She further stated that the Conservancy's goal is to sell 25,000 of the license plates in the first year, in order to raise \$1 million to protect and restore natural habitats and open space throughout the Bay Area. She noted that the District will participate in the promotion of the commemorative license plate program by advertising the program on the sides of Golden Gate Transit buses, and by making the program applications available at the Golden Gate Bridge Gift Center.

**BOARD OF DIRECTORS MEETING  
JULY 25, 2008/PAGE 4**

**ATTORNEY'S REPORT**

5. Attorney Madeline Chun reported that all items contained in the Attorney's Report were informational. Ms. Chun also reported that a closed session would be held just prior to the conclusion of the meeting to discuss matters related to public employee performance evaluations for District Officers, including associated negotiations involving compensation, listed on the agenda as Item No. 6.B.1.

**ENGINEER'S REPORT**

6. District Engineer Denis Mulligan reported that all items contained in the Engineer's Report were informational.

At the meeting, Mr. Mulligan reported that a significant milestone had been reached with the Golden Gate Bridge Seismic Retrofit Project, Phase II (Phase II Project), with the filing of Notices of Completion for the project. He noted that the award-winning Phase II Project was closed out in a business-like fashion, with no claims resulting from the work. He commended the Engineering Department staff led by Deputy District Engineer Ewa Z. Bauer for the excellent work on the Phase II Project.

In addition, Mr. Mulligan stated that in conjunction with the release of the Draft Environmental Impact Report/Environmental Assessment (Draft EIR/EA) for the proposed project to construct a physical suicide deterrent system on the Golden Gate Bridge, the District held two public meetings to receive comments on the Draft EIR/EA, one in Marin County on July 22, 2008, with 120 members of the public in attendance, and the other in San Francisco on July 23, 2008, with 100 members of the public in attendance.

Discussion ensued, including the following:

- Ms. Kupersmith expressed her thanks to all of the Board members who had attended the two public meetings, noting that the public sincerely appreciated the opportunity to speak one-on-one to Board members on the topic of the physical suicide deterrent system. Ms. Kupersmith also commended Public Affairs Director Mary Currie, District Engineer Denis Mulligan, Supervising Civil Engineer John Eberle and Senior Civil Engineer Jeffrey Lee, for their hard work on the physical suicide deterrent system project.
- Director Pahre expressed her thanks to District staff and the consultants involved in the Draft EIR/EA, noting that she was very impressed with the presentation of informational materials at the public meetings.
- Director Cochran suggested that the Governmental Affairs and Public Information Committee consider advocating for legislation that would require suicide hotline information on web sites that promote different methods of suicide.

**REPORT OF THE FINANCE-AUDITING COMMITTEE/COMMITTEE OF THE  
WHOLE MEETING OF JULY 25, 2008**

7. **Receive the Independent Auditor's Engagement Letters as Submitted by Vavrinik, Trine, Day & Co., LLP for the Annual Financial Audit**

**Directors STROEH/EDDIE**

**Resolution No. 2008-068** receives the Engagement Letter as submitted by Vavrinik, Trine, Day & Co., LLP (VTD) for their upcoming annual audit of the District's Financial Statements for the fiscal year ending June 30, 2008.

**Adopted**

**AYES (10):** Directors Cochran, Dufty, Eddie, McGlashan, Newhouse Segal, Pahre, Sanders and Stroeh; First Vice President Boro; President Moylan

**NOES (0):** None

**ABSENT (8):** Directors Brown, Grosboll, Hernández, Kerns, McGoldrick, Reilly and Sandoval; Second Vice President Ammiano

8. **Approve Actions Relative to the Execution of Change Order No. 2 to Contract No. 2008-BT-3, Fare Collection System, with GFI Genfare, a Unit of SPX Corporation**

**Directors STROEH/COCHRAN**

**Resolution No. 2008-069** approve the following actions relative to Contract No. 2008-BT-3, *Fare Collection System*:

- a. Authorize execution of Change Order No. 2, with GFI Genfare, a unit of SPX Corporation, Elk Grove Village, IL, in the amount of \$76,464.21, to cover costs for reprogramming the fare collection system to implement a stored value system that is a more efficient and flexible method to collect fares.
- b. Authorize a budget increase in the FY 08/09 Bus Transit Division Capital Budget in the amount of \$100,000, to be funded with \$80,000 in grant funds and \$20,000 from District reserves for a total project budget in the amount of \$3,155,100 (80% Federal/20% District).

**Adopted**

**AYES (10):** Directors Cochran, Dufty, Eddie, McGlashan, Newhouse Segal, Pahre, Sanders and Stroeh; First Vice President Boro; President Moylan

**NOES (0):** None

**ABSENT (8):** Directors Brown, Grosboll, Hernández, Kerns, McGoldrick, Reilly and Sandoval; Second Vice President Ammiano

**SPECIAL ORDER OF BUSINESS**

**9. Ratify the Appointment of Raymond Messier as Trustee to the Golden Gate Transit–Amalgamated Health and Welfare Trust and Retirement Board**

**Directors BORO/STROEH**

**Resolution No. 2008-070** ratifies the appointment of Raymond Messier as Trustee to the Golden Gate Transit Amalgamated Health and Welfare Trust and Retirement Board, effective July 25, 2008, due to the resignation of Anthony R. Withington as President of Amalgamated Transit Union, Local No. 1575.

**Adopted**

**AYES (10):** Directors Cochran, Dufty, Eddie, McGlashan, Newhouse Segal, Pahre, Sanders and Stroeh; First Vice President Boro; President Moylan

**NOES (0):** None

**ABSENT (8):** Directors Brown, Grosboll, Hernández, Kerns, McGoldrick, Reilly and Sandoval; Second Vice President Ammiano

**CLOSED SESSION**

**10. a. Attorney’s Report**

Attorney Madeline Chun, at the request of President Moylan, stated that the Board of Directors would convene in closed session to discuss matters related to the performance evaluations of District Officers, including negotiated compensation, listed on the agenda as Item No. 6.B.1.

After closed session, President Moylan called the meeting to order in open session with a quorum present. Attorney Chun reported that the Board of Directors met in closed session, as permitted by the Brown Act, to discuss the matters listed above. Attorney Chun stated that the Board received a report from the Advisory Committee for Review of Officers of the District (Advisory Committee) regarding the performance evaluations, including negotiated compensation, of the General Manager, the District Engineer, the Auditor-Controller and the Secretary of the District. She further reported that Chair Boro would present the Advisory Committee’s recommendation relative to those performance evaluations.

**b. Approve Actions Relative to the Performance Evaluations of the Officers of the District**

**Directors BORO/STROEH**

**Resolution No. 2008-071** approves the following action relative to the employment agreements with the District Officers, as recommended by the Advisory Committee for the Review of Officers of the District at its meeting of July 25, 2008, relative to their performance evaluations:

- a. Approve a 3 percent increase in base salary for the General Manager, District Engineer, Auditor-Controller and Secretary; with the understanding that the effective date will be the first day of the current pay period, July 14, 2008.

**BOARD OF DIRECTORS MEETING  
JULY 25, 2008/PAGE 7**

**Adopted**

- AYES (10):** Directors Cochran, Dufty, Eddie, McGlashan, Newhouse Segal, Pahre, Sanders and Stroeh; First Vice President Boro; President Moylan
- NOES (0):** None
- ABSENT (8):** Directors Brown, Grosboll, Hernández, Kerns, McGoldrick, Reilly and Sandoval; Second Vice President Ammiano

**c. Discussion by the Board**

- First Vice President stated, for the record, that the members of the Board of Directors are particularly proud of the four Officers serving the District, and are pleased and thankful for the exemplary work they do for the District.
- President Moylan also expressed his appreciation for the fine work performed by the Officers of the District.

**ADJOURNMENT**

- 11.** All business having been concluded, the meeting was adjourned at 10:45 a.m., in the memory of Michael F. O'Driscoll, Esther Johnson, Rose Potenza Theodores.

Respectfully submitted,

Janet S. Tarantino  
Secretary of the District

JST:KBE:kbe

## Memorandum

**TO:** Board of Directors  
**FROM:** David J. Miller  
**DATE:** July 28, 2008  
**RE:** Board Meeting on August 8, 2008

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### **Claim of Annette L. Stubbs**

The District received a claim on behalf of Annette L. Stubbs alleging personal injuries in an amount within the limited civil jurisdiction of the Superior Court. Claimant alleges that on December 27, 2007, while she was standing in the aisle of a District bus near 5th and Mission Streets in San Francisco, preparing to exit, the bus made an abrupt stop. The claimant alleges that she fell forward against the fare box, sustaining a facial wound, a chipped tooth, and a misaligned tooth. Claimant further asserts that the bus driver did not provide immediate first aid and as a result she suffered acute stress disorder that developed into post traumatic stress disorder. The claim has been forwarded to John Glenn Adjusters.

**Recommend denial of the claim.**

### **Claim of Roger Garety**

The District received a claim on behalf of Roger Garety alleging property damage in the amount of \$822.17. Claimant alleges that on May 6, 2008, as his vehicle was parked at Kaiser Hospital in San Rafael, a District bus struck his vehicle when the bus attempted to turn. As a result of the incident the rear bumper of his vehicle was allegedly damaged. The claim has been forwarded to John Glenn Adjusters.

**Recommend denial of the claim.**

Respectfully submitted,

  
DAVID J. MILLER

DJM:aer