



2019-12

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

**MEMORANDUM OF MINUTES**

**BOARD OF DIRECTORS MEETING**

**DECEMBER 20, 2019**

The Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District (District) met in regular session in the Board Room, Administration Building, Golden Gate Bridge Toll Plaza, San Francisco, CA, on Friday, December 20, 2019, at 10:00 a.m., President Pahre presiding.

- (1) **CALL TO ORDER:** 10:00 a.m.
- (2) **ROLL CALL:** Secretary of the District Amorette M. Ko-Wong

**Directors Present (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**Directors Absent (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

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

**Staff Present:** General Manager Denis Mulligan; Auditor-Controller Joseph Wire; District Engineer Ewa Bauer-Furbush; Secretary of the District Amorette Ko-Wong; Attorney Kimon Manolius; Deputy General Manager/Administration and Development Kellee Hopper; Deputy General Manager/Bridge Steve Miller; Division Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Ferry Division James Swindler; Senior Board Analyst Elizabeth Eells.

**Visitors Present:** Dave Rhody, The Climate Realty Project; Dru Fallon O'Neill, Marin County Resident; Manuel Gamboa, Sacramento County Resident.

- (3) **PLEDGE OF ALLEGIANCE:** Director Gerald Cochran
- (4) **PUBLIC COMMENT:**
  - (A) **Public Comment**

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Dave Rhody, The Climate Realty Project, spoke about climate change. He highlighted news in the climate change arena and inquired about other actions that could be taken with the District's ferries. He stated Washington State Ferries, one of the largest ferry fleets, has retrofitted three ferries with electric hybrid engines. He also added that Red and White Fleet added a lithium-ion hybrid battery ferry that cruises at seven knots and Amherst Island ferry in Canada is launching an all-electric ferry. He also touched on ferry electrification efforts in Denmark, New York City and Norway. He closed by noting that battery charging is getting faster and faster, and carbon dioxide emissions could be reduced by 7% or more per year.

Dru Fallon O'Neill, Marin County Resident, spoke about her 19 years of service at the District, and stated she would like to continue to be of service to the District and employees. She offered to facilitate communication regarding the District's ongoing labor negotiations with the Amalgamated Transit Union (ATU). She noted that if the two parties are unable to achieve an understanding, it will be hard to reach an Agreement. She reviewed her experience as President of the Tomales Village Community Services District, and the similarities with the ATU Labor Agreement situation.

Manuel Gamboa, Sacramento County Resident, spoke about his son Kyle and the sixth anniversary of his death. He spoke about the Suicide Deterrent System (SDS) construction and thanked the District for supporting the SDS construction. He noted he has been making public comments to the Board since 2013. He said he and his wife asked the Board to consider implementing measures to prevent suicides, and now, the District is overseeing the SDS construction. He said the completion of the SDS will ensure other families do not have to endure the pain he and his family have experienced. He expressed his optimism for the construction and the future.

**(B) Discussion by the Board**

Director Hill stated Norway has an electric ferry that travels at about 30 knots that went into service some time ago.

President Pahre thanked the Gamboa family for being present and reminding the Board about the importance of the suicide issue off the Golden Gate Bridge at almost all of the Board meetings since 2013.

**(5) CONSENT CALENDAR:**

Directors MOYLAN/HERNÁNDEZ moved and seconded to approve the Consent Calendar. All items were approved by the following vote of the Board of Directors:

**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

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**(A) Approve the Minutes of the following Meetings**

- (1) Finance-Auditing Committee of November 21, 2019;
- (2) Rules, Policy and Industrial Relations Committee of November 22, 2019;  
and,
- (3) Board of Directors of November 22, 2019. **Carried**

**(B) Ratification of Previous Actions by the Auditor-Controller**

**Resolution No. 2019-084** (as detailed in the December 19, 2019 Finance-Auditing Committee meeting)

- (1) Ratify Commitments and/or Expenditures
- (2) Ratify Previous Investments
- (3) Authorize Investments
- (4) Accept Investment Report November 2019 **Adopted**

**(6) REPORTS OF OFFICERS:**

**(A) General Manager**

**(1) Presentation of Awards**

**Presentation of Retirement Award to Andrew D. Crichton, Superintendent of Transportation Operations, Bus Division**

President Pahre presented a Retirement Award to Andrew D. Crichton, Superintendent of Transportation Operations, Bus Division, and expressed her best wishes for a long and happy retirement on behalf of the Board of Directors.

**(2) Video Entitled *What We Do: Clearing the Corte Madera Marsh***

Mr. Mulligan presented the video *What We Do: Clearing the Corte Madera Marsh*. He noted the video features Operating Engineer Dan Capone as he narrates why the marsh needed clearing and the equipment used. A copy of the video is available at: <https://vimeo.com/380097562/1c257e0ef4> (Duration 2:59).

**(3) Ratify the Emergency Action of the General Manager Relative to the Repairs Related to the San Francisco Ferry Terminal Facilities**

Mr. Mulligan reviewed the staff report. He spoke about the incident in which the *M.S. San Francisco* ferry had an allision with the San Francisco Ferry Terminal (SFFT) facilities, and staff's action in the meantime. He said that the District awarded a construction contract to a contractor used by the Water Emergency Transportation Authority (WETA). He emphasized the contractor is working nearby for WETA, and as a result, the contractor's work on the District's project has been facilitated. He said the District has received some insurance payments for the damage to the SFFT. He said there was some minor damage to the promenade, and it will be the last piece of work. He noted staff will continue to report on the progress of the work.

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**Directors GARBARINO/COCHRAN**

**Resolution No. 2019-085** ratifies the action of the General Manager to authorize a contract with Power Engineering in the amount of \$1,390,550 to repair damage to the San Francisco Ferry Terminal.

**Adopted**

**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

**(4) Report of the General Manager**

Mr. Mulligan stated that all items contained in the written General Manager's Report are informational only. A copy of the General Manager's Report is available on the District's web site or upon request from the Office of the District Secretary.

**(B) Attorney**

**(1) Report of the Attorney**

Attorney Kimon Manolius stated that all items contained in the written Attorney's Report are informational. A copy of the Attorney's Report is available on the District's web site or upon request from the Office of the District Secretary.

**(2) Closed Session**

Attorney Manolius reported that a Closed Session will take place just prior to the conclusion of this meeting to discuss the following matters, listed on the Board Agenda as Item No. 6.B.1.a:

**(a) Conference with Legal Counsel – Existing Litigation**

Pursuant to Government Code Section 54956.9(a)

Report of Hanson Bridgett, LLP

(i) Michael Saliani v. Golden Gate Bridge, Highway and Transportation District, San Francisco Superior Court; Case Number CGC-14-540384.

(ii) Pamela Moore v. Golden Gate Bridge, Highway and Transportation District, San Francisco Superior Court; Case No. CGC-15-549048.

(iii) Kristin Freeland and Michael Jefferson v. Golden Gate Bridge, Highway and Transportation District, San Francisco Superior Court; Case No. CGC-16-550947.

**(C) District Engineer**

**(1) Report of the District Engineer**

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Ms. Bauer-Furbush stated that all items contained in the Engineer's Report are informational only. A copy of the Engineer's Report is available on the District's web site or upon request from the Office of the District Secretary.

Ms. Bauer-Furbush reported on the status of the Suicide Deterrent System (SDS) project. She said the contractor started installation on the north side span about three weeks ago. She noted the contractor is being efficient, and has installed 122 of 260 of the net supports as of today. She said the fabrication of the structural steel is going well and most elements are done. She also said 309 of 369 net supports are done. In addition, she noted the fabrication of the steel net is progressing well.

President Pahre acknowledged that she knows the SDS construction is not easy although it may sound easy. Ms. Bauer-Furbush suggested keeping positive thoughts as recommended by Mr. Gamboa.

**(7) OTHER REPORTS:**

There were no "Other Reports" to discuss.

**(8) REPORT OF COMMITTEES:**

**(A) Meeting of the Building and Operating Committee  
December 19, 2019  
Chair Michael Theriault**

**(1) Approve Actions Relative to the National Park Service Special Use Permit for Contract No. 2016-B-1, Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit**

**Directors THERIAULT/GABARINO**

**Resolution No. 2019-086** approves actions relative to the National Park Service Special Use Permit for construction Contract No. 2016-B-1, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit*, as follows:

- (a) Authorizes execution of Amendment No. 1 to the permit extending the permit term to December 31, 2023;
- (b) Approves an annual permit fee in an amount of \$48,717 for each of the four years of the permit extension to be charged to the *Golden Gate Bridge Physical Suicide Deterrent System* (Project #1526) capital project;
- (c) Authorizes a \$194,868 budget increase in the FY 19/20 Bridge Division Capital Budget for Project #1526, to be funded with District's cell site revenues, for a revised total Project #1526 budget of \$192,779,868, as concurred with the Finance-Auditing Committee at its meeting of December 19, 2019; and,

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- (d) Authorizes the General Manager to execute Amendment No. 1 to the permit with the terms and conditions as outlined in the staff report.

**Adopted**

**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

(2) **Approve Actions Relative to a Lease Extension of the High-Speed Ferry, *M.V. Millennium***

**Directors THERIAULT /COCHRAN**

**Resolution No. 2019-087** approves actions relative to a lease extension of the high-speed ferry *M.V. Millennium*, as follows:

- (a) Authorizes the General Manager to negotiate and execute an extension to the Golden Gate Bridge, Highway and Transportation District's lease with Rhode Island Fast Ferry for the high-speed ferry *M.V. Millennium* for a term of 129 additional days at the existing rate of \$6,850.00 per day, for an additional amount of \$883,650;
- (b) Approves an additional estimated amount of \$116,350 for engineering and support services, for a total not-to-exceed amount of \$1 million for the extension; and,
- (c) Authorizes a \$1,000,000 budget increase in the FY 19/20 Ferry Division Capital Budget for the *M.S. Sonoma Refurbishment and Repower Project (Project #1740)*, as concurred with the Finance-Auditing Committee at its meeting of December 19, 2019.

**Adopted**

**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

(B) **Meeting of the Finance-Auditing Committee**  
**December 19, 2019**  
**Chair Brian Sobel**

- (1) **Authorize the General Manager to Execute an Agreement with Sonoma-Marin Area Rail Transit District (SMART) to Implement a Pilot Program to Promote SMART Train and Larkspur Ferry Travel to and from San Francisco and the North Bay**

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President Pahre said that Ms. Fehler put a lot of time and energy into developing a creative Pilot Program for the Sail & Rail. She expressed her enthusiasm for the Pilot Program, and noted riders will only have to buy one ticket.

**Directors SOBEL/FREDERICKS**

**Resolution No. 2019-088** authorizes the creation of a six-month Pilot Program to promote the Sonoma-Marín Area Rail Transit District (SMART) train and Golden Gate Bridge, Highway and Transportation District (District) Larkspur ferry travel to and from San Francisco and the North Bay, and authorizes the General Manager to execute an agreement with SMART to implement the Pilot Program; with the understanding that the Pilot Program will be comprised of a promotional “Sail & Rail” single fare pass for SMART train and the Larkspur ferry rides during off-peak hours on weekdays and all day on weekend & holidays effective January 1, 2020 for six months, and a Weekender Pass which grants a passenger that purchases either a SMART train ticket or a Larkspur ferry ticket a free transfer to the other service, effective for the months of January and February 2020.

**Adopted**

**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

**(C) Meeting of the Governmental and Industrial Relations Committee  
December 20, 2019  
Chair Gerald Cochran**

**(1) Approve the Implementation of the 2020 Legislative Platform**

**Directors COCHRAN/SEARS**

**Resolution No. 2019-089** approves the implementation of the 2020 Legislative Platform.

**Adopted**

**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

**(9) ADDRESSES TO BOARD:**

There were no “Addresses to Board” to discuss.

**(10) SPECIAL ORDER OF BUSINESS:**

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**A. Authorize a Resolution of Appreciation to Vallie Brown in Recognition of her Dedicated Service as Director of the Golden Gate Bridge, Highway and Transportation District Board**

Director Theriault spoke about the resignation of Director Brown. He said the demands of being a City and County of San Francisco Supervisor are quite high, and her service on the District's Board is worth honoring in part because of the difficulties of making time to serve on other Boards. He also noted she has contributed quite a bit to the community service through her work as a neighborhood activist and legislative assistant. In addition, she has a reputation of providing quality constituent services which has a lot of demands. He recommended honoring her for her time on the District Board.

**Directors THERIAULT/WALTON**

**Resolution No. 2019-090** approves the preparation and presentation of a Resolution of Appreciation to Vallie Brown in recognition of her dedicated service as a Golden Gate Bridge District Director.

**Adopted**

**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

**Carried**

**(11) UNFINISHED BUSINESS:**

**(A) Consideration of Compensation Adjustment for the General Manager, District Engineer, Auditor-Controller and Secretary of the District**

Director Hernández said the Advisory Committee recommended an increase of 2.5% for the four officers of General Manager, District Engineer, Auditor-Controller and Secretary of the District. She noted the Advisory Committee is also recommending the Board approve extending the contracts of the General Manager and District Engineer, both of which end in 2020, for an additional five years until December 31, 2025.

Director Hernández noted that both officers have expressed an interest in accepting the extended contracts.

Attorney Manolius stated that the resolution for the pay increase is for four officers excluding the attorney services, which are covered under a separate contract.

**Directors HERNÁNDEZ/COCHRAN**

**Resolution No. 2019-091** approves a 2.5% compensation adjustment for the General Manager, District Engineer, Auditor-Controller and Secretary of the District.

**Adopted**



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**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

**(B) Approve Amendments to the Employment Agreements with the General Manager and District Engineer**

President Pahre commented that the officers' evaluation process is lengthy, quite comprehensive and takes time. She noted the Advisory Committee works with a consultant, and this year, the process included 360 degree evaluations. She also noted the Advisory Committee is very comfortable with bringing the recommendations forward for approval.

Director Hernández thanked the Advisory Committee members for their service.

**Directors HERNÁNDEZ/COCHRAN**

**Resolution No. 2019-092** extends the General Manager and District Engineer's contracts, both of which expire in 2020, for a five-year period to December 31, 2025.

**Adopted**

**AYES (13):** Directors Fewer, Fredericks, Garbarino, Hernández, Hill, Mastin, Moylan, Sears, Sobel, and Walton; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**NOES (0):** None.

**ABSENT (5):** Directors Arnold, Belforte, Grosboll, Rabbitt and Yee.

**(C) Closed Session**

Attorney Kim Manolius, at the request of President Pahre, stated that the Board would convene in Closed Session, as permitted by the Brown Act, to discuss the matters listed on the Board Agenda as Closed Session, Items No. 6.B.1.a.

**(D) Open Session**

After Closed Session, President Pahre called the meeting to order in Open Session with a quorum present. Attorney Manolius reported that the Board had met in Closed Session, as permitted by the Brown Act, regarding the items listed as Closed Session outlined above. He reported that the Board was briefed by counsel but there was nothing to report.

**(12) NEW BUSINESS:**

There was no "New Business" to discuss.

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**(13) COMMUNICATIONS:**

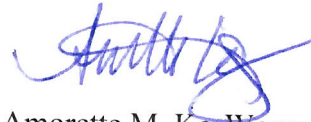
A copy of Board Agenda Item No. 13, "Communications", is available on the District's web site or upon request from the Office of the District Secretary.

**(14) ADJOURNMENT:**

All business having been concluded, the meeting was adjourned at 11:00 a.m. in honor of Stanley M. Smith, Beverly Watkins, Marvin Vincent Cerruti and Carlota Tovar.

**Carried**

Respectfully submitted,



Amorette M. Ko-Wong  
Secretary of the District

AMK:EIE:mjl