



December 13, 2019

BOARD OF DIRECTORS MEETING
FRIDAY, DECEMBER 20, 2019

(5) CONSENT CALENDAR:

(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.

Motion

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

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

Resolution

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November 21, 2019

**MINUTES OF THE FINANCE-AUDITING COMMITTEE/
COMMITTEE OF THE WHOLE**

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

Honorable Members:

A meeting of the Finance-Auditing Committee/Committee of the Whole (Committee) of the Golden Gate Bridge, Highway and Transportation District (District) was held in the Board Room, Administration Building, Golden Gate Bridge Toll Plaza, San Francisco, CA, on Thursday, November 21, 2019, at 9:00 a.m., Chair Sobel presiding.

- (1) **Call to Order:** 9:00 a.m.
- (2) **Roll Call:** Secretary of the District Amorette M. Ko-Wong.

Committee Members Present (6): Chair Sobel; Vice Chair Fredericks; Directors Cochran, Grosboll and Moylan; President Pahre.

Committee Members Absent (1): Director Yee.

Other Directors Present (5): Directors Hernández, Hill, Mastin, Rabbitt and Theriault.

Committee of the Whole Members Present (11): Directors Fredericks, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault, President Pahre.

Committee of the Whole Members Absent (8): Directors Arnold, Belforte, Brown, Fewer, Garbarino, Sears, Walton and Yee.

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; Director of Public Affairs Priya Clemens; Director Risk Management and Safety Kelli Vitale; Senior Board Analyst Elizabeth Eells.

Visitors Present: Lesley Murphy, PFM Asset Management, LLC.

(3) Ratification of Previous Actions by the Auditor-Controller

(a) Staff Report

In a memorandum to the Committee, Auditor-Controller Joseph Wire and General Manager Denis Mulligan reported on the commitments, disbursements and investments made on behalf of the District. The report included a copy of the District's "Investment Report" for October 2019 from PFM Asset Management, LLC (PFM). A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

At the meeting, PFM Senior Managing Consultant Lesley Murphy reviewed the Investment Report. She noted that last spring, the yield curve inverted which caused some investor concern because it is a market anomaly for fixed income, and some investors became pessimistic about future growth and inflation prospects. She also noted in October, the Federal Open Market Committee cut interest rates and as a result, short-term yields fell and the yield curve reversed itself. She explained that intermediate and long-term yields have increased in response to positive developments in the ongoing trade talks between the United States (U.S.) and China.

Ms. Murphy confirmed the District's portfolio is in compliance with Board policy and the law, and is well-diversified. She reiterated PFM's priority to maintain the safety of the District's portfolio.

(b) Discussion by the Committee

Director Grosboll inquired about market expectations for December. Ms. Murphy responded the markets could be affected by increased risk due to the trade talks between U.S. and China.

Director Theriault asked if historically the yield curve inversion has continued until a recession occurs or has it flipped back at some point with the recession occurring at a later date. Ms. Murphy said she has not been able to find the data to answer that question. She noted an inverted yield curve may not signal the same thing it did ten years ago. She said that currently the economy and long-term rates are affected by various factors including Federal Reserve intervention and other market factors. She also noted that an inverted yield curve could signal a recession or it could mean the market dynamics are different now.

(c) Action by the Committee

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

RECOMMENDATION

The Finance-Auditing Committee/Committee of the Whole recommends that the Board of Directors approve the following actions:

**FINANCE-AUDITING COMMITTEE/COMMITTEE OF THE WHOLE
NOVEMBER 21, 2019/PAGE 3**

- a. There are no commitments and/or expenditures to ratify for the period of October 1, 2019 through October 31, 2019;
- b. Ratify investments made during the period October 16, 2019, through November 12, 2019;
- c. Authorize the reinvestment, within the established policy of the Board, of any investments maturing between November 13, 2019, and December 9, 2019, as well as the investment of all other funds not required to cover expenditures, which may become available; and,
- d. Accept the Investment Report for October 2019.

Action by the Board at its meeting of November 22, 2019 – Resolution
CONSENT CALENDAR

AYES (11): Directors Fredericks, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault, President Pahre.

NOES (0): None.

ABSENT (8): Directors Arnold, Belforte, Brown, Fewer, Garbarino, Sears, Walton and Yee.

(4) Authorize Budget Adjustment(s) and/or Transfer(s)

(a) Budget Increase in the Golden Gate Bridge Physical Suicide Deterrent System Project to Fund Documentation for Archival Preservation and Public Education

(i) Staff Report

In a memorandum to the Committee, Director of Public Affairs Priya Clemens, Auditor-Controller Joseph Wire, District Engineer Ewa Bauer-Furbush and General Manager Denis Mulligan reported on staff's recommendation to authorize a budget increase for the *Golden Gate Bridge Physical Suicide Deterrent System Project*, Project No. 1526, to fund the documentation of the Physical Suicide Deterrent System Project, for archival preservation and public education.

A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

(ii) Presentation by Staff

At the meeting Ms. Clemens reviewed the staff report. She said that the Suicide Deterrent System (SDS) project has a lot of activity that has been well documented. She pointed out that much of the documentation has been done by outside firms or the media. Staff would like the District to document the SDS project into two components: a) archival; and b) public education. In addition to capturing history as it is happening, the project will present a story about suicide prevention. Furthermore, the project will produce a bank of multi-media material.

(iii) Discussion by the Committee

Chair Sobel commented that he believes the project is critical. He noted that past projects have been documented, and this documentation project will continue the tradition.

Director Theriault commented that there is a practical aspect to this documentation effort. He noted that sometimes, construction projects on the bridge are separated widely in time. He also noted that both institutional and individual knowledge of a project and the way it was achieved can be lost over that time. He said a detailed record documenting what was done and how it was done will be useful to future generations and the District itself by providing information about the Bridge structure.

President Pahre said she is hopeful this documentation project will become part of a larger effort to record the Bridge's and the District's history from the beginning and not be limited solely to the Suicide Deterrent System (SDS) project itself. She pointed out that the staff report did not mention documenting the process and efforts of individuals and committees that created the SDS project. Mr. Mulligan responded that the intent of the project is to interview key contributors who played instrumental roles in the creation of the SDS project, and those who championed changes to federal law that allowed this project be eligible for federal funding. Ms. Clemens added that staff hopes to capture the history of suicide and suicide prevention efforts at the Bridge. Mr. Mulligan also added that part of the project will be to capture people who were instrumental in motivating the District to build the SDS such as former Assemblyman and Director Ammiano, and former Board President Reilly who both played key roles. He said they should be interviewed and their views captured. He noted that the SDS project is a multi-layered story, and the goal of the SDS documentation project is to capture the whole story.

Director Mastin commented that he believes it is valuable for the District to document history and not rely on media coverage of Bridge projects. He suggested this SDS project might become part of a future broader discussion related to creating a budget for documenting and archiving Bridge history versus continuing to handle it on a project by project basis.

Chair Sobel commented the Golden Gate Bridge has been designated one of the seven wonders of the world, and the District should have a way to convey history to people as well as capture the history of the Bridge itself. The District has a great story to tell and expanding the history record could lead to creation of an informational exhibit or museum.

(iv) Action by the Committee

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

RECOMMENDATION

**FINANCE-AUDITING COMMITTEE/COMMITTEE OF THE WHOLE
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The Finance-Auditing Committee/Committee of the Whole recommends that the Board of Directors authorize a budget increase in the amount of \$250,000 in the *Golden Gate Bridge Physical Suicide Deterrent System Project*, Project #1526, to be financed with District funds, to fund the documentation of the history, approval, design, construction, and completion of the Physical Suicide Deterrent System Project, for archival preservation and public education.

Action by the Board at its meeting of November 22, 2019 – Resolution
NON-CONSENT CALENDAR

AYES (11): Directors Fredericks, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault, President Pahre.

NOES (0): None.

ABSENT (8): Directors Arnold, Belforte, Brown, Fewer, Garbarino, Sears, Walton and Yee.

(5) Authorize Actions Related to Grant Programs

No actions required authorization.

(6) Receive the Annual Report of the OPEB Retirement Investment Trust Board

(a) Staff Report

In a memorandum to the Committee, the OPEB Retirement Investment Trust Board summarized its annual review of its investment policy, service personnel, and Charter. A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

(b) Presentation by Staff

At the meeting, Mr. Wire reviewed the staff report. He noted the investment policy is in compliance with its Investment Policy Statement. He also noted that the Trust performance has been exemplary, and the Trust providers PFM Asset Management LLC, and U.S. Bank National Association performed very well at a reasonable cost.

(c) Action by the Committee

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

RECOMMENDATION

The Finance-Auditing Committee/Committee of the Whole recommends that the Board of Directors receive the Annual Report of the OPEB Retirement Investment Trust Board regarding its investment policy, service personnel and Charter.

Action by the Board at its meeting of November 22, 2019 – Resolution
NON-CONSENT CALENDAR

AYES (11): Directors Fredericks, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault, President Pahre.

NOES (0): None.

ABSENT (8): Directors Arnold, Belforte, Brown, Fewer, Garbarino, Sears, Walton and Yee.

(7) Update on the District’s Workers’ Compensation Program

(a) Presentation by Staff

The Director of Risk Management and Safety Kelli Vitale presented a PowerPoint presentation regarding her Workers’ Compensation process, philosophy and results. The presentation was for informational purposes only and no action was required. A copy of the presentation is available on the District’s web site or upon request from the Office of the District Secretary.

Ms. Vitale explained that when a worker’s compensation claim is opened, a reserve fund is established to cover anticipated medical costs. She noted that currently about 70% of workers’ compensation claims are resolved in 30 to 60 days and the worker returns to work after successful treatment and the excess reserve funds are released. The remaining 30% of claims are settled in the future or litigated due to permanent injury being diagnosed. She said there are two forms of settlement: “stipulate with award” or “compromise and release”.

In the first option, a claimant can stipulate their claim of injury once they reach their maximum medical improvement. The stipulation with award means the District and worker agree to all issues and leaves the future medical award open for life to be administered by the District’s Third Party Administrators, Athens Administrators and financed by the District. As the injured worker ages, their care cost increases with the cost of living.

Ms. Vitale noted that she favors the compromise and release which has all the same agreements, provides payment for all issues with present day value savings, and removes any future related claims. The District’s payment is annuitized and set aside in a structured settlement in trust for the worker. As a result of the annuity payment, the worker has a tangible asset to manage his or her care and pass on to the rest of the family. In addition, the compromise and release reduces the District’s liability exposure to zero and creates a culture of empathy for the injured worker which translates to an increase in morale for employees.

(b) Discussion by the Committee

Director Sobel asked about the percentage between those two settlement options, and how the options are applied to employees. Ms. Vitale responded the in the past, the industry practice was to use a “settle and award” approach for employees still working for one’s organization and compromise and release for an individual no longer working for one’s organization and litigation cases.

Ms. Vitale also responded that she believes that compromise and release is the best solution for all situations because it reduces the District's liability. She said she would prefer to set money aside and annuitize it. She noted the worker can receive treatment through compromise and release through their personal medical benefits. She also said that an annuity works better if the worker has no health insurance. She further noted that usually and historically, organizations do not use compromise and release unless litigated and the worker no longer works for the organization.

Director Grosboll asked if using an annuity concept is new. Ms. Vitale responded that in the past the District has used the annuity approach for large settlements. Ms. Vitale stated the District works with a company called Chronovo that can structure an annuity for anything over \$10,000, and is willing to meet with an injured worker to show them how the annuity money is managed.

Director Mastin asked if annuity withdrawals are taxable. Ms. Vitale responded that it depends on how the fund is structured and annuitized. She said each settlement is an individual one based on the worker's circumstances. She noted that workers' compensation payments are not considered taxable income for Medicare. She noted the workers' compensation payments may be taxable if they are transferred to a spouse or another dependent.

President Pahre asked if the annuity works like a regular annuity with restrictions. Ms. Vitale answered the workers' compensation annuity does not work like a regular annuity. She said the account is structured individually for the worker, and can be set up to be accessible as soon as it is set up. She noted that most workers with permanent disabilities elect to have an account set up for the indemnity portion of the settlement and another account set up for the medical portion. The medical portion can be distributed via a debit card which can then be used to pay for medical treatments. The worker can elect to have payments made for each type of account monthly, annually, or as desired.

Director Theriault said he understands the benefits of the compromise and release process, and he expressed his concern that it does not provide adequate long-term care for injured workers. He expressed his opinion that compromise and release is good for the District and his skepticism that it is good for the worker. He asked if compromise and release would provide adequate care and help employee morale. He recommended the workers' compensation program be watched, and the value of compromise and release be verified.

Chair Sobel concurred with Director Theriault's comments.

Director Grosboll noted that the District has settled many older claims. He asked if the District has statistics on how many are older. Ms. Vitale responded that the District had 92 workers' compensation claim cases open from 2010 and older. She said she has monthly calls with Athens' adjustors, managers, and staff, and they review these older cases, reevaluate liability, and identify resolution actions. The team's review reduced the number of cases to less than 60. She reported that the team is currently working on cases from 2015 and older. She said she will work with Mr. Mulligan, and the attorneys to resolve the other cases.

**FINANCE-AUDITING COMMITTEE/COMMITTEE OF THE WHOLE
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Director Grosboll requested an annual report that shows new cases, settlements, and incurred reserves. He said it would be prudent for the Committee to monitor the workers' compensation cases. Ms. Vitale agreed.

Chair Sobel said that for a long time, the Board did not have a lot of information about workers' compensation cases. He stated that the presentation was very interesting, and he liked Ms. Vitale's philosophy. He said he would like her to come back and apprise the Committee more, and he concurred with Director Grosboll's comments that more information would be useful.

Director Hill said the cost of administering with Medicare is incredible. Ms. Vitale agreed that administering the workers' compensation claims cases with Medicare is helpful.

Chair Sobel thanked Ms. Vitale for the presentation, and said the Committee would appreciate having her share her workers' compensation claims philosophy on an ongoing basis.

(8) Monthly Review of Golden Gate Bridge Traffic/Tolls and Bus and Ferry Transit Patronage/Fares (for Four Months Ending October 2019)

(a) Staff Report

In a memorandum to Committee, Auditor-Controller Joseph Wire, and General Manager Denis Mulligan provided schedules and charts for informational purposes only and no action is recommended. A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

(9) Monthly Review of Financial Statements (for Four Months Ending October 2019)

(a) Statement of Revenue and Expenses

In a memorandum to Committee, Auditor-Controller Joseph Wire, and General Manager Denis Mulligan provided financial statements for informational purposes only and no action is recommended.

(b) Statement of Capital Programs and Expenditures

In a memorandum to Committee, Capital and Grant Programs Analyst Jacob Brown, Capital and Grant Programs Director Amy Frye, Auditor-Controller Joseph Wire and General Manager Denis Mulligan provided financial statements for informational purposes only and no action is recommended. Copies of the reports for Item Nos. 9.a. and 9.b. are available on the District's web site or upon request from the Office of the District Secretary.

(10) Closed Session

Attorney Manolius, at the request of Chair Sobel, stated that the Committee would convene in Closed Session, as permitted by the Brown Act to discuss the following matters, listed on the Agenda as Item No. 10:

**FINANCE-AUDITING COMMITTEE/COMMITTEE OF THE WHOLE
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- (a) Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(a)

Report of Athens Administrators, Inc.

- (i) Keith Williams v. Golden Gate Bridge, Highway and Transportation District.

After Closed Session, Chair Sobel called the meeting to order in Open Session with a quorum present. Attorney Manolius stated that the Committee had met in Closed Session, as permitted by the Brown Act, to receive a report from the attorneys, and discuss the matter listed under Closed Session, outlined above. Attorney Manolius reported that the Committee gave the District's negotiators appropriate guidance on how to handle the case.

(11) Public Comment

There was no public comment.

(12) Adjournment

All business having been concluded, the meeting was adjourned at 9:56 a.m.

Respectfully submitted,

Brian M. Sobel, Chair
Finance-Auditing Committee

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November 22, 2019



MINUTES OF THE
RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE

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

Honorable Members:

A meeting of the Rules, Policy and Industrial Relations Committee (Committee) of the Golden Gate Bridge, Highway and Transportation District (District) was held in the Board Room, Administration Building, Golden Gate Bridge Toll Plaza, San Francisco, CA, on Friday, November 22, 2019, at 9:34 a.m., Chair Arnold presiding.

(1) **Call to Order:** 9:34 a.m.

(2) **Roll Call:** Secretary of the District Amorette M. Ko-Wong

Committee Members Present (5): Vice Chair Theriault; Directors Grosboll, Hernández and Hill; President Pahre.

Committee Members Absent (3): Chair Arnold; Belforte and Walton.

Other Directors Present (4): Directors Cochran, Fredericks, Mastin, and Moylan.

Staff Present: General Manager Denis Mulligan; 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; Director of Procurement Brian Garrity; Chief Technology Director Fang Lu; Senior Board Analyst Elizabeth Eells.

Visitors Present: None.

(3) **Approve Changes to the Table of Organization Relative to the Information Systems Department**

(a) **Staff Report**

In a memorandum to the Committee, Chief Technology Director Fang Lu, Deputy General Manager/Administration and Development Kellee Hopper, and General Manager Denis Mulligan reported on staff's recommendation to approve changes to the table of organization relative to the Information Systems Department to eliminate one Help Desk position and add one Systems Administration position. A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE
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(b) Presentation of the Staff Report

At the meeting, Ms. Lu summarized the staff report. She reported that the District researched staffing structures at comparable Bay Area agencies, and determined that the Systems Administration position is a more appropriate classification for the Help Desk position's expanding duties. She noted that the increased salary will be offset this fiscal year by the unpaid salary of the vacant Help Desk position. Mr. Mulligan added that the position to be eliminated is currently vacant due to a retirement so no current employee will be affected. He noted the incumbent's departure motivated the District to restructure the position to better support ongoing technology changes.

(c) Action by Committee

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

RECOMMENDATION

The Rules, Policy and Industrial Relations Committee recommends the Board of Directors approve changes to the table of organization relative to the Information Systems Department, as follows:

- (i) Eliminate one Help Desk position at an annual salary of \$76,960 to \$92,914, not including benefits; and,
- (ii) Add one Systems Administrator – PC Support position, at an annual salary of \$80,808 to \$97,614, not including benefits.

Action by the Board at its meeting of November 22, 2019 – Resolution

AYES (5): Vice Chair Theriault; Directors Grosboll, Hernández and Hill; President Pahre.

NOES (0): None.

ABSENT (3): Chair Arnold; Directors Belforte and Walton.

(4) Public Comment

There was no public comment on items not on the Agenda.

(5) Adjournment

All business having been concluded, **Directors HERNANDEZ/HILL** moved and seconded that the meeting be adjourned at 9:40 a.m.

Respectfully submitted,

Michael Theriault, Vice Chair
Rules, Policy and Industrial Relations Committee



2019-10

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

MEMORANDUM OF MINUTES

BOARD OF DIRECTORS MEETING

NOVEMBER 22, 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, November 22, 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 (14): Directors Fredericks, Garbarino, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt, Sears, Sobel and Yee; Second Vice President Cochran; First Vice President Theriault, President Pahre.

Directors Absent (5): Directors Arnold, Belforte, Brown, Fewer and Walton.

Staff Present: General Manager Denis Mulligan; 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; Director of Procurement Brian Garrity; Senior Board Analyst Elizabeth Eells.

Visitors Present: Manuel Gamboa, Sacramento County Resident; Dave Rhody, The Climate Realty Project; Samuel Kinsey, Bus Operator and Sonoma County Resident; John Holden, Bus Operator and Marin County Resident; Lisa Reed, Bus Operator; Robert Kaufman, Bus Operator and Marin County Resident; Patrick White, Bus Operator and Contra Costa County Resident; Francis Gleason, Bus Operator and San Francisco County Resident.

(3) **PLEDGE OF ALLEGIANCE:** Director James Mastin

(4) **PUBLIC COMMENT:**

(A) **Public Comment**

**BOARD OF DIRECTORS MEETING
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Manuel Gamboa, Sacramento County Resident, spoke about his son Kyle and the sixth anniversary of his death. He thanked the District for supporting the construction of the Suicide Deterrent System (SDS). He expressed his appreciation for the District's efforts to document the effects of suicide. He noted that the SDS construction is moving forward well, and the SDS construction is assisting his family to heal. He also observed there is more visible security on the Bridge.

Dave Rhody, The Climate Realty Project, spoke about the District's commitment to the Climate Emergency Resolution, which the Board adopted at its last meeting. He pointed out the District has committed to undertake measures to reduce Carbon emissions and expand sustainable transportation options. He expressed his views that assessment is a key to fulfilling these goals. He encouraged the District to develop a timeline and work with the California Air Resources Board (CARB) on how to achieve its goals. He suggested the District publicize its adoption of the Climate Emergency Resolution (Resolution) because he believes the District's adoption of the Resolution shows the District's leadership in the arena of climate change mitigation activities in the Bay Area and around the world.

Samuel Kinsey, Bus Operator and Sonoma County Resident, said he has been with the District for 10 years and has had many good experiences. However, today, his focus is on the labor negotiations between the Amalgamated Transit Union (ATU) and District as well as the ATU pension. He noted that the pension is only funded at about 55% and could collapse if not addressed and the District could take more responsibility for the pension. He expressed his concern that the District did not adequately fund the pension.

John Holden, Bus Operator and Marin County Resident, spoke about his desire to see a new Memorandum of Understanding (MOU) negotiated between the District and ATU. He noted the delay in concluding negotiations has meant lost wages for Bus Operators. He stated his support for the meeting's awardees Bus Operator Andres Amil and Dispatcher Dru Fallon O'Neill who have been excellent workers. He thanked former President Hernández for her service to the Board, and noted her tenure as President meant a lot to him. He closed by stating the District and ATU are closer to negotiating the MOU.

Lisa Reed, Bus Operator, spoke about her enthusiasm for being a Golden Gate Transit Bus Operator and her belief she would have good benefits and a pension. However, now, she is concerned about not having adequate resources to help herself in the future. She noted she does not like having all these questions be outstanding. She congratulated Bus Operator Andres Amil for being Employee of the Month for November, and thanked Dispatcher O'Neil for her service.

Robert Kaufman, Bus Operator and Marin County Resident, spoke about why he became a Bus Operator. He noted the District emphasized the benefits and pension when he was hired. He said Bus Operators were told they were getting a pension and not told they were getting a Bus Operator paid pension. He said there are 255 Bus Operators, and 90 were told they had a great pension. He expressed his concern that wages and pension have not kept up with the Consumer Price Index.

(5) CONSENT CALENDAR:

**BOARD OF DIRECTORS MEETING
NOVEMBER 22, 2019/PAGE 3**

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

AYES (14): Directors Fredericks, Garbarino, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt, Sears, Sobel and Yee; Second Vice President Cochran; First Vice President Theriault, President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Belforte, Brown, Fewer and Walton.

(A) Approve the Minutes of the following Meetings

- (1) Building and Operating Committee of October 24, 2019;
- (2) Finance-Auditing Committee of October 24, 2019;
- (3) Rules, Policy and Industrial Relations Committee of October 25, 2019;
- (4) Governmental Affairs and Public Information Committee of October 25, 2019;
and,
- (5) Board of Directors of October 25, 2019.

Carried

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

Resolution No. 2019-079 (as detailed in the November 21, 2019 Finance-Auditing Committee meeting)

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

Adopted

(6) REPORTS OF OFFICERS:

(A) General Manager

(1) Presentation of Awards

Presentation of Retirement Award to Dru Fallon O'Neill, Dispatcher, Bus Division

President Pahre presented a Retirement Award to Dru Fallon O'Neill, Dispatcher, Bus Division, and expressed her best wishes for a long and happy retirement on behalf of the Board of Directors.

Presentation of Twenty-Five Year Service Award to Andrew D. Crichton, Superintendent of Transportation Operations, Bus Division

President Pahre presented a Twenty-Five Year Service Award to Andrew D. Crichton, Superintendent of Transportation Operations, Bus Division, for his years of dedicated service to the District, and expressed her congratulations on behalf of the Board of Directors.

Presentation of Twenty-Year Service Award to Colette Slottow, Lead Route Checker, Bus Division

**BOARD OF DIRECTORS MEETING
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President Pahre presented a Twenty-Year Service Award to Colette Slottow, Lead Route Checker, Bus Division, for her years of dedicated service to the District, and expressed her congratulations on behalf of the Board of Directors.

Presentation of Employee of the Month Award for November 2019, to Andres Amil, Bus Operator, Bus Division

President Pahre presented the Employee of the Month Award for November 2019, to Andres Amil, Bus Operator, Bus Division, and expressed her congratulations on behalf of the Board of Directors.

(2) Report of the General Manager

Mr. Mulligan stated that all items contained in the written General Manager's Report are informational only and that there was no "What We Do" video for presentation. 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.

Mr. Mulligan reported that since the state implemented the California Public Employees' Pension Reform Act (PEPRA) of 2013 there has been legislation to challenge its applicability to transit workers. The Amalgamated Transit Union (ATU) International, joined by ATU locals including the District's own Local No. 1575, filed a lawsuit that contests the United States Department of Labor's certification earlier this year of eleven Federal Transit Administration (FTA) grants to California transit agencies. He noted that the District received \$64 million dollars of the grants. He said that the District is working through the California Transit Association and provided a declaration in support of the State of California's motions to intervene in the litigation and bring the venue back to where prior cases were located. Earlier this week, ATU filed objections to the motion, and the courts will work out a resolution in the future.

Mr. Mulligan also reported that work is progressing on the *M.S. San Francisco* ferry. He said a contract has been awarded for the next phase of repairs. However, the District is still working with Port of San Francisco to finalize its costs. Mr. Mulligan stated that he will continue to report at future Board meetings on the emergency repairs as information becomes available.

RECEIVE PUBLIC COMMENT OUT OF ORDER

At the conclusion of the General Manager's report, the Board received two additional requests to make Public Comments to the Board.

Directors THERIAULT/HERNÁNDEZ motioned and seconded to receive public comment out of order. The item was approved by the following vote of the Board of Directors:

Carried

AYES (14): Directors Fewer, Fredericks, Garbarino, Grosboll, Hernández Hill, Mastin, Rabbitt, Sears, and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

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NOES (0): None.

ABSENT (5): Directors Arnold, Brown, Belforte, Moylan, Walton, and Yee.

Patrick White, Bus Operator and Contra Costa County Resident, said that most Bus Operators live outside of Marin County and drive long distances to reach work. He said he gets up at 2:55 a.m. to arrive 15 minutes early to be considered on time. He also said when he operates a bus, he constantly scans his mirrors and is attentive to riders. In addition, he said that the ATU and District negotiations have gone on for over a year. He noted his job has been harder because he is worried about his pension and going on strike. He said that the Bus Operators may have been offered a 9% wage increase; however, he has to pay more towards benefits and pension. He expressed his belief that the Bus Operators merit a wage increase.

Francis Gleason, Bus Operator and San Francisco County Resident, spoke about how hard the Bus Operators work, and their goals to get a new compensation package. He also spoke about the stringent work rules, and the Bus Operators' goals to get a wage increase. He requested the District look after its Bus Operators.

REPORTS OF OFFICERS (Item No. 6)(CONTINUED):

(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 matter listed on the Board Agenda as Item No. 6.B.1:

**(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.**

**(b) Conference with Labor Negotiator
Pursuant to Government Code Section 54957.6
Report of Hanson Bridgett, LLP
Negotiations with the Amalgamated Transit Union, Local No. 1575**

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- (c) Public Employee Performance Evaluation and Conference with Labor Negotiator Pursuant to Government Code Sections 54957 and 54957.6
 - (i) General Manager
 - (ii) District Engineer
 - (iii) Auditor-Controller
 - (iv) Secretary of the District
 - (v) Attorney of the District

(C) District Engineer

(1) Report of the District Engineer

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.

She reported that last month the Suicide Deterrent System (SDS) contractor was installing the fifth work platform. She was pleased to report that the platform was completed and now, is being used to install additional net supports for the SDS.

(7) OTHER REPORTS:

There were no "Other Reports" to discuss.

(8) REPORT OF COMMITTEES:

**(A) Meeting of the Finance-Auditing Committee/Committee of the Whole
November 21, 2019
Chair Brian Sobel**

(1) Budget Increase in the Golden Gate Bridge Physical Suicide Deterrent System Project to Fund Documentation for Archival Preservation and Public Education

Directors SOBEL/RABBITT

Resolution No. 2019-080 authorizes a budget increase in the amount of \$250,000 in the *Golden Gate Bridge Physical Suicide Deterrent System Project*, Project #1526, to be financed with District funds, to fund the documentation of the history, approval, design, construction, and completion of the Physical Suicide Deterrent System Project, for archival preservation and public education.

Adopted

AYES (14): Directors Fredericks, Garbarino, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt, Sears, Sobel and Yee; Second Vice President Cochran; First Vice President Theriault, President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Belforte, Brown, Fewer and Walton.

(2) **Receive the Annual Report of the OPEB Retirement Investment Trust Board**

Directors SOBEL/COCHRAN

Resolution No. 2019-081 receives the annual review of the OPEB Retirement Investment Trust Board of its investment policy, service personnel and Charter.

Adopted

AYES (14): Directors Fredericks, Garbarino, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt, Sears, Sobel and Yee; Second Vice President Cochran; First Vice President Theriault, President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Belforte, Brown, Fewer and Walton.

(B) **Meeting of the Rules, Policy and Industrial Relations Committee/Committee of the Whole**

November 22, 2019

Vice Chair Michael Theriault

(1) **Approve Changes to the Table of Organization Relative to the Information Systems Department**

Directors THERIAULT/HERNÁNDEZ

Resolution No. 2019-082 approves changes to the table of organization relative to the Information Systems Department, as follows:

- a. Eliminates one Help Desk position at an annual salary of \$76,960 to \$92,914, not including benefits; and,
- b. Adds one Systems Administrator – PC Support position, at an annual salary of \$80,808 to \$97,614, not including benefits.

Adopted

AYES (14): Directors Fredericks, Garbarino, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt, Sears, Sobel and Yee; Second Vice President Cochran; First Vice President Theriault, President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Belforte, Brown, Fewer and Walton.

(9) **ADDRESSES TO BOARD:**

There were no “Addresses to Board” to discuss.

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

A. **Approve the 2020 Golden Gate Bridge, Highway and Transportation District’s Board of Directors Meeting Schedule**

(1) **Presentation by Staff**

**BOARD OF DIRECTORS MEETING
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Ms. Ko-Wong reviewed the staff report to approve the Board's meeting schedule for 2020. She noted that staff is recommending the Board and Committee meetings in May be held during the fifth week of the month. She stated that staff is recommending that all other meetings be in the fourth week of the month as usual.

Directors COCHRAN/FREDERICKS

Resolution No. 2019-083 approves the *2020 Board of Directors Meeting Schedule*.

Adopted

AYES (14): Directors Fredericks, Garbarino, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt, Sears, Sobel and Yee; Second Vice President Cochran; First Vice President Theriault, President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Belforte, Brown, Fewer and Walton.

[Director Grosboll departed.]

(11) UNFINISHED BUSINESS:

(A) 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 Nos. 6.B.1.a., 6.B.1.b. and 6.B.1.c.

(B) 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 about Closed Session Item No. 6.B.1.a, but there was nothing to report out. He also reported that the Board was briefed about Closed Session Item No. 6.B.1.b. and gave appropriate guidance to its labor negotiators. In addition, he reported there was nothing to report on Item No. 6.B.1.c.

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

No action was taken on this item.

(12) NEW BUSINESS:

Director Mastin reported he was awarded a California Transit Association Distinguished Service Award for Mendocino Transit Authority. He noted he was associated with three exceptional transit agencies including the Golden Gate Bridge Highway and Transportation District. He expressed his support for workers like Painters and Bus Operators that make the public agencies the exceptional organizations that they are.

**BOARD OF DIRECTORS MEETING
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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:

Before adjourning, President Pahre observed that today is the anniversary of John F. Kennedy’s death.

All business having been concluded, the meeting was adjourned at 11:17 a.m. in honor of James Wah Toy, Maria Amaguin, Juan Gonzalez, E. Gordon Pahre, and the Victims of the Saugus High School Shooting on November 14, 2019.

Carried

Respectfully submitted,

Amorette M. Ko-Wong
Secretary of the District

AMK:EIE:mjl

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AGENDA ITEM NO. 5.B.

**RATIFICATION OF PREVIOUS ACTIONS BY THE AUDITOR-CONTROLLER
FINANCE-AUDITING COMMITTEE OF DECEMBER 19, 2019**

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

(1) Staff Report

The previous actions by the Auditor-Controller were presented to the Finance-Auditing Committee for approval at the meeting of December 19, 2019. Both are posted to the web site, as follows:

<http://goldengate.org/board/2019/agendas/documents/2019-1219-FinanceComm-No3-RatofAction.pdf>

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