



2020-05

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

**MEMORANDUM OF MINUTES**

**BOARD OF DIRECTORS MEETING**

**MAY 29, 2020**

**Executive Order N-25-20 and N-29-20, issued by the Governor of the State of California, in which portions of the Ralph M. Brown Act are suspended and allows, all Board members, staff and the public to participate by telephone.**

The Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District (District) met in regular session via audio conference, on Friday, May 29, 2020, at 10:00 a.m., President Pahre presiding.

- (1) **CALL TO ORDER:** President Barbara L. Pahre.
- (2) **ROLL CALL:** Secretary of the District Amorette M. Ko-Wong.

**Directors Present (15):** Directors Fewer, Fredericks, Garbarino, Grosboll, Hernández, Hill, Mastin, Moylan, Rabbitt, Sears, Sobel and Yee; Second Vice President Cochran; First Vice President Theriault; President Pahre.

**Directors Absent (2):** Arnold and Belforte.

**[Note: On this date, there were two vacancies 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; Attorney Madeline Chun; Deputy General Manager/Administration and Development Kellee Hopper; Deputy General Manager/Bridge Division Steve Miller; Deputy General Manager/Bus Transit Mona Babauta; Executive Assistant to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

**Visitors Present:** Kymberlyrenée Gamboa, Sacramento County Resident; David Rhody, The Climate Reality Project; David Pilpel, San Francisco County Resident.

- (3) **PLEDGE OF ALLEGIANCE:** Director James Mastin
- (4) **PUBLIC COMMENT:**

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**(A) Public Comment**

Kymberlyrenée Gamboa, Sacramento County Resident spoke about her son Kyle Emerson Gamboa who jumped off the Bridge in 2013. She thanked the District for its efforts on the Suicide Deterrent System (SDS) construction project. She noted the SDS provides her and her family with the comfort that something is being done to deter suicides off the Bridge. She requested a status of the SDS construction work and an estimated completion date.

David Rhody, The Climate Reality Project noted that he understands the District's priority is focused on responding to the pandemic crisis and its effects on the District. He encouraged the District to consider the pandemic may not be a solo event and there could be other health crises in the future. He noted there could also be unusual and challenging events related to climate change such as wildfires, hurricanes and floods. He pointed out that the reduced travel during the Shelter-in-Place (SIP) has resulted in less pollution and clearer air. He stated that the pollution would increase and could increase further if transit agencies are not able to attract riders back to public transit. He encouraged the District to look at clean air as part of its goal to reduce greenhouse gas emissions. He suggested the District consider electric engines for its buses and ferries, promoting biking across the Bridge and converting to all renewable energy. He recommended a recovery plan that did not further harm the ecosystem.

David Pilpel, San Francisco County Resident commented on the minutes in the Consent Calendar specific to the draft Finance-Auditing Committee Minutes of April 23, 2020, and the draft Board of Directors Minutes of April 24, 2020. He noted he reads the packet as thoroughly as possible. He also expressed his appreciation for staff's efforts.

**(B) Response to Public Comments**

In response to Ms. Gamboa's questions, Ms. Bauer-Furbush responded that the completion of the SDS is scheduled for 2023, and the entire project would be completed in April 2024.

**(5) CONSENT CALENDAR:**

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

**AYES (15):** Directors Fewer, 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 (2):** Arnold and Belforte.

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

- (1) Board of Directors of March 27, 2020;
- (2) Building and Operating Committee of April 23, 2020;
- (3) Finance-Auditing Committee of April 23, 2020; and
- (4) Board of Directors of April 24, 2020.

**Carried**

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

**Resolution No. 2020-026** (as detailed in the May 28, 2020 Finance-Auditing Committee meeting)

- (1) Ratify Commitments and/or Expenditures
- (2) Ratify Previous Investments
- (3) Authorize Investments
- (4) Accept Investment Report April 2020

**Adopted**

**(6) REPORTS OF OFFICERS:**

**(A) General Manager**

**(1) 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.

At the meeting, Mr. Mulligan highlighted parts of his report. He spoke about the Metropolitan Transportation Commission (MTC) allocation of the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding in the amount of \$30.2 million to the District. He stated that to get the CARES Act funding, the District had to submit an application for a grant to the Federal Transit Administration (FTA), its application was approved, and the funds will be available in the coming weeks. He noted the District's application took time because the FTA process includes going through a Department of Labor (DOL) process, which includes a review by unions representing employees at the transit agency. He said the Amalgamated Transit Union (ATU) Local 1575 objected to the award of the \$30.2 million but the DOL staff rejected ATU Local 1575's argument in writing on the same day. He emphasized the funding will offset a portion of the reserves the District has had to spend.

Mr. Mulligan stated that when the report was prepared, Bridge traffic was 56% below normal. During the week of April 5, traffic was down 71%. He pointed out that the week of May 17, Bridge traffic had increased a few percentage points, and bus and ferry ridership are about where they have been since the Shelter-in-Place (SIP) began. He emphasized that Bridge traffic of less than 50% of normal is problematic because about 50% of Bridge toll revenues subsidize the bus and ferry operations. He noted that since the SIP began, the District has been spending its reserves. He emphasized that the District is not earning enough revenue for the Bridge operations and much less for bus and ferry transit operations. He noted the CARES Act funding will help offset the transit losses. He also noted staff continues to modify transit services to best meet the public's demand for transit while being economically responsible and keeping staff employed.

Mr. Mulligan said MTC has allocated about 61% of the CARES Act funding and will likely allocate the remainder in July. He reported that MTC created a Blue Ribbon Transit Recovery Task Force to look at: a) a methodology for allocating the remainder of the funding; b) transit recovery plans; and c) making Bay Area transit more seamless.

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Mr. Mulligan commented that the Task Force is envisioned to be around for a year. He noted that he and Director Rabbitt are serving on the Task Force. He pointed out that in the proposed FY 20/21 Budget, staff assumed the District would receive the same percentage of the CARES Act funding in the next round of funding as it did in the first round of allocations.

Mr. Mulligan reported the Labor Advisory Committee met, and gave staff direction to amend the Union Coalition contracts so negotiations could be delayed for 60 days at the Coalition's request.

**(2) Employee Recognition**

Mr. Mulligan stated that it would be difficult to recognize employees in person during the Board's teleconference meetings. He congratulated all the employees in the May Employee Recognition by reading the names of retirees, service awardees, and the Employee of the Month for May 2020:

- Retirement of Phillip White, Bus Operator, Bus Division with twenty-eight years and nine months of service with the District.
- Retirement of Alfonso Herrera, Bus Operator, Bus Division with twenty years of service with the District.
- Retirement of Greg Wyrsh, Bus Operator, Bus Division with twenty years of service with the District.
- Retirement of Joseph (Rocky) Vargo, Bus Operator, Bus Division with twenty years of service with the District.
- Twenty-Five Year Service Award to Tim Lin, District Storekeeper, Bridge Division.
- Twenty Year Service Award to Martin Melgar, Bus Operator, Bus Division.
- Twenty Year Service Award to Thomas Farr, Bus Operator, Bus Division.
- Twenty Year Service Award to Richard Sadler, Bus Operator, Bus Division.
- Twenty Year Service Award to Vante Zuniga, Laborer, Bridge Division.
- Twenty Year Service Award to Michael Affonso, House Painter, Bridge Division.
- Employee of the Month for May 2020 for Thomas Kaetzel, Communications and Electronics Supervisor, Bridge Division.

Mr. Mulligan stated these employees would also be recognized in person at a future Board meeting after the SIP concludes.

**(B) Attorney**

**(1) Report of the Attorney**

Attorney Kimon Manolius stated that all items contained in the written Attorney's Report are informational. He said there is no Closed Session on today's agenda. 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.

Attorney Manolius said he would be sending out a brief regarding the *Saliani v. GGBH&TD* matter. He noted the case will resume in late June and invited the Directors to call him with questions.

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**(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.

Ms. Bauer-Furbush said that the contractor has installed three quarters of the SDS net supports. She added that the contractor has made progress with the Wind Retrofit, and has replaced three quarters of the hand rails and one quarter of the wind fairings. She reported that 50% of the net is in different stages of fabrication. She added that the subcontractor Carl Stahl continues fabrication at its facility. She highlighted that the subcontractor Vigor had stopped fabrication work at its facility but resumed on May 18, 2020. She noted that the project team estimates the steel fabrication will be completed by December 2020, the SDS will be completed by January 2023, and the entire project will be completed by April 2024.

**(7) OTHER REPORTS:**

There were no "Other Reports" to discuss.

**(8) REPORT OF COMMITTEES:**

**(A) Meeting of the Building and Operating Committee/Committee of the Whole  
May 28, 2020  
Chair Michael Theriault**

**(1) Approve Actions Relative to Professional Services Agreement No. 2018-B-06, Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Steel Fabrication Shop Inspection Services, with Materials Testing & Inspection**

**Directors THERIAULT/MOYLAN**

**Resolution No. 2020-027** approves the following actions relative to the Professional Services Agreement (PSA) No. 2018-B-06, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Steel Fabrication Shop Inspection Services*:

- (i) Authorizes execution of the Second Amendment to PSA No. 2018-B-06, with Materials Testing & Inspection, Boise, ID, in an amount not to exceed \$180,000 for continuation of structural steel fabrication inspection services, for the total PSA amount of \$1,779,408.17; and,
- (ii) Establishes a 10% contingency for the amendment in the amount of \$18,000;

with the understanding that sufficient funds to finance the Second Amendment to the PSA and its contingency are available in the budget for construction of the Golden Gate Bridge Physical Suicide Deterrent System Project (Project #1526).

**Adopted**

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**AYES (15):** Directors Fewer, 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 (2):** Arnold and Belforte.

- (2) **Approve Actions Relative to Professional Services Agreement No. 2010-B-01, Golden Gate Bridge Seismic Retrofit Phase IIIB Design Services, with HDR Engineering, Inc.**

**Directors THERIAULT/SEARS**

**Resolution No. 2020-028** approves the following actions relative to Professional Services Agreement (PSA) No. 2010-B-1, *Golden Gate Bridge Seismic Retrofit Phase IIIB Design Services*:

- (i) Authorizes execution of the Second Addendum to the Seventh Amendment to PSA No. 2010-B-1, with HDR Engineering, Inc., Walnut Creek, CA, in an amount not to exceed \$106,752, for continuation of engineering support services during construction of the Golden Gate Bridge Wind Retrofit Project (Project #1528), for the total Seventh Amendment amount of \$436,752; and,
- (ii) Establishes a 10% contingency for the addendum in the amount of \$10,600;

with the understanding that sufficient funds to finance the Second Addendum to the Seventh Amendment to the PSA and its contingency are available in the budget for construction of the Golden Gate Bridge Wind Retrofit Project (Project #1528).

**Adopted**

**AYES (15):** Directors Fewer, 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 (2):** Arnold and Belforte.

- (3) **Approve Actions Relative to Professional Services Agreement No. 2017-B-15, Golden Gate Bridge Toll Gantry Design Services, with AECOM**

**Directors THERIAULT/GARBARINO**

**Resolution No. 2020-029** approves the following actions relative to the Professional Services Agreement (PSA) No. 2017-B-15, *Golden Gate Bridge Toll Gantry Design Services*:

- (i) Authorizes execution of the Third Amendment to PSA No. 2017-B-15, with AECOM, Oakland, CA, in an amount not to exceed \$149,793.11, for additional design services, for the total PSA amount of 1,229,680.04; and,
- (ii) Establishes a 10% contingency for the amendment in the amount of \$15,000;

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with the understanding that sufficient funds to finance the Third Amendment to the PSA and its contingency are available in the budget for the Toll Plaza Gantry Project (Project #1820).

**Adopted**

**AYES (15):** Directors, Fewer, 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 (2):** Arnold and Belforte.

**(B) Meeting of the Finance-Auditing Committee/Committee of the Whole  
May 28, 2020  
Chair Brian Sobel**

Director Sobel reported the Committee had a productive meeting that included an overview of the proposed FY 20/21 Budget, which is a superb document and very readable. He expressed his appreciation for staff's efforts. He noted that staff's forecast for revenues and expenses is troubling given the COVID-19 SIP.

**(1) Authorize Execution of a Third Amendment to the Services Agreement with VHT Star Star, LLC Relative to Contract No. 2013-B-11, Mobile Direct Response Network Services to Enable Mobile Messaging for Toll Information for All Electronic Tolling**

**Directors SOBEL/FREDERICKS**

**Resolution No. 2020-030** authorizes execution of the Third Amendment to the Services Agreement with VHT Star Star, LLC, dba StarStar Mobile, relative to Contract No. 2013-B-11, *Mobile Direct Response Network Services to Enable Mobile Messaging for Toll Information for All Electronic Tolling (AET)*, for a total not-to-exceed amount of \$75,000 (up to \$25,000 per year), for use of the StarStar mobile phone number and application services for an additional one-year term with two one-year option terms to be exercised by the General Manager, if deemed in the best interest of the District; with the understanding that sufficient funds in the FY 20/21 District Division Operating Budget for the first year of services and sufficient funds will be included in future year's budgets, as necessary.

**Adopted**

**AYES (15):** Directors, Fewer, 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 (2):** Arnold and Belforte.

**(2) Authorize Execution of an Extension to the Commercial Paper Line of Credit Agreement with JPMorgan Chase Bank**

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**Directors SOBEL/GROSBOLL**

**Resolution No. 2020-031** authorizes the execution of an extension of the Line of Credit (“Agreement”) with JPMorgan Chase Bank (“JPMorgan”), for the Commercial Paper Program (“CP Program”), at a cost of 0.825% per annum, for a total cost of approximately \$637,500, for the period of June 30, 2020, through June 29, 2021.

**Adopted**

**AYES (15):** Directors, Fewer, 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 (2):** Arnold and Belforte.

**(9) ADDRESSES TO BOARD:**

There were no “Addresses to Board” to discuss.

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

**(A) Discussion and Possible Action to Terminate the Suspension of Board Procedural Rules and Policies For COVID-19 related Emergency Actions**

Mr. Mulligan thanked the Board for entrusting staff to take emergency actions as necessary for the changing environment resulting from the COVID-19 SIP. He said that staff would like the Board to discuss whether the suspension of Board procedural rules and policies continues to be appropriate. He stated staff recommends the authority continue and the suspension of Board procedural rules and policies not be terminated at this time. He pointed to the uncertainty related to the COVID-19 pandemic, and associated economic consequences. He stated that the flexibility to address changing circumstances is valuable. He noted staff has made significant changes to bus services in response to changing demand. He also said that the District’s tenant, the Marin Airporter, had made a request to postpone and spread out its rent payments. He said Marin Airporter’s business has decreased significantly as a result of the COVID-19 pandemic and resulting SIP. He noted there could also be opportunities for grants and staff would like the authority to apply for the grants as they arise. He requested the Board not take action at this time to terminate the authority delegated to the General Manager.

**(1) Discussion by the Board**

Director Theriault made a motion to continue consideration of action on this item to the next meeting. He stated that if the Board wants further discussion on this item, he would hold back his motion until the discussion was concluded.

**(2) Public Comment**

David Pilpel, San Francisco County Resident said he concurred with the comments made by Mr. Mulligan and the motion made by Director Theriault. He said he would recommend keeping the suspension of the rules in place.



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**Directors THERIAULT/FREDERICKS** moved to continue consideration of this item until the next Board meeting.

**Carried**

**AYES (15):** Directors, Fewer, 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 (2):** Arnold and Belforte.

**(11) UNFINISHED BUSINESS:**

There was no “Unfinished Business” to discuss.

**(12) NEW BUSINESS:**

There was no “New Business” to discuss.

**(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 10:52 a.m. in honor of Paul Ng and John Lee.

Respectfully submitted,



Amorette M. Ko-Wong  
Secretary of the District

AMK:EIE:mjl