



2020-08

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

MEMORANDUM OF MINUTES

BOARD OF DIRECTORS MEETING

AUGUST 28, 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.

These minutes are provided as a supplement to the audio recording that is posted online at:
<https://www.goldengate.org/district/board-of-directors/meeting-documents/>

The Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District (District) met in regular session via audio conference, on Friday, August 28, 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 (14): Directors Arnold, Belforte, Fewer, Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

Director Absent (3): Director Hernández, Moylan and Yee.

[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; Deputy General Manager/Administration and Development Kellee Hopper; Deputy General Manager/Bridge Division Steve Miller; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Ferry Division Jim Swindler; Executive Administrator to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

- (3) **PLEDGE OF ALLEGIANCE:** Director Brian Sobel

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Copies of all reports are available on the District's web site at <https://www.goldengate.org/district/board-of-directors/meeting-documents> or upon request from the Office of the District Secretary.

(4) PUBLIC COMMENT: [3:20 Minutes Mark on the Audio Recording]

(A) Public Comment

The following individuals spoke under public comment:

- Manuel Gamboa, County of Sonoma Resident
- David Rhody, The Climate Reality Project
- Wendy Wong, County of Marin Resident
- Bruce Bell, County of Marin Resident
- Helen Moore, District Retiree
- Shane Weinstein, Amalgamated Transit Union, Local 1575
- Francis Gleason, Bus Operator

(B) Response to Public Comments [20:18 Minutes Mark on the Audio Recording]

Mr. Mulligan responded to the public comments.

[Directors Cochran and Fredericks arrived.]

(5) CONSENT CALENDAR: [18:10 Minutes Mark on the Audio Recording]

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

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

NOES (0) None.

ABSENT (3): Directors Hernández, Moylan and Yee.

(A) Approve the Minutes of the following Meetings

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

Carried

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

Resolution No. 2020-050 (as detailed in the August 27, 2020 Finance-Auditing Committee meeting)

- (1) Ratifies Commitments and/or Expenditures
- (2) Ratifies Previous Investments
- (3) Authorizes Reinvestments
- (4) Accepts Investment Report July 2020

Adopted

(6) **REPORTS OF OFFICERS:**

(A) **General Manager** [24:22 Minutes Mark on the Audio Recording]

Mr. Mulligan presented the General Manager Report, which was for informational purposes only and no action was taken. He provided an update on the status of the District's application for the remainder of the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding. He recognized the following employees and the President for their District service: Sonia Pedlar, Keith Nunn, Joseph Yokoi, Bobby Davis, President Barbara Pahre and Matthew Dacquist.

President Pahre commented on her service to the Board.

(B) **Attorney** [31:15 Minutes Mark on the Audio Recording]

Attorney Kimon Manolius presented the Attorney Report, which was for informational purposes only and no action was taken. He reported that there would be no closed session at today's meeting. He also stated he would be sending a report to the Board about the *Saliani v. Bay Area Toll Authority and Golden Gate Bridge, Highway & Transportation District* class action case.

(C) **District Engineer** [32:03 Minutes Mark on the Audio Recording]

Ms. Bauer-Furbush presented the District Engineer Report, which was for informational purposes only and no action was taken. She provided a status update on the Suicide Deterrent System and Wind Retrofit Projects.

(7) **OTHER REPORTS:**

There were no "Other Reports" to discuss.

(8) **REPORT OF COMMITTEES** [35:44 Minutes Mark on the Audio Recording]:

The following individual spoke under public comment:

- Shane Weinstein

(A) **Meeting of the Transportation Committee/Committee of the Whole** [38:40 Minutes Mark on the Audio Recording]
August 27, 2020
Chair David Rabbitt

- (1) **Authorize a Resolution of Support Endorsing the "Riding Together: Bay Area Healthy Transit Plan"** [38:44 Minutes Mark on the Audio Recording]

Directors THERIAULT/GROSBOLL moved and seconded to continue this item until the meeting of September 11, 2020.

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AYES (3): Directors Grosboll and Hill; First Vice President Theriault.
NOES (10) Directors Belforte, Fewer, Fredericks, Garbarino, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; President Pahre.
ABSENT (4): Directors Arnold, Hernández, Moylan and Yee.

Failed

Directors Grosboll, Mastin, Rabbitt, Fewer, Hill, Theriault, Fredericks, Sears, Belforte and Sobel, and President Pahre commented and inquired about the Plan, Resolution and the discussion. Director Fewer requested that the Board be informed about changes to the District's health and safety standards especially those related to COVID-19. After a long discussion amongst Board members, President Pahre summarized the Board members' intention that the resolution was being passed with the understanding that the General Manager and other members of the District staff would keep the Board informed about any changes to District health and safety standards, especially those that are driven by County Public Health Orders and affect District operations.

Mr. Mulligan responded to the Directors' comments and inquiries.

Directors RABBITT/ARNOLD

Resolution No. 2020-051 authorizes a resolution of support endorsing the "Riding Together: Bay Area Healthy Transit Plan."

Adopted

AYES (13): Directors Arnold, Belforte, Fewer, Fredericks, Garbarino, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.
NOES (1): Director Grosboll.
ABSENT (3): Directors Hernández, Moylan and Yee.

(Director Belforte departed.)

(2) Authorize Execution of the Eighth Amendment and Related Actions Relative to Request for Proposals No. 2012-D-1, Customer Communication Services Platform Utilizing Interactive Voice Technology, with Enghouse Transportation [1:24:45 Hours Mark on the Audio Recording]

Directors RABBITT/FREDERICKS

Resolution No. 2020-052 authorizes execution of the eighth amendment and related actions relative to Request for Proposals No. 2012-D-1, *Customer Communication Services Platform Utilizing Interactive Voice Technology*, with Enghouse Transportation as follows:

(a) Authorizes execution of the Eighth Amendment to the Professional Services Agreement with Enghouse Transportation (formerly DBA Ontira Communications, Inc.), to include additional professional services in a not-to-exceed amount of \$25,000 and to extend the annual maintenance services for

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the Short Message Service (SMS)-Fixed Route for an additional one-year term in the amount of \$41,000; and,

- (b) Authorizes the General Manager to approve future amendments to extend the annual maintenance services for the SMS Fixed Route module, as well as other modules when current maintenance terms expire, at his discretion, if deemed in the Golden Gate Bridge, Highway and Transportation District's (District) best interest and if funds are available in the District's Operating Budget.

Adopted

AYES (13): Directors Arnold, Fewer, Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0) None.

ABSENT (4): Directors Belforte, Hernández, Moylan and Yee.

**(B) Meeting of the Building and Operating Committee/Committee of the Whole
[1:27:41 Hours Mark on the Audio Recording]
August 27, 2020
Chair Michael Theriault**

- (1) **Approve Actions Relative to Award of Contract No. 2020-BT-011, *Novato Bus Facility Underground Storage Tank Site Cleanup*, to ETIC [1:28:04 Hours Mark on the Audio Recording]**

Directors THERIAULT/SEARS

Resolution No. 2020-053 approves the following actions relative to award of Contract No. 2020-BT-011, *Novato Bus Facility Underground Storage Tank Site Cleanup*, as follows:

- (a) Authorizes award of Contract No. 2020-BT-011 to ETIC, Pleasant Hill, CA, in the amount of \$5,893,899.75,
- (b) Establishes a construction contingency for Contract No. 2020-BT-011 in the amount of \$589,400 equal to 10% of the contract award amount; and,
- (c) Authorizes an increase in the amount of \$5,100,300 in the FY 20/21 Bus Transit Division Capital Budget for Project #2132, D2 (Novato Bus Facility) Pavement & Remediation, to be funded from District reserves, for a revised total Project #2132 budget of \$7,100,300 as concurred with by the Finance-Auditing Committee.

Adopted

AYES (13): Directors Arnold, Fewer, Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0) None.

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ABSENT (4): Directors Belforte, Hernández, Moylan and Yee.

- (2) **Approve an Increase in the Golden Gate Bridge Physical Suicide Deterrent System Project Budget for Additional Construction Administration and Construction Engineering Staff Cost Relative to Construction Contract No. 2016-B-01, Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Projects** **[1:30:22 Hours Mark on the Audio Recording]**

Directors THERIAULT/GARBARINO

Resolution No. 2020-054 approves a \$2,000,000 budget increase in the FY 2020/21 Bridge Division Capital Budget to the *Golden Gate Bridge Physical Suicide Deterrent System Project* (Project #1526), to be funded with District reserves, for a revised total Project #1526 budget of \$194,779,868 to finance through December 2020 additional administration and construction engineering staff costs relative to construction Contract No. 2016-B-01, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Projects* as concurred with by the Finance-Auditing Committee.

Adopted

AYES (13): Directors Arnold, Fewer, Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0) None.

ABSENT (4): Directors Belforte, Hernández, Moylan and Yee.

(Director Grosboll departed)

- (C) **Meeting of the Finance-Auditing Committee** **[1:32:54 Hours Mark on the Audio Recording]**
August 27, 2020
Chair Brian Sobel

- (1) **Authorize Actions Relative to the Application and Award of Cycle Six Lifeline Transportation Program Funds** **[1:33:14 Hours Mark on the Audio Recording]**

Directors SOBEL/FREDERICKS

Resolution No. 2020-055 authorizes the General Manager or his designees to execute for and on behalf of the Golden Gate Bridge, Highway and Transportation District grant applications and agreements and to take such other actions as necessary to secure funding relative to the Cycle Six Lifeline Transportation Program.

Adopted

AYES (12): Directors Arnold, Fewer, Fredericks, Garbarino, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0) None.

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ABSENT (5): Directors Belforte, Grosboll, Hernández, Moylan and Yee.

- (2) **Authorize the Setting of a Public Hearing to Receive Public Comment on the Proposed Expansion of Clipper Start Fares to Include Marin Local Rides on Golden Gate Transit Bus Service** [Added: August 24, 2020]
[1:35:08 Hours Mark on the Audio Recording]

Directors SOBEL/HILL

Resolution No. 2020-056 authorizes the setting of a public hearing to receive public comment on the expansion of means-based fares, known as “Clipper START” fares, to include local rides within Marin County on Golden Gate Transit buses; with the understanding that the public hearing would take place via audioconference on Thursday, September 24, 2020, at 9:00 a.m.

Adopted

AYES (12): Directors Arnold, Fewer, Fredericks, Garbarino, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (5): Directors Belforte, Grosboll, Hernández, Moylan and Yee.

- (D) **Meeting of the Rules, Policy and Industrial Relations Committee** **[1:37:15 Hours Mark on the Audio Recording]**
August 28, 2020
Chair Judy Arnold

- (1) **Authorize Changes for Group Medical Coverage for Board of Directors**
[1:37:31 Hours Mark on the Audio Recording]

Directors ARNOLD/COCHRAN

Resolution No. 2020-057 approves changes to the Golden Gate Bridge, Highway and Transportation District’s (District) policy for providing group medical coverage for members of the Board of Directors as follows:

- (a) Approves the transition of District-provided health care coverage for members of the Board of Directors to the CalPERS Health Plan system, effective January 1, 2021, pending adoption of CalPERS Resolutions,
- (b) Approves the establishment of a Health Reimbursement Arrangement (HRA) plan for members of the Board of Directors enrolled in specified CalPERS medical plans,
- (c) Modifies access to medical coverage for retired members of the Board of Directors to include only District-administered non-medical benefits, effective January 1, 2021; and,
- (d) Approves updates to the District’s policies, as appropriate.

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With the understanding that adoption of Resolutions required by CalPERS to complete the transition will be brought to the Board of Directors for action at its September 11, 2020 meeting.

Adopted

AYES (12): Directors Arnold, Fewer, Fredericks, Garbarino, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (5): Directors Belforte, Grosboll, Hernández, Moylan and Yee.

- (2) **Receive Statement of Actuarial Opinion Regarding the Cost Impact of Retiree Health Benefit Plan Changes in Accordance with California Code 7507 Relative to the Transition of District Health Plans to the CalPERS Health System for Amalgamated Transit Union and Non-Represented Employees and Retirees** [1:40:10 Hours Mark on the Audio Recording]

Directors ARNOLD/SOBEL

Resolution No. 2020-058 receives the statement of actuarial opinion regarding the cost impact of retiree health benefit plan changes upon future costs, including normal cost and any additional accrued liability, in accordance with California Code 7507 relative to the transition of District retiree health plans to the CalPERS health system for Amalgamated Transit Union (ATU) and Non-Represented employees and retirees.

Adopted

AYES (12): Directors Arnold, Fewer, Fredericks, Garbarino, Hill, Mastin, Rabbitt, Sears and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (5): Directors Belforte, Grosboll, Hernández, Moylan and Yee.

(Directors Arnold and Sears departed)

- (9) **ADDRESSES TO BOARD:**

There were no “Addresses to Board” to discuss.

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

- (A) **Consider Possible Action to Terminate the Suspension of Board Procedural Rules and Policies for COVID-19 related Emergency Actions** [1:42:40 Hours Mark on the Audio Recording]

Mr. Mulligan presented the staff report.

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Directors THERIAULT/HILL moved and seconded to continue consideration of this item until the next Board meeting.

Carried

AYES (10): Directors Fewer, Fredericks, Garbarino, Hill, Mastin, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (7): Directors Arnold, Belforte, Grosboll, Hernández, Moylan, Sears and Yee.

(11) UNFINISHED BUSINESS:

There was no “Unfinished Business” to discuss.

(12) NEW BUSINESS:

There was no “New Business” to discuss.

(13) COMMUNICATIONS: [1:44:56 Hours Mark on the Audio Recording]

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: [1:45:10 Hours Mark on the Audio Recording]

All business having been concluded **Directors SOBEL/GARBARINO** moved and seconded that the meeting be adjourned at 11:46 a.m. in honor of former Director John Fraser, Bus Operator Larry Wade, Robert Z. Bruckman, Joseph Eberle, Peter Nabong and Neil Gray.

Carried

Respectfully submitted,



Amorette M. Ko-Wong
Secretary of the District

AMK:EIE:mjl