



Agenda Item No. (5)

BOARD OF DIRECTORS MEETING
FRIDAY, DECEMBER 17, 2021

(5) **CONSENT CALENDAR:**

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

- (1) Transportation Committee of November 18, 2021;
- (2) Building and Operating Committee of November 18, 2021;
- (3) Finance-Auditing Committee of November 18, 2021;
- (4) Rules, Policy, and Industrial Relations Committee of November 19, 2021;
and,
- (5) Board of Directors of November 19, 2021.

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 2021

Resolution

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November 18, 2021



**MINUTES OF THE TRANSPORTATION COMMITTEE/
COMMITTEE OF THE WHOLE**

Assembly Bill 361, signed by the Governor of the State of California on September 16, 2021, amends the Ralph M. Brown Act to allow Board members, staff and the public to participate remotely in meetings, without complying with traditional teleconference meeting rules.

**These minutes are supplemented by the audio recording that is posted online at:
<https://www.goldengate.org/district/board-of-directors/meeting-documents>.**

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

Honorable Members:

A meeting of the Transportation Committee/Committee of the Whole (Committee) of the Golden Gate Bridge, Highway and Transportation District (District) was held via audio conferencing on Thursday, November 18, 2021, at 9:00 a.m., Chair Fredericks presiding.

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

Committee Members Present (8): Chair Fredericks; Vice Chair Arnold; Directors Hill, Mastin, Rabbitt, Rodoni and Snyder; President Pahre.

Committee Members Absent (1): Director Melgar.

Other Directors Present (4): Directors Cochran, Garbarino, Grosboll and Theriault.

Committee of the Whole Members Present (12): Directors Arnold, Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

Committee of the Whole Members Absent (5): Directors Conroy, Giudice, Hernández, Melgar and Stefani.

[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/Bridge Division Steve Miller;

**TRANSPORTATION COMMITTEE/COMMITTEE OF THE WHOLE
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Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Ferry Division James Swindler; Deputy General Manager/Administration and Development Kellee Hopper; Executive Administrator to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

Copies of all reports and presentations 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.

(3) Report of District Advisory Committees [02:10 Minutes Mark on the Audio Recording]

(a) Advisory Committee on Accessibility; (b) Bus Passengers Advisory Committee; and (c) Ferry Passengers Advisory Committee

The staff report was for informational purposes only and no action was taken.

[Director Grosboll arrived.]

(4) Presentation by the Transportation Authority of Marin on the Northbound US-101 to Eastbound I-580 Direct Connector Project [03:02 Minutes Mark on the Audio Recording]

General Manager Denis Mulligan stated that the District has a number of reasons to be interested in the Northbound US-101 to Eastbound I-580 Direct Connector project. He introduced Anne Richman and Dan Cherrier of the Transportation Authority of Marin (TAM) who provided the *Northbound US-101 to Eastbound I-580 Direct Connector Project* presentation. Mr. Mulligan expressed appreciation for TAM staff's efforts on the project to date. He pointed out that the California Department of Transportation (Caltrans) would ultimately control any land underneath the freeway.

[33:21 Minutes Mark on the Audio Recording]

Directors Mastin, Hill, Grosboll, Rodoni, Theriault and Garbarino, and Chair Fredericks commented and inquired about the presentation.

Director Mastin inquired if land acquisition was included in the preliminary cost of the alternatives. He commented that Alternatives 1A and 1B, and possibly Alternative 2 could have the least impact on traffic during construction, and would allow for higher travel speeds.

Director Hill inquired about the top three most popular alternatives. He said the San Rafael City Council was most positively inclined towards Alternatives 3A, 3B modified, 2 and 6.

Director Grosboll inquired if the Canal Alliance had taken a position on a particular alternative. He also inquired about the sentiments of the bicycle community towards the alternatives.

**TRANSPORTATION COMMITTEE/COMMITTEE OF THE WHOLE
NOVEMBER 18, 2021/PAGE 3**

Director Rodoni expressed appreciation for the TAM staff and their efforts on the project. He said that he has a number of constituents with a strong interest in the project. He also said that he thought this project along with the District's San Rafael Transit Center project were some of the more important transportation projects in the area. He encouraged the project team to progress at a pace that would allow for adequate public input.

Director Theriault expressed support for people having high-level discussions about the transportation corridor that would go beyond the project being presented today. He asked if the community would be served by having the key stakeholders develop ways to maximize a fluid flow of traffic rather than attempting to eliminate traffic.

Director Garbarino stated that the Executive Director of the Canal Alliance had sent a letter expressing opposition to Alternatives 1A and 1B.

Chair Fredericks expressed appreciation for the project team's outreach efforts so early in the process.

Ms. Richman and Mr. Cherrier responded to the Directors' inquiries.

The following individual spoke under public comment: **[36:05 Minutes Mark on the Audio Recording]**

- David Pilpel, San Francisco Resident

(5) Monthly Report on Bridge Traffic, Transit Ridership Trends, and Transit Service Performance [38:32 Minutes Mark on the Audio Recording]

General Manager Denis Mulligan presented the staff report, which was for informational purposes only and no action was taken.

Director Hill inquired if the ferry ridership included the special event ridership. Chair Fredericks inquired about the possibility of providing benchmarks for what would trigger increases in bus service.

Mr. Mulligan responded to the Director's and Chair's inquiries. He reviewed the District's standards for offering bus service.

(6) Monthly Report on Activities Related to Marin Transit [44:54 Minutes Mark on the Audio Recording]

General Manager Denis Mulligan presented the staff report, which was for informational purposes only and no action was taken. He said that staff is actively negotiating with Marin Transit for a new multi-year contract to provide local bus service for Marin Transit. He said staff looks forward to bringing a new contract to the Board in the coming months.

(7) Public Comment [46:23 Minutes Mark on the Audio Recording]

The following individual spoke under Public Comment:

- David Pilpel, San Francisco Resident

**TRANSPORTATION COMMITTEE/COMMITTEE OF THE WHOLE
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(8) Adjournment [48:48 Minutes Mark on the Audio Recording]

All business having been concluded, Directors RABBITT/SNYDER moved and seconded that the meeting be adjourned at 9:50 a.m.

Carried

Respectfully submitted,

Alice Fredericks, Chair
Transportation Committee

AF:AMK:EIE:tnm

DRAFT

November 18, 2021



**MINUTES OF THE BUILDING AND OPERATING COMMITTEE/
COMMITTEE OF THE WHOLE**

Assembly Bill 361, signed by the Governor of the State of California on September 16, 2021, amends the Ralph M. Brown Act to allow Board members, staff and the public to participate remotely in meetings, without complying with traditional teleconference meeting rules.

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<https://www.goldengate.org/district/board-of-directors/meeting-documents>.**

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

Honorable Members:

A meeting of the Building and Operating Committee/Committee of the Whole (Committee) of the Golden Gate Bridge, Highway and Transportation District (District) was held via audio conferencing on Thursday, November 18, 2021, at 9:53 a.m., Chair Theriault presiding.

- (1) **Call to Order:** 9:53 a.m.
- (2) **Roll Call:** Secretary of the District Amorette M. Ko-Wong.

Committee Members Present (7): Chair Theriault; Vice-Chair Garbarino; Directors Cochran, Fredericks, Mastin and Rabbitt; President Pahre.

Committee Members Absent (1): Director Hernández.

Other Directors Present (4): Directors Grosboll, Hill, Rodoni and Snyder.

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

Committee of the Whole Members Absent (6): Directors Arnold, Conroy, Giudice, Hernández, Melgar and Stefani.

[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/Bridge Division Steve Miller; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Ferry Division

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James Swindler; Deputy General Manager/Administration and Development Kellee Hopper; Executive Administrator to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

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.

[Director Fredericks arrived.]

(3) Approve Actions Relative to the Adoption of Bicycle Safety Recommendations, and Amend the Master Ordinance Accordingly [02:11 Minutes Mark on the Audio Recording]

Deputy General Manager/Bridge Division Steve Miller presented the staff report. He reviewed the staff recommendation and stated that it was the result of a long planning and public outreach process. He also reviewed additional items that do not require formal Board action, but are included in a recommended slate of improved safety conditions for the Bridge sidewalks. He noted the Bridge has constraints and is heavily utilized. He provided additional details about the public outreach process, and the constraints that limit the District's ability to make additional changes. He expressed appreciation for the public's involvement in the process.

Chair Theriault, Directors Hill, Cochran, Grosboll and Mastin commented and inquired about the staff report. Chair Theriault expressed appreciation for the public's participation in the process. He stated that the District could consider some more of the public's recommendations in the future.

Director Hill inquired about how the speed limits are enforced and rules that apply to bicyclists. He commented that the analysis was the most thorough analysis of bicycling that he had ever seen. He also commented that the Study had received very thorough comments, and encouraged staff to respond to the comments. He endorsed the creation of a new Bicycle and Pedestrian Advisory Committee and requested statistics on the personal mobility devices. He noted the Brooklyn Bridge had recently converted a traffic lane to a two-way bicycle lane, and suggested the District consider something similar after the major Bridge projects had been completed. He also suggested the District consider implementing bicycle charging stations.

Director Cochran expressed appreciation for the thoroughness of the report. He inquired about the wind speed that would cause staff to shut down the sidewalks on the west side of the Bridge, and divert bicycle traffic to the east side of the Bridge.

Director Grosboll inquired who would issue speeding tickets and he commented that the California Highway Patrol (CHP) would have to stop on the Bridge, get out and issue the tickets. He said he had seen a letter with a suggestion to pad hard surfaces on the Bridge and he asked if this could be done. He requested staff return to the Board and provide progress reports about the changes that are implemented.

**BUILDING AND OPERATING COMMITTEE/COMMITTEE OF THE WHOLE
NOVEMBER 18, 2021/PAGE 3**

Chair Theriault commented that he appreciated that the proposed Ordinance gave bicyclists the discretion to stay on the west side of the Bridge even during times of high wind events. He commented he thought the proposed Ordinance was very specific about where bicycles could be at certain times of the day and week, and he asked if this specificity gave staff sufficient flexibility. He said that he would appreciate having staff and the attorneys look at the language to see if a modification might be appropriate. He inquired about Section 2.12.c. of the Master Ordinance, and he suggested the Section could be clearer if it were to further distinguish between the different types of vehicles.

Director Hill suggested Section 1.5.e. could be more clearly written, and he suggested that a changeable sign could be turned on and off to notify people as they walk onto the Bridge during high wind events.

Mr. Miller and Mr. Mulligan responded to the Directors' inquiries. Mr. Miller said that the California Highway Patrol had the authority to issue tickets on the Bridge. Mr. Mulligan stated that the new Advisory Committee would continue to consider many of the issues raised in the public outreach process regarding the Safety Recommendations.

The following individual spoke under public comment: **[49:30 Minutes Mark on the Audio Recording]**

- David Pilpel, San Francisco Resident

(a) Action by the Committee

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

RECOMMENDATION

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors approve actions relative to the adoption of bicycle safety policies as follows:

- (i.) Establish a maximum speed limit of 15 mph for bicycles on the Bridge sidewalks along with a maximum speed limit of 5 mph for bicycles on the sidewalk areas around the Bridge towers, subject to the requirement that, under all circumstances, bicycles shall be operated at a speed no greater than what is reasonable for safe operation, and in a manner that does not endanger the safety of others;
- (ii.) Allow pedal assisted electric bicycles (Ebikes) of Classes 1, 2, and 3 to use the Bridge sidewalks;
- (iii.) Clarify the list of devices prohibited on the Bridge sidewalks to include other pedestrian-type rolling conveyances;
- (iv.) Establish a District Bicycle and Pedestrian Advisory Committee to ensure continued and ongoing engagement with bicycle and pedestrian users groups of the Bridge and the District's Bus and Ferry systems; and,
- (v.) Amend the District's Master Ordinance accordingly.

Action by the Board at its meeting of November 19, 2021 – Ordinance

AYES (11): Directors Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Giudice, Hernández, Melgar and Stefani.

**(4) Status Report from Board Appointee(s) on Sonoma-Marín Area Rail Transit Board
[54:28 Minutes Mark on the Audio Recording]**

Director Garbarino provided a Sonoma-Marín Area Rail Transit (SMART) status report, which was for informational purposes only and no action was taken. Director Rabbitt added to the report.

(5) Status Report on Engineering Projects [58:33 Minutes Mark on the Audio Recording]

District Engineer Ewa Bauer-Furbush presented a status report, which was for informational purposes only and no action was taken.

(6) Public Comment

There was no Public Comment.

(7) Adjournment [59:26 Minutes Mark on the Audio Recording]

All business having been concluded, **Directors COCHRAN/GARBARINO** moved and seconded that the meeting be adjourned at 10:53 a.m.

Carried

Respectfully submitted,

Michael Theriault, Chair
Building and Operating Committee

MT:AMK:EIE:tnm

November 18, 2021



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

Assembly Bill 361, signed by the Governor of the State of California on September 16, 2021, amends the Ralph M. Brown Act to allow Board members, staff and the public to participate remotely in meetings, without complying with traditional teleconference meeting rules.

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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 via audio conference, on Thursday, November 18, 2021, at 10:57 a.m., Chair Rabbitt presiding.

- (1) **Call to Order:** 10:57 a.m.
- (2) **Roll Call:** Secretary of the District Amorette M. Ko-Wong.

Committee Members Present (7): Chair Rabbitt; Vice Chair Fredericks; Directors Cochran, Grosboll, Mastin and Theriault; President Pahre.

Committee Member Absent (2): Directors Giudice and Hernández.

Other Directors Present (3): Directors Garbarino, Hill and Snyder.

Committee of the Whole Members Present (10): Directors Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

Committee of the Whole Members Absent (7): Directors Arnold, Conroy, Giudice, Hernández, Melgar, Rodoni and Stefani.

[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/Bridge Division Steve Miller;

Deputy General Manager/Bus Transit Division Mona Babauta; Division Deputy General Manager/Ferry Division James Swindler; Deputy General Manager/Administration and Development Kellee Hopper; Director of Planning Ron Downing; Executive Administrator to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

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.

[Director Grosboll departed and the Committee of the Whole became a Committee.]

(3) Ratification of Previous Actions by the Auditor-Controller [02:32 Minutes Mark on the Audio Recording]

Auditor-Controller Joseph Wire presented the Investment Report.

(a) 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 recommends that the Board of Directors approve the following actions:

- (i) There were no commitments and/or expenditures to ratify for the period of October 1, 2021 through October 31, 2021;
- (ii) Ratify investments made during the period October 12, 2021 through November 8, 2021;
- (iii) Authorize the reinvestment, within the established policy of the Board, of any investments maturing November 8, 2021 and December 6, 2021 as well as the investment of all other funds not required to cover expenditures that may become available; and,
- (iv) Accept the Investment Report for October 2021.

**Action by the Board at its meeting of November 19, 2021 – Resolution
CONSENT CALENDAR**

AYES (6): Chair Rabbitt; Vice Chair Fredericks; Directors Cochran, Mastin and Theriault; President Pahre.

NOES (0): None.

ABSENT (2): Directors Giudice and Hernández.

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

No actions required authorization.

(5) **Authorize Actions Related to Grant Programs**

No actions required authorization.

[Director Grosboll arrived and the Committee became a Committee of the Whole.]

(6) **Approve Actions Relative to Adoption of an Angel Island Ferry Fare and Amend the Master Ordinance** [04:16 Minutes Mark on the Audio Recording]

Director of Planning Ron Downing presented the staff report. He said that Blue & Gold Fleet indicated that the organization no longer wanted to operate the Angel Island ferry. He highlighted some of the differences between Blue & Gold Fleet's fares and the District's proposed fares, and outlined ways to obtain the least expensive fare. He said that staff would continue to assess the fares during the course of the demonstration project. He responded to some of the public comments.

Chair Rabbitt commented and inquired about the staff report.

Mr. Mulligan responded to the Chair's inquiry.

The following individual spoke under Public Comment: [17:59 Minutes Mark on the Audio Recording]

- David Pilpel, San Francisco Resident

(a) **Action by the Committee**

Staff recommended and the Committee concurred by motion made and seconded by **Directors THERIAULT/COCHRAN** 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 amend the Master Ordinance accordingly and adopt an Angel Island ferry fare, without entrance fees, as follows:

- \$12.50 each way for a single ride adult fare;
- \$7.50 each way for Clipper Card adult fare;
- \$6.00 each way for youths, seniors, Medicare recipients, and people with disabilities using a Clipper Card or a single ride ticket; and
- \$5.50 each way for Clipper START;

with the understanding that in addition to the ferry fares, the District will collect the applicable Angel Island California State Park fees and remit the same to the State of California Department of Parks and Recreation, as detailed in the staff report.

**Action by the Board at its meeting of November 19, 2021 – Ordinance
NON-CONSENT CALENDAR**

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

NOES (0): None.

ABSENT (7): Directors Arnold, Conroy, Giudice, Hernández, Melgar, Rodoni and Stefani.

(7) **Receive the Independent Auditor’s Annual Comprehensive Financial Report (Formerly Comprehensive Annual Financial Report) for the Year Ending June 30, 2021, as Submitted by Eide Bailly, LLP [21:36 Minutes Mark on the Audio Recording]**

Auditor-Controller Joseph Wire introduced the staff report, and Ahmad Gharaibeh of Eide Bailly LLP. Mr. Gharaibeh explained the audit, outlined the auditor’s role, and reviewed the Auditor’s opinion. He highlighted that the audit team made no adjustments to the Annual Comprehensive Financial Report (ACFR), and gave it a “clean opinion.” He expressed appreciation for the audit team including District and Eide Bailly personnel.

Director Grosboll, Chair Rabbitt and President Pahre commented and inquired about the auditor’s report. Director Grosboll inquired about the auditor’s role in verifying the District’s assets. Chair Rabbitt expressed appreciation for the ACFR. President Pahre expressed appreciation for the District and Eide Bailly staff’s contributions to the ACFR.

Mr. Gharaibeh responded to Director Grosboll’s inquiry.

The following individual spoke under public comment: **[27:06 Minutes Mark on the Audio Recording]**

- David Pilpel, San Francisco Resident

(a) **Action by the Committee**

Staff recommended and the Committee concurred by motion made and seconded by **Directors FREDERICKS/COCHRAN** 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 Independent Auditor’s financial reports as submitted by Eide Bailly, LLP, for the following:

- (i.) The Annual Comprehensive Financial Report (ACFR), formerly Comprehensive Annual Financial Report for the year ending June 30, 2021; and,
- (ii.) The Independent Auditor’s Communication Letter regarding matters related to the audit.

**Action by the Board at its meeting of November 19, 2021 – Resolution
NON-CONSENT CALENDAR**

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

NOES (0): None.

ABSENT (7): Directors Arnold, Conroy, Giudice, Hernández, Melgar, Rodoni and Stefani.

(8) Receive the Annual Report of the OPEB Retirement Investment Trust Board [30:18 Minutes Mark on the Audio Recording]

Auditor-Controller Joseph Wire presented the staff report. He stated that the Trust custodian, U.S. Bank, acquired part of PFM and the Trust Board and staff are evaluating whether or not this ownership creates a conflict.

The following individual spoke under public comment: **[34:15 Minutes Mark on the Audio Recording]**

- David Pilpel, San Francisco Resident

(b) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/PAHRE** 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. This report summarizes the annual review of the OPEB Retirement Investment Trust Board of its investment policy, service personnel and Charter.

**Action by the Board at its meeting of November 19, 2021 – Resolution
NON-CONSENT CALENDAR**

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

NOES (0): None.

ABSENT (7): Directors Arnold, Conroy, Giudice, Hernández, Melgar, Rodoni and Stefani.

(9) Status Report on the FY 21/22 Budget [36:14 Minutes Mark on the Audio Recording]

Auditor-Controller Joseph Wire presented the staff report, which was for informational purposes only and no action was taken. The FY 21/22 Adopted Budget is available on the District's website at: <https://www.goldengate.org/documents>. He highlighted that the second tranche of the American Rescue Plan Act (ARPA) of \$24 million has been delayed as a result of a recent Department of Labor decision about a court case related to the

**FINANCE-AUDITING COMMITTEE/ COMMITTEE OF THE WHOLE
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California Public Employees' Pension Reform Act (PEPRA) of 2013.

The following individual spoke under public comment: **[41:34 Minutes Mark on the Audio Recording]**

- David Pilpel, San Francisco Resident

Mr. Wire responded to the public comment. **[43:39 Minutes Mark on the Audio Recording]**

(10) Public Comment

There was no Public Comment.

(11) Adjournment [44:53 Minutes Mark on the Audio Recording]

All business having been concluded Directors SNYDER/COCHRAN moved and seconded that the meeting be adjourned at 11:42 a.m.

Carried

Respectfully submitted,

David A. Rabbitt, Chair
Finance-Auditing Committee

DAR:AMK:EIE:tnm

November 19, 2021



**MINUTES OF THE RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/
COMMITTEE OF THE WHOLE**

Assembly Bill 361, signed by the Governor of the State of California on September 16, 2021, amends the Ralph M. Brown Act to allow Board members, staff and the public to participate remotely in meetings, without complying with traditional teleconference meeting rules.

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

Honorable Members:

A meeting of the Rules, Policy and Industrial Relations Committee (Committee)/Committee of the Whole of the Golden Gate Bridge, Highway and Transportation District (District) was held via audio conference, on Friday, November 19, 2021, at 9:00 a.m., Vice Chair Theriault presiding.

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

Committee Members Present (6): Vice Chair Theriault; Directors Cochran, Garbarino, Grosboll and Hill; President Pahre.

Committee Members Absent (2): Chair Arnold; Director Hernández.

Other Directors Present (5): Directors Fredericks, Mastin, Rabbitt, Rodoni and Snyder.

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

Committee of the Whole Members Absent (6): Directors Arnold, Conroy, Giudice, Hernández, Melgar and Stefani.

[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;

RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF THE WHOLE
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Attorney Kimon Manolius; Deputy General Manager/Bridge Division Steve Miller; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Ferry Division James Swindler; Deputy General Manager/Administration and Development Kellee Hopper; Executive Administrator to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

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.

Acting Chair Theriault stated he would welcome comments from all Board members present at the Committee meeting.

[Directors Rabbitt and Rodoni arrived, and the Committee became a Committee of the Whole.]

(3) Approve the Rules of the Board, as Amended [02:09 Minutes Mark on the Audio Recording]

Secretary of the District Amorette Ko-Wong presented the staff report.

Director Cochran inquired about the order of succession for the Acting General Manager.

Ms. Ko-Wong responded to the Director's inquiry.

The following individual spoke under public comment: [06:31 Minutes Mark on the Audio Recording]

- David Pilpel, San Francisco Resident

(a) Action by Committee

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

RECOMMENDATION

The Rules, Policy and Industrial Relations Committee/Committee of the Whole recommends that the Board of Directors approve the recodification of the *Rules of the Board* to incorporate amendments approved by the Board of Directors.

Action by the Board at its meeting of November 19, 2021 – Resolution

AYES (11): Directors Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

**RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF THE WHOLE
NOVEMBER 19, 2021/PAGE 3**

ABSENT (6): Directors Arnold, Conroy, Giudice, Hernández, Melgar and Stefani.

(4) Approve Reclassification of the Payroll Manager Position [10:08 Minutes Mark on the Audio Recording]

Auditor-Controller Joseph Wire presented the staff report.

The following individual spoke under public comment: [12:18 Minutes Mark on the Audio Recording]

- David Pilpel, San Francisco Resident

(a) Action by Committee

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

RECOMMENDATION

The Rules, Policy and Industrial Relations Committee/Committee of the Whole recommends that the Board of Directors approve reclassification of the Payroll Manager position with an 8% salary adjustment, to increase the hourly salary from \$49.16-\$59.42 to \$53.07-\$64.13.

Action by the Board at its meeting of November 19, 2021 – Resolution

AYES (11): Directors Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Giudice, Hernández, Melgar and Stefani.

(5) Approve Reorganization in the Paint Department of the District’s Bridge Division and Related Actions [15:26 Minutes Mark on the Audio Recording]

Deputy General Manager/Bridge Division Steve Miller presented the staff report.

The following individual spoke under public comment: [20:03 Minutes Mark on the Audio Recording]

- David Pilpel, San Francisco Resident

(a) Action by Committee

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

RECOMMENDATION

The Rules, Policy and Industrial Relations Committee/Committee of the Whole recommends that the Board of Directors approve actions relative to the Paint Department in the Golden Gate Bridge, Highway and Transportation District's (District) Bridge Division, as follows:

- (i) Eliminate the Chief Housepainter position at an annual salary of \$115,212 not including benefits;
- (ii) Eliminate one Housepainter position at an annual salary of \$102,399 not including benefits;
- (iii) Add one new position of Lead Housepainter at an annual salary of \$107,536, not including benefits;
- (iv) Add one position to the classification of Bridge Painter at an annual salary of \$115,856, not including benefits; and,
- (v) Amend the Table of Organization accordingly;

with the understanding that the cost of the positions authorized as part of this item will be funded with savings from the eliminated position and salary savings for this fiscal year, and will be budgeted accordingly in future fiscal years.

Action by the Board at its meeting of November 19, 2021 – Resolution

AYES (11): Directors Fredericks, Garbarino, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Giudice, Hernández, Melgar and Stefani.

(6) Public Comment

There was no Public Comment.

(7) Adjournment [22:23 Minutes Mark on the Audio Recording]

All business having been concluded, **Directors GARBARINO/COCHRAN** moved and seconded that the meeting be adjourn 9:23 a.m.

Carried

Respectfully submitted,

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

MT:AMK:EIE:tnm



2021-11

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

MEMORANDUM OF MINUTES

BOARD OF DIRECTORS MEETING

NOVEMBER 19, 2021

Assembly Bill 361, signed by the Governor of the State of California on September 16, 2021, amends the Ralph M. Brown Act to allow Board members, staff and the public to participate remotely in meetings, without complying with traditional teleconference meeting rules.

These minutes are supplemented by 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, November 19, 2021, 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 (13): Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

Directors Absent (4): Directors Arnold, Hernández, Melgar and Stefani.

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

**BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2021/PAGE 2**

- (3) **PLEDGE OF ALLEGIANCE:** Second Vice President Cochran. **[02:24 Minutes Mark on the Audio Recording]**

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:** **[03:00 Minutes Mark on the Audio Recording]**

Secretary of the District Amorette Ko-Wong stated that the Board would take public comment for all items on the agenda at this time.

The following individuals spoke under Public Comment:

- Kymberlyrenée Gamboa, Sacramento County Resident
- Dave Rhody, The Climate Reality Project
- Kim Stryker, The Climate Reality Project and San Francisco Resident
- Shane Weinstein, Amalgamated Transit Union, Local 1575
- John Doherty, International Brotherhood of Electrical Workers, Local 6
- Warren Wells, Marin County Bicycle Coalition
- David Pilpel, San Francisco Resident

Mr. Mulligan responded to the public comments. **[22:09 Minutes Mark on the Audio Recording]**

[Director Conroy arrived.]

- (5) **CONSENT CALENDAR:** **[25:38 Minutes Mark on the Audio Recording]**

Secretary of the District Amorette Ko-Wong presented the Consent Calendar.

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

AYES (13): Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (4): Directors Arnold, Hernández, Melgar and Stefani.

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

- (1) Transportation Committee of October 21, 2021
- (2) Rules, Policy and Industrial Relations Committee of October 21, 2021;
- (3) Finance-Auditing Committee of October 21, 2021;
- (4) Governmental Affairs and Public Information Committee of October 22, 2021; and,
- (5) Board of Directors of October 22, 2021.

Carried

**BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2021/PAGE 3**

- (B) **Ratification of Previous Actions by the Auditor-Controller**
Resolution No. 2021-082 (as detailed in the November 18, 2021 Finance-Auditing Committee meeting)
- (1) Ratifies Commitments and/or Expenditures
 - (2) Ratifies Previous Investments
 - (3) Authorizes Reinvestments
 - (4) Accepts Investment Report for October 2021
- Adopted**

(6) **REPORTS OF OFFICERS:**

(A) **General Manager** [27:40 Minutes Mark on the Audio Recording]

Mr. Mulligan presented the General Manager Report. He spoke about an unpermitted expressive event at the Bridge and an accident that occurred during the event that resulted in five people being injured. He said that two of the injured individuals were still off work as a result of their injuries. He stated that staff would work with the District's attorneys to review the District's Expressive Activities permit guidelines to see if changes are appropriate.

He highlighted that the Metropolitan Transportation Commission (MTC) had allocated the next round of American Rescue Plan (ARP) funding. He summarized an Amalgamated Transit Union (ATU) challenge to the California Public Employees' Pension Reform Act (PEPRA). He said that this legal action could affect the District's ability to receive federal grants including the next award of the ARP funding.

Mr. Mulligan spoke about some actual and planned changes to bus and ferry service. He said that MTC and the Bay Area Council had partnered to survey employers, and at this time, employers appear poised to be inclined to schedule their staff to return to work in their offices after January 1, 2022. He also thanked the Transportation Authority of Marin (TAM) for their informative presentation the day before on the Northbound US-101 to Eastbound I-580 Direct Connector Project to the Transportation Committee.

He recognized the following employees for their service: Donald Larrabure, Antoine Chatman, Francis Vasquez, Meredyth Knott, Daniel Knutson and Peter Pomies. He also recognized Aaron Bianchi, Raymond Chatman, and Ernesto Ardenas from Shimmick/Danny's Joint Venture who are workers on the construction of the Suicide Deterrent System Project for their suicide intervention effort.

President Pahre expressed appreciation for the District and contractor's employees who were recognized for their service. Director Garbarino noted for the record that she would recuse herself if TAM's Highway 101 to Highway 580 Connector project were to require Board action.

(B) **Attorney** [43:40 Minutes Mark on the Audio Recording]

Attorney Kimon Manolius presented the Attorney Report, which was for informational purposes only and no action was required.

**BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2021/PAGE 4**

(1) Closed Session

Attorney Manolius reported that a Closed Session, listed on the Board Agenda as Item Nos. 6.B.1.a and 10.E.1., would take place just prior to the conclusion of this meeting:

6.B.1.a Conference with Labor Negotiator

Pursuant to Government Code Section 54957.6

Report of Hanson Bridgett LLP

Employee organizations: Union Coalition and Amalgamated Transit Union
Local 1575

10.E.1. Public Employee Performance Evaluation and Conference with Labor Negotiator

Pursuant to Government Code Sections 54957 and 54957.6

Report of Advisory Committee for Review of Officers

- (a) General Manager
- (b) District Engineer
- (c) Auditor-Controller
- (d) Secretary of the District
- (e) Attorney of the District

(C) District Engineer [44:45 Minutes Mark on the Audio Recording]

District Engineer Ewa Bauer-Furbush presented the District Engineer Report, which was for informational purposes only and no action was taken. She stated that the Suicide Deterrent System project reached a notable milestone when the contractor started the process to install a portion of the actual net on the west side of the North Approach Viaduct. She also provided an update about a few other District projects including the Bridge inspections and seismic instrumentation, and the Novato Bus Facility site clean-up.

(7) OTHER REPORTS:

There were no Other Reports to discuss.

(Director Snyder Departed)

(8) REPORT OF COMMITTEES: [49:54 Minutes Mark on the Audio Recording]

President Pahre thanked the project team that conducted public outreach on the Bicycle Safety Recommendations for consideration. She stated the Board held a public hearing, and the Committee discussed the Recommendations further at the Building and Operating Committee meeting the day before. She expressed appreciation for the process, and the Deputy General Manager/Bridge Division Steve Miller's and the project team's efforts on the Recommendations.

**(A) Meeting of the Building and Operating Committee/Committee of the Whole
[51:01 Minutes Mark on the Audio Recording]
November 18, 2021**

Chair Michael Theriault

- (1) **Approve Actions Relative to the Adoption of Bicycle Safety Recommendations, and Amend the Master Ordinance Accordingly**
[51:03 Minutes Mark on the Audio Recording]

Chair Theriault expressed appreciation for the contributions of staff and the public to the Recommendations. He noted this action would establish a Bicycle and Pedestrian Advisory Committee, and the Committee would continue to consider other aspects of safety.

Directors THERIAULT/GROSBOLL

Ordinance No. 2021-001 approves actions relative to the adoption of bicycle safety policies as follows:

- (a) Establishes a maximum speed limit of 15 mph for bicycles on the Bridge sidewalks along with a maximum speed limit of 5 mph for bicycles on the sidewalk areas around the Bridge towers, subject to the requirement that, under all circumstances, bicycles shall be operated at a speed no greater than what is reasonable for safe operation, and in a manner that does not endanger the safety of others;
- (b) Allows pedal assisted electric bicycles (Ebikes) of Classes 1, 2, and 3 to use the Bridge sidewalks;
- (c) Clarifies the list of devices prohibited on the Bridge sidewalks to include other pedestrian-type rolling conveyances;
- (d) Establishes a District Bicycle and Pedestrian Advisory Committee to ensure continued and ongoing engagement with bicycle and pedestrian users groups of the Bridge and the District's Bus and Ferry systems; and,
- (e) Amends the District's Master Ordinance accordingly, and at the Committee's request, to include, at the end of Section II, "Golden Gate Bridge and Approaches," Subsection G.5., "Bicycles," item "a", the following sentence: "Notwithstanding the foregoing, the General Manager, or his or her designee, may permit bicycle traffic on the east sidewalk, at any time, in response to severe weather conditions or other emergencies."

Adopted

AYES (12): Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt and Rodoni; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Hernández, Melgar, Snyder and Stefani.

(Director Snyder returned)

- (B) **Meeting of the Finance-Auditing Committee/Committee of the Whole** **[55:07 Minutes Mark on the Audio Recording]**
November 18, 2021

Chair David Rabbitt

President Pahre stated the Finance-Auditing Committee members discussed the Angel Island ferry fares in depth at the Committee meeting the day before. She expressed appreciation for staff's efforts to act quickly and hold a public hearing on the proposed fares in November.

- (1) **Approve Actions Relative to Adoption of an Angel Island Ferry Fare and Amend the Master Ordinance** [55:46 Minutes Mark on the Audio Recording]

Directors RABBITT/COCHRAN

Ordinance No. 2021-002 amends the Master Ordinance accordingly and adopts an Angel Island ferry fare, without entrance fees, as follows:

- \$12.50 each way for a single ride adult fare;
- \$7.50 each way for Clipper Card adult fare;
- \$6.00 each way for youths, seniors, Medicare recipients, and people with disabilities using a Clipper Card or a single ride ticket; and
- \$5.50 each way for Clipper START;

with the understanding that in addition to the ferry fares, the District will collect the applicable Angel Island California State Park fees and remit the same to the State of California Department of Parks and Recreation, as detailed in the staff report.

Adopted

AYES (13): Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (4): Directors Arnold, Hernández, Melgar and Stefani.

- (2) **Receive the Independent Auditor's Annual Comprehensive Financial Report (Formerly Comprehensive Annual Financial Report) for the Year Ending June 30, 2021, as Submitted by Eide Bailly, LP** [58:07 Minutes Mark on the Audio Recording]

Directors RABBITT/GIUDICE

Resolution No. 2021-083 receives the Independent Auditor's financial reports as submitted by Eide Bailly, LLP, for the following:

- (a) The Annual Comprehensive Financial Report (ACFR), formerly Comprehensive Annual Financial Report for the year ending June 30, 2021; and,
- (b) The Independent Auditor's Communication Letter regarding matters related to the audit.

Adopted

**BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2021/PAGE 7**

- AYES (13):** Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.
- NOES (0):** None.
- ABSENT (4):** Directors Arnold, Hernández, Melgar and Stefani.

(3) Receive the Annual Report of the OPEB Retirement Investment Trust Board [1:00:10 Hour Mark on the Audio Recording]

Directors RABBITT/FREDERICKS

Resolution No. 2021-084 receives the Annual Report of the OPEB Retirement Investment Trust Board. This report summarizes the annual review of the OPEB Retirement Investment Trust Board of its investment policy, service personnel and Charter.

Adopted

- AYES (13):** Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.
- NOES (0):** None.
- ABSENT (4):** Directors Arnold, Hernández, Melgar and Stefani.

**(C) Meeting of the Rules, Policy and Industrial Relations Committee/Committee of the Whole [1:01:54 Hour Mark on the Audio Recording]
November 19, 2021
Vice Chair Michael Theriault**

President Pahre expressed appreciation to Vice Chair Theriault for performing the role of the Acting Chair for the meeting.

(1) Approve the Rules of the Board, as Amended [1:02:19 Hour Mark on the Audio Recording]

Directors THERIAULT/COCHRAN

Resolution No. 2021-085 approves the recodification of the *Rules of the Board* to incorporate amendments approved by the Board of Directors.

Adopted

- AYES (13):** Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.
- NOES (0):** None.
- ABSENT (4):** Directors Arnold, Hernández, Melgar and Stefani.

(2) Approve Reclassification of the Payroll Manager Position [1:04:34 Hour Mark on the Audio Recording]

Directors THERIAULT/SNYDER

**BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2021/PAGE 8**

Resolution No. 2021-086 approves reclassification of the Payroll Manager position with an 8% salary adjustment, to increase the hourly salary from \$49.16-\$59.42 to \$53.07-\$64.13.

Adopted

AYES (13): Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (4): Directors Arnold, Hernández, Melgar and Stefani.

(3) Approve Reorganization in the Paint Department of the District's Bridge Division and Related Actions [01:06:07 Hour Mark on the Audio Recording]

Directors THERIAULT/HILL

Resolution No. 2021-087 approves amendments to the Table of Organization relative to the Paint Department in the Golden Gate Bridge, Highway and Transportation District's (District) Bridge Division, as follows:

- (a) Eliminates the Chief Housepainter position at an annual salary of \$115,212 not including benefits;
- (b) Eliminates one Housepainter position at an annual salary of \$102,399 not including benefits;
- (c) Adds one new position of Lead Housepainter at an annual salary of \$107,536, not including benefits;
- (d) Adds one position to the classification of Bridge Painter at an annual salary of \$115,856, not including benefits; and,
- (e) Amends the Table of Organization accordingly.

with the understanding that the cost of the positions authorized as part of this item will be funded with savings from the eliminated position and salary savings for this fiscal year, and will be budgeted accordingly in future fiscal years.

Adopted

AYES (13): Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (4): Directors Arnold, Hernández, Melgar and Stefani.

(9) ADDRESSES TO BOARD:

There were no Addresses to Board to discuss.

(10) SPECIAL ORDER OF BUSINESS:

**BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2021/PAGE 9**

- (A) **Adopt a Resolution in Accordance with Assembly Bill 361 Finding That the Proclaimed State of Emergency Continues to Impact the Ability to Meet Safely in Person** [1:08:20 Hour Mark on the Audio Recording]

Secretary of the District Amorette Ko-Wong presented the staff report.

Directors FREDERICKS/GARBARINO/

Resolution No. 2021-088 adopts a resolution in accordance with Assembly Bill 361, finding that the proclaimed state of emergency continues to have an impact on the ability to meet safely in person.

Adopted

AYES (13): Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (4): Directors Arnold, Hernández, Melgar and Stefani.

- (B) **Consider Possible Action to Terminate the Suspension of Board Procedural Rules and Policies for COVID-19 Related Emergency Actions** [1:10:14 Hour Mark on the Audio Recording]

General Manager Denis Mulligan presented the staff report.

President Pahre stated that it appears the Board should not be acting on this item at this time.

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

Carried

AYES (13): Directors Conroy, Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (4): Directors Arnold, Hernández, Melgar and Stefani.

(Director Grosboll departed)

- (C) **Approve the 2022 Golden Gate Bridge, Highway and Transportation District's Board of Directors Meeting Schedule** [1:12:08 Hour Mark on the Audio Recording]

Secretary of the District Amorette Ko-Wong presented the staff report.

Directors GIUDICE/RABBITT

Resolution No. 2021-089 approves the 2022 Board of Directors Meeting Schedule as presented in the Attachment to the staff report.

Adopted

- AYES (12):** Directors Conroy, Fredericks, Garbarino, Giudice, Hill, Mastin, Rabbitt, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.
- NOES (0):** None.
- ABSENT (5):** Directors Arnold, Grosboll, Hernández, Melgar and Stefani.

(Director Grosboll returned)

(D) Informational Report on Pension Plans Covering District Employees [1:13:52 Hour Mark on the Audio Recording]

General Manager Denis Mulligan introduced the staff report and Attorney Elizabeth Masson presented the staff report, which was for informational purposes only and no action was required. After Ms. Masson's presentation, Mr. Mulligan added that staff is committed to working with the Amalgamated Transit Union (ATU) and the ATU Trust Board to solve the funding issues. He expressed appreciation for Director Theriault's efforts on the ATU Trust Board.

Directors Grosboll, Theriault, and Snyder, and President Pahre commented and inquired about the staff report. Director Grosboll asked for the names of the representatives on the ATU Trust Board. He also asked how a reduction in active employees affects the pension. In addition, he asked about the practice of employers not contributing to pensions during years when a pension is performing well, and he requested the number of years the District did not pay into the ATU pension plan. He commented that the Trust Board appeared to have made a number of changes to the ATU pension plan, and from his perspective, the pension plan could use some more funding. Director Theriault commented about "pension spiking," the performance of the Investment Advisor, advantages of plan changes, and the necessity to make changes to plan contributions. He suggested the Directors review the *Plan Changes: Cost - Benefit Analysis* document he had sent for distribution and focus on pages 11 and 12. He expressed his view that plan changes as well as additional contributions would be required by all parties. President Pahre recommended the *Plan Changes: Cost - Benefit Analysis* document that was submitted by Director Theriault be added to a future agenda for further consideration. Director Snyder spoke about his concern about the pension funding level. He also spoke about the possibility of securing additional grant funding for the pension plan. He asked who would be responsible if the ATU pension plan did fail. He inquired about the possibility of having the ATU pension plan rolled into the California Public Employees' Retirement System (CalPERS).

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

(E) Report of Advisory Committee for Review of Officers [1:51:03 Hour Mark on the Audio Recording]

(1) Closed Session

Attorney Kimon Manolius, at the request of President Pahre, stated that the Board

**BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2021/PAGE 11**

would convene in Closed Session, as permitted by the Brown Act, to discuss the matters listed on the Board Agenda as Closed Session, Item Nos. 6.B.1.a and 10.E.1.

(2) Open Session [1:52:21 Hour Mark on the Audio Recording]

After Closed Session, President Pahre called the meeting to order in Open Session with a quorum present. At the request of President Pahre, Attorney Manolius reported that the Board had met in Closed Session, as permitted by the Brown Act, regarding two items as listed on the agenda as Item Nos. 6.B.1.a, and 10.E.1. He said that in regards to the first item, the Board gave its negotiator appropriate guidance. He also said that in regards to the second item, the Board received a report from President Pahre, the Chair of the Advisory Committee for Review of Officers, regarding the evaluation process of its five officers including the General Manager, District Engineer, Auditor-Controller, District Secretary and Attorney. He said that President Pahre had a report for Open Session.

(a) Consideration of Compensation Adjustment for the General Manager, District Engineer, Auditor-Controller and Secretary of the District [1:53:40 Hour Mark on the Audio Recording]

President Pahre reviewed the Advisory Committee report and recommendations as outlined below in Resolution No. 2021-090. She expressed appreciation to the Advisory Committee members, Attorney Manolius, and consultant Carmen Clark for their assistance with the evaluation process.

The following individual spoke under public comment: **[1:55:49 Hour Mark on the Audio Recording]**:

- David Pilpel, San Francisco Resident

[1:57:04 Hour Mark on the Audio Recording]

President Pahre responded to the public comment.

(Directors Conroy and Rabbitt departed)

Directors GARBARINO/FREDERICKS

Resolution No. 2021-090 approves the following actions:

- Moves both the Auditor-Controller and District Secretary from 37.5 hour to 40 hour per week employees, which will result in a corresponding increase in their compensation;
- Provides a 3% salary increase for the four salaried officers of General Manager, Auditor-Controller, Chief Engineer and District Secretary;
- Increases the amount contributed by the District to the Chief Engineer's 401(a) account from the current \$2,500 to \$10,000;
- Contributes \$1,000 on an annual basis to a 401(a) account on behalf of the District Secretary; and,
- Develops a special recognition for the General Manager for his outstanding leadership during the past year.

Adopted

- AYES (11):** Directors Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.
- NOES (0):** None.
- ABSENT (6):** Directors Arnold, Conroy, Hernández, Melgar, Rabbitt and Stefani.

(b) **Consideration of Compensation/Rate Adjustment for the Attorney for the District [1:59:38 Hour Mark on the Audio Recording]**

President Pahre reviewed the Advisory Committee report and recommendation as outlined below in Resolution No. 2021-091.

The following individual spoke under public comment: **[2:01:13 Hours Mark on the Audio Recording]:**

- David Pilpel, San Francisco Resident

Directors GIUDICE/COCHRAN

Resolution No. 2021-091 approves an increase in the hourly blended rate for legal services charged by Hanson Bridgett to the District to \$460.00 per hour for the period January 1, 2022 to December 31, 2023, and to \$505.00 per hour for the period January 1, 2024 to December 31, 2025; and, approves an increase in the Fixed Fee portion of the arrangement with Hanson Bridgett from \$100,000.00 per month to \$110,000.00 per month.

Adopted

- AYES (11):** Directors Fredericks, Garbarino, Giudice, Grosboll, Hill, Mastin, Rodoni and Snyder; Second Vice President Cochran; First Vice President Theriault; President Pahre.
- NOES (0):** None.
- ABSENT (6):** Directors Arnold, Conroy, Hernández, Melgar, Rabbitt and Stefani.

(11) **UNFINISHED BUSINESS:**

The Closed Session for Agenda Item No. 6.B.1.a. is outlined under Agenda Item No. 10.E.2.

(12) **NEW BUSINESS:**

There was no New Business to discuss.

(13) **COMMUNICATIONS:[2:03:30 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.

**BOARD OF DIRECTORS MEETING
NOVEMBER 19, 2021/PAGE 13**

(14) ADJOURNMENT: [2:03:37 Hours Mark on the Audio Recording]

All business having been concluded Directors GARBARINO/GIUDICE moved and seconded that the meeting be adjourned at 12:25 p.m. in the memory of Nancy Hellman Bechtel, Noah Brown, Bill Wesley Davis, former Chief of Security Dr. William (Bill) B. Rumford, Jr.

Carried

Respectfully submitted,

Amorette M. Ko-Wong
Secretary of the District

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**AGENDA ITEM NO. 5.B.
RATIFICATION OF PREVIOUS ACTIONS BY THE AUDITOR-CONTROLLER
FINANCE-AUDITING COMMITTEE OF DECEMBER 16, 2021**

(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 16, 2021. The staff report can be found on the District's web site at <https://www.goldengate.org/district/board-of-directors/meeting-documents>.

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