



2022-12

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

MEMORANDUM OF MINUTES

BOARD OF DIRECTORS MEETING

DECEMBER 16, 2022

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 video recording that is posted online at:
<https://www.youtube.com/user/goldengatedistrict>.

The Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District (District) met in regular session held virtually/remotely on Friday, December 16, 2022, at 10:00 a.m., President Theriault presiding.

- (1) CALL TO ORDER:** President Michael Theriault. **[00:23 Minutes Mark on the Video Recording]**
- (2) ROLL CALL:** Secretary of the District Amorette M. Ko-Wong. **[1:07 Minutes Mark on the Video Recording]**

Directors Present (15): Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

Directors Absent (1): Director Rabbitt.

[Note: On this date, there were three 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 Joseph Moore; Deputy General Manager/Bridge Division David Rivera; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy

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General Manager/Ferry Division James Swindler; Deputy General Manager/Administration and Development Kellee Hopper; Director of Risk Management and Safety Kelli Vitale; Executive Administrator to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

- (3) **PLEDGE OF ALLEGIANCE:** Director Patty Garbarino **[03:37 Minutes Mark on the Video 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.

[Director Rodoni arrived.]

- (4) **PUBLIC COMMENT:** **[04:05 Minutes Mark on the Video Recording]**

President Theriault inquired about the number of people who were present to make public comments. Secretary of the District Amorette Ko-Wong responded there are two members of the public who want to speak.

President Theriault confirmed that the callers could have three minutes each in which to make their comments.

The following individuals spoke under Public Comment: **[04:33 Minutes Mark on the Video Recording]**

- Kymberlyrenée Gamboa, Sacramento County Resident
- David Pilpel, San Francisco Resident
- Shane Weinstein, Amalgamated Transit Union (ATU), Local 1575

[06:07 and 10:48 Minutes Mark on the Video Recording]

President Theriault thanked Ms. Gamboa and the other speakers for their comments.

General Manager Denis Mulligan responded to the public comments. He expressed appreciation to Ms. Gamboa for her comments and advocacy of the Suicide Deterrent System.

He thanked Mr. Pilpel for his comments and review of District documents.

He expressed appreciation for Mr. Weinstein's comments.

- (5) **CONSENT CALENDAR:** **[11:40 Minutes Mark on the Video Recording]**

Ms. Ko-Wong presented the Consent Calendar and confirmed that she would remove the "s" after individual in the Board of Director Minutes in the Consent Calendar on page 29.

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Directors PAHRE/THIER moved and seconded to approve the Consent Calendar with “individuals” changed to “individual” on page 29. All items were approved by the following vote of the Board of Directors:

- AYES (15):** Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.
- NOES (0):** None.
- ABSENT (1):** Director Rabbitt.

(A) Approve the Minutes of the following Meetings:

- (1) Transportation Committee of November 17, 2022;
- (2) Building and Operating Committee of November 17, 2022;
- (3) Finance-Auditing Committee of November 17, 2022; and,
- (4) Board of Directors of November 18, 2022.

Carried

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

Resolution No. 2022-098 (as detailed in the December 15, 2022 Finance-Auditing Committee meeting)

- (1) Ratifies Commitments and/or Expenditures
- (2) Ratifies Previous Investments
- (3) Authorizes Reinvestments
- (4) Accepts Investment Report for November 2022

Adopted

(6) REPORTS OF OFFICERS:

(A) General Manager [13:23 Minutes Mark on the Video Recording]

- (1) **Approve a Revision to the 2022 Master Ordinance for Parking Lots at the Golden Gate Bridge** [13:54 Minutes Mark on the Video Recording]

Mr. Mulligan presented the staff report, explained why the action is necessary, and indicated another revision to the Master Ordinance may be necessary in the future to add an additional holiday.

President Theriault inquired about the possibility of taking public comment on this item.

Ms. Ko-Wong confirmed that the public had the opportunity to make comments during Agenda Item No. 4 Public Comment.

Directors COCHRAN/GARBARINO

Ordinance No. 2022-004 approves a revision to the 2022 Master Ordinance, Section 1.I., **PARKING PRIVILEGES AND RESTRICTIONS, Subsection (3)(a), PARKING FACILITIES AT THE GOLDEN GATE BRIDGE**, to delete the third paragraph and replace with the following text:

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“Parking fees apply on District observed Administrative Holidays (New Year’s Day, Martin Luther King Jr. Day, President’s Day, Cesar Chavez Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving and Christmas Day).”

Adopted

AYES (15): Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSENT (1): Director Rabbitt.

(2) General Manager Report [17:02 Minutes Mark on the Video Recording]

Mr. Mulligan presented the General Manager Report. He recognized Disadvantaged Business Enterprise (DBE) Program Administrator Artemisé Davenport who received the “Member of the Year” Award from The Conference of Minority Transportation Officials (COMTO). He spoke about Ms. Davenport’s enthusiasm for her work, and recognition by her colleagues.

He provided an update on the impacts of the COVID-19 pandemic on the District. He said Bridge revenues remain down about \$1 million per week and highlighted that commute travel remains down. He indicated District representatives would work with the City and County of San Francisco, the business community and transit operators to bring back trips to downtown San Francisco.

He recognized Sylvia Calderon and Donald Whitten, Jr. for their District service.

[21:41 Minutes Mark on the Video Recording]

Directors Thier, Hill and Hernández acknowledged and expressed appreciation for the contributions of Ms. Davenport.

Director Hernández also acknowledged the contributions of Ms. Calderon and Mr. Whitten, Jr.

(B) Attorney [23:39 Minutes Mark on the Video Recording]

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

(1) Closed Session

Attorney Manolius reported that two Closed Sessions, listed on the Board Agenda as Item No. 6.A. Attorney, would take place just prior to the conclusion of this meeting:

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- a) Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(a)
Report of Athens Administrators, Inc.
John Walker v. Golden Gate Bridge, Highway and Transportation District.
- b) Conference with Legal Counsel – Anticipated Litigation
Pursuant to Government Code Section 54956.9(d)(2)
Report of Hanson Bridgett, LLP
One Potential Case with Shimmick Construction Company, Inc./Danny’s Construction Company LLC, a Joint Venture.

(C) District Engineer [24:25 Minutes Mark on the Video Recording]

District Engineer Ewa Bauer-Furbush presented the District Engineer Report, which was for informational purposes only and no action was taken. She highlighted some key developments of the Suicide Deterrent System (SDS) project, Toll Plaza Administration Building Elevator project, Larkspur Ferry Terminal and Dredging project and the SDS Rescue Training Net project.

(7) OTHER REPORTS:

There were no Other Reports to discuss.

(8) REPORT OF COMMITTEES: [29:26 Minutes Mark on the Video Recording]

- (A) Meeting of the Transportation Committee/Committee of the Whole [29:44 Minutes Mark on the Video Recording]
December 15, 2022
Chair Judy Arnold

President Theriault stated that the following item was discussed at the Transportation Committee meeting of the day before.

Chair Arnold thanked staff for the presentation regarding the Short-Range Transit Plan of the day before, and said the Plan reflects a lot of thoughtful work.

- (1) Discussion and Action to Adopt the Final Short-Range Transit Plan for Regional Bus, Ferry, and Paratransit Service Prepared for the Metropolitan Transportation Commission for Fiscal Years 2022/23 Through 2027/28 [30:30 Minutes Mark on the Video Recording]

Directors ARNOLD/HILL

Resolution No. 2022-099 adopts the Final Short-Range Transit Plan for Fiscal Years 2022/23 through 2027/28 for submission to the Metropolitan Transportation Commission.

Adopted

AYES (15): Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSENT (1): Director Rabbitt.

**(B) Meeting of the Building and Operating Committee/Committee of the Whole
[32:19 Minutes Mark on the Video Recording]
December 15, 2022
Chair Patricia Garbarino**

President Theriault stated that the following item was discussed at the Building and Operating Committee meeting of the day before.

Chair Garbarino thanked staff for the presentation regarding the San Rafael Transit Center Replacement project of the day before, and said the presentation reflects many years of hard work to get to this stage of the project.

(1) Approve the San Rafael Transit Center Replacement Project; Certification of the Final Environmental Impact Report (EIR) for the Project; Approval of California Environmental Quality Act (CEQA) Findings and Mitigation Monitoring and Reporting Program [33:13 Minutes Mark on the Video Recording]

Directors GARBARINO/HERNÁNDEZ

Resolution No. 2022-100 approves the San Rafael Transit Center Replacement Project (Project) and takes actions relative to the Final Environmental Impact Report (EIR) for the Project. These actions include:

- adopting the Final EIR;
- approving findings and approving a mitigation monitoring and reporting program;
- certifying that the document meets all the requirements of the California Environmental Quality Act (CEQA); and then,
- approving the Project and selecting the Move Whistlestop Alternative as the preferred Project alternative.

Adopted

AYES (15): Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSENT (1): Director Rabbitt.

- (C) **Meeting of the Finance-Auditing Committee/Committee of the Whole [35:05 Minutes Mark on the Video Recording]**
December 15, 2022
Vice Chair Barbara Pahre

President Theriault stated the following item was discussed at the Finance-Auditing Committee meeting of the day before. He asked if any Directors wanted to recuse themselves and leave the meeting.

[Directors Grosboll, Hernández and Snyder stated they have potential conflicts relative to the item listed below, recused themselves and departed.]

- (1) **Approve Actions Relative to the Renewal of Vision, Dental, Life Insurance and Employee Assistance Plans [36:57 Minutes Mark on the Video Recording]**

Directors PAHRE/GIUDICE

Resolution No. 2022-101 approves premium rates for the Golden Gate Bridge, Highway and Transportation District's (District) Vision, Dental, Life Insurance and Employee Assistance plans for the 2023 Plan Year, at an overall estimated renewal cost of \$2,990,000. Requisite funding is included in the FY 22/23 Operating Budget and will be budgeted accordingly in the FY 23/24 Operating Budget.

Adopted

AYES (12): Directors Arnold, Conroy, Garbarino, Giudice, Mastin, Pahre, Rodoni, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSENT (4): Director Grosboll, Hernández, Rabbitt and Snyder.

[Directors Grosboll, Hernández and Snyder returned.]

- (D) **Meeting of the Rules, Policy and Industrial Relations Committee/Committee of the Whole [39:07 Minutes Mark on the Video Recording]**
December 16, 2022
Chair Sabrina Hernández

President Theriault stated that the following item was discussed at the Rules, Policy and Industrial Relations Committee meeting of earlier that day.

Chair Hernández stated that this item was brought previously to the Committee and the Committee members had requested that the item be refined in order to appropriately and respectfully honor the holiday and accurately reflect the District's values with employees. She said those goals have been achieved and she thanked staff for their work on the item.

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- (1) **Approve Juneteenth as a Paid Holiday for All District Employees and District Officers [40:35 Minutes Mark on the Video Recording]**

Directors HERNÁNDEZ/SNYDER

Resolution No. 2022-102 approves the following actions for all Golden Gate Bridge, Highway and Transportation District (District) employees and District officers, effective January 1, 2023:

- (a) Approves the federal holiday of Juneteenth (June 19) as a District observed paid holiday;
- (b) Authorizes staff to engage in the meet-and-confer process with represented employee bargaining units; and,
- (c) Updates applicable District policies accordingly.

Adopted

AYES (15): Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSENT (1): Director Rabbitt.

- (E) **Meeting of the Governmental Affairs and Public Information Committee/ Committee of the Whole [42:19 Minutes Mark on the Video Recording]
December 16, 2022
Chair Gerald Cochran**

President Theriault stated that the following item was discussed at the Governmental Affairs and Public Information Governmental Affairs and Public Information Committee meeting of earlier that day

[Director Conroy recused herself from participating in the item listed below and departed.]

- (1) **Approve the Implementation of the District's 2023 Legislative Platform [43:16 Minutes Mark on the Video Recording]**

Directors COCHRAN/HILL

Resolution No. 2022-103 approves the implementation of the 2023 Legislative Platform as attached to the staff report.

Adopted

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- AYES (15):** Directors Arnold, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.
- NOES (0):** None.
- ABSENT (2):** Directors Conroy and Rabbitt.

[Director Conroy returned.]

(9) ADDRESSES TO BOARD:

There were no Addresses to the Board.

(10) SPECIAL ORDER OF BUSINESS:

- (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 [44:58 Minutes Mark on the Video Recording]**

Ms. Ko-Wong presented the staff report. She said that she and others are working to secure a location for the Board and Committees' meetings in March and April. She promised that she and President Theriault would brief the Board when more information is available.

Directors PAHRE/GUIDICE

Resolution No. 2022-104 adopts 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.

Adopted

- AYES (15):** Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.
- NOES (0):** None.
- ABSENT (1):** Director Rabbitt.

- (B) Consider Possible Action to Terminate the Suspension of Board Procedural Rules and Policies for COVID-19 Related Emergency Actions [47:07 Minutes Mark on the Video Recording]**

Mr. Mulligan presented the staff report.

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

Carried

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AYES (15): Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSENT (1): Director Rabbitt.

(C) Authorize a Resolution of Appreciation to Judy Arnold in Recognition of her Dedicated Service as Director of the Golden Gate Bridge, Highway and Transportation District Board [48:41 Minutes Mark on the Video Recording]

President Theriault stated that Director Arnold is attending her last Board meeting as a Director and she concludes her service as a Marin County Supervisor on December 31, 2022.

Director Garbarino expressed appreciation for Director Arnold and her service which began on May 13, 2011. She reviewed Director Arnold's contributions to the Board including serving as Chair of the Transportation Committee, Chair of the Nomination of the Officers of the Board Advisory Committee, former Chair of the Rules, Policy and Industrial Relations Committee, and serving on numerous committees including the Suicide Deterrent System Advisory Committee and Review of Officers of the District Advisory Committee. She noted that Director Arnold has faithfully served on the Board while also serving as a Marin County Supervisor for District 5. She reviewed some of her other community service including the Novato City Council, Sonoma-Marin Area Rail Transit Board of Directors, Transportation Authority of Marin Board of Commissioners and Marin County Flood Control and Water Conservation District Board. In addition, she noted that Director Arnold authored and published children's books. She thanked her for her contributions, guidance and diplomacy. She made the motion for the Resolution of Appreciation for her leadership, guidance and friendship.

Director Snyder said he had worked with Director Arnold for many years. He said he had worked with her on many issues including some that were contentious. He spoke about her deliberative process, and how she listens and proposes workable solutions. He said that he has appreciated watching her leadership style and thanked her for her service.

Director Thier spoke about her long relationship with Director Arnold, and her status as a role model for women in politics. She also spoke about her willingness to listen and propose solutions. She said that she had enjoyed the times they have worked together and would miss those opportunities. She expressed hope that Director Arnold would remain active and engaged.

Director Cochran said that he has known Director Arnold for many years. He thanked her for her candor and work on many committees. He wished her well.

Director Pahre expressed appreciation for Director Arnold. She said that when people ask her questions she frequently refers them to Judy Arnold because Director Arnold knows many people, is very knowledgeable and gets things done. She also said that her election

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slogan, “Judy gets it done” is very apt. She reviewed some of the many things Director Arnold has accomplished including how she helped get things done for the Bridge, recruited staff members to key agencies, and facilitated getting land donated to appropriate agencies. She noted that Director Arnold is a role model for being senatorial, and said she hopes someone recruits her to be a lobbyist.

Director Rodoni invited everyone to attend a celebration on Tuesday, December 20, 2022 at 9 am. He said that the Board of Supervisors are holding a special meeting and would be celebrating Director/Supervisor Arnold. He said that he has been friends with Director Arnold for over 40 years and he would have much more to say about her at the celebration.

Director Grosboll said that he is one of three former Board Presidents. He spoke about Director Arnold’s activity on committees, cooperative attitude and willingness to assist when asked. He added that he has enjoyed working with her, and thanked her for her contributions.

Director Hernández congratulated Director Arnold and expressed appreciation for serving with her. She echoed the other comments about Director Arnold’s contributions, and said she admires what she has been able to achieve on the Board and in the community. She wished her well.

President Theriault spoke about Director Arnold’s close relationship with former Director Sears and said she would also have many wonderful things to say. He said Director Arnold has been a radiant presence on the Board, looks even better now and wished her well. He thanked her for her service.

Director Hill expressed appreciation for the fine example Director Arnold has set as Chair of the Transportation Committee.

Director Arnold expressed appreciation for the President’s and Directors’ comments. She said the District is very well run, and she has loved working with the District. She said that she will miss everybody.

Ms. Ko-Wong expressed appreciation for Director Arnold and her support.

Directors GARBARINO/GIUDICE

Resolution No. 2022-105 approves the preparation and presentation of a Resolution of Appreciation to Judy Arnold in recognition of her dedicated service as a Golden Gate Bridge District Director.

Adopted

AYES (14): Directors Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSTENTIONS (1): Director Arnold.

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ABSENT (1): Director Rabbitt.

(D) Report from the Chair of the Nomination of Officers of the Board of Directors for 2022 Advisory Committee [1:05:14 Hour Mark on the Video Recording]

(1) Approve the Selection of Officers of the Board of Directors for 2023 [1:05:40 Hour Mark on the Video Recording]

Chair Arnold presented the Advisory Committee's Report. She reviewed the Committee's recommendation for the Officers of the Board for the Year 2023:

President Michael Theriault;
First Vice President Gerald Cochran; and
Second Vice President Elbert Hill.

Directors ARNOLD/MASTIN

Resolution No. 2022-106 approves the selection of Officers of the Board of Directors for the Year 2023: President Michael Theriault, First Vice President Gerald Cochran and Second Vice President Elbert Hill.

Adopted

AYES (15): Directors Arnold, Conroy, Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSENT (1): Director Rabbitt.

(11) UNFINISHED BUSINESS:

(A) Closed Session [1:09:11 Hour Mark on the Video Recording]

Attorney Kimon Manolius, at the request of President Theriault, stated that the Board would convene in Closed Session, as permitted by the Brown Act, to discuss the matters listed on the Board Agenda as Closed Session, Item No. 6.A. Attorney as outlined above.

(B) Open Session [00:21 Minutes Mark on the Closing Video Recording]

After Closed Session, President Theriault called the meeting to order in Open Session with a quorum present. Attorney Manolius reported that the Board had met in Closed Session, as permitted by the Brown Act, was briefed by general counsel regarding the matter listed on the Board Agenda as Item No. 6.A. Attorney, 1.a., and gave appropriate direction. With regards to Item No. 6.A. Attorney, 1.b., the Board was briefed and there is nothing further to report.

(12) NEW BUSINESS:

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There was no New Business.

(13) COMMUNICATIONS: [01:03 Minutes Mark on the Video 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: [01:15 Minutes Mark on the Video Recording]

All business having been concluded Directors GIUDICE/MASTIN moved and seconded that the meeting be adjourned in honor of Bruce Arnold, Michael (Mike) Hardeman and John Ralph Hampson at 12:17 p.m.

Carried

Respectfully submitted,



Amorette M. Ko-Wong
Secretary of the District

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