

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

MEMORANDUM OF MINUTES

BOARD OF DIRECTORS MEETING

JANUARY 27, 2023

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, January 27, 2023, at 10:02 a.m., President Thériault presiding.

- (1) <u>CALL TO ORDER</u>: President Michael Thériault. [00:19 Minutes Mark on the Video Recording]
 - (A) Oaths of Office [01:02 Minutes Mark on the Video Recording]

Secretary of the District Amorette Ko-Wong administered Oaths of Office to the following new Board members:

- (i) <u>Matt Dorsey</u>
- (ii) Ahsha Safaí
- (iii) Stephanie Moulton-Peters

Ms. Ko-Wong welcomed the new Board members to the District. President Thériault asked if the new Directors would like to say a few words.

Director Dorsey expressed enthusiasm for serving on the Board and working with his colleagues on Bridge District initiatives. He spoke about his service on the Board of Supervisors and his long-time use of transit.

Director Safaí said he looks forward to working on District initiatives on this esteemed Board. He spoke about his representation of working families, and background as a city planner.

Director Moulton-Peters said she is a long-time transit user, has sat on boards of other transportation organizations, and is looking forward to working with her new colleagues on the District Board.

(2) <u>ROLL CALL</u>: Secretary of the District Amorette M. Ko-Wong. [10:08 Minutes Mark on the Video Recording]

Directors Present (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault. **Directors Absent (1)**: Director Stefani.

[Note: On this date, there was one vacancy 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 Madeline Chun and Kimon Manolius; Deputy General Manager/Bridge Division David Rivera; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Administration and Development Kellee Hopper; Executive Administrator to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

(3) <u>PLEDGE OF ALLEGIANCE</u>: Director Gerard Giudice [12:39 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.

(4) <u>PUBLIC COMMENT</u>: [13:05 Minutes Mark on the Video Recording]

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

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

The following individuals spoke under Public Comment: [13:55 Minutes Mark on the Video Recording]

- Kymberlyrenée Gamboa, Sacramento County Resident
- Dave Rhody, The Climate Reality Project

David Pilpel, San Francisco Resident

[20:59 Minutes Mark on the Video Recording]

President Thériault and General Manager Denis Mulligan thanked the speakers for their comments.

President Thériault stated that the Strategic Planning Advisory Committee is meeting after the Board meeting.

Mr. Mulligan responded to the public comments, and outlined additional considerations relative to the purchase of zero emission buses.

(5) <u>CONSENT CALENDAR</u>: [23:44 Minutes Mark on the Video Recording]

Ms. Ko-Wong presented the Consent Calendar. She confirmed that she would update the minutes to respond to the comments made by Mr. Pilpel and further clarify the two closed session items.

Ms. Moulton-Peters stated she would abstain.

<u>Directors GIUCIDE/RABBITT</u> moved and seconded to approve the Consent Calendar. All items were approved by the following vote of the Board of Directors:

AYES (16): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll,

Hernández, Mastin, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran;

President Thériault.

NOES (0): None.

ABSTENTION (1): Director Moulton-Peters.

ABSENT (1): Director Stefani.

(A) Approve the Minutes of the following Meetings:

- (1) Transportation Committee of December 15, 2022;
- (2) Building and Operating Committee of December 15, 2022;
- (3) Finance-Auditing Committee of December 15, 2022;
- (4) Rules, Policy and Industrial Relations Committee of December 16, 2022;
- (5) Governmental Affairs and Public Relations Committee of December 16, 2022; and
- (6) Board of Directors of December 16, 2022.

Carried

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

<u>Resolution No. 2023-001</u> (as detailed in the January 26, 2023, Finance-Auditing Committee meeting)

- (1) Ratifies Commitments and/or Expenditures
- (2) Ratifies Previous Investments

- (3) Authorizes Reinvestments
- (4) Accepts Investment Report for December 2022

Adopted

(6) REPORTS OF OFFICERS:

- (A) General Manager [25:41 Minutes Mark on the Video Recording]
 - (1) Ratify the Emergency Action of the General Manager to Approve an Emergency Contract Change Order with Valentine Corporation Related to the Larkspur Ferry Terminal Sink Hole Repairs [26:01 Minutes Mark on the Video Recording]

Directors MASTIN/HILL

Resolution No. 2023-002 ratifies the action of the General Manager to approve an emergency contract change order with Valentine Corporation related to the Larkspur Ferry Terminal sink hole in the amount of \$151,287.

Adopted

AYES (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

(2) Ratify the Emergency Action of the General Manager to Approve an Emergency Contract Change Order with Moffatt & Nichol Related to the San Francisco Ferry Terminal Ramp Repair [28:25 Minutes Mark on the Video Recording]

Directors PAHRE/THIER

Resolution No. 2023-003 ratifies the action of the General Manager to approve an emergency contract change order with Moffatt & Nichol related to the San Francisco Ferry Terminal ramp repair in the amount of \$269,873.

Adopted

AYES (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

(3) <u>General Manager Report</u> [31:02 Minutes Mark on the Video Recording]

Mr. Mulligan presented the General Manager Report. He stated that the District received a \$400 million grant from the Infrastructure Investment and Jobs Act (IIJA, which is also known as the "Bipartisan Infrastructure Law").

Mr. Mulligan expressed appreciation for the people and developments that contributed to the award of this grant. He spoke about the IIJA and the competitive Large Bridges program. He acknowledged the contributions of Speaker Emerita Pelosi, Congressman Huffman, the rest of the Bay Area delegation including Senators Feinstein and Padilla, Washington DC consultant Paul Schlesinger, former Board Presidents Hernández and Grosboll and current President Thériault, Director Cochran who is the Chair of the Governmental Affairs and Public Information Committee and Ms. Ko-Wong.

He spoke about the benefit cost methodology that had been in the grant program, and how the team had worked to get this methodology updated. He expressed appreciation for the efforts of the staff at the Federal Highway Administration in Washington, DC and California, Paul Schlesinger, Robert Edmondson, District staff and consultants.

Mr. Mulligan thanked specific District staff who contributed to the effort to get the grant including former employees Danielle Ferrigno and Jennifer Raupach, and current employees (listed in alphabetical order) Ewa Bauer-Furbush, Justine Bock, Jacob Brown, Chi Chow, Paolo Cosulich-Schwartz, John Eberle, Dana Fehler, Amy Frye, Amorette Ko-Wong, Robin Lowey, Alice Ng, Maria Rohner Storniolo, Chuck Voong and Joe Wire. He also thanked the firms of HDR and WSP, and Paul Schlesinger.

He stated that the California Supreme Court dismissed the lawsuit challenging Regional Measure 3 (RM3) and now, the RM3 funds will be available to the District and other Bay Area transportation agencies for the projects approved in the RM3 expenditure plan.

He spoke about the State budget and the associated challenges for transit.

Mr. Mulligan said that on September 29, 2022, District Bridge Laborers, Bridge Patrol and Roadway Services staff, and California Highway Patrol staff assisted Mr. Grenier and used an automated external defibrillator on him. He presented a video from Mr. Grenier (https://vimeo.com/768203617/8d79aa2c0), in which he thanks those who assisted him.

Mr. Mulligan recognized Sylvia Calderon, Anthony Tecson and Andrew Bulleri for their District service.

[43:03 Minutes Mark on the Video Recording]

President Thériault and Director Thier expressed appreciation to those who helped to secure the \$400 million in grant funding from the Bipartisan Infrastructure Law.

Director Thier acknowledged and expressed appreciation for Mr. Mulligan's efforts to get the \$400 million grant funding from the IIJA. She spoke about the challenge of getting the funding, the expertise required and the importance of the Seismic Retrofit project. She said she believes Mr. Mulligan could be remembered as one of the best General Managers ever.

She also said she understands that an accomplishment of this type takes a team and the team members must have worked very hard to achieve the goal of the \$400 million in funding.

President Thériault encouraged those present to pause, celebrate and appreciate the accomplishment of getting the \$400 million grant funding for the project.

He spoke about a letter in Board communications about the Chinese language translation of the ferry ticket vending machines (TVM). He asked District staff to investigate further especially as the change relates to taking the Angel Island ferry.

Mr. Mulligan responded that he would review the translations available in the ferry TVM.

(B) Attorney [46:01 Minutes Mark on the Video Recording]

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

(C) <u>District Engineer</u> [46:35 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, and Larkspur Ferry Terminal and Dredging project.

(7) <u>OTHER REPORTS</u>:

There were no Other Reports to discuss.

(8) REPORT OF COMMITTEES: [50:44 Minutes Mark on the Video Recording]

(A) <u>Meeting of the Transportation Committee/Committee of the Whole</u> [50:50 Minutes Mark on the Video Recording]

January 26, 2023

Chair Elbert Hill

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

Chair Hill thanked Director of Planning Ron Downing for his presentations of the day before. He said Board members look forward to receiving the survey results.

(1) Approve Award of Contract No. 2022-D-88, Regional Bus, Ferry, and Bridge User and Non-User Survey, to Corey, Canapary and Galanis [51:45 Minutes Mark on the Video Recording]

Directors HILL/GIUDICE

Resolution No. 2023-004 approves award of Contract No. 2022-D-088, Regional Bus, Ferry, and Bridge User and Non-User Survey, to Corey, Canapary and Galanis for a total not to exceed amount of \$362,338, to provide consulting services for a Regional Bus, Ferry, and Bridge User and Non-User Survey; with the understanding that requisite funds are available in the FY 2022/23 District Division Operating Budget.

Adopted

AYES (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President

Cochran: President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

(B) Meeting of the Building and Operating Committee/Committee of the Whole [53:50 Minutes Mark on the Video Recording]

January 26, 2023

Chair Patricia Garbarino

[Director Thier recused herself and departed.]

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

Chair Garbarino thanked Director of Planning Ron Downing for his presentations about the Study.

(1) Approve Actions Relative to Contract No. 2019-F-058, Larkspur Ferry
Service and Parking Expansion Environmental Clearance and
Preliminary Design Study [54:52 Minutes Mark on the Video Recording]

Directors GARBARINO/COCHRAN

<u>Resolution No. 2023-005</u> approves the following actions relative to Contract No. 2019-F-058, *Larkspur Ferry Service & Parking Expansion Environmental Clearance and Preliminary Design Study*:

- (a) Authorizes execution of the First Amendment with Jacobs Engineering Group in an amount not to exceed \$948,260 for additional consulting services;
- (b) Increases the project contingency by \$94,826, to a total of \$346,228 which is equal to 10% of the sum of the contract amount (\$2,514,024) plus 10% of the amount of the First Amendment (\$948,260); and,

(c) Authorizes a budget increase of \$1,043,086 in the FY 22/23 Ferry Division Capital Budget for Project #2042, for a revised total project budget of \$4,191,512, in concurrence with the Finance-Auditing Committee.

Adopted

AYES (16): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí and Snyder; Second Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSENT (2): Directors Stefani and Thier.

[Director Thier returned.]

(C) Meeting of the Finance-Auditing Committee/Committee of the Whole [57:38 Hour Mark on the Video Recording]

January 26, 2023

Chair David Rabbitt

President Thériault 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.

[Director Conroy recused herself and departed.]

(1) Approve Actions Relative to Federal and State Disaster Assistance [58:41 Minutes Mark on the Video Recording]

Directors RABBITT/SNYDER

<u>Resolution No. 2023-006</u> approves the following actions relative to the Golden Gate Bridge, Highway and Transportation District's (District) application for federal and state disaster financial assistance under Public Law 93-288:

- (a) Designates the General Manager, Director of Risk Management and Safety and Director of Capital and Grant Programs or designee(s) to submit and file Public Assistance applications with the Federal Emergency Management Agency (FEMA) and the California Governor's Office of Emergency Services (Cal OES) for federal and state disaster financial assistance as the Authorized Agents; and,
- (b) That the Designations will be effective for three years as authorized by Cal OES.

Adopted

AYES (16): Directors Dorsey, Garbarino, Giudice, Grosboll, Hernández,

Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran;

President Thériault.

NOES (0): None.

ABSENT (2): Directors Conroy and Stefani.

[Director Conroy returned.]

(2) Authorize the Setting of a Public Hearing to Receive Comments on a Proposed Five-Year Fare Program for Fiscal Years 2023/24 Through 2027/28 [1:00:41 Hour Mark on the Video Recording]

Director Grosboll inquired about how the bus and ferry farebox recovery rates have declined.

Director Snyder asked how the RM3 funding will affect the District's "fiscal cliff."

Mr. Wire and Mr. Mulligan responded to the Directors' inquiries. Mr. Wire confirmed the bus and ferry farebox recovery rates have declined. Mr. Mulligan clarified that the District will receive \$30 million of capital funding for the San Rafael Transit Center from the RM3 funds, but will not receive any operating funds.

Directors RABBITT/COCHRAN

Resolution No. 2023-007 authorizes the setting of a public hearing for the purpose of receiving public comments on a proposal to establish a five-year fare program for FY 2023/24-2027/28. The proposed program would increase bus, ferry, and paratransit fares annually, to support rising operating expenses, effective July 1, 2023, and each subsequent July 1 through July 1, 2027. The public hearing would take place virtually on Thursday, February 23, 2023, at 9:00 a.m.

Adopted

AYES (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll,

Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President

Cochran; President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

(3) Approve Actions Relative to Project No. 1960, Farebox System Upgrade [1:04:11 Hour Mark on the Video Recording]

Directors RABBITT/GIUDICE

<u>Resolution No. 2023-008</u> takes the following actions relative to Contract No. 2021-D-70, *Genfare GFI Software System Upgrade*, as follows:

- (a) Authorizes a budget increase in the FY 22/23 District Division Capital Budget in the amount of \$136,234, relative to Capital Project No. 1960, Farebox System Upgrade, for a total project cost of \$729,612; and,
- (b) Authorizes the General Manager, or his designee, to amend Contract 2021-D-70 to increase the contract amount by \$113,528 for a new total of \$574,775 to purchase additional hardware, software and services, and increase the contract contingency amount by \$22,706 for a new total of \$76,602.

Adopted

AYES (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

(4) Receive the Independent Auditor's Single Audit Report for the Year Ending June 30, 2022, as Submitted by Eide Bailly, LLP [1:06:35 Hour Mark on the Video Recording]

Directors RABBITT/SNYDER

<u>Resolution No. 2023-009</u> receives the Independent Auditor's Single Audit Report for the year ending June 30, 2022, as submitted by Eide Bailly, LLP.

Adopted

AYES (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

(D) Meeting of the Rules, Policy and Industrial Relations Committee/Committee
of the Whole [1:08:13 Hour Mark on the Video Recording]
January 27, 2023

Chair Sabrina Hernández

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

(1) Approve Changes to the Procurement Manual to Incorporate Consideration of Social Equity in District Procurements [1:08:13 Hour Mark on the Video Recording]

President Thériault, and Directors Snyder, Grosboll, and Thier expressed appreciation for Chair Hernández's leadership on this initiative through her role as Chair of the Advisory Committee on Equity and Diversity Issues and Chair of Rules, Policy and Industrial Relations Committee.

Director Snyder stated that he believes this is a very innovative initiative and expressed appreciation for the District's leadership in this area.

Director Grosboll said there is a lot of history behind this item, and he acknowledged there are few organizations implementing these types of initiatives.

Director Thier expressed appreciation to staff for their work. She said the District is setting a standard and leading the way.

Directors HERNÁNDEZ/HILL

<u>Resolution No. 2023-010</u> authorizes updates to the District's Procurement Manual that would allow for the inclusion of Social Equity as an evaluation factor in some District best value procurements.

Adopted

AYES (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll,

Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President

Cochran; President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

Director Hernández thanked her colleagues for their gracious comments. She highlighted that this is the first formal action taken as a direct result of the efforts of the Advisory Committee on Equity and Diversity Issues. She expressed her enthusiasm for continuing the work. She recognized the staff and Committee members for their hard work, and specifically acknowledged the contributions of Director of Procurement Brian Garrity, DBE Program Administrator Artemisé Davenport and Attorney Julie Sherman.

(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 [1:13:54 Hour Mark on the Video Recording]

Ms. Ko-Wong presented the staff report.

Directors PAHRE/GARBARINO

<u>Resolution No. 2023-011</u> 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 (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

(B) Consider Possible Action to Terminate the Suspension of Board Procedural
Rules and Policies for COVID-19 Related Emergency Actions [1:15:37 Hour
Mark on the Video Recording]

Mr. Mulligan presented the staff report.

Director Snyder inquired about where the Board will meet in March.

President Thériault confirmed that he and others are working to secure a site.

<u>Directors RODONI/COCHRAN</u> moved and seconded to continue consideration of this item until the next Board meeting.

<u>Carried</u>

AYES (17): Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSENT (1): Director Stefani.

(C) Ratify Appointments by the Board President to Represent the Golden Gate
Bridge, Highway and Transportation District on Other Boards [1:17:13 Hour
Mark on the Video Recording]

Ms. Ko-Wong presented the staff report.

Directors GROSBOLL/THIER

<u>Resolution No. 2023-012</u> ratifies appointments by the President of the Board of Directors to represent the Golden Gate Bridge, Highway and Transportation District (District) on other Boards, as follows:

Amalgamated Transit Health and Welfare Trust and Retirement Board

(3 Seats)

Trustees: Gerald Cochran, Chris Snyder and Michael Thériault

Term: February 1, 2023 to January 31, 2025

Sonoma-Marin Area Rail Transit District

(2 Seats)

Directors Patricia Garbarino and Barbara Pahre Term: February 1, 2023 to January 31, 2025

Adopted

AYES (16): Directors Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin,

Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second

Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSENT (2): Directors Conroy and Stefani.

(11) UNFINISHED BUSINESS:

There was no Unfinished Business.

(12) NEW BUSINESS:

There was no New Business.

(13) COMMUNICATIONS: [1:19:51 Hour 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: [1:19:59 Hour Mark on the Video Recording]

All business having been concluded <u>Directors HILL/RABBITT</u> moved and seconded that the meeting be adjourned in honor of Kevin Hunter, Robert Doyle and victims of the recent mass shootings in California at 11:23 a.m.

Carried

Respectfully submitted,

Amorette M. Ko-Wong Secretary of the District

AMK:EIE:tnm

