



2023-2

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

MEMORANDUM OF MINUTES

BOARD OF DIRECTORS MEETING

FEBRUARY 24, 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, February 24, 2023, at 10:01 a.m., President Thériault presiding.

(1) CALL TO ORDER: President Michael Thériault. [00:22 Minutes Mark on the Video Recording]

(A) Oaths of Office [01:10 Minutes Mark on the Video Recording]

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

(i) Joel Engardio

Ms. Ko-Wong and President Thériault welcomed Director Engardio to the District. President Thériault asked if he would like to say a few words.

Director Engardio stated he is honored to serve on the Board. He has a goal of creating the best San Francisco possible and views the Bridge as a gateway to the City.

President Thériault stated that he looks forward to seeing him in person next month.

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- (2) **ROLL CALL:** Secretary of the District Amorette M. Ko-Wong. **[03:04 Minutes Mark on the Video Recording]**

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

Directors Absent (2): Directors Safaí and Stefani.

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) **PLEDGE OF ALLEGIANCE:** Director Dick Grosboll and President Thériault **[06:16 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) **PUBLIC COMMENT:** **[07:03 Minutes Mark on the Video Recording]**

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

The following individuals spoke under Public Comment: **[07:32 Minutes Mark on the Video Recording]**

- Kymerlyrenée Gamboa, Sacramento County Resident
- Dave Rhody, The Climate Reality Project
- David Pilpel, San Francisco Resident
- Shane Weinstein, Amalgamated Transit Union, Local 1575

[16:10 Minutes Mark on the Video Recording]

President Thériault and General Manager Denis Mulligan thanked the speakers for their comments. Mr. Mulligan responded to the public comments.

- (5) **CONSENT CALENDAR:** **[16:56 Minutes Mark on the Video Recording]**

Ms. Ko-Wong presented the Consent Calendar, confirmed that she would update the meeting conclusion time from p.m. to a.m. and thanked Mr. Pilpel for his observation.

Director Engardio stated that he would abstain from voting on this item.

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Directors SNYDER/GIUDICE 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, Moulton-Peters, Pahre, Rabbitt, Rodoni, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

NOES (0): None.

ABSTENTION (1): Director Engardio.

ABSENT (2): Directors Safaí and Stefani.

(A) Approve the Minutes of the following Meetings:

- (1) Transportation Committee of January 26, 2023;
- (2) Building and Operating Committee of January 26, 2023;
- (3) Finance-Auditing Committee of January 26, 2023;
- (4) Rules, Policy and Industrial Relations Committee of January 27, 2023;
- (5) Board of Directors of January 27, 2023.

Carried

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

Resolution No. 2023-013 (as detailed in the February 23, 2023, Finance-Auditing Committee meeting)

- (1) Ratifies Commitments and/or Expenditures
- (2) Ratifies Previous Investments
- (3) Authorizes Reinvestments
- (4) Accepts Investment Report for January 2023

Adopted

(6) REPORTS OF OFFICERS:

(A) General Manager [19:13 Minutes Mark on the Video Recording]

Mr. Mulligan presented the General Manager Report. He spoke about Bridge traffic, and bus and ferry ridership and the associated revenue. He stated that the District is facing a fiscal cliff after the federal one-time funding is expended. He said a new Senate Select Committee on Bay Area Public Transit has been created with Senator Scott Wiener (Chair), and Senators Bill Dodd, Steven Glazer, Mike McGuire, Nancy Skinner and Aisha Wahab., and outlined the focus of the committee. He confirmed that staff is working on solutions for the District's fiscal cliff.

Mr. Mulligan recognized Jessica Black for her District service.

[24:50 Minutes Mark on the Video Recording]

President Thériault expressed his compliments to Ms. Black.

Director Grosboll inquired about the number of unfilled positions that remain open in part due to the District's fiscal constraints.

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Mr. Mulligan responded that about 20% of District positions remain open and he would provide more information in his quarterly report.

(B) Attorney [26:27 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) District Engineer [27:04 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 and Toll Plaza Administration Building Elevator project. She also spoke about the Wind Retrofit project, the sound emanating from the Bridge during high winds, and the status of the District's mitigation measures to reduce those sounds.

[33:32 Minutes Mark on the Video Recording]

Director Grosboll inquired about the anticipated completion date of the SDS project.

President Thériault commented about the completion date of the Toll Plaza Administration Building Elevator project.

Ms. Bauer-Furbush stated that the majority of the work on the SDS net will be completed by the end of 2023, some gaps would remain until the travelers are completed, and the contractor will complete the travelers sometime thereafter.

(7) OTHER REPORTS:

There were no Other Reports to discuss.

(8) REPORT OF COMMITTEES: [36:00 Minutes Mark on the Video Recording]

**(A) Meeting of the Building and Operating Committee/Committee of the Whole
[36:03 Minutes Mark on the Video Recording]
February 23, 2023
Chair Patricia Garbarino**

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

Chair Garbarino reported that Committee members had some thoughtful dialogue the day before and are enthusiastic about today's items.

**(1) Approve Actions Relative to Award of Contract No. 2022-B-084,
Suicide Deterrent System Rescue Training Net, to Valentine Corporation
[36:48 Minutes Mark on the Video Recording]**

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Directors GARBARINO/PAHRE

Resolution No. 2023-014 approves the following actions relative to Contract No. 2022-B-084, *Suicide Deterrent System Rescue Training Net*, as follows:

- (a) Approves award of Contract No. 2022-B-084, to Valentine Corporation of San Rafael, CA, in the amount of \$487,505;
- (b) Establishes a construction contingency for Contract No. 2022-B-084 in the amount of \$73,126, equal to 15% of the contract award amount; and,
- (c) Authorizes an increase in the amount of \$101,169 in the FY 2022/23 Bridge Division Capital Budget for Project # 2321, *Suicide Deterrent System Rescue Training Net*, for a revised total project budget of \$925,169, in concurrence with the Finance-Auditing Committee, as detailed in the Staff Report.

Adopted

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

NOES (0): None.

ABSENT (2): Directors Safaí and Stefani.

[Director Thier recused herself and departed.]

- (2) **Approve Actions Relative to Professional Services Agreement No. 2011-B-2, Design Services for the Golden Gate Bridge Physical Suicide Deterrent System, with HNTB Corporation** [39:28 Minutes Mark on the Video Recording]

Directors GARBARINO/SNYDER

Resolution No. 2023-015 approves the following actions relative to Professional Services Agreement (PSA) No. 2011-B-2, *Golden Gate Bridge Physical Suicide Deterrent System*, with HNTB Corporation, as follows:

- (a) Contingent upon the award of construction Contract No. 2022-B-084, *Suicide Deterrent System Rescue Net*, authorizes award execution of the First Addendum to the Sixth Amendment to PSA No. 2011-B-2, in an amount not-to-exceed \$66,000, for engineering support services during construction of the rescue net; and,
- (b) Establishes a 10% contingency for the First Addendum to the sixth Amendment to PSA No. 2011-B-2 in the amount of \$6,600.

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These actions are conditioned upon award of construction Contract No. 2022-B-084, *Suicide Deterrent System Rescue Net*, and approval of the revised FY 22/23 Bridge Division Capital Budget for Project #2321, *Suicide Deterrent System Rescue Training Net*, (presented in a separate item) to provide sufficient funds to finance these costs.

Adopted

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

NOES (0): None.

ABSENT (3): Directors Safaí, Stefani and Thier.

[Director Thier returned.]

(3) Approve Actions Relative to Award of Contract No. 2022-B-104, Golden Gate Bridge Toll Plaza Administration Building Door and Window Rehabilitation, to Pinguelo Construction [41:33 Minutes Mark on the Video Recording]

Director Hernández commented that the Committee members had detailed discussions about this item the day before. She noted that two bidders responded to the solicitation and the bids had a difference of about \$168,000. She stated that she would like staff to evaluate bids to ensure the contractors have the necessary information to accurately evaluate the project and meet the contract specifications including employee wage requirements.

Director Thier expressed her support for Director Hernández's comments.

Directors GARBARINO/HILL

Resolution No. 2023-016 approves the following actions relative to award of Contract No. 2022-B-104, *Golden Gate Bridge Toll Plaza Administration Building Door and Window Rehabilitation*, as follows:

- (a) Approves award of Contract No. 2022-B-104, to Pinguelo Construction of Fairfield, CA, in the amount of \$220,000; and,
- (b) Establishes a construction contingency for Contract No. 2022-B-104 in the amount of \$33,000 equal to 15% of the contract award amount,

with the understanding that sufficient funds are available in the FY 22/23 District Division Capital Budget for the *Facilities Ventilation Assessment, Rehabilitation Improvement Project* (Project # 2214) to finance these actions.

Adopted

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AYES (13): Directors Conroy, Dorsey, Engardio, Garbarino, Giudice, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Snyder and Thier; Second Vice President Hill.

NOES (3): Directors Grosboll and Hernández; President Thériault.

ABSENT (3): Directors Safaí and Stefani; First Vice President Cochran.

- (4) **Approve Actions Relative to Professional Services Agreement No. 2018-B-075, Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit, Suicide Deterrent Net System Fabrication Shop Inspection Services, with David Engineering, LLC** [47:36 Minutes Mark on the Video Recording]

Directors GARBARINO/PAHRE

Resolution No. 2023-017 approves the following actions relative to the Professional Services Agreement (PSA) No. 2018-B-075, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit, Suicide Deterrent Net System Fabrication Shop Inspection Services*:

- (a) Authorizes execution of the Seventh Amendment to PSA No. 2018-B-075 with David Engineering, LLC., Chicago, IL, in an amount not-to-exceed \$94,000 for continuation of the suicide deterrent net system fabrication inspection services through December 2023; and,
- (b) Authorizes a budget increase in the FY 2022/23 Bridge Division Capital Budget in the amount of \$94,000, relative to Project #1526, *Golden Gate Bridge Suicide Deterrent System Construction*, for a revised total project budget of \$215,032,868, in concurrence with the Finance-Auditing Committee, as detailed in the Staff Report.

Adopted

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

NOES (0): None.

ABSENT (2): Directors Safaí and Stefani.

- (B) **Meeting of the Finance-Auditing Committee/Committee of the Whole** [50:11 Hour Mark on the Video Recording]
February 23, 2023
Chair David Rabbitt

President Thériault stated the following item was discussed at the Finance-Auditing Committee meeting of the day before.

Chair Rabbitt expressed appreciation for staff and the Steamship Club's efforts to

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obtain the best marine insurance coverage with a savings of \$160,000.

- (1) **Approve Renewal of the Marine Insurance Program [51:14 Minutes
Mark on the Video Recording]**

Directors RABBITT/COCHRAN

Resolution No. 2023-018 approves the Marine Insurance Program, effective February 20, 2023, as follows:

- (a) Renews Protection & Indemnity coverage with the Steamship Mutual Protection and Indemnity Club (Club) for a one-year term, with a limit of \$1 billion for each occurrence/annual aggregate in excess of a per occurrence deductible of \$55,000 and annual aggregate deductible of \$350,000 for a total premium of \$489,402;
- (b) Renews Hull & Machinery, Increased Value and War coverage including Terrorism and Risk Insurance Act (TRIA) coverage with Travelers, The Hartford and Liberty for a one-year term, with insured hull limits per attached addendum in excess of a \$200,000 deductible for a total premium of \$279,339;
- (c) Binds Vessel Pollution Liability coverage with Great American for a one-year term, with a limit of \$5 million for a total premium of \$6,920;
- (d) Renews Marine General Liability coverage with Liberty Mutual for a one-year term, with a limit of \$1 million occurrence and \$2 million aggregate, in excess of a per occurrence deductible of \$10,000 for a total premium of \$26,775; and,
- (e) Binds Excess Marine General Liability Insurance program with Aegis, Beazley, Convex, CNA Hardy, Canopus, Axis, AIG, Markel, Antares, et al. for a one-year term with a liability limit of \$50 million for each occurrence/annual aggregate in excess of a \$10,000 self-insured retention (SIR) for a total premium of \$112,250.

This action is taken with the understanding that the requisite funds are available in the FY 22/23 Operating Budget for the Bridge, Bus, Ferry and District divisions.

Adopted

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

NOES (0): None.

ABSENT (3): Directors Mastin, Safaí and Stefani.

- (C) **Meeting of the Transportation Committee/Committee of the Whole [54:03**

**Minutes Mark on the Video Recording]
February 24, 2023
Chair Elbert Hill**

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

(1) Adopt Title VI Equity Analysis Findings Relative to Golden Gate Transit Route 114, and Adopting the Current Service on a Permanent Basis [54:33 Minutes Mark on the Video Recording]

Director Thier commented that the path of Route 114 does not currently include service on Tiburon Boulevard. She expressed hope that if mid-day service returns, the route would include Tiburon Boulevard.

Directors HILL/MOULTON-PETERS

Resolution No. 2023-019 approves the following actions relative to Golden Gate Transit Route 114, and adopting the current service on a permanent basis:

- (a) Adopts the findings of the attached Title VI equity analysis for the establishment of Route 114 as regular service; and,
- (b) Adopts the Route 114 as regular Golden Gate Transit service.

Adopted

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

NOES (0): None.

ABSENT (2): Directors Safaí and Stefani.

(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 [57:12 Minutes Mark on the Video Recording]

Ms. Ko-Wong presented the staff report and highlighted that the Board would meet at the Irish Cultural Center in San Francisco on March 23 and March 24, 2023. She confirmed that in the event that the elevator inspections have not been completed by April, she does have back up plans.

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[58:16 Minutes Mark on the Video Recording]

President Thériault requested an air filtration system at the meeting.

Director Hernández thanked Ms. Bauer-Furbush for her and her team's efforts to complete the elevator project and Ms. Ko-Wong for her and her team's efforts to find an alternative meeting site. She stated her views that in person meetings will enhance the communication at the Board meetings.

Director Thier asked if people attending the meetings, would or would not wear masks.

Director Snyder inquired about the State law exceptions that allow Board members to virtually attend the meetings in the event of illness.

Directors Grosboll and Pahre inquired about the notification requirements for virtually attending the meetings.

Ms. Ko-Wong confirmed that District staff are working to accommodate the public to attend by phone. Ms. Bauer-Furbush added that the District has purchased a number of hospital grade air filter systems, and her staff would bring the filters. Mr. Mulligan stated that there is no public health requirement to wear masks, but if people feel more comfortable wearing masks, management encourages them to do so. He confirmed that the revised State laws do allow Board members to participate remotely in the meeting if the Board approves this participation.

Directors RABBITT/GARBARINO

Resolution No. 2023-020 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 this month, with the understanding that the Board will begin meeting in-person at its March 2023 Committee and Board meetings and thereafter.

Adopted

AYES (15): Directors Conroy, Dorsey, Engardio, Garbarino, Giudice, Grosboll, Hernández, Moulton-Peters, Pahre, Rabbitt, Rodoni, Snyder and Thier; Second Vice President Hill; President Thériault.

NOES (0): None.

ABSENT (4): Directors Mastin, Safaí and Stefani; First Vice President Cochran.

[Director Cochran returned]

(B) Action to Terminate the Suspension of Board Procedural Rules and Policies for COVID-19 Related Emergency Actions, and to Delegate to the General Manager the Authority to Make Transit Service Level Adjustments Through March 1, 2024 [1:05:35 Hour Mark on the Video Recording]

Mr. Mulligan presented the staff report.

President Thériault commented about the item, and the value of a monthly review.

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Directors GIUDICE/GARBARINO

Resolution No. 2023-021 approves the following actions:

- (1) Terminates the suspension of all Board Procedural Rules and Policies for COVID-19 related emergency actions, effective March 1, 2023;
- (2) Temporarily waives Board Procedural Rules and Policies that would otherwise apply to transit service level adjustments, through March 1, 2024; and,
- (3) Delegates to the General Manager authority to make transit service level adjustments as necessary and appropriate to address shifting ridership demand and community needs, consistent with federal and state laws, and the Golden Gate Bridge, Highway and Transportation District's approved annual budget.

Adopted

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

NOES (0): None.

ABSENT (3): Directors Mastin, Safaí and Stefani.

(11) UNFINISHED BUSINESS:

There was no Unfinished Business.

(12) NEW BUSINESS:

There was no New Business.

(13) COMMUNICATIONS:

There were no Communications.

(14) ADJOURNMENT: [1:11:14 Hour Mark on the Video Recording]

All business having been concluded **Directors GIUDICE/PAHRE** moved and seconded that the meeting be adjourned at 11:12 a.m.

Carried

Respectfully submitted,



Amorette M. Ko-Wong
Secretary of the District

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