



Agenda Item No. (5)

BOARD OF DIRECTORS MEETING
FRIDAY, JULY 22, 2022

(5) CONSENT CALENDAR:

(A) Approve the Minutes of the following Meetings:

- (1) Building and Operating Committee of June 23, 2022;
- (2) Finance-Auditing Committee of June 23, 2022;
- (3) Rules, Policy, and Industrial Relations Committee of June 24, 2022; and,
- (4) Board of Directors of June 24, 2022.

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, June 2022

Resolution

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June 23, 2022



**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.

**These minutes are supplemented by the video recording that is posted online at:
<https://www.youtube.com/user/goldengatedistrict>.**

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) met in regular session held virtually/remotely on Thursday, June 23, 2022, at 9:30 a.m., Chair Garbarino presiding.

- (1) Call to Order:** 9:30 a.m. **[0:34 Minutes Mark on the Video Recording]**
- (2) Roll Call:** Secretary of the District Amorette M. Ko-Wong.

Committee Members Present (8): Chair Garbarino; Vice-Chair Mastin; Directors Cochran, Conroy, Pahre, Rabbitt and Thier; President Theriault.

Committee Members Absent (1): Director Hernández.

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

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

Committee of the Whole Members Absent (4): Directors Arnold, Grosboll, Hernández and Stefani.

[Note: On this date, there were three vacancies on the Board of Directors.]

Staff Present: General Manager Denis Mulligan; Acting Auditor-Controller Jennifer Mennucci; District Engineer Ewa Bauer-Furbush, Secretary of the District Amorette Ko-Wong; Attorney Kimon Manolius; Deputy General Manager/Bridge Division David

**BUILDING AND OPERATING COMMITTEE/COMMITTEE OF THE WHOLE
JUNE 23, 2022/PAGE 2**

Rivera; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Ferry Division James Swindler; Deputy General Manager/Administration and Development Kellee Hopper; Manager of Real Estate Services and Property Development Norma Jellison; 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 Conroy arrived.]

(3) Authorize Execution of a General Agreement for the Cooperative Improvement of Visitor Experiences, Facilities, Services and Interpretation at the Golden Gate Bridge and Adjacent National Park Lands, with the National Park Service and the Golden Gate National Parks Conservancy [03:52 Minutes Mark on the Video Recording]

General Manager Denis Mulligan presented the staff report. He provided some additional background information regarding the agreement.

[07:26 Minutes Mark on the Video Recording]

Director Mastin inquired about the relationship of Alexander Avenue to the Agreement, and responsibility for Alexander Avenue.

Mr. Mulligan responded to the Director's inquiries.

The following individual spoke under public comment: **[09:40 Minutes Mark on the Video Recording]**

- David Pilpel, San Francisco Resident
-

(a) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors PAHRE/THIER** 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 authorize the General Manager to execute a General Agreement for the Cooperative Improvement of Visitor Experiences, Facilities, Services and Interpretation at the Golden Gate Bridge and Adjacent National Park Lands (General Agreement), with the National Park Service and the Golden Gate National Parks Conservancy to support and enhance visitor programs at the Golden Gate Bridge. The General Agreement replaces the expired Memorandum of Understanding between the parties that had been developed in conjunction with the 75th Anniversary of the Golden Gate Bridge.

Action by the Board at its meeting of June 24, 2022 – Resolution

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

NOES (0): None.

ABSENT (5): Directors Arnold, Giudice, Grosboll, Hernández and Stefani.

(4) Authorize the General Manager to Execute a Two-Year License Agreement with the San Francisco Municipal Transportation Agency for the Salesforce Transit Center Bus Plaza in San Francisco, CA [13:11 Minutes Mark on the Video Recording]

Manager of Real Estate Services and Property Development Norma Jellison presented the staff report.

[16:44 Minutes Mark on the Video Recording]

Director Pahre inquired about the possible range of the license fee in the Agreement.

Mr. Mulligan responded to the Director's inquiry.

The following individual spoke under public comment: **[19:34 Minutes Mark on the Video Recording]**

- David Pilpel, San Francisco Resident

Mr. Mulligan responded to the public comment. **[21:55 Minutes Mark on the Video Recording]**

(a) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/RABBITT** 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 authorize the General Manager to execute a two-year license agreement with San Francisco Municipal Transportation Agency (SFMTA) for Golden Gate Transit (GGT) to continue to provide regional service to and from San Francisco using two bays on the street level Bus Plaza at Salesforce Transit Center. SFMTA and GGT previously executed license agreements for regional services at the Bus Plaza on September 1, 2018 and September 1, 2019. SFMTA uses the Bus Plaza under a lease with the Transbay Joint Powers Authority, the owner/manager of the Salesforce Transit Center.

Action by the Board at its meeting of June 24, 2022 – Resolution

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

NOES (0): None.

ABSENT (5): Directors Arnold, Giudice, Grosboll, Hernández and Stefani.

(5) Approve Actions Relative to Award of Contract No. 2022-F-083, Larkspur Ferry Terminal Berths and Channel Maintenance Dredging, to Manson Construction, Inc.
[23:34 Minutes Mark on the Video Recording]

District Engineer Ewa Bauer-Furbush presented the staff report. The bid solicitation required the contractor to retain an Independent Surveyor to perform hydrographic surveys. The apparent low bidder Lind Marine did not provide an Independent Surveyor and stated in its bid that it intended to perform the surveys with its own personnel. As a result, Engineering staff determined that the Lind Marine bid was not responsive to the solicitation, and recommend award of the contract to the next lowest responsive and responsible bidder, Manson Construction.

[31:24 Minutes Mark on the Video Recording]

Chair Garbarino expressed appreciation for the staff report.

Director Rabbitt stated he was contacted by one of the bidders and spoke to the General Manager regarding this contract. He inquired if staff have ever investigated whether it would be more economical to spread out the work over a couple of seasons rather than one season. He commented about the volume of dredging and the relatively short amount of time.

Chair Garbarino stated that she was also contacted by one of the bidders and spoke to the General Manager about the contract.

President Theriault commented about the location of the disposal and delivery of the dredged materials. He also inquired about the rate of sedimentation. He expressed appreciation for the project team's efforts.

Director Thier commended staff for ensuring the bidder's responsiveness. She commented about the importance of an Independent Surveyor to avoid a conflict of interest.

[Director Giudice arrived.]

Director Snyder stated that Manson Construction, Inc. and The Dutra Group have local offices, and he sees a value in having local dredging companies especially in the event of a disaster. He also expressed appreciation for staff's work on the contract.

Mr. Mulligan and Ms. Ewa Bauer-Furbush responded to the inquiries.

The following individual spoke under public comment: **[40:43 Minutes Mark on the Video Recording]**

- Riley Hurd, Lind Marine

Chair Garbarino asked staff to respond to Mr. Hurd's public comments.

Mr. Mulligan responded to the public comments.

Ms. Ko-Wong stated that two additional people had indicated they want to make public comments, and she suggested that the Committee give them the opportunity to speak.

The Committee re-opened public comment and the following individuals spoke: **[46:16 Minutes Mark on the Video Recording]**

- Bill Butler, Lind Marine
- Skyler Coleman, Lind Marine

(a) Action by the 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 Building and Operating Committee/Committee of the Whole recommends the Board of Directors approve the following actions relative to award of Contract No. 2022-F-083, *Larkspur Ferry Terminal Berths and Channel Maintenance Dredging*, as follows:

- (i) Approve award of Contract No. 2022-F-083 to Manson Construction, Inc., of Seattle, WA, in the amount of \$13,975,500, with the Contract to be executed on or after July 1, 2022, which is consistent with Project #2340, *Larkspur Ferry Terminal Berth and Channel Dredging – Construction* being budgeted in Fiscal Year 2022/23;
- (ii) Establish a construction contingency for Contract No. 2022-F-083 in the amount of \$2,096,325 equal to 15% of the contract award amount; and,
- (iii) Authorize a budget adjustment to reduce Project #2340, *Larkspur Ferry Terminal Berth and Channel Dredging – Construction* project budget from \$23.5 million to \$17.9 million in the proposed FY 22/23 Ferry Division Capital Budget.

**Action by the Board at its meeting of June 24, 2022 – Resolution
Refer to Finance-Auditing Committee meeting of June 23, 2022**

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

NOES (0): None.

ABSTENTION (1): Director Giudice.

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

[Director Conroy departed]

- (6) Approve Actions Relative to Professional Services Agreement No. 2021-F-018, Larkspur Ferry Terminal Berth and Channel Maintenance Dredging Design, Pile Design and Permit Support Services, with Anchor QEA, LLC [50:18 Minutes Mark on the Video Recording]

District Engineer Ewa Bauer-Furbush presented the staff report.

(a) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by Directors THIER/RABBITT 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 the following actions relative to Professional Services Agreement (PSA) No. 2021-F-018, *Larkspur Ferry Terminal Berth and Channel Maintenance Dredging Design, Pile Design and Permit Support Services*, with Anchor QEA, LLC (Anchor), as follows:

- (i) Contingent upon the award of construction Contract No. 2022-F-083 for the *Larkspur Ferry Terminal Berth and Channel Maintenance Dredging* Project, authorize execution of the First Amendment to PSA No. 2021-F-018, in an amount not to exceed \$136,110, for engineering support services during the dredging with the First Amendment to be executed on or after July 1, 2022, which is consistent with the *Larkspur Ferry Terminal Berth and Channel Dredging – Construction* Project (Project #2340) being budgeted in Fiscal Year 2022/23; and,
- (ii) Establish a 15% contingency for PSA No. 2021-F-018 in the amount of \$20,420, with the understanding that sufficient funds are available in the FY 22/23 Ferry Division Capital Budget for the *Larkspur Ferry Terminal Berth and Channel Dredging – Construction* (Project #2340) to finance these actions.

Action by the Board at its meeting of June 24, 2022 – Resolution

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

NOES (0): None.

ABSENT (5): Directors Arnold, Conroy, Grosboll, Hernández and Stefani.

- (7) Status Report from Board Appointee(s) on Sonoma-Marin Area Rail Transit Board [57:26 Minutes Mark on the Video Recording]

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

(8) Status Report on Engineering Projects [1:05:35 Hour Mark on the Video Recording]

District Engineer Ewa Bauer-Furbush presented a status report, which was for informational purposes only and no action was taken. She provided a few highlights regarding the Suicide Deterrent System (SDS).

President Theriault commented about the work he observed had been done on the SDS.

(9) Public Comment [1:07:42 Hour Mark on the Video Recording]

The following individual spoke under Public Comment:

- David Pilpel, San Francisco Resident

(10) Adjournment [1:10:58 Hour Mark on the Video Recording]

All business having been concluded, Directors HILL/PAHRE moved and seconded that the meeting be adjourned at 10:41 a.m.

Carried

Respectfully submitted,

Patricia Garbarino, Chair
Building and Operating Committee

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June 23, 2022



**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.

**These minutes are supplemented by the video recording that is posted online at:
<https://www.youtube.com/user/goldengatedistrict>.**

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) met in regular session held virtually/remotely on Thursday, June 23, 2022, at 10:47 a.m., Chair Rabbitt presiding.

- (1) Call to Order:** 10:47 a.m. **[1:17:00 Hour Mark on the Video Recording]**
- (2) Roll Call:** Secretary of the District Amorette M. Ko-Wong.

Committee Members Present (6): Chair Rabbitt; Vice Chair Pahre; Directors Cochran, Giudice and Mastin; President Theriault.

Committee Members Absent (2): Directors Grosboll and Hernández.

Other Directors Present (4): Directors Garbarino, Hill, Snyder and Thier.

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

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

[Note: On this date, there were three vacancies on the Board of Directors.]

Staff Present: General Manager Denis Mulligan; Acting Auditor-Controller Jennifer Mennucci; District Engineer Ewa Bauer-Furbush; Secretary of the District Amorette Ko-Wong; Attorney Kimon Manolius; Deputy General Manager/Bridge Division David

Rivera; 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.

(3) Ratification of Previous Actions by the Auditor-Controller [1:20:03 Hour Mark on the Video Recording]

PFM Director Lesley Murphy said she had accepted a promotion at PFM, and she introduced Senior Managing Consultant Wale Kajopaiye who will be assuming her prior role. She said that Mr. Kajopaiye will be presenting the Investment Report next month. Mr. Kajopaiye said he looks forward to working with the District.

Ms. Murphy presented the Investment Report.

Chair Rabbitt expressed appreciation for Ms. Murphy's reports and work with the District. He said the Committee looks forward to working with Mr. Kajopaiye.

(a) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/MASTIN** 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 approve the following actions:

- (i) There are no commitments and/or expenditures to ratify for the period of May 1, 2022 through May 31, 2022;
- (ii) Ratify investments made during the period May 10, 2022 through June 13, 2022;
- (iii) Authorize the reinvestment, within the established policy of the Board, of any investments maturing between June 13, 2022 and July 11, 2022 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 May 2022.

Action by the Board at its meeting of June 24, 2022 – Resolution
CONSENT CALENDAR

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

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Grosboll, Hernández, Rodoni and Stefani.

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

(a) Authorize Budget Transfers and Adjustments to the FY 21/22 Operating Budget [1:34:14 Hour Mark on the Video Recording]

Acting Auditor-Controller Jennifer Mennucci presented the staff report.

(i) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/GIUDICE** 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 authorize operating budget transfers of \$6,000,000, or 2.5%, of total FY 21/22 Operating Budget Expenses as detailed in Attachment A of the staff report, and summarized below:

1. The Bridge Division will transfer \$1,725,000 between budget categories in the Bridge Division.
2. The Bus Transit Division will transfer \$2,980,000 between budget categories in the Bus Transit Division.
3. The Ferry Division will transfer \$350,000 between budget categories in the Ferry Division.
4. The District Division will transfer \$945,000 between budget categories in the District Division.

There is no cross division transfer between divisions. Each Division is anticipated to maintain their operation within its own Division budget.

Action by the Board at its meeting of June 24, 2022 – Resolution
NON-CONSENT CALENDAR

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

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Grosboll, Hernández, Rodoni and Stefani.

(b) **Budget Increase in the FY 22/23 Ferry Division Capital Budget for Project #2241, Ferry Vessel Rehab** [1:38:43 Hour Mark on the Video Recording]

Deputy General Manager/Ferry Division James Swindler presented the staff report.

(i) **Action by the Committee**

Staff recommended and the Committee concurred by motion made and seconded by **Directors PAHRE/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 authorize a budget increase in the FY 22/23 Ferry Division Capital Budget for Project #2241, *FY22 Ferry Vessel Rehab*, in the amount of \$1,100,000, effective July 1, 2022.

Action by the Board at its meeting of June 24, 2022 – Resolution
NON-CONSENT CALENDAR

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

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Grosboll, Hernández, Rodoni and Stefani.

(c) **Budget Decrease in the FY 22/23 Ferry Division Capital Budget for Project #2340, Larkspur Ferry Terminal Berth and Channel Dredging – Construction** [1:43:45 Hour Mark on the Video Recording]

(i) **Action by the Committee**

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

RECOMMENDATION

The Finance-Auditing Committee/Committee of the Whole recommends, in concurrence with the Building and Operating Committee at its meeting on June 23, 2022, that the Board of Directors authorize a capital budget decrease in the amount of \$5,600,000 in Project #2340, *Larkspur Ferry Terminal Berth and Channel Dredging – Construction* project budget, associated with construction Contract No. 2022-F-083, *Larkspur Ferry Terminal Berths and Channel Maintenance Dredging*.

Action by the Board at its meeting of June 24, 2022 – Resolution
Refer to Building and Operating Committee meeting of June 23, 2022
NON-CONSENT CALENDAR

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

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Grosboll, Hernández, Rodoni and Stefani.

(5) Authorize Actions Related to Grant Programs

(a) Approve Actions Relative to the State of Good Repair (SGR) Program
[1:45:49 Minutes Mark on the Video Recording]

Acting Auditor-Controller Jennifer Mennucci presented the staff report.

(i) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors GIUDICE/MASTIN** 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 approve actions necessary to secure FY 22/23 State of Good Repair (SGR) program funds to support transit projects that maintain the public transit system in a state of good repair for the Golden Gate Bridge, Highway and Transportation District (District):

1. Authorize the General Manager or his designee to execute for and on behalf of the District any documents necessary relative to the FY 22/23 SGR program; and,
2. Approve submission of the Ferry Division Capital Project #1940, *Purchase New Vessel*, for the FY 22/23 proposed project list to the Metropolitan Transportation Commission.

Action by the Board at its meeting of June 24, 2022 – Resolution
NON-CONSENT CALENDAR

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

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Grosboll, Hernández, Rodoni and Stefani.

Director Mastin inquired about public comments on the item.

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

(6) **Approve Renewal of the Liability and Property Insurance Programs** [1:49:02
Minutes Mark on the Video Recording]

Deputy General Manager/Administration and Development Kellee Hopper presented the staff report.

[1:54:02 Minutes Mark on the Video Recording]

Director Hill inquired about international cyber security.

Ms. Hopper responded to the Director's inquiry.

(a) **Action by the Committee**

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/GIUDICE** 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 approve the Liability Insurance Program, effective July 1, 2022, as follows:

- (i) Delegate to the General Manager the authority to purchase the Excess General and Automobile Liability Insurance including Public Officials and Employment Practices Liability with Terrorism Risk Insurance Act (TRIA) coverage, for a not to exceed amount of \$4,535,721 for a one-year term. The Golden Gate Bridge, Highway and Transportation District's (District) insurance broker is still negotiating, with various potential insurers (some of which currently provide coverage to the District) Allied Public Risk, Berkley PE (Gemini), Inigo, MAP, AWAC, Vantage, Hiscox, Canopus, Convex, Hamilton Re, Aspen, Sompo, Apollo, Liberty, Munich Re, Hyland, Westfield, Westchester and others. The expiring program has a \$85 million limit and a self-insured retention of \$5 million for Auto Liability and \$3 million for General Liability, including legal defense costs within the self-insured retention. The District will look at a lower limit of \$75 million for premium savings. The insurance broker will be working through the month of June to negotiate the best possible insurance program for the District. This extra time will enable the broker to obtain more favorable offers in a difficult market. The delegation authorizes the General Manager to purchase insurance consistent with the terms described above for the not-to-exceed premium amount of \$4,535,721;
- (ii) Renew the Excess Workers' Compensation and Employers' Liability Insurance Program with Safety National, for a one-year term, in excess of a self-insured retention of \$1 million for each accident, with a \$25 million limit, for an annual premium of \$417,986;
- (iii) Renew the Public Officials'/Employment Practices Liability Insurance Program with Ironshore, for a one-year term, with a liability limit of \$2 million for each

occurrence/annual aggregate. The program has a self-insured retention of \$500,000 for each Directors and Officers claim, and \$500,000 for Employment Practices Liability claims – the only exception being a \$1,000,000 self-insured retention for claims concerning Class Actions or Layoffs. The annual premium for this policy is \$222,960;

- (iv) Renew the Fiduciary Liability Insurance Program for the Other Public Employee Benefits (OPEB) Trust Board with Chubb Insurance Company for a one-year term, with a \$5 million limit for each occurrence, and a \$25,000 deductible, for an annual premium of \$15,105;
- (v) Renew the Crime Insurance Program with F&D/Zurich Insurance Company, for the first-year of a three-year term with a \$25,000 deductible and \$1 million limit for an annual premium of \$4,231; and,
- (vi) Renew the Cyber Liability Program with Resilience for a one-year-term. The program has a \$2 million limit and \$250,000 for Social Engineering Fraud. The coverage has a \$250,000 self-insured retention with a premium of \$96,616.

The Finance-Auditing Committee also recommends that the Board of Directors approve the Property Insurance Program, effective July 1, 2022, as follows:

- (i) Renew the property insurance program with AIG for buildings and facilities with a \$250,000 deductible for a premium of \$652,862, and the excess earthquake and flood insurance program for a premium of \$153,492;
- (ii) Renew the Marin Transit Bus Property Damage Program with actual cash value basis and a deductible of \$50,000 with Markel for a premium of \$29,494; and,
- (iii) Continue to allocate monies to the Restricted Contingency Reserve, for FY 22/23, in the amount of \$1.3 million, as self-insurance for costs associated with Bridge Physical Damage and Loss of Revenue.

These recommendations are made with the understanding that the requisite funds are available in the approved FY 22/23 Operating Budget for the Bridge, Bus, Ferry and District divisions.

Action by the Board at its meeting of June 24, 2022 – Resolution
NON-CONSENT CALENDAR

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

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Grosboll, Hernández, Rodoni and Stefani.

- (7) **Authorize Execution of the Seventh Amendment to Contract No. 2019-D-067, *Interim Temporary Staffing Services*, with Techie Brains, Inc. [1:56:07 Hour Mark on the Video Recording]**

Acting Auditor-Controller Jennifer Mennucci presented the staff report.

The following individual spoke under public comment: **[1:58:09 Hour Mark on the Video Recording]**

- David Pilpel, San Francisco Resident

[2:00:54 Hours Mark on the Video Recording]

Mr. Mulligan and Ms. Mennucci responded to the public comments.

Chair Rabbitt added to the staff response, and stated that many organizations are having difficulties with recruiting people to fill open positions.

(a) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors GIUDICE/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 take the following actions relative to the *Kronos Timekeeping Project* and its integration with the *Enterprise Resource Planning (ERP) System Replacement Project* (Capital Project No. 1810):

- (i) Authorize execution of the Seventh Amendment to Contract No. 2019-D-067, *Interim Temporary Staffing Services*, with Techie Brains, Inc., (Techie Brains) of Normal, IL to increase the not-to-exceed contract amount by \$130,000 (from \$350,000 to \$480,000). Funding is available in the existing capital and future operating budgets; and,
- (ii) Authorize the General Manager to approve future amendments to the agreement with Techie Brains if deemed in the Golden Gate Bridge, Highway and Transportation District's best interest and if funds are available in the District's Capital/Operating Budget.

Action by the Board at its meeting of June 24, 2022 – Resolution
NON-CONSENT CALENDAR

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

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Grosboll, Hernández, Rodoni and Stefani.

(8) Status Report on the FY 21/22 Budget **[2:03:24 Hours Mark on the Video Recording]**

Acting Auditor-Controller Jennifer Mennucci presented the staff report, which was for informational purposes only and no action was taken. She stated that staff anticipates the District will use one-time funding from the American Rescue Plan first tranche of \$57.7 million and second tranche of \$6 million during FY 21/22. She also spoke about the District's revenue from Bridge traffic, which is higher than budgeted, and Bus and Ferry transit ridership, which is lower than budgeted.

The following individual spoke under public comment: **[2:05:05 Hours Mark on the Video Recording]**

- David Pilpel, San Francisco Resident

(9) **Approve Proposed FY 22/23 Operating and Capital Budget** **[2:06:09 Hours Mark on the Video Recording]**

Chair Rabbitt expressed appreciation for having a month in which to review the proposed FY 22/23 Budget.

Acting Auditor-Controller Jennifer Mennucci presented the staff report. She reviewed the staff recommendation, and pointed out the Questions and Answers section of the report.

[2:09:17 Hours Mark on the Video Recording]

Chair Rabbitt expressed appreciation for the report, and staff's work on the budget. He noted that the pandemic has made the budgeting process more challenging.

President Theriault expressed appreciation for staff's commitment to the language he asked be added to the budget.

Director Mastin inquired about the transit ridership projections outlined on page 3 of the staff report and page 63 of the agenda packet.

A public comment was received from the following individual: **[2:11:42 Hours Mark on the Video Recording]**

- David Pilpel, San Francisco Resident

Chair Rabbitt commented about the difficulties forecasting the future, and inquired about how the District reflects open positions in the budget.

Ms. Mennucci and Mr. Mulligan responded to the inquiries.

(a) **Action by the Committee**

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

RECOMMENDATION

FINANCE-AUDITING COMMITTEE/COMMITTEE OF THE WHOLE
JUNE 23, 2022/PAGE 10

The Finance-Auditing Committee/Committee of the Whole recommends that the Board of Directors approve the Fiscal Year 2022/2023 (FY 22/23) Proposed Operating and Capital Budget, as follows:

- (i) Authorize the following items as contained in the budget:
 - 1. District Goals, Projects, and Accomplishments;
 - 2. Changes to the Reserve Structure;
 - 3. Changes to the Table of Organization;
- (ii) Include salary increases for the Coalition and Non-Represented employees. Salary increases for ATU-represented employees are to be negotiated;
- (iii) Authorize a Capital Contribution amount of \$21 million;
- (iv) Authorize budget increases for four Capital Projects by a total of \$8,477,000, to be funded with 100% District Reserves; and,
- (v) Authorize the following items not currently included in the Proposed Budget but will be included in the Adopted Budget:
 - 1. Any Board approved actions through June 30, 2022 that have a fiscal impact to the FY 22/23 Capital and/or Operating Budget;
 - 2. Carryover any incomplete projects in the FY 21/22 Capital Budget to FY 22/23 as authorized by the General Manager;
 - 3. Move any capital projects from the FY 23/24 list to the FY 22/23 budget, authorized by the General Manager, as staff resources become available in FY 22/23; and,
 - 4. Any final FY 21/22 budget transfers needed to comply with the Board's budget policy will be implemented in the FY 22/23 Adopted Budget Book.

Action by the Board at its meeting of June 24, 2022 – Resolution
NON-CONSENT CALENDAR

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

NOES (0): None.

ABSENT (6): Directors Arnold, Conroy, Grosboll, Hernández, Rodoni and Stefani.

- (10) Monthly Review of Golden Gate Bridge Traffic/Tolls and Bus and Ferry Transit Patronage/Fares (for Ten Months Ending April 2022 and Eleven Months Ending May 2022) [2:18:34 Hours Mark on the Video Recording]**

Acting Auditor-Controller Jennifer Mennucci presented the staff report, which was for informational purposes only and no action was taken.

- (11) Monthly Review of Financial Statements (for Ten Months Ending April 2022 and Eleven Months Ending May 2022)**
- (a) Statement of Revenue and Expenses**
 - (b) Statement of Capital Programs and Expenditures**

Acting Auditor-Controller Jennifer Mennucci presented the staff report, which were for informational purposes only and no actions were taken.

Chair Rabbitt commented about the season change and an expected change in traffic and ridership.

(12) Closed Session [2:20:10 Hours Mark on the Video Recording]

Attorney Kimon Manolius, at the request of Chair Rabbitt, stated that the Committee would convene in Closed Session, as permitted by the Brown Act, to discuss the following matter listed on the Agenda as Item No. 12(a):

(a) Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(a)

Report of Athens Administrators, Inc.

(i) *Marco Flores v. Golden Gate Bridge, Highway and Transportation District.*

[2:25:48 Hours Mark on the Video Recording]

After Closed Session, Chair Rabbitt called the meeting to order in Open Session with a quorum present. Attorney Kimon Manolius stated that the Committee had met in Closed Session, as permitted by the Brown Act, to discuss the above listed matter. He reported that the Committee gave legal counsel direction about how to handle the matter.

(13) Public Comment

There were no public comments.

(14) Adjournment [2:26:43 Hours Mark on the Video Recording]

All business having been concluded Directors GIUDICE/PAHRE moved and seconded that the meeting be adjourned at 11:57 a.m.

Carried

Respectfully submitted,

David A. Rabbitt, Chair
Finance-Auditing Committee

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June 24, 2022



**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.

**These minutes are supplemented by the video recording that is posted online at:
<https://www.youtube.com/user/goldengatedistrict>.**

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

Honorable Members:

A meeting of the Rules, Policy and Industrial Relations Committee/Committee of the Whole (Committee) of the Golden Gate Bridge, Highway and Transportation District (District) was held virtually/remotely on Thursday, June 24, 2022, at 9:01 a.m., Acting Chair Arnold presiding.

- (1) Call to Order:** 9:01 a.m.
- (2) Roll Call:** Secretary of the District Amorette M. Ko-Wong.

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

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

Other Directors Present (7): Directors Giudice, Mastin, Pahre, Rabbitt, Rodoni, Snyder and Thier.

Committee of the Whole Members Present (13): Directors Arnold, Conroy, Garbarino, Giudice Mastin, Pahre, Rabbitt, Rodoni, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

Committee of the Whole Members Absent (3): Directors Grosboll, Hernández and Stefani.

[Note: On this date, there were three vacancies on the Board of Directors.]

RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF THE WHOLE
JUNE 24, 2022/PAGE 2

Staff Present: General Manager Denis Mulligan; Acting Auditor-Controller Jennifer Mennucci; District Engineer Ewa Bauer-Furbush; Secretary of the District Amorette Ko-Wong; Attorney Kimon Manolius; Deputy General Manager/Bridge Division David Rivera; 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.

[Director Rabbitt arrived.]

(3) Adopt Master Ordinance 2022, and Related Actions [03:57 Minutes Mark on the Video Recording]

Secretary of the District Amorette Ko-Wong presented the staff report. She spoke about the process involved in updating the Master Ordinance, and provided some background about changes that were made.

[08:00 Minutes Mark on the Video Recording]

President Theriault commented about the District's Agreement with San Francisco Municipal Transportation Agency (SFMTA) to pick up passengers within San Francisco that is reflected in the Master Ordinance. He said that he understands that the SFMTA bus operators are represented by Transport Workers Union Local 250A (TWU Local 250A), and someone had asked him if TWU Local 250A had provided any input regarding the District's agreement with SFMTA.

Director Hill suggested the District use the bicycle class definitions in the California Vehicle Code in Section II.G.12.c of the Master Ordinance (page 62 of the agenda packet, and page 49 of the Master Ordinance).

The following individual spoke under public comment: **[11:59 Minutes Mark on the Video Recording]**

- David Pilpel, San Francisco Resident

[13:37 Minutes Mark on the Video Recording]

Director Mastin inquired about the operation of motorized bicycles under Section II.G.12.c of the Master Ordinance (page 62 of the agenda packet, and page 49 of Master Ordinance).

Director Hill suggested again that Section II.G.12.c of the Master Ordinance reference the bicycle class definitions in the California Vehicle Code.

Mr. Mulligan and Ms. Ko-Wong responded to the inquires and comments. Mr. Mulligan stated that staff and the attorneys would review and revise Section II.G.12.c to ensure that

RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF THE WHOLE
JUNE 24, 2022/PAGE 3

it is consistent with prior Board action allowing Class 1, 2 and 3 bicycles on the Bridge. Ms. Ko-Wong pointed to Section II.F.4.f of the redline version of the Master Ordinance (page 100 of the agenda packet and page 47 of the redline Master Ordinance), which states: "For purposes of this Section II.G.5, the term 'Bicycles' includes class 1, 2, and 3 electric bicycles as defined in Section 312.5 of the California Vehicle Code." Ms. Ko-Wong also pointed out the bicycle speed limits in Section II.F.4.g of the redline version of the Master Ordinance (page 100 of the agenda packet and page 47 of the redline Master Ordinance).

Vice Chair Arnold requested clarification that the Committee could vote on the recommendation with the understanding that Section II.G.12.c in the final Master Ordinance would include the change reflected in the redline version of the Master Ordinance highlighted by Ms. Ko-Wong.

Ms. Ko-Wong and Mr. Mulligan confirmed that the Committee could vote on the recommendation with the understanding that staff and the attorneys would ensure that Section II.G.12.c in the final version of the Master Ordinance is consistent with the revisions to Sections II.F.4.f-g in the redline version of the Master Ordinance.

(a) Action by Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors GARBARINO/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 adopt Master Ordinance 2022, and repeal Master Ordinance 2017, to incorporate ordinances adopted by the Board since the adoption of Master Ordinance 2017, and to approve related actions as follows:

- (i) Approve the new parking fine schedule as detailed in Section I, GENERAL PROVISIONS, Subsection I. PARKING PRIVILEGES AND RESTRICTIONS, item 6, and authorize future changes to the parking fine schedule to correspond to the parking fine schedules established by the San Francisco Municipal Transportation Agency and Marin Parking Authority;
- (ii) Under Section III, GOLDEN GATE TRANSIT - BUS AND FERRY SYSTEMS, Subsection A. GENERAL RULES, delete item 9, to allow the District to transport local passengers within the City and County of San Francisco;
- (iii) Replace reference to the Department of Homeland Security's color-coded advisory system with the National Terrorism Advisory System (NTAS), used to effectively communicate "Elevated" or "Imminent" terrorism threats to the American public in Section I, GENERAL PROVISIONS, Subsection F. PROVISIONS PERTAINING TO USE OF DISTRICT PROPERTIES FOR EXPRESSIVE ACTIVITIES, item 8.d.;
- (iv) Update toll collection terminology throughout Section I, GENERAL

RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF THE WHOLE
JUNE 24, 2022/PAGE 4

- PROVISIONS and Section II. GOLDEN GATE BRIDGE AND APPROACHES;
- (v) Update transit zone descriptions, fare tables, and fare collection terminology throughout Section III, GOLDEN GATE TRANSIT - BUS AND FERRY SYSTEMS; and,
 - (vi) Approve minor corrections in formatting, grammar, updates to terminology, and other non-substantive clarifying edits.

Action by the Board at its meeting of June 24, 2022 – Resolution

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

NOES (0): None.

ABSENT (4): Directors Giudice, Grosboll, Hernández and Stefani.

(4) Approve an Enhanced Vacation Accrual Policy for Certain Engineering Department Classifications [18:44 Minutes Mark on the Video Recording]

District Engineer Ewa Bauer-Furbush presented the staff report.

The following individual spoke under public comment: [23:01 Minutes Mark on the Video Recording]

- David Pilpel, San Francisco Resident

[26:03 Minutes Mark on the Video Recording]

Mr. Mulligan responded to the public comment. He stated that Congress passed the Infrastructure Investment and Jobs Act (IIJA), and he anticipates that construction projects will continue even if there was an economic recession. He highlighted that the District has experienced difficulties recruiting certain positions, has a large infrastructure project in the future, and is taking steps to make the vacation policy more attractive to existing and prospective Engineering staff.

[27:56 Minutes Mark on the Video Recording]

Director Thier commented that many organizations are having difficulties recruiting qualified Engineers, and she stated she anticipates these difficulties will increase. She observed that the higher amount of vacation is necessary for the District to attract skilled Engineers.

(a) Action by Committee

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

RECOMMENDATION

RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF THE WHOLE
JUNE 24, 2022/PAGE 5

The Rules, Policy and Industrial Relations Committee/Committee of the Whole recommends that the Board of Directors approve implementation of an enhanced Vacation Accrual Policy in the Engineering Department, as follows:

“Employees in the Engineering Department, within the Engineer classifications shall accrue paid vacation up to a maximum of 30 days at the following accrual rates, based on certified relevant years of work experience in the industry either at the District or in positions prior to District employment:

First through fourth year of certified experience in the industry - 10 days;
Fifth through tenth year - 15 days;
Eleventh through twentieth year - 20 days;
Twenty-first through twenty-ninth years - 25 days;
Twenty-nine years thereafter - 30 days.”

Action by the Board at its meeting of June 24, 2022 – Resolution

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

NOES (0): None.

ABSENT (4): Directors Giudice, Grosboll, Hernández, and Stefani.

(5) Approve Actions Relative to Engineering Department Reorganization [31:57 Minutes Mark on the Video Recording]

District Engineer Ewa Bauer-Furbush presented the staff report. She spoke about the numerous and large scale projects that Engineering staff currently oversees and additional projects the Engineering Department will oversee in the future, such as the Golden Gate Bridge Suicide Deterrent System and Seismic Retrofit and San Rafael Transit Center and Ferry terminal improvements. All of these projects will require a high level of Engineering staff resources, experience and expertise. She also referenced a study that noted loss of skilled Engineering staff was identified as one of the top risks in state asset management plans.

General Manager Denis Mulligan added that the reorganization has been discussed with Local 21 (International Federation of Professional and Technical Engineers, Local 21, AFL-CIO), which is the union that represents most of the Engineering Department, and found that they concur with the recommendation.

[48:47 Minutes Mark on the Video Recording]

Director Cochran inquired about salary surveys and potential adjustments for other District positions.

Director Thier inquired about the retention of current staff. She commented about the difficulty of recruiting and hiring skilled Inspectors. She verified the recommendation

RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF THE WHOLE
JUNE 24, 2022/PAGE 6

includes an increase for Inspectors and commented about the difficulties of recruiting Inspectors. She expressed her support for the recommendation.

Director Garbarino expressed appreciation for the staff report. She commented about the importance of a salary survey and the difficulties of trying to retain staff while conducting a survey.

President Theriault pointed out the time, and suggested the Committee seek public comment and vote.

Mr. Mulligan and Ms. Bauer-Furbush responded to the comments and inquiries. Mr. Mulligan confirmed that a consultant is conducting a salary survey for the whole District and has results for some positions including the Engineering positions. He spoke about the difference between the District's compensation and other organizations' compensation for Engineering positions. He highlighted the importance of having a full Engineering department staff that is ready to undertake projects when the District is the recipient of grant funds for key projects like the Seismic Retrofit. He said that staff would present the full salary survey in the future. Ms. Bauer-Furbush spoke about the importance of retaining current staff who are skilled, experienced and have institutional knowledge.

The following individual spoke under public comment: **[55:41 Minutes Mark on the Video Recording]**

- David Pilpel, San Francisco Resident
- Shane Weinstein, Amalgamated Transit Union, Local 1575

[Director Giudice arrived.]

(b) Action by Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors GARBARINO/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 the following actions relative to the Engineering Department reorganization:

- (i) Amend the Table of Organization to establish seven Sections within the Department:
1. Bridge Design Section
 2. Bus and Ferry Design Section
 3. Bridge Construction Section
 4. Bus and Ferry Construction Section
 5. Inspection and Maintenance Support Section

RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF THE WHOLE
JUNE 24, 2022/PAGE 7

6. Engineering Contracts Section
 7. Engineering Document Controls Section
- (ii) Establish three new job classifications for the positions that will lead the seven Sections:
1. Directing Civil Engineer, five positions, (to lead five Sections of the Bridge Design, Bus and Ferry Design, Bridge Construction, Bus and Ferry Construction and Inspection and Maintenance Support Sections), with an annual compensation range of \$161,787 to \$196,653, not including benefits, by reclassifying three existing Supervising Civil Engineer positions and adding two new Directing Civil Engineer positions;
 2. Director of Engineering Contracts Section, one position, with an annual compensation range of \$121,888 to \$147,308, not including benefits, by reclassifying the existing Engineering Contracts Officer position;
 3. Engineering Document Controls Manager with an annual compensation range of \$114,275 to \$138,091, not including benefits;
- (iii) Expand the Engineering Department's professional development program to provide defined career paths for the Engineering Contract Assistant and Engineering Document Control Assistant positions by establishing the following two new job classifications:
1. Senior Engineering Contracts Assistant, with an annual compensation range of \$89,190 to \$107,786, not including benefits;
 2. Senior Engineering Document Control Assistant with an annual compensation range of \$82,930 to \$100,235, not including benefits;
- (iv) Approve changes to the remaining Engineering Department's Engineer and Inspector position compensations to make it competitive with other employers, consistent with the position classifications and increased staff responsibilities, and reflective of the proposed Engineering Department Table of Organization (as outlined in the table beginning on page 7 of this report); and,
- (v) Increase the FY 2022/FY2023 Engineering Department's Budget by \$668,520 and Adjust Table of Organization accordingly. The changes recommended in this staff report be implemented the first day of the pay period in which the Board's approval falls.

Action by the Board at its meeting of June 24, 2022 – Resolution

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

NOES (0): None.

ABSTENTION (1): Director Giudice.

ABSENT (3): Directors Grosboll, Hernández and Stefani.

**RULES, POLICY AND INDUSTRIAL RELATIONS COMMITTEE/COMMITTEE OF
THE WHOLE
JUNE 24, 2022/PAGE 8**

*First Vice President Cochran cast an Aye vote with the understanding that staff would have a salary survey for compensation adjustments in the future.

(6) Public Comment

There were no public comments.

(7) Adjournment [1:00:21 Hour Mark on the Video Recording]

All business having been concluded, Directors RABBITT/MASTIN moved and seconded that the meeting be adjourned at 10:01 a.m.

Carried

Respectfully submitted,

Judy Arnold, Vice Chair
Rules, Policy and Industrial Relations Committee

JA:AMK:EIE:tnm



2022-06

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

MEMORANDUM OF MINUTES

BOARD OF DIRECTORS MEETING

JUNE 24, 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, June 24, 2022, at 10:05 a.m., President Theriault presiding.

- (1) **CALL TO ORDER:** President Michael Theriault. [00:28 Minutes Mark on the Video Recording]
- (2) **ROLL CALL:** Secretary of the District Amorette M. Ko-Wong. [01:22 Minutes Mark on the Video Recording]

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

Directors Absent (1): Director Hernández.

[Note: On this date, there were three vacancies on the Board of Directors.]

Staff Present: General Manager Denis Mulligan; Acting Auditor-Controller Jennifer Mennucci; 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;

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**BOARD OF DIRECTORS MEETING
JUNE 24, 2022/PAGE 2**

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.

(3) PLEDGE OF ALLEGIANCE: Director Chris Snyder. [04:15 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: [04:38 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.

President Theriault stated that the Board has allotted 30 minutes for Public Comment, and the speakers could have three minutes each for their public comments.

The following individuals spoke under Public Comment: [05:24 Minutes Mark on the Video Recording]

- Kymerlyrenée Gamboa, Sacramento County Resident
- Dave Rhody, The Climate Reality Project
- Shane Weinstein, Amalgamated Transit Union (ATU), Local 1575
- David Pilpel, San Francisco Resident
- Kimmiko Joseph, Bus Operator
- Matthew Corbett, Bus Operator
- Brenda Sheppard, Bus Operator

[23:17 Minutes Mark on the Video Recording]

President Theriault asked Mr. Mulligan if he would like to respond to any of the public comments.

Mr. Mulligan responded to the public comments.

(5) CONSENT CALENDAR: [26:49 Minutes Mark on the Video Recording]

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

Director Snyder commented about the new federal holiday Juneteenth and proposed the District recognize the holiday. He inquired about the possibility of the Board discussing the holiday at an appropriate time.

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

**BOARD OF DIRECTORS MEETING
JUNE 24, 2022/PAGE 3**

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

NOES (0): None.

ABSENT (1): Director Hernández.

(A) Approve the Minutes of the following Meetings:

- (1) Transportation Committee of May 19, 2022;
- (2) Building and Operating Committee of May 19, 2022;
- (3) Finance-Auditing Committee of May 19, 2022; and,
- (4) Rules, Policy and Industrial Relations Committee of May 20, 2022;
- (5) Board of Directors of May 20, 2022.

Carried

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

Resolution No. 2022-047 (as detailed in the June 23, 2022 Finance-Auditing Committee meeting)

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

Adopted

(6) REPORTS OF OFFICERS:

(A) General Manager [30:00 Minutes Mark on the Video Recording]

Mr. Mulligan presented the General Manager Report, and highlighted a number of items in the report including: 1) San Francisco to Angel Island ferry service; 2) Update on the impacts of the COVID-19 pandemic on Bridge traffic and bus and ferry transit ridership; 3) Incremental increases in bus and ferry service; and, 4) Recognition of Dennis Tan, Raymond Woo, Richard Williams, Elpidio Rocha, Robert Smith and Patricia Slater for their District service.

[38:50 Minutes Mark on the Video Recording]

President Theriault commented about Kieran Culligan's communication regarding Alexander Avenue, and requested more information about the area.

Director Hill commented about Alexander Avenue, and expressed support for obtaining State funding to widen the roadway.

Director Mastin commented about the possibility of interim solutions including hillside stabilization along Alexander Avenue.

Mr. Mulligan responded to the comments and inquiries. He recommended the District focus on its \$300 million request for Seismic Retrofit project funding during the current State budgeting cycle and postpone consideration of a request for Alexander Avenue hillside improvements funding to a future State budgeting cycle. He proposed that the

**BOARD OF DIRECTORS MEETING
JUNE 24, 2022/PAGE 4**

Engineering staff make a report at a future Board Meeting about possible interim solutions for the Alexander Avenue hillside.

(B) Attorney [47:32 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 [47:48 Minutes Mark on the Video Recording]

Attorney Manolius reported that a Closed Session listed on the Board Agenda as Item No. 6.B.1. would take place just prior to the conclusion of this meeting:

(a) Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(a)

Report of Hanson Bridgett, LLP

- (i) *In re Toll Bridges Litigation: Sumatra Kendrick, an individual; Michelle Kelly, an individual and on behalf of herself and those similarly situated, v. Bay Area Toll Authority, Golden Gate Bridge, Highway and Transportation District, Xerox State and Local Solutions, Inc.; and Conduent State and Local Solutions, Inc., San Francisco Superior Court; Case Numbers CGC-17-562613, consolidated with CGC-18-568084.*
- (ii) *William Montgomery v. Golden Gate Bridge, Highway and Transportation District, San Francisco Superior Court, Case No. CGC-18-568084, United States District Court, Northern District of California, Case No. 3:18-cv-05518-RS.*
- (iii) *Maria Gregorio vs. Bay Area Toll Authority, et al., San Francisco Superior Court, Case No. CGC-21-596537.*

(C) District Engineer [48:07 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.

(7) OTHER REPORTS:

There were no Other Reports to discuss.

(8) REPORT OF COMMITTEES: [50:00 Minutes Mark on the Video Recording]

**(A) Meeting of the Building and Operating Committee/Committee of the Whole
[50:08 Minutes Mark on the Video Recording]**

June 23, 2022

Chair Patricia Garbarino

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

Chair Garbarino expressed appreciation for attendance at the meeting of the day before.

- (1) **Authorize Execution of a General Agreement for the Cooperative Improvement of Visitor Experiences, Facilities, Services and Interpretation at the Golden Gate Bridge and Adjacent National Park Lands, with the National Park Service and the Golden Gate National Parks Conservancy** [50:42 Minutes Mark on the Video Recording]

Director Thier stated that the District's partnerships with the National Park Service and the Golden Gate National Parks Conservancy are very valuable and she commended staff for creating effective partnerships. She spoke about the value of offering a quality visitor experience.

Directors GARBARINO/COCHRAN

Resolution No. 2022-048 authorizes the General Manager to execute a General Agreement for the Cooperative Improvement of Visitor Experiences, Facilities, Services and Interpretation at the Golden Gate Bridge and Adjacent National Park Lands (General Agreement), with the National Park Service and the Golden Gate National Parks Conservancy to support and enhance visitor programs at the Golden Gate Bridge. The General Agreement replaces the expired Memorandum of Understanding between the parties that had been developed in conjunction with the 75th Anniversary of the Golden Gate Bridge.

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

- (2) **Authorize the General Manager to Execute a Two-Year License Agreement with the San Francisco Municipal Transportation Agency for the Salesforce Transit Center Bus Plaza in San Francisco** [53:26 Minutes Mark on the Video Recording]

Directors GARBARINO/GIUDICE

Resolution No. 2022-049 authorizes the General Manager to execute a two-year license agreement with the San Francisco Municipal Transportation Agency (SFMTA) for Golden Gate Transit (GGT) to continue to provide regional service to and from San Francisco using two bays on the street level Bus Plaza at Salesforce Transit Center. SFMTA and GGT previously executed license agreements for regional services at the Bus Plaza on September 1, 2018 and September 1, 2019.

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SFMTA uses the Bus Plaza under a lease with the Transbay Joint Powers Authority, the owner/manager of the Salesforce Transit Center.

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

- (3) Approve Actions Relative to Award of Contract No. 2022-F-083, Larkspur Ferry Terminal Berths and Channel Maintenance Dredging, to Manson Construction, Inc. [54:57 Minutes Mark on the Video Recording]**

Directors GARBARINO/PAHRE

Resolution No. 2022-050 approves the following actions relative to award of Contract No. 2022-F-083, *Larkspur Ferry Terminal Berths and Channel Maintenance Dredging*, as follows:

- (a) Approves award of Contract No. 2022-F-083 to Manson Construction, Inc., of Seattle, WA, in the amount of \$13,975,500, with the Contract to be executed on or after July 1, 2022, which is consistent with Project #2340, *Larkspur Ferry Terminal Berth and Channel Dredging – Construction* being budgeted in Fiscal Year 2022/23;
- (b) Establishes a construction contingency for Contract No. 2022-F-083 in the amount of \$2,096,325 equal to 15% of the contract award amount; and,
- (c) Authorizes a budget adjustment to reduce Project #2340, *Larkspur Ferry Terminal Berth and Channel Dredging – Construction* project budget from \$23.5 million to \$17.9 million in the proposed FY 22/23 Ferry Division Capital Budget.

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

- (4) Approve Actions Relative to Professional Services Agreement No. 2021-F-018, Larkspur Ferry Terminal Berth and Channel Maintenance Dredging Design, Pile Design and Permit Support Services, with Anchor QEA, LLC [57:37 Minutes Mark on the Video Recording]**

Directors GARBARINO/COCHRAN

Resolution No. 2022-051 approves the following actions relative to Professional Services Agreement (PSA) No. 2021-F-018, *Larkspur Ferry Terminal Berth and Channel Maintenance Dredging Design, Pile Design and Permit Support Services*, with Anchor QEA, LLC (Anchor), as follows:

- (a) Contingent upon the award of construction Contract No. 2022-F-083 for the *Larkspur Ferry Terminal Berth and Channel Maintenance Dredging Project*, authorizes execution of the First Amendment to PSA No. 2021-F-018, in an amount not to exceed \$136,110, for engineering support services during the dredging with the First Amendment to be executed on or after July 1, 2022, which is consistent with the *Larkspur Ferry Terminal Berth and Channel Dredging – Construction Project* (Project #2340) being budgeted in Fiscal Year 2022/23; and,
- (b) Establishes a 15% contingency for PSA No. 2021-F-018 in the amount of \$20,420,

with the understanding that sufficient funds are available in the FY 22/23 Ferry Division Capital Budget for the *Larkspur Ferry Terminal Berth and Channel Dredging – Construction* (Project #2340) to finance these actions.

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

**(B) Meeting of the Finance-Auditing Committee/Committee of the Whole [59:41 Minutes Mark on the Video Recording]
June 23, 2022
Chair David Rabbitt**

President Theriault stated the following items were discussed at the Finance-Auditing Committee meeting of the day before.

(1) Authorize Budget Transfers and Adjustments to the FY 21/22 Operating Budget [1:00:23 Hour Mark on the Video Recording]

Directors RABBITT/HILL

Resolution No. 2022-052 authorizes operating budget transfers of \$6,000,000, or 2.5%, of total FY 21/22 Operating Budget Expenses as detailed in Attachment A of the staff report, and summarized below:

- (a) The Bridge Division will transfer \$1,725,000 between budget categories in the Bridge Division.

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- (b) The Bus Transit Division will transfer \$2,980,000 between budget categories in the Bus Transit Division.
- (c) The Ferry Division will transfer \$350,000 between budget categories in the Ferry Division.
- (d) The District Division will transfer \$945,000 between budget categories in the District Division.

There is no cross division transfer between divisions. Each Division is anticipated to maintain their operation within its own Division budget.

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

- (2) **Budget Increase in the FY 22/23 Ferry Division Capital Budget for Project #2241, *Ferry Vessel Rehab* [1:01:40 Hour Mark on the Video Recording]**

Directors RABBITT/COCHRAN

Resolution No. 2022-053 authorizes a budget increase in the FY 22/23 Ferry Division Capital Budget for Project #2241, FY22 *Ferry Vessel Rehab*, in the amount of \$1,100,000, effective July 1, 2022.

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

- (3) **Approve Actions Relative to the State of Good Repair (SGR) Program [1:03:22 Hour Mark on the Video Recording]**

Directors RABBITT/GIUDICE

Resolution No. 2022-054 approves actions necessary to secure FY 22/23 State of Good Repair (SGR) program funds to support transit projects that maintain the public transit system in a state of good repair for the Golden Gate Bridge, Highway and Transportation District (District):

- (a) Authorizes the General Manager or his designee to execute for and on behalf of the District any documents necessary relative to the FY 22/23 SGR program; and,

- (b) Approves submission of the Ferry Division Capital Project #1940, *Purchase New Vessel*, for the FY 22/23 proposed project list to the Metropolitan Transportation Commission.

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

- (4) **Approve Renewal of the Liability and Property Insurance Programs**
[1:05:04 Hour Mark on the Video Recording]

Directors RABBITT/THIER

Resolution No. 2022-055 approves the Liability Insurance Program, effective July 1, 2022, as follows:

- (a) Delegates to the General Manager the authority to purchase the Excess General and Automobile Liability Insurance including Public Officials and Employment Practices Liability with Terrorism Risk Insurance Act (TRIA) coverage, for a not to exceed amount of \$4,535,721 for a one-year term. The Golden Gate Bridge, Highway and Transportation District's (District) insurance broker is still negotiating, with various potential insurers (some of which currently provide coverage to the District) Allied Public Risk, Berkley PE (Gemini), Inigo, MAP, AWAC, Vantage, Hiscox, Canopus, Convex, Hamilton Re, Aspen, Sompo, Apollo, Liberty, Munich Re, Hyland, Westfield, Westchester and others. The expiring program has a \$85 million limit and a self-insured retention of \$5 million for Auto Liability and \$3 million for General Liability, including legal defense costs within the self-insured retention. The District will look at a lower limit of \$75 million for premium savings. The insurance broker will be working through the month of June to negotiate the best possible insurance program for the District. This extra time will enable the broker to obtain more favorable offers in a difficult market. The delegation authorizes the General Manager to purchase insurance consistent with the terms described above for the not-to-exceed premium amount of \$4,535,721;
- (b) Renews the Excess Workers' Compensation and Employers' Liability Insurance Program with Safety National, for a one-year term, in excess of a self-insured retention of \$1 million for each accident, with a \$25 million limit, for an annual premium of \$417,986;
- (c) Renews the Public Officials'/Employment Practices Liability Insurance Program with Ironshore, for a one-year term, with a liability limit of \$2 million for each occurrence/annual aggregate. The program has a self-

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insured retention of \$500,000 for each Directors and Officers claim, and \$500,000 for Employment Practices Liability claims – the only exception being a \$1,000,000 self-insured retention for claims concerning Class Actions or Layoffs. The annual premium for this policy is \$222,960;

- (d) Renews the Fiduciary Liability Insurance Program for the Other Public Employee Benefits (OPEB) Trust Board with Chubb Insurance Company for a one-year term, with a \$5 million limit for each occurrence, and a \$25,000 deductible, for an annual premium of \$15,105;
- (e) Renews the Crime Insurance Program with F&D/Zurich Insurance Company, for the first-year of a three-year term with a \$25,000 deductible and \$1 million limit for an annual premium of \$4,231; and,
- (f) Renews the Cyber Liability Program with Resilience for a one-year-term. The program has a \$2 million limit and \$250,000 for Social Engineering Fraud. The coverage has a \$250,000 self-insured retention with a premium of \$96,616.

Approves the Property Insurance Program, effective July 1, 2022, as follows:

- (a) Renews the property insurance program with AIG for buildings and facilities with a \$250,000 deductible for a premium of \$652,862, and the excess earthquake and flood insurance program for a premium of \$153,492;
- (b) Renews the Marin Transit Bus Property Damage Program with actual cash value basis and a deductible of \$50,000 with Markel for a premium of \$29,494; and,
- (c) Continues to allocate monies to the Restricted Contingency Reserve, for FY 22/23, in the amount of \$1.3 million, as self-insurance for costs associated with Bridge Physical Damage and Loss of Revenue.

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

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

- (5) **Authorize Execution of the Seventh Amendment to Contract No. 2019-D-067, Interim Temporary Staffing Services, with Techie Brains, Inc.**
[1:07:50 Hour Mark on the Video Recording]

Directors RABBITT/GARBARINO

Resolution No. 2022-056 takes the following actions relative to the Kronos Timekeeping Project and its integration with the Enterprise Resource Planning (ERP) System Replacement Project (Capital Project No. 1810):

- (a) Authorizes execution of the Seventh Amendment to Contract No. 2019-D-067, *Interim Temporary Staffing Services*, with Techie Brains, Inc., (Techie Brains) of Normal, IL to increase the not-to-exceed contract amount by \$130,000 (from \$350,000 to \$480,000). Funding is available in the existing capital and future operating budgets; and,
- (b) Authorizes the General Manager to approve future amendments to the agreement with Techie Brains if deemed in the Golden Gate Bridge, Highway and Transportation District's best interest and if funds are available in the District's Capital/Operating Budget.

Adopted

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

NOES (0): None.

ABSENT (1): Director Hernández.

[Director Conroy departed]

- (6) **Approve Proposed FY 22/23 Operating and Capital Budget** [1:09:37
Hour Mark on the Video Recording]

Chair Rabbitt expressed appreciation for staff's work on the budget during these trying times.

Directors RABBITT/MASTIN

Resolution No. 2022-057 approves the Fiscal Year 2022/2023 (FY 22/23) Proposed Operating and Capital Budget, as follows:

- (a) Authorizes the following items as contained in the budget:
 - 1. District Goals, Projects, and Accomplishments;
 - 2. Changes to the Reserve Structure;
 - 3. Changes to the Table of Organization;
- (b) Includes salary increases for the Coalition and Non-Represented employees. Salary increases for ATU-represented employees are to be negotiated;
- (c) Includes a Capital Contribution amount of \$21 million;
- (d) Authorizes budget increases for four Capital Projects by a total of

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\$8,477,000, to be funded with 100% District Reserves; and,

- (e) Authorizes the following items not currently included in the Proposed Budget but will be included in the Adopted Budget:
1. Any Board approved actions through June 30, 2022 that have a fiscal impact to the FY 22/23 Capital and/or Operating Budget;
 2. Carryover any incomplete projects in the FY 21/22 Capital Budget to FY 22/23 as authorized by the General Manager;
 3. Move capital projects from the FY 23/24 list to the FY 22/23 budget, authorized by the General Manager, as staff resources become available in FY 22/23; and,
 4. Any final FY 21/22 budget transfers needed to comply with the Board's budget policy will be implemented in the FY 22/23 Adopted Budget Book.

Adopted

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

NOES (1): Director Grosboll.

ABSENT (2): Directors Conroy and Hernández.

[Director Grosboll departed]

**(C) Meeting of the Rules, Policy and Industrial Relations Committee/Committee of the Whole [1:12:05 Hour Mark on the Video Recording]
June 24, 2022
Vice Chair Judy Arnold**

(1) Adopt Master Ordinance 2022, and Related Actions [1:12:23 Hour Mark on the Video Recording]

Ms. Ko-Wong stated that at the Committee meeting, the Directors observed possible conflicts related to electric bicycles in the Master Ordinance. She said that staff and the attorneys would review the Master Ordinance, and ensure there is consistency between the two referenced sections about motorized bicycles crossing the Bridge on the sidewalks (on pages 60 and 62 of the agenda packet and pages 47 and 49 of the Master Ordinance).

Directors ARNOLD/COCHRAN

Ordinance No. 2022 adopts Master Ordinance 2022, and repeals Master Ordinance 2017, to incorporate ordinances adopted by the Board since the adoption of Master Ordinance 2017, and to approve related actions as follows:

- (a) Approves the new parking fine schedule as detailed in Section I, GENERAL PROVISIONS, Subsection I. PARKING PRIVILEGES AND RESTRICTIONS, item 6, and authorize future changes to the parking fine

- schedule to correspond to the parking fine schedules established by the San Francisco Municipal Transportation Agency and Marin Parking;
- (b) Under Section III, GOLDEN GATE TRANSIT - BUS AND FERRY SYSTEMS, Subsection A. GENERAL RULES, deletes item 9, to allow the District to transport local passengers within the City and County of San Francisco;
 - (c) Replaces reference to the Department of Homeland Security's color-coded advisory system with the National Terrorism Advisory System (NTAS), used to effectively communicate "Elevated" or "Imminent" terrorism threats to the American public in Section I, GENERAL PROVISIONS, Subsection F. PROVISIONS PERTAINING TO USE OF DISTRICT PROPERTIES FOR EXPRESSIVE ACTIVITIES, item 8.d.;
 - (d) Updates toll collection terminology throughout Section I, GENERAL PROVISIONS and Section II. GOLDEN GATE BRIDGE AND APPROACHES;
 - (e) Updates transit zone descriptions, fare tables, and fare collection terminology throughout Section III, GOLDEN GATE TRANSIT - BUS AND FERRY SYSTEMS; and,
 - (f) Approves minor corrections in formatting, grammar, updates to terminology, and other non-substantive clarifying edits.

Adopted

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

NOES (0): None.

ABSENT (3): Directors Conroy, Grosboll and Hernández.

*Director Hill stated that his vote was conditional upon staff and the attorneys' review of the sections cited by Ms. Ko-Wong.

- (2) **Approve an Enhanced Vacation Accrual Policy for Certain Engineering Department Classifications** [1:16:03 Hour Mark on the Video Recording]

Directors ARNOLD/SNYDER

Resolution No. 2022-058 approves implementation of an enhanced Vacation Accrual Policy in the Engineering Department, as follows:

"Employees in the Engineering Department, within the Engineer classifications shall accrue paid vacation up to a maximum of 30 days at the following accrual rates, based on certified relevant years of work experience in the industry either at the District or in positions prior to District employment:

First through fourth year of certified experience in the industry - 10 days;
Fifth through tenth year - 15 days;
Eleventh through twentieth year - 20 days;

Twenty-first through twenty-ninth years - 25 days;
Twenty-nine years thereafter - 30 days.”

Adopted

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

NOES (0): None.

ABSENT (3): Directors Conroy, Grosboll and Hernández.

(3) Approve Actions Relative to Engineering Department Reorganization
[1:17:48 Hour Mark on the Video Recording]

Directors ARNOLD/PAHRE

Resolution No. 2022-059 approves the following actions relative to the Engineering Department reorganization:

- (a) Amends the Table of Organization to establish seven Sections within the Department:
 - 1. Bridge Design Section
 - 2. Bus and Ferry Design Section
 - 3. Bridge Construction Section
 - 4. Bus and Ferry Construction Section
 - 5. Inspection and Maintenance Support Section
 - 6. Engineering Contracts Section
 - 7. Engineering Document Controls Section
- (b) Establishes three new job classifications for the positions that will lead the seven Sections:
 - 1. Directing Civil Engineer, five positions, (to lead five Sections of the Bridge Design, Bus and Ferry Design, Bridge Construction, Bus and Ferry Construction and Inspection and Maintenance Support Sections), with an annual compensation range of \$161,787 to \$196,653, not including benefits, by reclassifying three existing Supervising Civil Engineer positions and adding two new Directing Civil Engineer positions;
 - 2. Director of Engineering Contracts Section, one position, with an annual compensation range of \$121,888 to \$147,308, not including benefits, by reclassifying the existing Engineering Contracts Officer position;
 - 3. Engineering Document Controls Manager with an annual compensation range of \$114,275 to \$138,091, not including benefits;
- (c) Expands the Engineering Department’s professional development program to provide defined career paths for the Engineering Contract Assistant and Engineering Document Control Assistant positions by establishing the

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following two new job classifications:

1. Senior Engineering Contracts Assistant, with an annual compensation range of \$89,190 to \$107,786, not including benefits;
2. Senior Engineering Document Control Assistant with an annual compensation range of \$82,930 to \$100,235, not including benefits;

- (d) Approves changes to the remaining Engineering Department's Engineer and Inspector position compensations to make it competitive with other employers, consistent with the position classifications and increased staff responsibilities, and reflective of the proposed Engineering Department Table of Organization (as outlined in the table beginning on page 7 of this report); and,
- (e) Increases the FY 2022/FY2023 Engineering Department's Budget by \$668,520 and adjusts Table of Organization accordingly. The changes recommended in this staff report be implemented the first day of the pay period in which the Board's approval falls.

Adopted

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

NOES (0): None.

ABSENT (3): Directors Conroy, Grosboll and Hernández.

(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 [1:19:35 Hour Mark on the Video Recording]**

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

Directors COCHRAN/GIUDICE

Resolution No. 2022-060 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 (13): Directors Arnold, Garbarino, Giudice, Mastin, Pahre, Rabbitt, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran; President Theriault.

NOES (0): None.

ABSENT (3): Directors Conroy, Grosboll and Hernández.

- (B) **Consider Possible Action to Terminate the Suspension of Board Procedural Rules and Policies for COVID-19 Related Emergency Actions** [1:21:19 Hour Mark on the Video Recording]

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

Carried

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

NOES (0): None.

ABSENT (3): Directors Conroy, Grosboll and Hernández.

President Theriault stated that the Board would revisit this item and consider what to do next at some point in the future.

(11) **UNFINISHED BUSINESS:**

- (A) **Closed Session** [1:23:07 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.B.1. as outlined above.

- (B) **Open Session** [1:47:45 Hour Mark on the Audio 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 matters listed on the Board Agenda as Item No. 6.B.1, and there is nothing additional to report.

(12) **NEW BUSINESS:**

There was no New Business.

(13) **COMMUNICATIONS:** [1:48:13 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:** [1:48:24 Hour Mark on the Video Recording]

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All business having been concluded Directors MASTIN/COCHRAN moved and seconded that the meeting be adjourned at 11:54 a.m. in the memory of Walter John Kozlowski and Tsai Chang.

Carried

Respectfully submitted,

Amorette M. Ko-Wong
Secretary of the District

AMK:EIE:tnm

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AGENDA ITEM NO. 5.B.

**RATIFICATION OF PREVIOUS ACTIONS BY THE AUDITOR-CONTROLLER
FINANCE-AUDITING COMMITTEE OF JULY 21, 2022**

(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 July 21, 2022. 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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