

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

RESOLUTION NO. 2025-XX

RESCIND RESOLUTION NOS. 2020-049 AND 2023-010, REVISE THE STRATEGIC PLAN, AUTHORIZE THE GENERAL MANAGER TO TAKE OTHER RELATED AND NECESSARY ACTIONS, DENOUNCE DISCRIMINATION, AND AFFIRM EQUALITY AND JUSTICE

June 27, 2025

WHEREAS, the Golden Gate Bridge, Highway and Transportation District ("District") is a recipient of federal financial assistance from the United States Department of Transportation ("U.S. DOT") through the Federal Transit Administration ("FTA") and the Federal Highway Administration ("FHWA");

WHEREAS, grant agreements between the FTA and grant recipients incorporate the terms and conditions of the applicable FTA Master Agreement, and FHWA grant agreements incorporate analogous terms to the FTA Master Agreement;

WHEREAS, as required by Executive Order 14173, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity," the most recent FTA Master Agreement 33, dated April 25, 2025 ("Master Agreement 33"), contains a new provision that subjects grant recipients to liability under the False Claims Act if a recipient fails to comply with all applicable federal anti-discrimination laws, and requires recipients to certify that they do not operate any programs promoting diversity, equity, and inclusion ("DEI") initiatives that violate any applicable federal anti-discrimination laws;

WHEREAS, in a letter dated April 24, 2025 to all recipients of U.S. DOT assistance, U.S. DOT Secretary Sean Duffy announced that any policy, program, or activity that is premised on a prohibited classification, including discriminatory policies or practices designed to achieve so DEI goals, whether or not described in neutral terms, presumptively violates federal law;

WHEREAS, FTA grant agreements executed after April 25, 2025 are subject to Master Agreement 33;

WHEREAS, the FHWA grant agreement for the District's the \$400 million Bridge Investment Program grant contains the same new terms required by Executive Order 14173;

WHEREAS, although District Board of Directors (Board) Resolution No. 2020-049 does not violate applicable federal anti-discrimination law, District staff recommends the Board rescind Resolution No. 2020-049 because it authorized certain anti-discrimination efforts focused on specific racial groups and contains DEI language, which could be construed as inconsistent with U.S. DOT's interpretation of the new prohibition on DEI programs in Master Agreement 33;

WHEREAS, although Board Resolution No. 2023-010 does not violate applicable federal anti-discrimination law, staff recommends the Board rescind Resolution No. 2023-010

because it authorized the consideration of Social Equity (as defined in the staff report related to Resolution No. 2023-010) as an evaluation factor in some District best value procurements, which could be construed as inconsistent with U.S. DOT's interpretation of the new prohibition on DEI programs in Master Agreement 33;

WHEREAS, staff further recommends removing the language allowing the District to consider Social Equity as an evaluation factor from the Procurement Manual and not including Social Equity as an evaluation factor in future procurements, to align with the requirements in Master Agreement 33 and U.S. DOT guidance;

WHEREAS, initiatives 5, 30, and 35 in the District's Final 2024 Strategic Plan ("Strategic Plan") contain DEI language that could prompt scrutiny by the federal government;

WHEREAS, although not implemented yet and not in violation of applicable federal anti-discrimination law, staff recommends the Board withdraw initiatives 5 and 35 from the Strategic Plan, and revise initiative 30 to remove the reference to "implicit bias," to align with the requirements in Master Agreement 33 and U.S. DOT guidance;

WHEREAS, staff further recommends the Board authorize the General Manager to take any other actions necessary to ensure the District is in compliance with FTA Master Agreement 33, as may be superseded by future versions, FHWA grant agreements, and U.S. DOT guidance, including but not limited to, revising contracting procedures or personnel policies;

WHEREAS, in addition to complying with all applicable state and federal anti-discrimination laws, the District denounces discrimination in all forms and affirms its commitment to equality and justice;

WHEREAS, communities throughout the nation reacted with anguish, grief, and outrage at the killings of George Floyd, Ahmaud Arbery, and Breonna Taylor and many others, whose violent deaths led to demonstrations, renewed reflection, and calls for action;

WHEREAS, the Golden Gate Bridge is a universally beloved emblem of beauty, innovation, and imagination that attracts and inspires visitors from countries throughout the world, representing the best of human endeavor, cooperation and unity;

WHEREAS, for 88 years the District has been the steward of the Golden Gate Bridge, and for more than 50 years, the District has provided public transit bus and ferry services to allow people from all backgrounds to pursue economic opportunities, access to recreational and cultural activities, and to achieve a quality of life made possible by the unique natural beauty of the San Francisco Bay Area and the collective strength and creativity of all Bay Area residents;

WHEREAS, the District believes every person deserves the right to feel respected and safe within our organization, to feel welcome in using our Bridge and public transit facilities, and to be afforded opportunities on a fair and equal basis in all transactions involving the District;

WHEREAS, the District commits that our Board of Directors, officers and workforce

show honor, compassion, and the qualities of character that support equal justice for all and the District values that we hold true;

WHEREAS, the District commits our entire workforce to embrace a culture of belonging, by building bridges towards one another and creating bonds of connection from empathy and understanding; and

WHEREAS, the District will outreach, recruit, hire, train and retain talent from the communities it serves in accordance with all applicable state and federal anti-discrimination laws; now, therefore, be it

RESOLVED that the Board of Directors rescinds Board Resolution No. 2020-049; and, be it further

RESOLVED that the Board of Directors rescinds Board Resolution No. 2023-010; and, be it further

RESOLVED that the Board of Directors revises the Final 2024 Strategic Plan as discussed in the staff report related to this resolution; and, be it further

RESOLVED that the Board of Directors revises the Final 2024 Strategic Plan as discussed in the staff report; and, be it further

RESOLVED that the Board and the Golden Gate Bridge, Highway and Transportation District hereby denounces racism and affirms that everyone deserves to feel safe, respected, and free from discrimination; and, be it further

RESOLVED that the Board of Directors and the Golden Gate Bridge, Highway and Transportation District condemn the murder of George Floyd as a result of the actions and inaction by the Minneapolis police officers on May 25, 2020; and, be it further

RESOLVED that the Board of Directors and the Golden Gate Bridge, Highway and Transportation District commit to ensuring that its facilities and services are safe and welcoming for all people, free of racism, discrimination and threat of violence; and, be it further

RESOLVED, that the General Manager is hereby authorized and directed to (i) take any other actions necessary to ensure the Golden Gate Bridge, Highway and Transportation District is in compliance with the Federal Transit Administration Master Agreement 33, as may be superseded by future versions, and Federal Highway Administration grant agreements, and United States Department of Transportation guidance, and (ii) review District policies, procedures, plans and programs, and to analyze, investigate, recommend and do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

ADOPTED this 27th day of June 2025, by the following vote of the Board of Directors:

AYES:

NOES:

ABSENT:

Gerald D. Cochran
President, Board of Directors

ATTEST:

Amorette M. Ko-Wong
Secretary of the District

Reference:

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

RESOLUTION NO. 2020-049

**TO HONOR THE MEMORY OF GEORGE FLOYD AND COUNTLESS OTHERS, TO
DENOUNCE SYSTEMIC RACISM, AND TO AFFIRM RACIAL EQUITY AND
JUSTICE**

July 24, 2020

WHEREAS, communities throughout the nation have reacted with anguish, grief, and outrage at the killings of George Floyd, Ahmaud Arbery, and Breonna Taylor and many others, whose violent deaths have led to demonstrations, renewed reflection, and calls for action to eliminate systemic racism, racial injustice, inequity and violence against Black People, Indigenous People, and other People of Color;

WHEREAS, the unprecedented and devastating COVID-19 pandemic has disproportionately impacted Black, Latino, and Indigenous People, with millions unemployed and over 144,000 lives lost in just a few months;

WHEREAS, the devastating COVID-19 pandemic has also generated a wave of unacceptable hate crimes, harassment and discrimination against Asian People;

WHEREAS, the Golden Gate Bridge is a universally beloved emblem of beauty, innovation, and imagination that attracts and inspires visitors from countries throughout the world, representing the best of human endeavor, cooperation and unity;

WHEREAS, for 83 years the District has been the steward of the Golden Gate Bridge, and for almost 50 years, the District has provided public transit bus and ferry services to allow people from all backgrounds to pursue economic opportunities, access to recreational and cultural activities, and to achieve a quality of life made possible by the unique natural beauty of the San Francisco Bay Area and the collective strength and creativity of its diverse population;

WHEREAS, the District believes every person, regardless of race, color, national origin, religion, creed, sex (including pregnancy, sexual orientation, gender identity or transgender status), age, or disability, deserves the right to feel respected and safe within our organization, to feel welcome in using our Bridge and public transit facilities, and to be afforded opportunities on a fair and equitable basis in all transactions involving the District;

WHEREAS, the District acknowledges the recent events have shed light on the fact that there is so much more work to do to ensure equality and is committed to the change necessary to move towards a more just society;

WHEREAS, the District commits that our Board of Directors, officers and workforce show honor, compassion, and the qualities of character that support equal justice for all and the District values that we hold true;

WHEREAS, the District commits our entire workforce to embrace a culture of belonging and inclusiveness, by building bridges towards one another and creating bonds of connection from shared identities, empathy and understanding;

WHEREAS, the District commits that our workforce reflects the communities we serve and will outreach, recruit, hire, train and retain talent from Black People, Indigenous People, and other People of Color; and

WHEREAS, now is the time for us to listen, learn, and act as we stand in solidarity with the people and communities who are most affected by centuries of systemic racism and inequality that harm Black People, Indigenous People, and other People of Color's lives today; now, therefore be it

RESOLVED that the Board of Directors and the Golden Gate Bridge, Highway and Transportation District hereby denounce racism and stand in solidarity with Black People, Indigenous People, and other People of Color; and, be it further

RESOLVED that the Board of Directors and the Golden Gate Bridge, Highway and Transportation District condemn the senseless murder of George Floyd as a result of the actions and inaction by the Minneapolis police officers on May 25, 2020; and, be it further

RESOLVED that the Board of Directors and the Golden Gate Bridge, Highway and Transportation District commit to ensuring that its facilities and services are safe and welcoming for Black People, Indigenous People, and People of Color, free of racism, discrimination and threat of violence; and, be it further

RESOLVED, that the General Manager is hereby authorized and directed to review District policies, procedures, plans and programs, and to analyze, investigate, recommend and do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

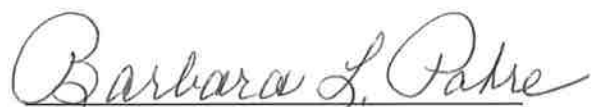
ADOPTED this 24th day of July 2020, by the following vote of the Board of Directors:

AYES (15): Directors Belforte, Fredericks, Garbarino, Grosboll Hernández, Hill, Mastin, Moylan, Rabbitt, Sears, Sobel and Yee; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (2): Directors Arnold and Fewer

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



Barbara L. Pahre
President, Board of Directors

RESOLUTION NO. 2020-049

BOARD OF DIRECTORS MEETING OF JULY 24, 2020

PAGE 3

ATTEST:

A handwritten signature in black ink, appearing to read 'Amorette M. Ko-Wong', is written over a horizontal line.

Amorette M. Ko-Wong
Secretary of the District

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

RESOLUTION NO. 2023-010

**APPROVE CHANGES TO THE PROCUREMENT MANUAL TO INCORPORATE
CONSIDERATION OF SOCIAL EQUITY IN DISTRICT PROCUREMENTS**

January 27, 2023

WHEREAS, over the past year, District Staff and District Attorneys have presented information to the Diversity, Inclusion & Equity Advisory Committee (Committee) regarding the legal framework for diversity and equity in District contracting activities;

WHEREAS, these discussions included analysis of laws and regulations governing the administration of Federal Transit Administration (FTA), Federal Highway Administration (FHWA), and District-funded contracts and projects, as well as information regarding the Procurement department and its role in the District's Diversity Program;

WHEREAS, pursuant to these discussions, the Committee requested staff to bring forth an item related to consideration of Social Equity as an evaluation factor in some of the District's eligible best value procurements, as detailed in the staff report; and

WHEREAS, the Rules, Policy and Industrial Relations Committee, at its meeting of January 27, 2023, has so recommended; now, therefore, be it

RESOLVED that the Board of Directors of the Golden Gate Bridge, Highway and Transportation District (District) hereby authorizes updates to the Competitive Negotiations section of the District's Procurement Manual that would allow for the inclusion of Social Equity as an evaluation factor in some District best value procurements, as detailed in the staff report.

ADOPTED this 27th day of January 2023, by the following vote of the Board of Directors:

AYES (17):	Directors Conroy, Dorsey, Garbarino, Giudice, Grosboll, Hernández, Mastin, Moulton-Peters, Pahre, Rabbitt, Rodoni, Safaí, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.
NOES (0):	None.
ABSENT (1):	Director Stefani.

[Note: On this date, there was one vacancy on the Board of Directors.]

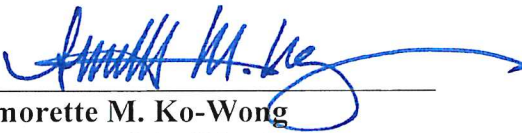

Michael Thériault
President, Board of Directors

RESOLUTION NO. 2023-010

BOARD OF DIRECTORS MEETING OF JANUARY 27, 2023

PAGE 2

ATTEST:



Amorette M. Ko-Wong
Secretary of the District

Reference: January 27, 2023, Rules, Policy & Industrial Relations Committee,
Agenda Item No. (3)
<https://www.goldengate.org/assets/1/6/2023-0127-rulescomm-no3-apprchangprocuremanualsocequityprogr.pdf>