

**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES**

Thursday, September 8, 2011  
1 Dr. Carlton B. Goodlett Place, Room 416  
San Francisco, CA

REGULAR MEETING  
9:30 a.m.

BOARD OF DIRECTORS

Elsa Ortiz, Vice Chair  
Jane Kim  
Art Lloyd  
Gabriel Metcalf  
Edward Reiskin  
Bijan Sartipi

Executive Director  
Maria Ayerdi-Kaplan

Secretary  
Nila Gonzales

201 Mission St. #2100  
San Francisco, California 94105  
415-597-4620  
415-597-4615 fax

9:30 – REGULAR MEETING

## ORDER OF BUSINESS

### 1. Call to Order

Director Harper called the meeting to order at 9:35 am.

### 2. Roll Call

Secretary Gonzales stated that Vice Chair Ortiz would not be in attendance due to conflicts and, therefore, Director Harper would be chairing the meeting in her absence. She also announced that Ed Reiskin joined the TJPA Board as the newly appointed SFMTA Representative.

Present: Jane Kim  
Art Lloyd  
Gabriel Metcalf  
Ed Reiskin  
Greg Harper

Absent: Elsa Ortiz  
Bijan Sartipi

### 3. Communications

None.

### 4. Board of Director's New and Old Business

None.

### 5. Executive Director's Report

- Construction Update
- Temporary Terminal Update
- Quarterly Financial Reports

Executive Director Ayerdi-Kaplan welcomed Director Reiskin. She then announced the success of the September 7 press event hosted by Mayor Lee, in coordination with TJPA and Supervisor Kim, on the Transbay construction site which celebrated the completion of demolition and announced the soon-to-be released Transit Center District Plan. She further reported on work to date and affirmed that the project is on schedule and within budget.

Steve Rule, Turner Construction, presented the Construction Update.

Director Reiskin commended staff on the success of 55,000 hours of demolition work without accident or injury.

Phil Sandri, Program Management team, presented the Temporary Terminal Update.

Sara Gigliotti, TJPA Finance Coordinator/Contract Compliance Manager, presented the Quarterly Financial Reports.

#### 6. Public Comment

Jim Patrick, Patrick & Company, presented a letter to the Board and provided comments regarding his opinion of the west end exit way design. Mr. Patrick expressed his concern with the current west end exit way design, stated that he believed there were better alternatives and proposed that it be reevaluated. Director Metcalf stated he was new to the Board and asked if Staff could respond. Bob Beck responded citing numerous reasons that supported the current design and confirmed that alternatives had been evaluated.

THE FOLLOWING MATTERS BEFORE THE TRANSBAY JOINT POWERS AUTHORITY ARE RECOMMENDED FOR ACTION AS STATED BY THE EXECUTIVE DIRECTOR OR THE CHAIR.

#### CONSENT CALENDAR

7. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Transbay Joint Powers Authority, and will be acted upon by a single vote. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(7.1) Approving the Minutes of the July 14, 2011 meeting.

The minutes were severed from the Consent Calendar and considered separately.

On motion to approve Item 7.1:

ADOPTED: AYES – Kim, Lloyd and Metcalf  
ABSTAIN – Reiskin and Harper

(7.2) Authorizing the Executive Director to execute Amendment No. 1 to the Agreement with Associated Right of Way Services, Inc. to provide relocation assistance services for an additional two years, and to increase the budgeted amount by \$100,000 for a total of \$600,000.

#### RESOLUTION 11-036

(7.3) Authorizing the Executive Director to execute Amendment No. 2 to the Agreement with Sheppard, Mullin, Richter & Hampton LLP to provide legal counsel related to retail analysis for a term through December 31, 2014, with no change in maximum compensation.

#### RESOLUTION 11-037

On motion to approve the Consent Calendar Items 7.2 & 7.3:

ADOPTED: AYES – Kim, Lloyd, Metcalf, Reiskin and Harper

## REGULAR CALENDAR

8. Presentation of the Transit Center District Plan by the San Francisco Planning Department.

Joshua Switzky, SF Planning Department, presented the item.

Director Metcalf requested the TJPA be included in the discussions that the Planning Commission will hold to determine the distribution of revenue amongst agencies.

9. Authorizing the Executive Director to execute Contract Modification No. 5 to Agreement No. 08-08-DM-000 with Evans Brothers Inc. for additional construction services required as part of the Terminal Building & Ramps Demolition contract, increasing the Contract Sum by \$360,408, for a total Contract Sum of \$15,602,608.

Steve Rule, Turner Construction, presented the item.

No public comment.

RESOLUTION 11-038

On motion to approve:

ADOPTED: AYES – Kim, Lloyd, Metcalf, Reiskin and Harper

10. Authorizing the Executive Director to execute Amendment #2 to the Intergovernmental Agreement with the San Francisco Public Utilities Commission to provide Auxiliary Water Supply System Valve Services for an amount not to exceed \$550,000, for an aggregate amount of all services under the Agreement not to exceed \$1,150,000, and for a term not to exceed eight years from the Effective Date of the Agreement.

Guy Hollins, Program Management team, presented the item.

No public comment.

RESOLUTION 11-039

On motion to approve:

ADOPTED: AYES – Kim, Lloyd, Metcalf, Reiskin and Harper

11. Appointing Sara Gigliotti to the position of Chief Financial Officer for the TJPA.

Executive Director Ayerdi-Kaplan presented the item.

No public comment.

RESOLUTION 11-040

On motion to approve:

ADOPTED: AYES – Kim, Lloyd, Metcalf, Reiskin and Harper

12. Election of Chair and Vice Chair pursuant to the TJPA Joint Powers Agreement.

Director Metcalf nominated Director Kim as Chair of the TJPA. Director Lloyd seconded the nomination.

No public comment.

On motion to elect Director Kim as Chair:

AYES – Lloyd, Metcalf, Reiskin, Harper and Kim

The motion to elect Director Kim as Chair passed.

Director Reiskin nominated Director Ortiz to continue on as Vice Chair of the TJPA. Director Kim seconded the nomination.

No public comment.

On motion to elect Director Ortiz as Vice Chair:

AYES – Kim, Lloyd, Metcalf, Reiskin and Harper

The motion to elect Director Ortiz as Vice Chair passed.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

There was no member of the public who indicated that they would like to comment on the item scheduled for discussion in closed session.

CLOSED SESSION

1. Call to Order

Director Harper called the closed session to order at 11:10 am

2. Roll Call

Present: Jane Kim  
Art Lloyd  
Gabriel Metcalf  
Ed Reiskin  
Greg Harper

Absent: Elsa Ortiz  
Bijan Sartipi

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)

Property: Portion of Caltrans Parcel T bounded by Fremont, Mission, and First Streets

TJPA Negotiators: Maria Ayerdi-Kaplan, Executive Director and Andrew W. Schwartz, Shute, Mihaly & Weinberger, outside counsel

Negotiating parties: TJPA and Hines

Under negotiation: Terms of the Exclusive Negotiating Agreement between the TJPA and Hines and the price and terms of Hines' purchase of the Property from the TJPA

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 11:50 am.

13. Announcement of Closed Session.

Secretary Gonzales announced that the Board met in Closed Session for a conference with their real property negotiators and there is no action to report.

ADJOURN – Director Harper adjourned the meeting at 11:55 am.

A tape of the meeting is on file in the office of the Secretary to the Transbay Joint Powers Authority Board of Directors.

Nila Gonzales  
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [Campaign and Gov't Conduct Code, Article II, Chapter 1, § 2.100, et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3124 and web site: [www.sfethics.org](http://www.sfethics.org).