



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, March 9, 2017
1 Dr. Carlton B. Goodlett Place, Room 416
San Francisco, CA

REGULAR MEETING
9:30 a.m.

BOARD OF DIRECTORS

Mohammed Nuru, Chair
Jeff Gee, Vice Chair
Greg Harper
Jane Kim
Edward Reiskin
Bijan Sartipi

Executive Director
Mark Zabaneh

Secretary
Nila Gonzales

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9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chair Nuru called the meeting to order at 9:35 a.m.

2. Roll Call

Secretary Gonzales noted that Director Kim was unable to be present.

Present: Greg Harper
Ed Reiskin
Bijan Sartipi
Jeff Gee
Mohammed Nuru

Absent: Jane Kim

3. Communications

Director Harper expressed concerns regarding the item scheduled for discussion in Closed Session.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Quarterly Financial Reports

Executive Director Zabaneh reported on the status of the Proposition K allocation from the San Francisco County Transportation Authority (SFCTA), coordination with John Rahaim of the San Francisco Planning Department on the Railyard Alternatives and I-280 Boulevard (RAB) feasibility study, and the Supplemental Environmental Impact Statement/Environmental Impact Report. He also reported that the International Brotherhood of Electrical Workers visited the construction site on February 22, 2017 to film a video about their work on the project. Additionally, he reported that the Golden Gate Business Association, the nation's first LGBT Chamber of Commerce, recognized one of TJPA's subcontractors, Sandra Escalante of Laner Electric, for securing the largest construction contract by an LGBT owned business. Lastly, he announced that recruitment for TJPA High School Summer interns has begun.

Director Reiskin stated his appreciation for the interest in being engaged in the RAB study but encouraged integrating the two efforts together so one entity is leading the effort, specifically as the milestone mentioned is reached in the next 4-6 months, and it would make sense for the TJPA to lead from that point forward.

6. Construction Update

Dennis Turchon, TJPA Senior Construction Manager, and Ron Alameida, Director of Design and Construction, presented the update.

Director Reiskin indicated MUNI is basing its operational readiness schedule on AC Transit because a lot of riders transfer between the two systems but MUNI could be ready sooner.

Vice Chair Gee stated, in regards to operational readiness, there is a cost to the organization the longer there is a delay in awarding the Master Lessee or the longer that it takes to have bus service in the facility. He suggested Mr. Alameida work with Executive Director Zabaneh to figure out the monthly cost of delay if the Master Lessee is not on board. Chair Nuru concurred with Vice Chair Gee and Director Reiskin and reiterated the importance to get all the details figured out in advance to provide assurance for meeting Substantial Completion by December 2017.

7. Citizens Advisory Committee (CAC) Update

Bruce Agid, TJPA CAC Chair, expressed support for the SFCTA allocation, stated the CAC's satisfaction in hearing that the RAB study could make a recommendation on a preferred rail alignment within the next 4-6 months, and conveyed concerns regarding bus operations at the TTC being delayed but is hopeful for a start as early as possible after the 1st of the year. He urged that the Master Lessee/Asset Manager is moved forward as quickly as possible for operating and revenue generating reasons but, more so, for the need to work with the Department of Homelessness and Supportive Services to have a holistic and proactive approach to address the potential homeless issue at the TTC and adjacent communities. He also stated his support for the recommended CAC applicants.

8. Public Comment

Members of the public may address the Authority on matters that are within the Authority's jurisdiction and are not on today's calendar.

Roland Lebrun stated he does not support the SFCTA allocation or advancing the Downtown Rail Extension alignment. He also provided comments regarding platform heights and proceeded to read a high speed rail peer review letter.

Jim Patrick indicated the comments in the San Francisco Chronicle Matier & Ross article did not reflect well on the agency and that a public relations firm is needed to market the TTC with a business sense.

Dollene Jones, former AC Transit bus driver, candidate for AC Transit Board, and a member of the AC Transit Transbay Task Force, expressed her gratitude for the site tour of the TTC. She stated her support for an HOV lane on the Bay Bridge to keep the buses into the TTC on time and requested to be included in any meetings regarding that topic. Ms. Jones also offered to provide advice regarding the subject.

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

CONSENT CALENDAR

9. 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.

(9.1) Approving the Minutes of the February 9, 2017 meeting.

(9.2) Authorizing the Executive Director to execute Amendment No. 1 to the Advertising Agreement for the Temporary Transbay Terminal with Fuel Outdoor San Francisco, to extend the term of the Agreement through June 30, 2018, with minimum annual payments to the TJPA of \$57,512.

RESOLUTION 17-007

(9.3) Authorizing the Executive Director to execute a 25-year Airspace Lease with Caltrans for the property under I-80 between Third, Second, Perry, and Stillman Streets, with an anticipated Commencement Date in April 2017 for monthly rent of \$24,160 for the construction and operation of the Bus Storage Facility, for use by AC Transit to store commuter buses between weekday peak periods.

RESOLUTION 17-008

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Harper, Reiskin, Gee, and Nuru

REGULAR CALENDAR

10. Authorizing the Executive Director to execute a construction services contract with Ghilotti Construction Company, as the responsible bidder submitting the lowest responsive bid in the amount of \$21,608,720 with a contract time of 281 working days for the Bus Storage Facility.

Dennis Turchon, TJPA Senior Construction Manager, presented the item.

No public comment.

RESOLUTION 17-009

On motion to approve:

ADOPTED: AYES – Harper, Reiskin, Gee, and Nuru

11. Authorizing the Executive Director to execute an amendment to the Professional Services Agreement with URS Corporation to accommodate increased Program Management/Program Controls services for an amount not to exceed \$5,400,000.

Dennis Turchon, TJPA Senior Construction Manager, presented the item.

No public comment.

RESOLUTION 17-010

On motion to approve:

ADOPTED: AYES – Harper, Reiskin, Gee, and Nuru

12. Approving the recommended applicants to the Transbay Joint Powers Authority Citizens Advisory Committee.

Scott Boule, Legislative Affairs/Community Outreach Manager, presented the item.

Public comment:

Roland Lebrun suggested merging the TJPA CAC with the RAB CAC because of their knowledge of Phase 2.

RESOLUTION 17-011

On motion to approve:

ADOPTED: AYES – Harper, Reiskin, Gee, and Nuru

13. Supplemental Environmental Impact Statement/Environmental Impact Report Update.

Rod Jeung, AECOM, and Meghan Murphy, Program Management team, presented the item.

Directors Harper and Reiskin stated that concurrence from the San Francisco Planning Department must be obtained prior to moving forward. Director Reiskin agreed with the concerns raised by the CAC Chair regarding cut and cover construction and the 16th Street crossing. He inquired if outreach to business and property owners was recent and also suggested the team go beyond the normal, required outreach and make sure that the neighborhood is informed. He stated that the Board would benefit from receiving analyses of other potential alignments and with the RAB scheduled to present those findings in 4-6 months, it does not make sense to take action on this document at this time. Executive Director Zabaneh confirmed that this document would not be brought for Board approval until consensus is reached with the Planning Department.

Vice Chair Gee stated his personal office is in the vicinity of the project area and as a tenant he did not receive notice so the task is to figure out how to get the information, which is sent to the

property owners, to the tenants. In regards to the environmental process, he explained it has been his experience to certify an environmental document separate from approving a project. He suggested separating the two actions may better fit the organization, considering all of the dynamics, to provide a path forward while accommodating the City of San Francisco's needs.

Chair Nuru urged the Planning Department to work with Executive Director Zabaneh to reach consensus and provide a recommendation on an alignment. Executive Director Zabaneh confirmed there is on-going coordination with the Planning Department.

Public comment:

Jim Patrick provided comments on the cost of receiving a copy of the environmental document, expressed concerns with the various government agencies involved, and referenced an alignment suggested by Roland Lebrun that he thought could be beneficial.

Roland Lebrun stated his opinions regarding feasible alignments.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

Public Comment:

Jim Patrick suggested the Master Lessee bid be dismissed, the specifications rewritten, and rebid.

CLOSED SESSION

14. Call to Order

Chair Nuru called the meeting to order at 11:45a.m.

15. Roll Call

Present: Greg Harper
Ed Reiskin
Bijan Sartipi
Jeff Gee
Mohammed Nuru

Absent: Jane Kim

16. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)

Name of Case: *Vikki Johnson v. Transbay Joint Powers Authority et al.*, San Francisco County Superior Court, Case No. CGC-17-556443

RESOLUTION 17-012

On motion to approve:

ADOPTED: AYES – Harper, Reiskin, Gee, and Nuru

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

Property: Transbay Transit Center (generally located between Mission, Beale, Howard, and Second Street in San Francisco; Assessor's Block 3721, Lots 006 and 124; Assessor's Block 3720, Lots 010 and 011; Assessor's Block 3719, Lot 003)

Agency negotiator: Mark Zabaneh, Executive Director; Shuprotim Bhaumik, HR&A Advisors, Inc.; Joan Story, Sheppard Mullin

Negotiating parties:

- Cushman & Wakefield
- Lincoln Property Company

Under negotiation: Price and terms of payment for long-term master lease of Transbay Transit Center

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 12:35 p.m.

18. Announcement of Closed Session

Deborah Miller, TJPA Counsel, announced that there was no action to report.

ADJOURN – Chair Nuru adjourned the meeting at 12:38 p.m.

A recording 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.