

**TRANSBAY JOINT POWERS AUTHORITY  
CITIZENS ADVISORY COMMITTEE**

MEETING MINUTES

Tuesday, May 7, 2019

TJPA Office  
201 Mission Street, Suite 2100  
San Francisco, CA

5:30 p.m. to 7:30 p.m.

CITIZENS ADVISORY COMMITTEE

Derrick Holt, Chair  
Belal Aftab, Vice Chair

Dan Bell  
Paul Bendix  
Don Dickerson  
Robert Feinbaum

Amy Jalili  
Charley Lavery  
Gloria Li  
Sean McGarry  
Nathan Morales

Andrew Robinson  
Patty-Jo Rutland  
Owen Stephens  
Howard Wong

Executive Director  
Mark Zabaneh

Staff Liaison  
Christine Falvey

CAC Secretary  
Julie Markus

1. Call to Order

Chair Holt called the meeting to order at 5:31pm.

Members Present: Belal Aftab, Dan Bell, Paul Bendix, Don Dickerson, Robert Feinbaum, Derrick Holt, Amy Jalili, Charley Lavery, Gloria Li, Nathan Morales, Patty-Jo Rutland, Owen Stephens, and Howard Wong

Members Absent: Sean McGarry and Andrew Robinson

A quorum was achieved.

2. Staff Report

Executive Director Zabaneh reported that the repair and reinforcement to the steel beams on both Fremont and First streets are complete and the shoring at both locations have been removed. The streets have been restored to their original condition and nighttime closures will occur throughout May as crews continue their work to reinstall lighting, Muni overhead

wires, sprinklers, and ceiling panels. The Metropolitan Transportation Commission's (MTC) Peer Review Panel (PRP) continues their independent review and the San Francisco County Transportation Authority (SFCTA) will present later in the agenda an update on their peer review. He further reported that the Federal Transit Administration (FTA) had requested additional information from the TJPA for issuance of the Record of Decision (ROD) for the Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) for the Downtown Rail Extension (DTX)/Phase 2. Executive Director Zabaneh anticipates the decision on the ROD in the next several weeks. Executive Director Zabaneh provided an update on Regional Measure 3 (RM3) funding and stated that as previously reported, the judge dismissed the lawsuit blocking use of funds. The deadline to file an appeal of the dismissal is June 24, 2019. MTC will examine the prioritization of the RM3 funds, which will help fund capital improvements and operations for the DTX/Phase 2. Executive Director Zabaneh provided an update on Retail Leasing and stated that the TJPA has nine fully executed leases, is negotiating six new leases and has received one Letter of Intent. Executive Director Zabaneh announced that Christine Falvey, TJPA Director of Communications, will serve as the new Staff Liaison for the CAC and he welcomed Erin Roseman, TJPA Chief Financial Officer, to the team.

3. Approval of Meeting Minutes: April 9, 2019

Mr. Wong suggested minor edits to the meeting minutes. A motion to approve the amended minutes was made by Ms. Rutland and seconded by Mr. Lavery. There was no member of the public wishing to comment. A unanimous voice vote approved the motion.

4. Presentation of draft Fiscal Year 2019-20 (FY 2019-20) Operating Budget in the amount of \$38,384,827 and draft FY 2019-20 Capital Budget in an amount of \$99,067,175

Erin Roseman, TJPA Chief Financial Officer, presented the item.

Ms. Rutland asked if the delay in opening will affect the draft operating budget. Ms. Roseman stated that the TJPA is assuming full operations at the beginning of the fiscal year beginning July 1, 2019. Vice Chair Aftab asked about contingencies and how they are calculated. Ms. Roseman said that if the TJPA exhausts all budgeted funds, then there may be a need to access the contingencies. Mr. Feinbaum asked about the Implementing our Community Plans Committee (IPIC) which is overseeing the \$850,000 committed revenue along with future allocation of the planned revenue for DTX/Phase 2. Ms. Roseman stated that IPIC has specific oversight of impact fees. As for the planned revenues, IPIC determines the allocation of the transit fees and MTC will allocate RM3. Mr. Feinbaum asked if MTC would lower the priority of the release of RM3 because of the suspension of the Prop K funds by the SFCTA. Executive Director Zabaneh stated that MTC is prioritizing the allocation of RM3 funding, however, they may not release the funds until the SFCTA completes their review of the governance and oversight models for the management of the DTX, which it tied to the temporary suspension of Proposition K funding. Ms. Jalili asked about delays and litigation associated with the fractured beams and how that is factored into the TJPA legal fees. Executive Director Zabaneh stated that the TJPA legal budget is equipped to address claims submitted by Webcor/Obayashi Joint Venture.

Public Comment:

Jim Patrick suggested showing the deposits for the leases in the balance sheet of the draft Operating Budget.

5. Update on Construction and Temporary Closure of the Salesforce Transit Center

Dennis Turchon, TJPA Senior Construction Manager, and Ron Alameida of San Francisco Public Works, Director of Design & Construction for the Transit Center, presented the update. Mr. Dickerson asked about the timeframe for completing the path as well as the final stitch back work at First and Fremont streets and if this would delay the reopening of the transit center. Mr. Turchon said the team will need 4-5 weeks to complete the path and the stitch back work, and that both projects will not impact reopening activities. Executive Director Zabaneh also stated that the TJPA will need final confirmation from the MTC PRP as well as time to ramp up staffing needs in order to reopen the transit center. Ms. Jalili asked about the warranty for the path and if the general contractor was disputing the liability. Mr. Alameida stated the issue of liability is currently in dispute resolution. Ms. Li asked about the durability of the new path and Mr. Alameida replied that the new material is much more durable and will perform better than the previous path. Mr. Feinbaum asked if the findings of the dispute resolution were binding and Mr. Alameida stated that the findings from the dispute resolution are not binding but are admissible in court.

Public Comment:

Mitchell Bonner suggested stepping stones between the shrubbery and the perimeter fence, so plant life does not get trampled on by the public as people have been known to take pictures in these areas.

Roland Lebrun said he was unable to find structural health monitoring in the structural steel package for the transit center as this has been used on other projects during fabrication and final assembly to detect microcracks. He suggested this type of mechanism will sound an alarm if the structural health is compromised.

*Charley Lavery departed the meeting at the conclusion of Item 5.*

6. American Public Transportation Association (APTA) Peer Review Update

Mark O'Dell of URS/AECOM, Program Management/Program Controls, presented the update. Mr. Bendix was impressed with the presentation and said it was informative. Mr. Feinbaum said that what stood out to him in the presentation was that it mentioned the Transbay Program needs a champion that will always stand up for the project. Mr. Feinbaum asked if the report will be posted on the website and if some of the CAC comments can be included in the report. Executive Director Zabaneh said the APTA has concluded their final report and confirmed it will be posted on the TJPA website. Furthermore, Executive Director Zabaneh stated that the TJPA intends to implement several of the recommendations from APTA. Mr. Feinbaum asked if APTA would be able to present an update to the CAC soon. Executive Director Zabaneh said that before another update is provided, he would like to wait until the SFCTA is done with their peer review. Mr. Wong suggested looking at the

operational structure and different ways of running more efficiently. Mr. O'Dell stated that this was discussed among the panel and the recommendations made in the final report deemed it to be a cost-effective approach.

**Public Comment:**

Jim Patrick said initially he felt some of the contracts the TJPA negotiated for Phase 1 were too expensive, however, there are cost savings since the TJPA does not have to perform layoffs and pay unemployment insurance. He also emphasized that TJPA does need a champion for Phases 2 and 3.

Roland Lebrun stated that the champion for TJPA will most likely come from the private sector and referred to what Facebook is doing with the Dumbarton crossing.

**7. San Francisco County Transportation Authority Peer Review Update**

Eric Cordoba, Deputy Director of Capital Projects with SFCTA, provided the update. Mr. Cordoba thanked Executive Director Zabaneh for providing the information requested to the SFCTA for the peer review study. He stated that the peer review is about 50% complete, a kickoff meeting was held on April 8, 2019, and various stakeholder interviews have been conducted which are 75-85% complete. Mr. Cordoba further reported that a deep dive has been conducted on national and international rail studies, which includes a review of best practices. Furthermore, a governance and oversight meeting was conducted on April 26, 2019, including the TJPA, and it was highly productive. He also stated that there is a Finance and Project Delivery workshop scheduled for May 17, 2019 and the peer review panel is targeting a draft report to be issued the latter part of June. Mr. Cordoba said that he was not able to provide details of the findings but explained that the SFCTA has found commonalities similar to the findings in the APTA Peer Review study. Mr. Feinbaum asked if any input was allowed from the TJPA CAC. Mr. Cordoba stated that the peer review panel interviewed Bruce Agid, former CAC Chair. Mr. Feinbaum also inquired about detailed case studies being conducted on various rail projects by the peer review panel. Mr. Cordoba said that the information will be provided in the draft report next month which will be posted on the SFCTA website once it is ready to be presented to their Board. Mr. Wong said the TJPA as well as the CAC should exercise the legal mandate of the voters indicated in the passing of Prop H in 1999 which declared the DTX/Phase 2 as a high regional transportation priority.

**Public Comment:**

Roland Lebrun suggested the peer review panel consult with Colin Stewart, Global Rail Leader, who recently retired from ARUP.

Jim Patrick called the SFCTA peer review a boondoggle which has delayed the project for nine months.

**8. Public Comment**

None.

9. CAC Member Comments & Future Agenda Requests

Future agenda requests include: 1) Update on the schedule and funding of the DTX and PAX; 2) train doors and platform heights for the DTX; 3) review of bus and traffic circulation in the area surrounding the transit center; 4) follow-up presentation by the City's Vision Zero Task Force; and, 5) Update from Pearl Media on digital signage.

10. Adjourn

Chair Holt adjourned the meeting at 7:16pm.

DRAFT

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)