



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

NOTICE OF MEETING AND CALENDAR

Thursday, May 12, 2022

REGULAR MEETING
9:30 a.m.

WATCH LIVE ON SFGOVTV: www.sfgovtv.org/tjpa

PUBLIC COMMENT CALL-IN: 1-855-282-6330 -- Access Code: 2557 527 0965

Due to the COVID-19 health emergency, the Board's Meeting Room
in City Hall is closed for non-Chartered Boards.

Members of the public are encouraged to participate remotely.

Please see additional information on the next page for remote meeting access.

In compliance with the Assembly Bill ("AB") 361 (Rivas, Chapter 165, Statutes of 2021) and its amendments to California Public Resources Code Section 54953(e), this meeting will be held *exclusively* via teleconference participation of a quorum of Board members in locations not open to the public. This meeting is being held during a proclaimed state of emergency, and state and local officials have imposed or recommended measures to promote social distancing, while allowing the public to observe and address the Board.

BOARD OF DIRECTORS

Jeff Gee, Chair
Rafael Mandelman, Vice Chair
Elaine Forbes
Alicia John-Baptiste
Boris Lipkin
Diane Shaw
Jeffrey Tumlin
Dina El-Tawansy (*ex-officio*)

Executive Director
Adam Van de Water

Interim Secretary
Donald Pollitt II

REMOTE MEETING ACCESS

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Providing Public Comment

Ensure you are in a quiet location – Speak Clearly – Turn off any TVs or radios around you

1. When prompted, “raise hand” to speak by pressing *3 (star, 3) to be added to the queue.
2. Callers will hear silence when waiting for their turn to speak.
3. When prompted, callers will have two minutes to provide comment.

ACCESSIBLE MEETING POLICY

In accordance with the Americans with Disabilities Act, California Law, and the Governor’s Executive Orders, any individual with a disability may request reasonable modifications or accommodations so that they may observe and address the Board at this teleconference meeting. If you are disabled and require special accommodations to participate, please contact the TJPA at 415.597.4620 or info@tjpa.org, at least 72 hours prior to the meeting. Late requests will be honored if possible. Calendars and minutes of the meeting may be available in alternative formats; please contact the TJPA at 415.597.4620 or info@tjpa.org at least 72 hours in advance of need. Written reports or background materials for calendar items are available online at www.tjpa.org.

If you need to use the services of a language interpreter, contact TJPA by calling 415.597.4620 or at info@tjpa.org. We require an advance notice of three business days to accommodate your request.

Si necesita usar los servicios de un intérprete de idioma, comuníquese con TJPA llamando al 415.597.4620 o en info@tjpa.org. Solicitamos un aviso previo de tres días hábiles para atender su solicitud.

如果您需要使用语言口译员，请联系TJPA，电话：415.597.4620，或电子邮件：info@tjpa.org。我们需要您在三个工作日之前告知，以满足您的要求

9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Communications
4. Board of Director's New and Old Business
5. Executive Director's Report
 - Facility Operations Update
 - Security Operations Quarterly Report
6. Citizens Advisory Committee Update
7. 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.

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

CONSENT CALENDAR

8. 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.

(8.1) Approving the Minutes of the April 14, 2022 meeting.

(8.2) Approving the continued use of teleconferencing technologies for meetings of the legislative bodies of the TJPA pursuant to the provisions of Assembly Bill 361.

(8.3) Authorizing the Executive Director to execute a first amendment to the lease agreement with Ugochukwu Ihenacho and Carlynn Ihenacho, dba Charleys Philly Steaks, a California corporation, for commercial/retail space on the first floor of the transit center (Suite 139), consistent with the previously adopted Retail/Commercial Leasing Strategy to Address COVID-19 Impacts to tenancies.

(8.4) Approving the Operating Assistance Proposal dated May 2, 2022, and an Implementing Agency Resolution for the allocation of Regional Measure 2 Funds in an amount not to exceed \$8,767,504.

REGULAR CALENDAR

9. Presentation of and Public Hearing for draft budgets for Fiscal Year 2022-2023 (FY 22-23) Operating Budget in the amount of \$31,769,000 and FY 22-23 Capital Budget for Phase 1, Phase 2, and Tenant Improvements in an amount of \$116,507,000 and FY 22-23 Debt Service Budget in the amount of \$28,188,431.
10. San Francisco Peninsula Rail Program Executive Steering Committee Update.
11. Approving the Appointment of Nila Gonzales as TJPA Board Secretary.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

12. Call to Order

13. Roll Call

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

Name of case: *Webcor/Obayashi Joint Venture v. Transbay Joint Powers Authority*, San Francisco County Superior Court, Case No. CGC-18-570621

Name of case: *Skanska USA Civil West California District, Inc. v. Webcor Builders/Obayashi Corp., A Joint Venture, et al.*, San Francisco County Superior Court Case No. CGC-18-566431 (consolidated under Case No. CGC-18-570621)

Name of case: *Pacific Structures v. Shimmick Construction Company et al.*, San Francisco County Superior Court, Case No. CGC-18-564434 (consolidated under Case No. CGC-18-570621)

Name of case: *Desert Mechanical v. WOJV et al.*, San Francisco County Superior Court, Case No. CGC-19-573549 (consolidated under Case No. CGC-18-570621)

Name of case: *Bratton Masonry, Inc. v. Skanska USA Building, et al.*, San Francisco County Superior Court, Case No. CGC-19-575545 (consolidated under Case No. CGC-18-570621)

Name of case: *Giampolini & Co. v. Skanska USA Building, Inc., et al.*, San Francisco County Superior Court, Case No. CGC-19-578447 (consolidated under Case No. CGC-18-570621)

Name of case: *Red Top Electric Co. Emeryville, Inc. v. Fisk Electric Company, et al.*, San Francisco County Superior Court, Case No. CGC-20-584464 (pending consolidation with Case No. CGC-18-570621)

Name of case: *Fisk Electric Company v. WO*, United States District Court, Northern District of California, Case No. 3:18-cv-07671

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING

15. Announcement of Closed Session.

16. Authorizing the Executive Director to execute an amendment to the Professional Services Agreement with the law firm Seyfarth Shaw, LLP to provide legal services related to Phase 1 construction close-out, increasing the total amount of the contract by \$4,000,000 for a not-to-exceed amount of \$8,400,000, and making an associated amendment to the FY21-22 Capital Budget for Phase 1 and transfer of Program Reserves.

ADJOURN

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.