



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

NOTICE OF MEETING AND CALENDAR

Thursday, November 10, 2022

1 Dr. Carlton B. Goodlett Place, Room 416
San Francisco, CA

REGULAR MEETING
9:30 a.m.

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

Secretary
Nila Gonzales

TJPA Office
425 Mission Street, Suite 250
San Francisco, California 94105
415-597-4620

PUBLIC PARTICIPATION

This meeting will be held in person at the location listed above. Members of the public may attend the meeting to observe and provide public comment at the physical location listed above or may watch on SF Cable Channel 78, 28 or 99 (depending on your provider) or may visit the SFGovTV website (www.sfgovtv.org) to stream the live meeting or may watch them on demand.

Members of the public may comment on the meeting during public comment periods in person or remotely. In-person public comment will be taken first; remote public comment will be taken after.

PUBLIC COMMENT CALL-IN: 1-855-282-6330 -- Access Code: 2556 392 0125

When the item is called, dial *3 to be added to the speaker line. When prompted, callers will have two minutes to provide comment unless otherwise noted by the Chair. Please speak clearly, ensure you are in a quiet location, and turn off any TVs or computers around you.

ACCESSIBLE MEETING POLICY

The Transbay Joint Powers Authority Board of Directors meeting will be held in-person at City Hall, Room 416, at 1 Dr. Carlton B. Goodlett Place, San Francisco, CA.

To obtain a disability-related accommodation, including auxiliary aids or services, or to obtain meeting materials in an alternative format, please contact the Board Secretary at 415.597.4620 or info@tjpa.org, at least 72 hours prior to the meeting. Written reports or background materials for calendar items are available online at www.tjpa.org and may be inspected and copied at the TJPA's offices at the address noted above. These materials may be available in alternative formats; please contact the Board Secretary at 415.597.4620 or info@tjpa.org at least 72 hours in advance of the meeting. Late requests will be honored if possible.

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

To assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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
 - Project Labor Agreement Quarterly Update
 - Security Operations Quarterly Report
 - Facility Operations Update
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 September 8, 2022 meeting.

(8.2) Approving the continued use of teleconferencing technologies for COVID-related health reasons for meetings of the legislative bodies of the TJPA pursuant to the provisions of Assembly Bill (AB) 361 and electing not to rely on teleconferencing provisions under AB 2449.

(8.3) Approving updated versions of the following financial policies: Board Policy No. 014, Capitalization Policy and Board Policy No. 017, Debt Management Policy and annual review of Board Policy No. 009, Investment Policy.

REGULAR CALENDAR

9. Approving the recommended applicant to serve as a member of the TJPA Citizens Advisory Committee to fill the vacant Local Resident from District 6 seat.
10. Authorizing the Executive Director to transfer \$9.5 million from Program Reserve to replenish the construction contingency to allow for continued close-out efforts under the Construction Manager/General Contractor contract with Webcor/Obayashi, with no change to the Phase 1 construction estimate-at-completion, which would remain \$2.159 billion.
11. Adopting Board Policy No. 021, Capital Improvement Plan Policy and approving updated Board Policy No. 012, Reserve Policy.
12. Approving an update to Board Policy No. 013, Authorities Relating to Administration of Real Property, authorizing the Executive Director to exercise certain authorities relating to the administration of real property for the Transbay Program.
13. San Francisco Peninsula Rail Program Executive Steering Committee Update and status of the Downtown Rail Extension Workplan schedule.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

14. Call to Order

15. Roll Call

16. 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

17. Announcement of Closed Session.

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) 252-3112 and web site: www.sfethics.org.