



**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES**

**NOTICE OF MEETING AND CALENDAR**

Thursday, January 12, 2023

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

9:30 – REGULAR MEETING

## ORDER OF BUSINESS

### 1. Call to Order

Vice Chair Mandelman called the meeting to order at 9:32 a.m.

### 2. Roll Call

Secretary Gonzales announced that Chair Gee and Directors Forbes and El-Tawansy were absent and noted Vice Chair Mandelman would be presiding over the meeting.

Present: Alicia John-Baptiste  
Boris Lipkin  
Diane Shaw  
Jeffrey Tumlin  
Rafael Mandelman

Absent: Dina El-Tawansy  
Elaine Forbes  
Jeff Gee

### 3. Communications

Secretary Gonzales provided instructions on the Public Call-in/Comment process.

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

None.

### 5. Executive Director's Report

- Project Labor Agreement (PLA) Quarterly Update
- Facility Operations Update

Executive Director (ED) Van de Water presented the ED report and provided the PLA Update.

R.E. Walsh, TJPA Facility Director, presented the Facility Operations Update.

#### Public Comment:

Jim Patrick, Patrick & Co., expressed his concerns with the Project Labor Agreement and stated that the current policy should be revisited.

### 6. Citizens Advisory Committee (CAC) Update

Secretary Gonzales announced that CAC Chair Larkin was unable to be present, however, she confirmed the CAC had an informative and productive meeting on Tuesday, January 10, 2023 and assured matters under the purview of the CAC were positively conducted.

## 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.

None.

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 December 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.

#### RESOLUTION 23-001

(8.3) Authorizing the Executive Director to execute first amendments to the lease agreements with Dim Baos, Inc. for two commercial/retail spaces on the first floor of the transit center (Suite 125 and 129) for Dim Baos restaurant and (Suite 119 and a portion of Suite 118) for Juice Bar, consistent with the previously adopted Retail/Commercial Leasing Strategy to Address COVID-19 Impacts to tenancies.

#### RESOLUTION 23-002

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – John-Baptiste, Lipkin, Shaw, Tumlin and Mandelman  
ABSENT – Forbes and Gee

### REGULAR CALENDAR

9. Appointing Andrea Miller to the position of Chief Financial Officer for the TJPA.

ED Van de Water presented the item.

No public comment.

#### RESOLUTION 23-003

On motion to approve:

ADOPTED: AYES – John-Baptiste, Lipkin, Shaw, Tumlin and Mandelman  
ABSENT – Forbes and Gee

10. Approving the Fiscal Year 2023-24 Preliminary Operating Projection in the amount of \$27,319,000.

Oscar Quintanilla, TJPA Budget & Procurement Director, presented the item.

Director Shaw stated that she appreciated the effort to keep numbers unchanged from the numbers discussed with the primary tenants in September but acknowledged going forward there is a need to look from all perspectives as there could be a potential challenge with the projected 9.3% increase. She further noted that recovery has not occurred as rapidly, and funds are lacking.

No public comment.

#### RESOLUTION 23-004

On motion to approve:

ADOPTED: AYES – John-Baptiste, Lipkin, Shaw, Tumlin and Mandelman  
ABSENT – Forbes and Gee

11. Authorizing the Executive Director to execute an agreement for Federal Advocacy Services with Carpi & Clay, Inc. for five years and compensation of up to \$1,100,000 with an option to extend the agreement for up to three one-year terms.

Lily Madjus Wu, TJPA Communications & Legislative Affairs Director, presented the item.

No public comment.

#### RESOLUTION 23-005

On motion to approve:

ADOPTED: AYES – John-Baptiste, Lipkin, Shaw, Tumlin and Mandelman  
ABSENT – Forbes and Gee

12. Authorizing the Executive Director to execute an agreement for State and Regional Advocacy Services with Townsend Public Affairs for five years and compensation of \$630,000 with an option to extend the agreement for up to three one-year terms.

Lily Madjus Wu, TJPA Communications & Legislative Affairs Director, presented the item.

No public comment.

#### RESOLUTION 23-006

On motion to approve:

ADOPTED: AYES – John-Baptiste, Lipkin, Shaw, Tumlin and Mandelman  
ABSENT – Forbes and Gee

13. San Francisco Peninsula Rail Program Executive Steering Committee Update and status of the Downtown Rail Extension Workplan schedule.

Michelle Bouchard, Executive Director of Caltrain and ESC Chair, presented the ESC Update and Alfonso Rodriguez, TJPA Project Director, presented an update of the Workplan schedule.

Public Comment:

Roland Lebrun questioned the engineering standards of the train operation and suggested that changes be made. He stated that the General Contractor consultant agreement should also be changed, and additionally stated that the incorrect model was chosen last year and recommended to changing the solution.

14. Adopting the Addendum to the Transbay Program 2018 Final Supplemental Environmental Impact Report; adopting and incorporating into the Downtown Rail Extension (DTX) Project all of the revisions to four previously adopted mitigation measures as presented in the Addendum; adopting the Revised Mitigation Monitoring and Reporting Program under the California Environmental Quality Act (CEQA); and approving the Revised DTX Project analyzed therein.

Alfonso Rodriguez, TJPA Project Director, introduced the item and Rod Jeung, AECOM Environmental Planning Director, presented the item.

Public Comment:

Roland Lebrun noted that he provided a letter to the Board for this agenda item. Mr. Lebrun further noted that the project may encounter similar impacts as the Powell Street station when it was constructed. Additionally, Mr. Lebrun stated there is an opportunity to combine the Environmental Impact Report (EIR) with a potential supplemental EIR for the project which would reduce the timeline and cost.

#### RESOLUTION 23-007

On motion to approve:

ADOPTED: AYES – John-Baptiste, Lipkin, Shaw, Tumlin and Mandelman  
ABSENT – Forbes and Gee

## 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

#### 15. Call to Order

Vice Chair Mandelman called the Closed Session to order at 10:50 a.m.

#### 16. Roll Call

Present: Alicia John-Baptiste  
Boris Lipkin  
Diane Shaw  
Jeffrey Tumlin  
Rafael Mandelman

Absent: Dina El-Tawansy  
Elaine Forbes  
Jeff Gee

#### 17. 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 and all consolidated actions

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 11:38 a.m.

#### 18. Announcement of Closed Session.

Secretary Gonzales announced that there was no action report.

ADJOURN – Vice Chair Mandelman adjourned the meeting at 11:40 a.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) 252-3112 and web site: [www.sfethics.org](http://www.sfethics.org).