

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, November 13, 2008
1 Dr. Carlton B. Goodlett Place, Room 416
San Francisco, CA

REGULAR MEETING
9:30 a.m.

BOARD OF DIRECTORS

Nathaniel Ford, Chair
Elsa Ortiz, Vice Chair
Michael Cohen
Chris Daly
Jerry Hill
Bijan Sartipi

Executive Director
Maria Ayerdi-Kaplan

Secretary
Nila Gonzales

201 Mission St. #1960
San Francisco, California 94105
415-597-4620
415-597-4615 fax

9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Ford called the meeting to order at 9:40 am

2. Roll Call

Secretary Gonzales announced that Director Cohen would not be in attendance and Directors Lloyd and Anziano would be sitting in for Directors Hill and Sartipi.

Present: Tony Anziano
Chris Daly
Art Lloyd
Elsa Ortiz
Nathaniel Ford

Absent: Michael Cohen
Jerry Hill
Bijan Sartipi

3. Communications

None.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Funding Update

Executive Director (ED) Ayerdi-Kaplan reported that the program is continuing to advance on all fronts and that it remains on schedule and budget. Pelli Clarke Pelli Architects have been working on the schematic design of the Transit Center and breaking ground of the new Terminal is still anticipated for early 2010. A number of construction workshops have been held on construction methodology, foundations, and train boxes. Staff is working very hard to identify funding to construct the train box in Phase 1. The work on the Temporary Terminal is underway as the notice to proceed was issued to McGuire and Hester on November 1st. A formal groundbreaking is being coordinated and is anticipated around December 17th but details are being finalized; specifics will be distributed soon.

Nancy Whelan, TJPA Financial Consultant, presented the Funding Update.

6. Public Comment

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

7. 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.

(7.1) Approving the Minutes of the October 17, 2008 meeting.

(7.2) Approving the Minutes of the October 21, 2008 meeting.

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Daly, Lloyd, Ortiz and Ford

REGULAR CALENDAR

8. Resolution of appreciation for Director Jerry Hill.

ED Ayerdi-Kaplan stated that Director Hill regretted not being present but that he was called away to a mandatory new legislator training session as he was elected to the Assembly on November 4, 2008. She expressed staff's appreciation for his work and guidance on the project. Director Lloyd also expressed Director Hill's apology but accepted on his behalf and agreed to present the plaque to Director Hill at the Chair's request. Chair Ford expressed his gratitude to Director Hill for all of his work and specifically for the procurement of the Design Team that was done while Director Hill was Chair.

No public comment.

RESOLUTION 08-045

On motion to approve:

ADOPTED: AYES – Daly, Lloyd, Ortiz and Ford

RECESS 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

1. Call to Order

Chairman Ford called the closed session to order at 9:50 am

2. Roll Call

Present: Tony Anziano
Chris Daly
Art Lloyd
Elsa Ortiz
Nathaniel Ford

Absent: Michael Cohen
Jerry Hill
Bijan Sartipi

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

Property: 77-79 and 81-83 Natoma Street

TJPA Negotiators: Maria Ayerdi-Kaplan, Executive Director, and Andrew W. Schwartz and Deborah L. Keeth, Shute, Mihaly & Weinberger LLP, outside counsel

Negotiating parties: TJPA; Beck Living Trust U/A/D 9/27/97; William U. Beck Exempt Descendants' Trust Under the William U. Beck Revocable Trust U/A/D 9/03/97; Varnish Fine Art, LLC; Wooden Spoon & Fork LLC

Under negotiation: Price and terms of payment for TJPA's purchase of 77-79 and 81-83 Natoma Street

RESOLUTION 08-046

On motion to approve:

ADOPTED: AYES – Daly, Lloyd, Ortiz and Ford



ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 9:55 am.

9. Announcement of Closed Session.

Deborah Keeth, TJPA Counsel, announced that the Board met for a conference with their real property negotiators and voted unanimously to authorize the Executive Director to execute a Purchase and Sale Agreement with the Becks to purchase 77-79 and 81-83 Natoma Street for \$3,725,000 and to execute a Tenant Agreement with Varnish to negotiate and determine any lost business goodwill as a result of TJPA's acquisition of the Property for the Program.

ADJOURN – Chairman Ford adjourned the meeting at 10:00 am

A tape 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 and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code Sections 16.520 - 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 801, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 554-8757 and web site: sfgov.org/ethics.