



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, February 8, 2018
1 Dr. Carlton B. Goodlett Place, Room 416
San Francisco, CA

REGULAR MEETING
9:30 a.m.

BOARD OF DIRECTORS

Mohammed Nuru, Chair
Jeff Gee, Vice Chair
Greg Harper
Jane Kim
Edward Reiskin
Bijan Sartipi
Ben Tripousis

Executive Director
Mark Zabaneh

Secretary
Nila Gonzales

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9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chair Nuru called the meeting to order at 9:35 a.m.

2. Roll Call

Secretary Gonzales announced that Director Kim would not be present due to a scheduling conflict.

Present: Greg Harper
Ed Reiskin
Bijan Sartipi
Ben Tripousis
Jeff Gee
Mohammed Nuru

Absent: Jane Kim

3. Communications

Director Harper stated his high school friend said he knew how to straighten out the Millennium Tower. He suggested driving piles in the part that is sinking and let the rest of it sink until it evens out and then drill those piles.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Retail Leasing Update

Executive Director Zabaneh reported that the Bay Area Toll Authority voted on January 24, 2018 to place Regional Measure 3 (RM3) on the June 2018 ballot. RM3 will increase the toll on seven State-owned toll bridges, with the exception of the Golden Gate Bridge, and raise approximately \$4.4 billion for transportation funding for the Bay Area, including \$325 million for the Downtown Rail Extension (DTX) and \$5 million for annual operations of the transit center. If RM3 is passed by the Bay Area voters, the funds could be available as early as January 2019. The TJPA application for \$275 million to fund DTX construction was submitted to the Transit and Intercity Rail Capital Program (TIRCP) on January 12, 2018. In regard to the rail operations study completed in October 2017 for DTX, the San Francisco County Transportation Authority (SFCTA) has initiated its peer review of the TJPA's rail operations report and expects to complete its peer review in March 2018 and present to the TJPA Board in April 2018. Additionally, in April 2018, the Final Supplemental Environmental document for DTX is

anticipated to be presented to the TJPA Board for consideration. Executive Director Zabaneh also announced the current solicitation for open seats on the TJPA Citizens Advisory Committee.

Erika Elliott of Colliers, Asset Management team, presented the Retail Leasing Update.

6. Citizens Advisory Committee (CAC) Update

Bruce Agid, TJPA CAC Chair, stated the CAC continues to encourage the SF Planning Department to work with key stakeholders to move forward with the process leading to a decision on the DTX preferred alignment as part of the Railyard Alternatives and I-280 Boulevard (RAB) study. He conveyed the CAC's concern with regard to the construction Substantial Completion slip to June 1, 2018 and its impact on full bus operations by mid-June; the CAC's contentment that the Estimate At Completion (EAC) is holding; and, CAC concerns with readiness of passenger signage. He noted the CAC requested a Pop-Up readiness presentation, suggested changes to staff's presentations for additional clarity, and he read the CAC letter, addressed to District 6 Supervisor Jane Kim, regarding the CAC's continued homelessness concerns.

Director Harper inquired about the egress and ingress of transit passengers in the transit center and Executive Director Zabaneh confirmed staff would provide the plan at the next meeting.

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.

Jim Patrick stated he saw a homeless person on BART in hospital clothes and he thinks the hospital put the person on BART so he thinks the homeless may arrive at the transit center via transit modes that come into the center; therefore, he felt there should be policies to deal with those scenarios. He also stated that he wants the TJPA Board to put on their agenda the peer review committee meetings and he wants the Mayor's Office to get involved and get it approved.

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

REGULAR CALENDAR

8. Construction Update

Dennis Turchon, TJPA Senior Construction Manager, and Ron Alameida, Director of Design and Construction, presented the update.

Director Reiskin expressed concern that the Substantial Completion date continues to slip further out and stressed the importance of date certainty so full bus operations can get started. Mr.

Alameida responded that he has advised Webcor/Obayashi, Construction Manager/General Contractor (CMGC), that better date certainty is needed.

Vice Chair Gee advised Mr. Alameida that the drifting of the Substantial Completion date must stop, the facility should be operational June 1, 2018, and to utilize all the tools in the CMGC contract. He also reiterated the Board's prior offer of assistance should it be needed. Mr. Alameida confirmed all the tools in the contract are being used.

9. Facility Readiness Update

Martha Velez, TJPA Facility Manager, and Sidonie Sansom, TJPA Chief Security Officer, presented the item.

Director Reiskin inquired on whether there would be Pop-Up Retail at the Muni Bus Plaza and Ms. Velez replied that she would review and confirm.

10. Approving an Easement Agreement with Pacific Howard Corporation to pay TJPA \$1,348,000 to grant certain temporary and permanent easement rights over portions of the TJPA's property generally referred to as 'Parcel G' (Block 3736, Lots 88 and 89).

Andrew Schwartz, TJPA counsel, presented the item.

Director Harper made a motion to amend the resolution to name AC Transit as a third-party beneficiary for purposes of enforcing the terms of the Crane Overswing Easement for the protection of the operations of the bus ramp and Director Reiskin seconded the motion.

No public comment.

RESOLUTION 18-004

On motion to approve as amended:

ADOPTED: AYES – Harper, Reiskin, Tripousis, Gee and Nuru

11. Authorizing the Executive Director to execute an amendment to the Professional Services Agreement for Legal Services with Jones Day to provide litigation support services arising from the movement of 301 Mission Street, for an additional compensation of \$2,200,000.

Sara DeBord, TJPA Chief Financial Officer, presented the item.

Director Harper stated he would like to see a litigation budget and understand how it all fits together with the other costs and funding available.

No public comment.

RESOLUTION 18-005

On motion to approve:

ADOPTED: AYES – Harper, Reiskin, Tripousis, Gee and Nuru

12. Approving the Minutes of the January 11, 2018 meeting.

No public comment.

On motion to approve:

ADOPTED: AYES – Harper, Reiskin, Tripousis, Gee and Nuru

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

13. Call to Order

Chair Nuru called the Closed Session to order at 11:05 a.m.

14. Roll Call

Present: Greg Harper
Ed Reiskin
Bijan Sartipi
Ben Tripousis
Jeff Gee
Mohammed Nuru

Absent: Jane Kim

15. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code section 54957(b)(1))

Title: Executive Director

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 11:25 a.m.

16. Announcement of Closed Session.

Secretary Gonzales announced that there was nothing to report.

ADJOURN – Chair Nuru adjourned the meeting at 11:30 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) 252-3124 and web site: www.sfethics.org.