



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, February 11, 2021

REGULAR MEETING
9:30 a.m.

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

PUBLIC COMMENT CALL-IN: 1-855-282-6330 -- Access Code: 182 585 8053

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

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In compliance with the Governor's Executive Order N-25-20 (March 12, 2020) as superseded by Order N-29-20 (March 17, 2020), this meeting will be held *exclusively* via teleconference participation of a quorum of Board members in locations not open to the public. The purpose of the orders is to provide the safest environment for all persons consistent with San Francisco Department of Public Health Orders of the Health Officer and current public health recommendations, while allowing the public to observe and address the Board.

BOARD OF DIRECTORS

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

Interim Executive Director
Nila Gonzales

Interim Secretary
Donald Pollitt II

9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

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

2. Roll Call

Interim Secretary Pollitt announced that Director Chang was joining as Director Haney's alternate and Director El-Tawansy would not be present due to a scheduling conflict. He also announced that Alicia John-Baptiste was joining as the newly appointed San Francisco Board of Supervisors representative and Diane Shaw was joining as the newly appointed AC Transit representative.

Present: Tilly Chang
Elaine Forbes
Alicia John-Baptiste
Boris Lipkin
Diane Shaw
Jeffrey Tumlin
Jeff Gee

Absent: Dina El-Tawansy
Matt Haney

3. Communications

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

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Facility Operations Update

Interim Executive Director (ED) Gonzales welcomed Director John-Baptiste and Director Shaw to the TJPA Board of Directors. She stated the TJPA looks forward to working collectively to execute TJPA's initiatives and advance the Downtown Rail Extension (DTX) project. She also thanked former AC Transit representative, Director Hursh, for his contributions to the TJPA Board on delivering a world-class Transit Center and transit services to the public.

With President Joe Biden and Vice President Kamala Harris's inauguration in January, Interim ED Gonzales shared the TJPA's excitement for the new administration and the potential funding

and support transit operators and their projects will receive over the next few years. She also noted the TJPA's excitement for the new Transportation Secretary, Pete Buttigieg, and his team of transportation experts, which consists of a few representatives from the Bay Area. She reported the TJPA continues to monitor the federal stimulus package as it makes its way through the legislative process, in hopes that the \$30 billion dollars identified for transportation, with \$1.7 billion in Bay Area formula funding and \$200 million to keep Bay Area's transit expansion and modernization projects on track, will be included in the final packet.

Regarding the global pandemic, the TJPA is optimistic of what is to come with the Regional Stay at Home Order being lifted and the City's slow reopening of services and outdoor dining. Interim ED Gonzales reported the TJPA continues to work with leasees to respond accordingly to the updated Order. She also reported the TJPA continues to monitor the local and regional Stay Safer at Home Order to ensure the Transit Center fully supports the collective efforts to reduce the community spread of COVID-19. The TJPA continues to monitor and adhere to all guidance from the City's Health Officer and continues working with transit agencies and tenants. Additionally, the TJPA continues to provide commuters and visitors of the Transit Center the most up-to-date information about mask wearing and social distancing, while ensuring enhanced cleaning protocols remain in place.

With the increased rollout of vaccinations, TJPA expects more activity to occur at the rooftop park and noted the TJPA is working with Biederman Redevelopment Ventures to plan for and help ensure the TJPA is ready for increased activations sometime this Fall. Additionally, Interim ED Gonzales reported that TJPA hosted Salesforce for its annual company kickoff events which, once again, highlighted the rooftop park to an international audience that included their 50,000 employees and global partners.

Interim ED Gonzales stated the TJPA continues to advance the DTX project through multiple efforts with its Executive Steering Committee (ESC) partners, which include the development of a funding plan strategy, travel demand forecasting and ridership modeling. She further stated that she and ESC Chair Chang have been coordinating briefings with local and federal partners, such as Federal Transit Administration (FTA) Region 9 Regional Administrator, Ray Tellis and his local team in an effort to reintroduce them to the DTX project. Additionally, she expressed excitement for the launch of Link21, a mega-regional transportation project being led by BART and Capitol Corridor Joint Powers Authority (CCJPA), as the DTX is a linchpin to realizing the Link21 connection to the East Bay. She also reported that TJPA sent a letter to the Metropolitan Transportation Commission (MTC) in response to Plan Bay Area 2050's five-year implementation plan, requesting continued support for the DTX project in Resolution 3434 as a regional priority project to ensure it continues to receive funding through local and regional measures.

Interim ED Gonzales also stated that California High Speed Rail Authority issued its Revised Draft 2020 Business Plan for review and comment until March 12 and noted the TJPA effort and commitment to deliver passenger rail service to the State.

Interim ED Gonzales concluded her report by noting the Citizens Advisory Committee (CAC) recruitment process was underway and she encouraged anyone that meets the requirements to apply as applications are due on February 26, 2021.

John Updike, TJPA Facility Director, presented the Facility Operations update.

6. Citizens Advisory Committee Update

Derrick Holt, TJPA CAC Chair, reported the CAC had a productive meeting on February 9, thanked Interim Board Secretary Pollitt for serving as the CAC Secretary and appreciated the updates on several topics and TJPA initiatives by Lily Madjus Wu, TJPA Communications and Legislative Affairs Manager.

He noted the CAC is actively recruiting new members and thanked current CAC members, who will be terming out, for their support and guidance in advancing the Transbay Program.

He stated that the CAC appreciated the presentation by BART and CCJPA representatives regarding the Link21 project and the potential it has on the future of Bay Area transportation. He also stated the CAC appreciated the presentation on Demand Forecasting by Jesse Koehler, San Francisco County Transportation Authority (SFCTA) Rail Program Manager.

He concluded his report by noting that the CAC suggested the TJPA use its outdoor space for educational purposes given the park has free Wi-Fi and with the addition of new members joining, a virtual tour of the Transit Center is recommended if a physical tour is not possible.

Public Comment:

Roland Lebrun expressed concern regarding the design of the DTX project and noted the profound impact it is having on projects like Link21, which includes the 2nd Street alignment.

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 echoed Mr. Lebrun's comments made on the previous item, specifically the 2nd Street alignment and suggested the Board solicit a presentation from Mr. Lebrun regarding his ideas on alternative alignment options.

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

REGULAR CALENDAR

8. Approving updated Board Policy No. 001, Procurement Policy.

Erin Roseman, TJPA Chief Financial Officer, presented the item.

No public comment.

RESOLUTION 21-005

On motion to approve:

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

Vice Chair Gee recused himself from Item 9. Director Tumlin presided over the item.

9. Authorizing the Interim Executive Director to enter into a Memorandum of Agreement with the Peninsula Corridor Joint Powers Board (“Caltrain”), for the purpose of funding an operations analysis for an amount not to exceed \$185,000 in support of the Downtown Rail Extension Phasing Study, a required work task described in the San Francisco Peninsula Rail Program Memorandum of Understanding.

Stephen Polechronis, Interim DTX Project Director, presented the item.

Public Comment:

Roland Lebrun referenced metrics that he previously shared with the CAC, specifically as it relates to track usage for projects like DTX and Link21 that will connect with the Transit Center, and suggested the Board reference and mimic London’s alignment that they used for the 2012 Olympic Games.

RESOLUTION 21-006

On motion to approve:

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

10. Approving the Minutes of the January 14, 2021 meeting.

No public comment.

On motion to approve:

ADOPTED: AYES – Chang, Forbes, Lipkin, Tumlin and Gee
ABSTAIN – John-Baptiste and Shaw

11. San Francisco Peninsula Rail Program Executive Steering Committee Update.

Tilly Chang, ESC Chair, presented the item.

Vice Chair Gee thanked ESC Chair Chang for the presentation and asked if the Comprehensive Work Plan is still on schedule. ESC Chair Chang confirmed the schedule is on track and risks have been identified and are being tracked, which will be presented at the ESC meeting later this month and at next month's Board meeting. Vice Chair Gee asked Mr. Polechronis if the Work Plan and schedule that was presented in December 2020 could be updated at the 6-month mark and Mr. Polechronis replied affirmatively.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

There was no member of the public who indicated that they would like to comment on the items scheduled for discussion in closed session.

CLOSED SESSION

12. Call to Order

Vice Chair Gee called the Closed Session to order at 10:30 a.m.

13. Roll Call

Present: Tilly Chang
Elaine Forbes
Alicia John-Baptiste
Boris Lipkin
Diane Shaw
Jeffrey Tumlin
Jeff Gee

Absent: Dina El-Tawansy
Matt Haney

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 – The Closed Session was adjourned at 11:38 a.m.

15. Announcement of Closed Session.

Deborah Miller, TJPA Legal Counsel, announced that there was no action to report.

ADJOURN – Vice Chair Gee 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.

Donald Pollitt II
Interim 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.