



**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES**

Thursday, October 14, 2021

REGULAR MEETING

9:30 a.m.

WATCH LIVE ON SFGOVTV: [www.sfgovtv.org/tjpa](http://www.sfgovtv.org/tjpa)

PUBLIC COMMENT CALL-IN: 1-855-282-6330 -- Access Code: 2557 681 5518

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 Assembly Bill ("AB") 361 (Rivas, Chapter 165, Statutes of 2021) and its amendments to California Public Resources Code Section 54953(e), this meeting will be held **exclusively** via teleconference participation of a quorum of Board members in locations not open to the public. This meeting is being held during a proclaimed state of emergency, and state and local officials have imposed or recommended measures to promote social distancing, while allowing the public to observe and address the Board.

**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*)

Interim Executive Director

Nila Gonzales

Interim Secretary

Donald Pollitt II

9:30 – REGULAR MEETING

## ORDER OF BUSINESS

### 1. Call to Order

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

### 2. Roll Call

Interim Secretary Pollitt announced that Director Ortiz was joining as Director Shaw's alternate, Director Chang was joining as Vice Chair Mandelman's alternate and Director El-Tawansy would not be in attendance.

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

Absent: Dina El-Tawansy  
Rafael Mandelman  
Diane Shaw

### 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

- Project Labor Agreement Quarterly Update
- Facility Operations Update

Interim Executive Director (ED) Gonzales announced the recent approval of the Communities Facilities District (CFD) bond for up to \$35 million by the San Francisco Board of Supervisors (BOS) and \$2.6 million dollars of requested Prop K funds by the San Francisco County Transportation Authority (SFCTA), noting that obtaining the additional funding for the Downtown Rail Extension (DTX) would not have been successful without the participation and support from TJPA's partners. Those partners include labor partners such as building trades, electrical engineers, sheet metal workers, plumbers, carpenters, painters, and sprinkler fitters, as well as Citizens Advisory Committee (CAC) members and DTX stakeholders such as Friends of DTX, SPUR and Bay Area Council. Interim ED Gonzales extended gratitude to all of TJPA's

partners as their support showed how imperative these funds are to help advance the DTX project forward. She noted that there is a related CFD item before the BOS later this month, which is needed as part of its administrative process.

Interim ED Gonzales reported that the TJPA team has been preparing the Federal Transit Administration's (FTA) New Starts project development letter which is planned to be submitted by the end of October. The TJPA continues to conduct outreach for the DTX, which included presentations to Friends of DTX and Seamless Bay Area and noted that presentations will be provided to the Bay Area Council's transportation committee on October 20 and SFCTA's Expenditure Plan Advisory Committee on October 28. Regarding other DTX funding opportunities, she reported that the TJPA continues to track the congressional federal efforts on the infrastructure package in Washington, D.C. as well as work with its Federal advocates to submit an application for the Federal Railroad Administration's Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant, noting that applications are November 29. She also reported that the TJPA in preparing to apply for significant funding for the DTX from the State's Transit and Intercity Rail Capital Program, noting the call for projects is expected around November 19, with applications expected to be due in March 2022. She also shared that the TJPA is expecting the Metropolitan Transportation Commission (MTC) to approve the final disbursement of the American Rescue Plan formula funds at the end of October for the \$1.2 million of the remaining \$3 million disbursement which MTC has apportioned to the TJPA to cover operating costs.

Interim ED Gonzales highlighted the TJPA's efforts with State advocates, Townsend Public Affairs, and the work that has been done to advance the DTX by providing DTX project briefings to State legislators to share pertinent information on project progress, while tracking and pursuing State funding opportunities. She stated that Townsend Public Affairs has been an instrumental piece in ensuring the TJPA and DTX project continue to be at the forefront of the Bay Area caucus and noted that an Amendment to extend a fourth and final one-year extension with Townsend Public Affairs is on the Consent Calendar for Board consideration and approval.

Interim ED Gonzales reported that the TJPA continues to track the City's response to COVID-19 and asks visitors to remain vigilant regarding masking in the Transit Center except when on the rooftop park. She highlighted that there continues to be an increase in people visiting the park, as well as new retail openings, which John Updike TJPA Facility Director, will cover during his Facility Operations update. She announced that TJPA is partnering with Epiphany Dance Theater to host the 18<sup>th</sup> annual San Francisco Trolley Dances, which will be held in the Transit Center's Grand Hall on October 16 and 17 and stated that more information was available on [salesforcetransitcenter.com/events](https://salesforcetransitcenter.com/events).

Relating to remote meetings, Interim ED Gonzales reported that California Governor Newsom signed legislation extending public agencies ability to meet remotely through January 2024, as long as the emergency orders continue and the TJPA Board approves the continuation of meeting remotely through a monthly resolution, noting it is on the Consent Calendar for Board consideration and approval.

Interim ED Gonzales concluded her report by announcing that the TJPA has identified two qualified applicants to fill two mid-term openings on the TJPA CAC, the Bicycle Advocate and the Daily Muni Rider on a line that terminates at or passes through the Transbay Terminal, noting it is on the regular calendar for Board consideration and approval. She also reported that the Project Labor Agreement (PLA) third quarterly report is included in the TJPA Board's packet, noting that it is currently being implemented successfully during Tenant Improvement construction, and that she would be glad to respond to any questions.

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

No public comment.

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

Derrick Holt, TJPA CAC Chair, reported that the CAC had a productive meeting on October 12, noting the CAC appreciated TJPA's new Chief Financial Officer Franklin Wong's attendance and participation. He acknowledged the potential new CAC applicants, noting the CAC appreciates their strong passion for transportation and city planning.

He stated CAC Members appreciated the DTX Project Development presentation by Alfonso Rodriguez, TJPA DTX Project Director. He also stated that CAC members appreciated the presentation on the DTX Rebranding and Outreach Plan Efforts by Lily Madjus Wu, TJPA Communications and Legislative Affairs Manager, and emphasized the importance of the public surveys and future engagement objectives.

Chair Holt concluded his report by stating the CAC appreciated the Facility Operations Update presentation by John Updike, TJPA Facility Director, noting CAC members are excited to see all of the current offerings at Salesforce Park. He thanked Member Stephens for staying on as the Daily MUNI Rider until a replacement was found.

No public comment.

#### 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.

Roland Lebrun suggested that TJPA follow BART and Caltrain's public meeting process and provide live video access to the public. Mr. Lebrun also suggested TJPA consider investing in live transcript features. He further suggested Board meetings be rescheduled to avoid conflicts with BART's Board meeting.

**THE FOLLOWING MATTERS BEFORE THE TRANSBAY JOINT POWERS AUTHORITY ARE RECOMMENDED FOR ACTION AS STATED BY THE INTERIM 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 9, 2021 meeting.

This Item was considered separately at the request of Director Ortiz.

No public comment.

On the motion to approve:

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

(8.2) Approving the continued use of teleconferencing technologies for meetings of the legislative bodies of the TJPA pursuant to the provisions of Assembly Bill 361.

RESOLUTION 21-029

(8.3) Authorizing the Interim Executive Director to execute an amendment to extend the agreement for State Advocacy Services with Townsend Public Affairs, Inc. for one year at the rate of \$111,000.

RESOLUTION 21-030

No public comment.

On the motion to approve the Consent Calendar:

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

## REGULAR CALENDAR

9. Authorizing the Interim Executive Director to execute two lease agreements with Barebottle Brewing Company for the main plaza space in Salesforce Park to provide food and beverage services in the park, and for a space under the main escalators of the Grand Hall to provide food and beverage service in the Grand Hall for a 10-year term.

John Updike, TJPA Facility Director, presented the item.

RESOLUTION 21-031

No public comment.

On the motion to approve:

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

10. Approving the recommended applicants to serve as members of the TJPA Citizens Advisory Committee to fill the two open mid-term seats.

Lily Madjus Wu, TJPA Communications and Legislative Affairs Manager, presented the item.

RESOLUTION 21-032

No public comment.

On the motion to approve:

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

11. Authorizing the Interim Executive Director to execute a fourth amendment to the Block 4 Option Agreement, dated June 22, 2016, by and among the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (“OCII”) and F4 Transbay Partners.

Deborah Miller, TJPA Legal Counsel, presented the item.

RESOLUTION 21-033

No public comment.

On the motion to approve:

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

12. San Francisco Peninsula Rail Program Executive Steering Committee (ESC) Update.

Michelle Bouchard, Acting Executive Director of Caltrain and ESC Chair, presented the item.

Director Lipkin referenced TJPA Board Item 8.2, which grants the TJPA Board and CAC to continue to meet remotely and asked if that applied to the ESC. Ms. Miller replied that it is recommended that the ESC adopts its own motion at its next meeting to continue to meet remotely, while ensuring Brown Act compliance under AB 361, given that it is a body that was established by the TJPA and its partner agencies.

Director Forbes thanked ESC Chair Bouchard for the report and highlighted the multi-agency partnership and how well the structure is working to produce results. She referenced the organizational chart shown in the presentation and suggested that the Board again considers the organizational structure chart and the empowerment of the Executive Director in the chart. She also suggested the Board examine the reporting structure of the chart with TJPA's next ED to ensure it is as strong as it can be.

**Public Comment:**

Roland Lebrun referenced slide 6 of the presentation, highlighting Design Configuration Changes, and expressed concern regarding potential impacts and implied that TJPA has known about these impacts, given that the Operations Analysis was completed in April 2021.

13. Presentation on the Downtown Rail Extension Rebranding and Outreach Plan Efforts.

Lily Madjus Wu, TJPA Communications and Legislative Affairs Manager, presented the item.

**Public Comment:**

Roland Lebrun suggested the TJPA Board consider removing the concept of the Transit Center being CHSRA's Northern Terminus, as he thinks it is likely to be Sacramento. He expressed concern regarding Townsend Public Affairs, stating that they have been useful in the past to help with damage control but suggested the TJPA consider a different firm for its needs.

**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**

14. Call to Order

Chair Gee called the Closed Session to order 10:41 a.m.

15. Roll Call

Present: Tilly Chang

Elaine Forbes

Alicia John-Baptiste

Boris Lipkin

Elsa Ortiz

Jeffrey Tumlin

Jeff Gee

Absent: Dina El-Tawansy

Rafael Mandelman

Diane Shaw

16. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code section 54957(b))

Interviews and deliberation regarding candidates for appointment  
Title: Executive Director

17. CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6)

Agency designated representatives: Board committee members Chair Gee, Vice-Chair Mandelman, and Director Shaw; Pam Derby (CPS HR Consulting); Nila Gonzales  
Unrepresented employee: Executive Director

18. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code Section 54956.8)

Property: Parcel F development site (APN 3721-016, 3721-135, 3721-136, 3721-138) and Salesforce Transit Center site (APN 3719-003, 3720-010, 3720-011, 3721-006, 3721-124, 3721-134, 3721-137)  
TJPA negotiators: Nila Gonzales, Interim Executive Director, and Andrew Schwartz, Shute, Mihaly & Weinberger LLP, outside counsel  
Negotiating parties: F4 Transbay Partners LLC  
Under negotiation: Price and terms of payment for easement

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 12:58 p.m.

19. Announcement of Closed Session.

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

ADJOURN – Chair Gee adjourned the meeting at 1:00 p.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](http://www.sfethics.org).