

THIS PRINT COVERS CALENDAR ITEM NO. : 9
FOR THE MEETING OF: October 31, 2001

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Approving an agreement with the City and County of San Francisco to provide professional and administrative services and staff assistance to the Authority pursuant to Section 6(a) and (b) of the Joint Powers Agreement

SUMMARY:

- Section 6(a) of the Joint Powers Agreement states that “The City and County of San Francisco is hereby appointed by the Members as the administrator to execute the provisions of the Agreement and implement programs undertaken by the Authority. The members acknowledge that this designation may cause potential conflicts of interest to arise and waive any liability on the part of the City and County of San Francisco arising out of any such conflict of interest”.
- Section 6(b) of the JPA states that “Subject to Section 7 of this Agreement, the Authority will compensate the City and County of San Francisco for services rendered.
- Section 6(c) states that “If the City and County of San Francisco ceases to serve as the Administrator, the Board may appoint a successor entity, agency, person firm or corporation, including a nonprofit corporation, to serve as the Administrator to execute the provisions of this Agreement and implement programs undertaken by the Authority.”
- Section 7 relates to Capitalization of the Authority and states that “the Members of the Authority shall not be responsible for any costs incurred by the Authority in fulfillment of its purposes pursuant to this Agreement and/or the Bylaws”.
- By entering into this Agreement, the Authority authorizes the City and County of San Francisco to provide professional and administrative services for and staff assistance to the Authority and provides for reimbursement of these expenses, and agrees to reimburse the city for staff costs.
- Included in this agreement is clause which will reimburse the city for expenses incurred prior to the formation of the TJPA for development of the project as defined by AB1419.
- Services will include preparation of financial and legal documents, hiring of consultants and contractors to assist the Authority in securing funds for, planning, designing, developing and constructing the project and other day-to-day administrative needs of the Authority.

ENCLOSURES:

1. Draft Administrative Agreement

TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

Resolution No. _____

WHEREAS, the purpose of the Transbay Joint Powers Authority is to develop, design, construct, renovate, rehabilitate, improve, operate, manage and maintain a new regional transit terminal and provide expanded bus and rail service and direct access to transit in downtown San Francisco; and,

WHEREAS, The Authority will be required to undertake various activities to accomplish their purpose; and,

WHEREAS, It is in the interest of the Authority to have access to professional and administrative assistance to carry out the duties of the Authority; and,

WHEREAS, Section 6(a) of the Joint Powers Agreement states that “the City and County of San Francisco is hereby appointed by the Members as the administrator to execute the provisions of the Agreement and implement programs undertaken by the Authority; and

WHEREAS, Section 6(b) of the JPA states that “Subject to Section 7 of this Agreement, the Authority will compensate the City and County of San Francisco for services rendered” from legally available funds of the Authority; now, therefore, be it

RESOLVED, That the Transbay Joint Powers Authority Board does hereby approve an agreement with the City and County of San Francisco to provide professional and administrative services and staff assistance to the Authority pursuant to Section 6(a) and (b) of the Joint Powers Agreement.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of _____.

Secretary, Transbay Joint Powers Authority

