



TRANSBAY JOINT POWERS AUTHORITY BOARD OF DIRECTORS

MINUTES

Monday, December 19, 2005
1 Carlton B. Goodlett Place, Room 250
San Francisco, CA

SPECIAL MEETING
1:00 p.m.

BOARD OF DIRECTORS

Michael Nevin, Chair
Greg Harper, Vice Chair
Michael Cohen
Chris Daly

Executive Director
Maria Ayerdi

Secretary
Roberta Boomer

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1:00 - SPECIAL MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Nevin called the meeting to order at 1:08 p.m.

2. Roll Call

Present: Michael Cohen
Chris Daly
Greg Harper
Mike Nevin

3. Communications

None.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

-Quarterly Contract Status Report
-FY06 First Quarter Budget Report

Executive Director Ayerdi stated that the TJPA had cleared all environmental legal challenges, and now owned 80 Natoma. \$56.2 million has been allocated through the federal appropriations bill and the TJPA received the highest ratings through two audits. The TJPA also launched a new logo and website.

E.D. Ayerdi expressed appreciation to the Metropolitan Transportation Commission (MTC) for \$4.99 million and thanked Directors Nevin and Harper, and Rick Fernandez and Mary King of AC Transit for their help. E.D. Ayerdi also noted that AC Transit ridership at the Transbay Terminal increased by 6% in 2005. The Transbay Terminal Improvement Study Plan indicates that ridership is expected to continue to increase.

Nancy Whelan, Transbay Financial Consultants, presented the quarterly contract status report and the FY06 first quarter budget.

6. Public Comment

Richard Mlynrik stated that Caltrain and VTA had suggested postponing electrification until the high-speed rail bond will fund all improvements in the Caltrain corridor. He further reported that Caltrain and VTA, and, by extension, MTC, would not be funding and had advocated against funding Caltrain electrification. It would be prudent to design a bus terminal that can accommodate rail in the future.

Art Lloyd stated that he disagreed with Mr. Mlynrik. He further stated that the Matier and Ross article that appeared in this morning's Chronicle was unfair and he expressed hope that staff would address it.

Michael Theriault, SF Building Trades, stated that he was also upset with the Matier & Ross article. SF Building Trades is looking forward to the project being accelerated. He commented that this is far too good a project to not find the financial support that it needs.

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 November 17, 2005 meeting.

(7.2) Authorizing the Executive Director to execute Amendment No. 1 to the Program Management/Program Controls Professional Services Agreement with URS Corporation to revise key personnel provisions.

RESOLUTION 05-018

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Cohen, Daly, Harper and Nevin

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

CLOSED SESSION

1. Call to Order

Chairman Nevin called the closed session to order at 1:18 p.m.

2. Roll Call

Present: Michael Cohen
Chris Daly
Greg Harper
Mike Nevin

3. Pursuant to Government Code Section 54956.8, the Transbay Joint Powers Authority Board of Directors will meet in closed session to discuss real property negotiations in the following matters:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(3.1) Property: 80 Natoma Street transferable development rights
Agency negotiators: Maria Ayerdi and Andrew W. Schwartz, Shute, Mihaly & Weinberger LLP.
Negotiating parties: TJPA and Fortress Property Group
Under negotiation: Price

RESOLUTION 05-019

On motion to approve:

ADOPTED: AYES – Cohen, Daly, Harper and Nevin

(3.2) Property: 80 Natoma Street.
Agency negotiators: Maria Ayerdi and Andrew W. Schwartz, Shute, Mihaly & Weinberger
Negotiating parties: TJPA and U.S. Parking
Under negotiation: Price and Terms of Payment

RESOLUTION 05-020

On motion to approve:

ADOPTED: AYES – Cohen, Daly, Harper and Nevin

ADJOURN CLOSED SESSION AND RECONVENE SPECIAL MEETING - The closed session was adjourned at 1:40 p.m.

8. Announcement of Closed Session.

Scott Emblidge announced that the Board met in closed session for a conference with their real property negotiators. The Board discussed 80 Natoma Street transferable development rights and also discussed leasing 80 Natoma to U.S. Parking. The Board authorized the sale of 160,000 square feet of Transferable Development Rights to Fortress Property Group for \$4,040,000. The Board also authorized a two-year lease of the 80 Natoma property with US Parking, including a split of the possessory interest tax.

SPECIAL CALENDAR

9. Authorizing the Executive Director to execute and file an application with the Metropolitan Transportation Commission to program Regional Improvement Program funds, in the amount of \$3,391,000 for right of way acquisition for the Transbay program.

Nancy Whelan, Transbay Financial Consultants presented the staff report. She stated that this request would potentially save some interest expense that would otherwise be incurred through the Prop K funds.

No public comment.

RESOLUTION 05-021

On motion to approve:

ADOPTED: AYES – Cohen, Daly, Harper and Nevin

Chairman Nevin requested that items 10 and 11 be taken together. Nila Gonzales, acting Secretary, read the two items

10. Presentation regarding the refined Locally Preferred Alternative for the Transbay Transit Center.

11. Presentation regarding Transbay Transit Center and Tower Design and Development competition process.



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E.D. Ayerdi introduced the items and stated that the TJPA's charge from the beginning has been to present a plan that would deliver the Transbay Center on schedule and within budget. Today, staff will introduce a Refined Locally Preferred Alternative. Staff will solicit comments from stakeholders and funding partners on the proposed implementation strategy and will return to the Board with an action plan for a final program.

Emilio Cruz, Project Manager, URS Corporation presented the Refined Locally Preferred Alternative.

Director Cohen requested that the massing study be presented to the TJPA at the next meeting. Mr. Cruz stated that the study had been presented to the Board at their October meeting and suggested a meeting with any director who wished to review the study.

Director Cohen also requested a report on how revenues line up with expenses at next Board meeting. E.D. Ayerdi stated that staff plans to bring an action item on the program implementation strategy that will outline the cost and schedule.

Director Cohen commended staff for their strategic thinking and expressed concern that there is not a lot of consensus on how to achieve the result. E.D. Ayerdi stated that staff would continue to work closely with all stakeholders and funding partners.

Director Daly commented that the TJPA should retain ownership of the Transit Tower as much as possible and maintain control of this tower.

Don Stastny, StastnyBrun Architects, presented the Tower Design and Development competition process.

Director Cohen asked that the process for the competition be presented to the TJPA board.

PUBLIC COMMENT:

Richard Mlynarik stated that the cost escalation is \$2 billion a month. It is not appropriate to only involve giant companies and that the competition should be open to small companies as well. He urged the TJPA not to do an "invitation only" process.

John Holtzclaw called the project the most important single project for San Francisco and for the region, because it will link the region together. People have voted for it more than once. He urged staff to get state and federal legislators to support the project and bring high-speed rail to San Francisco.

12. Resolution of Appreciation for Chairman Michael Nevin.



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Vice Chairman Harper presented the resolution and plaque. The TJPA Executive Director and Board Members expressed appreciation to Chairman Nevin and wished him continued success.

RESOLUTION 05-022

On motion to approve:

ADOPTED: AYES – Cohen, Daly, Harper and Nevin

ADJOURN - The meeting was adjourned at 3:30 p.m.

A tape of the meeting is on file in the office of the Secretary to the Transbay Joint Powers Authority Board of Directors

Roberta Boomer
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.