



TRANSBAY JOINT POWERS AUTHORITY BOARD OF DIRECTORS

MINUTES

Thursday, October 9, 2014
1 Dr. Carlton B. Goodlett Place, Room 416
San Francisco, CA

REGULAR MEETING
9:30 a.m.

BOARD OF DIRECTORS

Jane Kim, Chair
Greg Harper, Vice Chair
Marian Lee
Mohammed Nuru
Edward Reiskin
Bijan Sartipi

Executive Director
Maria Ayerdi-Kaplan

Secretary
Nila Gonzales

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9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

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

2. Roll Call

Secretary Gonzales announced that Director Sartipi was absent due to a scheduling conflict.

Present: Marian Lee
Mohammed Nuru
Ed Reiskin
Greg Harper
Jane Kim

Absent: Bijan Sartipi

3. Communications

None.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Construction Update
- Quarterly Project Labor Agreement (PLA) Report

Executive Director Ayerdi-Kaplan reported on work to date including the completion of the final mat slab pour which allows the commencement of above ground steel. She announced an event celebrating the milestone would be held on November 7, 2014 at 10:30 a.m.

Sara Gigliotti, TJPA Chief Financial Officer, provided an update on the bridge loan financing.

Steve Rule, Turner Construction, presented the Construction Update which included the Saylor Report Bidder Survey Implementation Update presented by Steve Humphreys, Webcor/Obayashi.

Dennis Turchon, TJPA Senior Construction Manager, presented the PLA Report.

Vice Chair Harper stated he needed to be educated on the procurement and approval process for contracts/bids. Executive Director Ayerdi-Kaplan offered to brief Vice Chair Harper with counsel and staff.

6. Citizens Advisory Committee Update

Bruce Agid, CAC Vice Chair, provided comments on the formation of the special tax district for the Transbay Transit Center district. He expressed disappointment with the developers for backing out of the tentative deal discussed in early September. He applauded the Board of Supervisors for approving the resolution for the formation of the special tax district. He stated it would be unfortunate if the developers moved forward with a lawsuit that would jeopardize the completion of the Transbay Transit Center and Rooftop Park, the Downtown Extension, and other necessary infrastructure improvements. Additionally, he provided comments regarding uniformed heights and level boarding for Caltrain and high speed rail. He noted that he attended a rail panel discussion which reaffirmed for him the need for this issue to be studied closely and emphasized the importance of maximizing operational flexibility, capacity, and passenger accessibility.

7. Public Comment

Emil Lawrence provided comments regarding appointments made to the Taxi Commission by the Municipal Transportation Agency Director and the Mayor. He expressed concern about the qualifications of the appointees that have been advising the TJPA in regards to taxi matters as they relate to the Transbay project. He also stated that he has started an investigation with the Civil Service Commission on taxi hiring, as well as their own personnel, and hiring practices of the entire City and County of San Francisco. He provided the TJPA Board with copies of his correspondence to the Civil Service Commission. He expressed his appreciation for TJPA's veterans support and thanked TJPA for responding to his previous correspondence.

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. Presentation by the California High Speed Rail Authority (CHSRA) and the Peninsula Corridor Joint Powers Board (JPB) on boarding heights.

Brian Dykes, TJPA Principal Engineer, introduced the item. Dave Couch of JPB and Ben Tripousis of CHSRA presented the item.

Director Nuru requested a regular update on the coordination of Caltrain, CHSRA and TJPA. Director Reiskin agreed with Director Nuru and suggested the same topic be agendaized for the

next meeting with a resolution for the Board to consider in terms of endorsing a common boarding platform, regional coordination, funding and any other impacts it will have to Caltrain and CHSRA.

Vice Chair Harper acknowledged the very difficult engineering issues the two agencies are working through and asked what decisions, if any, are needed from the TJPA Board at this time as he did not feel comfortable interfering on what appears to be a national process that does not impact Phase 1. Mr. Tripousis stated the agencies will be meeting over the next several weeks to make a determination on the best menu of options to provide to the TJPA, JPB, and CHSRA Boards to make a decision on how to move forward.

Chair Kim reiterated the need for the agencies to get to common level boarding heights.

Lee Saage, San Francisco County Transportation Authority (SFCTA) Deputy Director for Capital Projects, provided the SFCTA's perspective on the importance of compatibility between Caltrain and high speed rail.

Director Lee stated that Caltrain, TJPA and CHSRA have been working together and coordinating for many years. She provided the history on the evolution of the plan which led to the blended system that changed what the agencies had been coordinating for years. She stated JPB is committed to looking for a solution and that there is nobody who would not want common shared platforms. The issue is not about what is the ideal situation but rather if that is the policy decision then there are compromises to be made by various agencies. The options, tradeoffs, upsides and downsides have to be laid out; there is not a win for everyone on every aspect. If everyone got what they needed, the solution would have been found many months ago. She provided examples of vehicle types being considered showing JPB's commitment to work together. She expressed her gratitude to the funding partners for their participation in the discussion and stated all are hopeful that they will come to a good compromised outcome that will have lasting benefits for many years to come.

Chair Kim requested the item be continued at the next meeting to update the Board on the progress made and that TJPA staff weigh in on what the impact would be at the Transbay Transit Center and what each option would look like.

Director Reiskin suggested the San Francisco Planning Department be invited to present on the long term fifty-year vision for 4th and King. He also stated the governance of Caltrain, CHSRA, and TJPA building on the same right-of-way was a discussion that should be had in more detail, probably as a region and a state, but the most immediate conversation is how to not lock out the opportunity to build for the 50-100 year future.

Public Comment:

Roland Lebrun expressed his discontent with the presentations with the exception of the comments made by Mr. Saage. Mr. Lebrun provided comments on Caltrain's rolling stocks and stated the amount of headroom on vehicles was the issue. He also disagreed with the capacity

Caltrain presented. He suggested SFCTA and the Mayor's office are working with world class experts that should be brought in to present.

Adina Levin, Friends of Caltrain, stated her appreciation to Caltrain, CHSRA and TJPA for working together on solutions for a common boarding height to maximize capacity for the system over time. She was glad to see the intent to have a report on the long term impact on capacity, operations, and key stations. She suggested in addition to Transbay that Millbrae and Diridon stations be looked at as well for long term impacts. She noted the significant increase in ridership forecasts and stressed the importance of being able to get the maximum number of trains into Transbay. She was pleased to see the collaboration on a potential solution and is looking forward to a solution that will be the best possible win/win for all to get the capacity that will last for many generations to come.

9. Approving an Amendment to Contract No. 08-04-CMGC-000, authorizing Webcor/Obayashi Joint Venture to award a Trade Work subcontract to Clayton Coatings, Inc. as the responsible bidder submitting the lowest responsive bid in the amount of \$8,594,839 for TG16.8: Fireproofing, thereby increasing authorized Direct Costs by \$8,594,839, and the authorized Construction Services Fixed Fee by \$653,208.

Mark Zabaneh, TJPA Senior Program Manager, presented the item.

No public comment.

RESOLUTION 14-033

On motion to approve:

ADOPTED: AYES – Lee, Nuru, Harper, and Kim
ABSENT – Reiskin

10. Directing the Transbay Joint Powers Authority to vote in favor of City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) (CFD), and take such other actions as may be necessary or expedient to the formation of the CFD.

No public comment.

RESOLUTION 14-034

On motion to approve:

ADOPTED: AYES – Lee, Nuru, Harper, and Kim
ABSENT – Reiskin

11. Approving the Minutes of the September 11, 2014 meeting.

No public comment.

On motion to approve:

ADOPTED: AYES – Lee, Nuru, Harper, and Kim
ABSENT – Reiskin

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

12. Call to Order

Chair Kim called the closed session to order at 11:40 a.m.

13. Roll Call

Present: Marian Lee
Mohammed Nuru
Greg Harper
Jane Kim

Absent: Ed Reiskin
Bijan Sartipi

14. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)

Property: Transbay Temporary Terminal, San Francisco (Block 3739, bounded by Howard, Main, Folsom, and Beale Streets)

TJPA Negotiators: Maria Ayerdi-Kaplan, Executive Director, and Andrew W. Schwartz and Deborah L. Miller, Shute, Mihaly & Weinberger LLP, outside counsel

Negotiating parties: TJPA; National Railroad Passenger Corporation (Amtrak)

Under negotiation: Price and terms of payment for Amtrak's lease of portion of Transbay Temporary Terminal

RESOLUTION 14-035

On motion to approve:

ADOPTED: AYES – Lee, Nuru, Harper, and Kim
ABSENT – Reiskin

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 11:45 a.m.

15. Announcement of Closed Session.

Deborah Miller, TJPA Counsel, announced that the Board unanimously authorized the Executive Director to execute a lease with Amtrak for certain interior and exterior space in the Temporary Terminal for a base rent of \$8,310 per month.

ADJOURN – Chair Kim adjourned the meeting at 11:47 a.m.

A tape 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.