



# **TRANSBAY JOINT POWERS AUTHORITY BOARD OF DIRECTORS**

## **MINUTES**

Thursday, November 10, 2011  
1 Dr. Carlton B. Goodlett Place, Room 416  
San Francisco, CA

**REGULAR MEETING**  
9:30 a.m.

### **BOARD OF DIRECTORS**

Jane Kim, Chair  
Elsa Ortiz, Vice Chair  
Art Lloyd  
Gabriel Metcalf  
Edward Reiskin  
Bijan Sartipi

Executive Director  
Maria Ayerdi-Kaplan

Secretary  
Nila Gonzales

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San Francisco, California 94105  
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9:30 – REGULAR MEETING

## ORDER OF BUSINESS

### 1. Call to Order

Chair Kim called the meeting to order at 9:40 am.

### 2. Roll Call

Secretary Gonzales noted that Director Sartipi would not be present due to a conflict.

Present: Art Lloyd  
Gabriel Metcalf  
Elsa Ortiz  
Ed Reiskin  
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
- Bus Ramps Design Update

Executive Director (ED) Ayerdi-Kaplan reported on work to date including coordination with the various stakeholders, the status of construction documents for both below grade and the Transit Center, the status of the Glazing package, and Bus Storage construction management services. She also reported on the well-attended Community Outreach meeting held on November 8. She announced the Archaeology exhibit, showing artifacts uncovered from the Transbay site, would be opening on December 2 and would run through January 2012 in the Lobby of 201 Mission Street with the exhibit rotating to other locations. She also mentioned the TJPA was honored to accept the San Francisco Unified School District's invite to attend their event on December 8 unveiling the new shop building at John O'Connell High School. Additionally, she stated the TJPA was awarded a \$1.24 million grant from the Federal Transit Administration to complete some environmental work for the rail component of the project as a condition of the \$400 million ARRA grant from the Federal Railroad Administration.

Steve Rule, Turner Construction, presented the Construction Update. Director Reiskin commended staff on the report and good progress. He requested future reports show progress relative to the schedule and a breakout of labor by trades and counties.

Kevin Clinch, Arup, presented the Bus Ramps Design Update.

## 6. Public Comment

None.

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

### REGULAR CALENDAR

7. Approving the proposed Project Labor Agreement with the Unions and the San Francisco Building and Construction Trades Council with respect to the Transbay Transit Center Program construction projects.

ED Ayerdi-Kaplan expressed her appreciation to the Laborers, Carpenters, Operating Engineers, and the San Francisco Building and Construction Trades Council for working cooperatively with the TJPA on the negotiations, and she further commented on the strength of the Project Labor Agreement (PLA).

Robert Beck, TJPA Senior Program Manager, presented the presentation.

Director Ortiz stated she wanted future reporting to include the geographic breakdown of people employed to ensure people from the East Bay, representing AC Transit's community, as well as people from Caltrain's community, are equally receiving employment from this project. She also confirmed that small businesses from the East Bay would benefit just the same as San Francisco small businesses.

ED Ayerdi-Kaplan reminded that this is a federalized project with members from different counties and the hiring is regional.

#### **Public comment:**

Mike Brown, Carpenters Local 22, commended ED Ayerdi-Kaplan, Bob Beck, and the other team members that negotiated the PLA. He reminded that Local 22 has been building and rebuilding San Francisco since the 1800s; they want to continue to do so and look forward to building this project. He also offered his utmost support in regards to the "Helmets to Hardhats" part of the PLA and stated as a veteran himself and tomorrow being Veteran's Day he is eager to see the PLA approved.

Manny Flores, Carpenters Local 22, expressed his support for the PLA and stated it has been proven to be beneficial. It ensures two very important things which are the project coming in on or under budget and schedule. He further stated their communication with the San Francisco Unified School District regarding the High School apprenticeship program has continued and they are making good progress. They had a sneak preview of the new shop building at John O'Connell High School and they were very impressed. He expressed his support for the PLA and looks forward to the Board's approval.

Danny Campbell, Local 104, applauded the TJPA for the hard work in getting the PLA negotiated. He stated the PLA would ensure the taxpayers would get the best value for their tax dollars. He urged the Board to support this PLA.

Eddie Ahn, Brightline, stated their support for the PLA but wanted to make sure if the Federal government changed their position, regarding prohibition on geographic preferences, that the parties would come back to the table to renegotiate. He stated they were pleased with the new clauses in the resolution; however, he suggested an additional clause be considered that would commit the TJPA to lobbying the Federal government on Federal prohibitions on local hiring.

Ramon Hernandez, Laborers Local 261, expressed gratitude to ED Ayerdi-Kaplan for one of the greatest PLAs he has ever seen and negotiated in a historic short period of time. He believes this PLA can put thousands of people to work. He urged the Board to support the PLA.

James Bryant, A. Philip Randolph Institute, commended ED Ayerdi-Kaplan on a job well-done and stated he was impressed with bringing all the Unions together and the negotiating done to ensure this project works in a very professional and financially responsible manner. He requested the TJPA consider any changes and possibly renegotiate should the Federal government make changes to their prohibition on geographic preferences. He expressed his support for the High School program which will reach the youth and further stated that overall it is a great PLA that his agency, both locally and nationally, supports.

Benita Benavides, Chinese for Affirmative Action, expressed support for the PLA; however, requested stronger local hiring provisions for job opportunities for San Franciscans.

Jackie Flin, A. Philip Randolph Institute, stated support for the PLA but asked for more defined terms in regards to the apprenticeship program and opportunities for disadvantaged residents.

Charles O'Leary, Operating Engineers, expressed support for the PLA and appreciation to the TJPA for their attention to detail and genuine concern for the safety, security, and welfare of the workers on the project. He further stated it is a great opportunity to get members back to work.

Mike Theriault, San Francisco Building and Construction Trades Council, stated a good way to approach the local hire topic was to state that is it currently at about 70% and that if there are changes to Federal law they would be open to discussion. He expressed his enthusiasm for the restoration of shop programs in public schools and is delighted that it is all coming together through Trades and the TJPA. He urged the Board to support and approve the PLA.

Public Comment Closed.

Director Reiskin commended ED Ayerdi-Kaplan, Staff and the Unions for negotiating the PLA, with a very good framework, in a short period of time. He concurred with all of the speakers that great benefits will come from having this PLA in place. He believes the additional resolved clauses address the concerns from the last meeting and he supports the PLA. However, he requested Staff provide regular reports to the Board to ensure targets are being met. ED Ayerdi-Kaplan confirmed that is the intention that is stated in the resolved clauses.

Director Metcalf also commended staff and labor for negotiating the PLA. He stated his support for the PLA and also reporting. He expressed his concerns about local hiring preferences and stated this is not a local project and there are unemployed working-class people outside of San Francisco that are as deserving of a chance at work. He further stated this project is being paid by taxpayers of California and the entire United States; it is a regional and State project. The regional targeting has more logic but there is still a little skepticism. Every working class citizen should have an opportunity to work. He disagreed with adding an amendment to the resolution to commit to lobbying the Federal government as suggested by the speaker from Brightline.

Director Ortiz echoed appreciation for all the work done and supports the PLA. She was especially pleased to see the incentive for workers to use public transit.

Chair Kim expressed her appreciation to Staff and everyone for working on this PLA and acknowledged the TJPA team for doing additional work on the San Francisco Unified School District apprenticeship plan. She feels this is a regional program and believes there should be strong targets for regional local hiring but is happy with the additional resolved clause allowing for the option to come back to the table and renegotiate if there are changes at the Federal level so she is supporting the PLA.

ED Ayerdi-Kaplan expressed her appreciation to the Unions for their hard work and stated that all twenty-eight (28) of them have signed, which is remarkable. She also confirmed that the TJPA does target regional hire.

RESOLUTION 11-041

On motion to approve:

ADOPTED: AYES – Lloyd, Metcalf, Ortiz, Reiskin and Kim

8. Approving a Resolution of Intention to initiate the process of directly contracting with the California Public Employees' Retirement System (CalPERS) to continue providing retirement benefits to employees of TJPA, and a Resolution Authorizing the Employer "Pick-up" of Employee Contributions.

ED Ayerdi-Kaplan introduced the item. Sara Gigliotti, TJPA Chief Financial Officer, presented the item.

No public comment.

RESOLUTION 11-042

On motion to approve:

ADOPTED: AYES – Lloyd, Metcalf, Ortiz, Reiskin and Kim

9. Annual review of Board Policy No. 009, Investment Policy, and approval of minor changes to the Policy in conformance with updates to California State Government Code.

Sara Gigliotti, TJPA Chief Financial Officer, presented the item.

No public comment.

RESOLUTION 11-043

On motion to approve:

ADOPTED: AYES – Lloyd, Metcalf, Ortiz, Reiskin and Kim

10. Approving the Minutes of the October 13, 2011 meeting.

No public comment.

The minutes were approved.

On motion to approve:

ADOPTED: AYES – Lloyd, Metcalf, Reiskin and Kim  
ABSTAIN – Ortiz

ADJOURN – Chair Kim adjourned the meeting at 10:55 am.

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](http://www.sfethics.org).