

**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES**

Friday, October 27, 2006  
1 Carlton B. Goodlett Place, Room 400  
San Francisco, CA

**SPECIAL MEETING**  
12:00 p.m.

**BOARD OF DIRECTORS**

Nathaniel Ford, Chairman  
Jerry Hill, Vice Chairman  
Michael Cohen  
Chris Daly  
Greg Harper  
Bijan Sartipi

Executive Director  
Maria Ayerdi

Secretary  
Roberta Boomer

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12:00 - SPECIAL MEETING

ORDER OF BUSINESS

1. Call to Order

Chairman Ford called the meeting to order at 12:02 p.m.

2. Roll Call

Present: Michael Cohen – absent at Roll Call

Chris Daly  
Nathaniel Ford  
Greg Harper  
Jerry Hill  
Bijan Sartipi

3. Communications

None.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Funding Update
- Caltrain Downtown Extension Value Management Update
- First Quarter Investment Report

Executive Director Ayerdi welcomed Director Sartipi from Caltrans.

Director Cohen arrived at 12:08 p.m.

Nancy Whelan, Transbay Financial Consulting presented the funding plan and opportunities for Prop 1B should the measure pass.

John Eddy, Deputy Project Manager, ARUP, provided an update on the DTX project, including work and progress to date.

Julie van Hoff, Finance Manager, presented the first quarter Investment Report.

Heather Barber, Government/Media Relations Manager, presented the TJPA's recent public outreach efforts. She reported a good turnout at public meetings in the SOMA and Sunset. The next meeting is scheduled in District 8 on November 30, 2006 with Supervisor Dufty at the LGBT Center. The TJPA will continue to schedule public meetings in each supervisorial district as well as meetings in the East, North and South Bay. TJPA has also participated in four street fairs.

E.D. Ayerdi stated the release of the RFP for the Temporary Terminal and Bus Storage is expected in November. The TJPA is in the process of preparing RFQs for Hazardous Materials Consultant Services. She discussed project deliverables since the last Board meeting. The BART/MUNI Metro connector study is underway.

Chairman Ford requested a schedule of RFPs. E.D. Ayerdi stated a master schedule of RFPs would be provided at the next Board meeting.

#### 6. Public Comment

William Blackwell discussed a proposal for improving connectivity and reducing the cost of the Transbay Transit Center. These functional improvements and conveniences would increase the use of public transit. He requested that his proposal be included in the consultant's current work plans.

Jane Morrison, SF Tomorrow, thanked the Board for moving the project ahead. She admires the ability to comprehend the complications of the project. She expressed her support for Item 12, appointing a Citizen's Advisory Committee.

David Schonbrunn, TRANSDEF, requested clarification regarding the structural change in which the District Director of Caltrans is on the TJPA Board.

E.D. Ayerdi stated that the TJPA Board appointed Caltrans as an ex-officio member of the TJPA at the last board meeting. Mr. Bijan Sartipi or Mr. Tony Anziano of Caltrans will serve as ex-officio members of the TJPA Board.

Chairman Ford welcomed Director Sartipi.

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

#### 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 August 31, 2006 meeting.

(7.2) Approving a Memorandum of Understanding between the TJPA and the San Francisco Bay Area Water Transit Authority to provide updated ridership studies of the transbay corridor for \$60,000.

#### RESOLUTION 06-025

(7.3) Approving the agreement between Transbay Joint Powers Authority and the Municipal Transportation Agency for services to perform contract compliance and oversight in the amount of \$64,800.

#### RESOLUTION 06-026

(7.4) Approving a contract with David Tattersall & Company in the amount of \$50,000 to provide real estate review appraiser services for a term not to exceed three years with an option to extend two years.

#### RESOLUTION 06-027

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Cohen, Daly, Ford, Harper and Hill

#### SPECIAL CALENDAR

#### 8. Appointing the Design and Development Competition Jury.

Don Stastny, StastnyBrun Architects, Competition Manager introduced the jury members: Robert Campbell, Hsin-Ming Fung, Susan Handy, Oscar Harris, Art Johnson, Jerry Keyser and Allison Williams. Don Stastny stated there are two ex-officio members that are being recommended, Maria Ayerdi and Dean Macris.

No public comment.

#### RESOLUTION 06-028

On motion to approve:

ADOPTED: AYES – Cohen, Daly, Ford, Harper and Hill

#### 9. Presentation on the Design and Development Competition Request for Qualifications.

Don Stastny, StastnyBrun Architects, Competition Manager presented the Design and Development Competition RFQ which is scheduled to be released on November 1<sup>st</sup>.

Director Harper suggested having a second Pre-Submittal meeting about three to four weeks after the first one for those that may not be able to make the first meeting. Don Stastny agreed and stated that a second meeting could be held in early December. E.D. Ayerdi stated staff will work on scheduling the second meeting.

Director Harper requested clarification regarding prospective respondents who attempt to communicate with Board members and whether they would be automatically disqualified. He stated that this assumes that board members will notify the Competition Manager if they are contacted. Don Stastny confirmed that respondents would be disqualified if they attempted to communicate with board members.

No public comment.

#### 10. Presentation by Cambridge Systematics on Transbay Ridership Study.

Vamsee Modugula, Cambridge Systematics, presented the Transbay Ridership Analysis.

#### PUBLIC COMMENT:

David Schonbrunn, TRANSDEF, stated that they are pleased to see this study. When MTC did its bay crossing study, it didn't look at the possibility of BART running out of capacity and this is a very important aspect. The Bay Area Rail Study will include projections for 2050 that could have tremendous implications for the project. He noted that Cambridge Systematics did a market segmentation process for SF Bay Area Water Transit Authority (WTA) and asked about that process as it relates to the TJPA.

Vamsee Modugula stated they are using 2015 and 2030 forecasts, but they haven't thought about long term projections beyond that time yet. The market segmentation Mr. Schonbrunn referred to was done some years ago and is a completely different project. They are not looking at using market forecasts for this study.

11. Adopting the City and County of San Francisco CityBuild Program.

Board Secretary Boomer stated the resolution has been amended to include a second resolved clause that states “further resolved, that this authorization is conditioned on CityBuild presenting details of its fully developed Professional Services Program at the TJPA Board of Directors meeting in November 2006.”

Steve Perreault, Deputy Program Manager, URS, presented the proposed program and proposed Professional Services program for training for professional services for architecture, engineering and project and construction management as well as training for technical support.

Director Harper suggested the item be continued to November.

No public comment.

The TJPA continued the item to the next meeting.

12. Approving the TJPA Citizen’s Advisory Committee (CAC) Structure and Bylaws.

Heather Barber, Government/Media Relations Manager, discussed the establishment of a CAC, proposed structure and bylaws. She also noted the TJPA supports a letter received from SPUR that recommends that the composition of the CAC include an environmentalist, a San Francisco based public transit advocate, a regional transit advocate, a member of the citywide business community and a member with expertise in real estate development or real estate finance.

Director Cohen moved that the Bylaws be amended to include SPUR’s recommendations and that the application process give preference to people who are currently participating on other related citizen’s advisory committees.

PUBLIC COMMENT:

Norm Rolfe, SF Tomorrow, stated that establishing a CAC is a good idea and suggested the addition of an additional transit activist and one additional good government advocate would bring a stronger voice and more representation. He also suggested the elimination of term limits so you don’t lose continuity of knowledge.

Michael Theriault, SF Building Trades, stated he preferred the application process of selecting CAC members rather than appointment of members and agrees that an overlap would be beneficial so long as it’s done through the application process as staff recommends.

David Schonbrunn stated that TRANSDEF supports Mr. Cohen’s suggestions.

Director Harper suggested extending the number of terms from two to three. Director Cohen accepted his suggestion as part of his motion.

Director Daly requested that the motion be severed and stated that he was supportive of SPUR’s first recommendation but was opposed to their other recommendations.

On motion to amend the TJPA CAC application to give preference to applicants who currently serve on another Citizen’s Advisory Committee; amend Article Two, Section One “Composition of the Committee” of TJPA Citizen’s Advisory Committee bylaws to increase the number of voting members by two to include an

environmentalist and a San Francisco based public transit advocate; and amend Article Two, Section Three, “Terms” to establish a limit of three consecutive terms:

ADOPTED: AYES – Cohen, Daly, Ford, Harper and Hill

The motion was adopted.

On motion to amend the Article Two, Section One “Composition of the Committee” of TJPA Citizen’s Advisory Council bylaws to increase the number of voting members by three to include a regional transit advocate, a member of the citywide business community and a member with expertise in real estate development or real estate finance:

ADOPTED: AYES – Cohen, Ford, Harper and Hill

NAYES – Daly

The motion was adopted.

RESOLUTION 06-029

On motion to approve the item as amended:

ADOPTED: AYES – Cohen, Daly, Ford, Harper and Hill

13. Approving a contract with Nancy Whelan Consulting in the amount of \$1,800,000 to provide financial grant management for a term not to exceed three years with an option to extend two years.

No public comment.

RESOLUTION 06-030

On motion to approve:

ADOPTED: AYES – Cohen, Ford, Harper and Hill

ABSENT – Daly

14. Adopting the Reserve Policy identified as Board Policy No. 012, Category: Financial Matters.

No public comment.

RESOLUTION 06-030

On motion to approve:

ADOPTED: AYES – Cohen, Ford, Harper and Hill

ABSENT – Daly

CLOSED SESSION

1. Call to Order

Chairman Ford called the closed session to order at 2:15 p.m.

2. Roll Call

Present: Michael Cohen  
Nathaniel Ford  
Greg Harper  
Jerry Hill  
Bijan Sartipi

Absent: Chris Daly

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to California Government Code Section 54956.9(c), the Transbay Joint Powers Authority Board of Directors will meet in closed session regarding possible initiation of litigation, 1 case.

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to California Government Code Section 54956.8, the Transbay Joint Powers Authority Board of Directors will meet in closed session with Real Property Acquisition Negotiators Maria Ayerdi, Harry Quinn, and Andrew Schwartz regarding the price and terms of payment for purchase of the following properties: 85 Natoma Street #5, 85 Natoma Street #9, and 580 Howard Street #500.

ADJOURN CLOSED SESSION AND RECONVENE SPECIAL MEETING - The closed session was adjourned at 2:30 p.m.

15. Announcement of Closed Session.

Chairman Ford announced the board met in closed session to discuss anticipated litigation. The Board of Directors directed counsel to file a court action. The TJPA will disclose the details of the case after it has been filed. The board also met for a conference with real property negotiators but took no action.

ADJOURN - The meeting was adjourned at 2:30 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](http://sfgov.org/ethics).