



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, November 18, 2021

SPECIAL MEETING

9:30 a.m.

WATCH LIVE ON SFGOVTV: www.sfgovtv.org/tjpa

PUBLIC COMMENT CALL-IN: 1-855-282-6330 -- Access Code: 2550 384 6888

Due to the COVID-19 health emergency, the Board's Meeting Room in City Hall is closed.

Members of the public are encouraged to participate remotely.

Please see additional information on the next page for remote meeting access.

In compliance with the Assembly Bill ("AB") 361 (Rivas, Chapter 165, Statutes of 2021) and its amendments to California Public Resources Code Section 54953(e), this meeting will be held **exclusively** via teleconference participation of a quorum of Board members in locations not open to the public. This meeting is being held during a proclaimed state of emergency, and state and local officials have imposed or recommended measures to promote social distancing, while allowing the public to observe and address the Board.

BOARD OF DIRECTORS

Jeff Gee, Chair

Rafael Mandelman, Vice Chair

Elaine Forbes

Alicia John-Baptiste

Boris Lipkin

Diane Shaw

Jeffrey Tumlin

Dina El-Tawansy (*ex-officio*)

Interim Executive Director

Nila Gonzales

Interim Secretary

Donald Pollitt II

9:30 – SPECIAL MEETING

ORDER OF BUSINESS

1. Call to Order

Chair Gee called the meeting to order at 9:31 a.m.

2. Roll Call

Interim Secretary Pollitt announced that Director Chang was joining as Vice Chair Mandelman's alternate.

Present: Tilly Chang

Elaine Forbes (*joined during Item 5*)

Boris Lipkin

Diane Shaw

Jeffrey Tumlin

Jeff Gee

Absent: Dina El-Tawansy

Alicia John-Baptiste

Rafael Mandelman

3. Communications

Interim Secretary Pollitt provided instructions on the Public Call-in/Comment process.

Chair Gee stated he would be departing the Board meeting early and that Director Chang would preside over the meeting in his absence.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Facility Operations Update
- Security Operations Report

Interim Executive Director (ED) Gonzales reported on Congress' recent approval and President Biden's signing of the \$1.2 trillion Infrastructure Investment and Jobs Act, which provides a historic level of funding for infrastructure, including transportation. She explained that the funding provided in the infrastructure package will help advance the Downtown Rail Extension (DTX) project and noted that TJPA is evaluating its funding requests against the numerous upcoming competitive funding opportunities, with many of them available on an annual basis for the next five years. Interim ED Gonzales stated that the TJPA's federal advocates continue to monitor all funding opportunities for the Transbay Program and noted an update on potential

funding opportunities will be provided at the December Board meeting. She also stated that the passage of the once-in-a-generation infrastructure investment could not have come at a better time for DTX as TJPA recently submitted a letter to the Federal Transit Administration (FTA) requesting entry into the Capital Investment Grants (CIG) New Starts pipeline, noting the package provides \$23 billion for FTA New Starts. Interim ED Gonzales further reported that TJPA is receiving a great deal of local support from Bay Area elected officials, Labor, and stakeholders for TJPA's grant application to the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program which will be submitted to the Federal Railroad Administration before the end of November. In preparation for the State legislative session in January, the TJPA continues to collaborate with regional partners to advocate for additional DTX funding, which includes close coordination with the Metropolitan Transportation Commission (MTC), as the Bay Area develops its transportation budget strategy and asks. She further reported that the Community Facilities District (CFD) bonds closed on November 3 for \$30 million, which advances the DTX project. She also reported that MTC approved the remaining \$1.2 million of the \$3 million disbursement of American Rescue Plan Act formula funds which MTC apportioned to the TJPA to cover operation costs.

Interim ED Gonzales highlighted recent tours of the Transit Center conducted in October, which included board members of the Sacramento-based Local Government Commission, that consists of Mayors and Councilmembers located throughout the State, the San Francisco Building and Construction Trades Council, and Evan Reade, International Affairs Advisor for Lieutenant Governor, Eleni Kounalakis. She also highlighted recent DTX presentations to the Bay Area Council Transportation and the San Francisco County Transportation Authority Expenditure Plan Advisory committees and noted plans for additional presentations to continue to raise awareness and visibility for TJPA, the Transit Center and DTX project.

Interim ED Gonzales reported that the TJPA continues to track the City's response to COVID-19 and asks visitors to remain vigilant regarding masking in the Transit Center except when on the rooftop park. She further reported that TJPA continues to increase events and activities on the park and has seen an ongoing increase in visitors. She announced that the Recess Cart, filled with books and other amenities, has been brought back for visitors to enjoy. She highlighted a holiday lighting event to be held on November 30 and a special weekend of activities in the park in the middle of December.

Interim ED Gonzales stated that, in response to a request from Director Shaw at a prior Board meeting, TJPA Chief Security Officer Rodney Harris will present a Security Operations update, which will be provided quarterly.

Interim ED Gonzales concluded her report by highlighting the depth being created within the agency as the TJPA continues to grow and meet the demands of the Transit Center and impending delivery of the DTX project by recruiting new personnel in finance, facility operations, DTX and the Executive Director position. She reported that TJPA successfully hired Jen Norris as the new Facility Director who will start on December 1 and work alongside John Updike to ensure a smooth transition upon his impending retirement.

John Updike, TJPA Facility Director, presented the Facility Operations Update.

Interim Secretary Pollitt advised that TJPA was alerted by SFGovTV of a temporary glitch in live streaming, which resumed shortly after the meeting began. For the purposes of the public watching and for those who may have joined late, he stated that Roll Call was taken and that there was quorum, and that Chair Gee plans to depart the meeting at 10:00 a.m. at which time Director Chang will lead the meeting.

Rodney Harris, TJPA Chief Security Officer, presented the Security Operations Report.

Director Lipkin referenced the ranking metrics on slide one of the Security Operations Report and asked for clarification on how it is used. Mr. Harris stated that TJPA uses it as an opportunity to discuss areas of improvements with contractors.

Director Shaw asked if most bicycle thefts occurred at bike racks and Mr. Harris replied affirmatively. He also noted that TJPA continues to educate the tenants and their customers regarding bicycle securing options at the facility. Additionally, Mr. Harris noted that TJPA continues to coordinate security operations with the San Francisco Police Department to prevent future bicycle thefts.

Director Chang asked if there was a need for bicycle storage at the Transit Center in addition to bicycle racks and Mr. Harris replied that the Transit Center has secure bicycle storage available; however, out of convenience, most visitors prefer using the bicycle racks.

Chair Gee departed during the discussion and per his communication under Item 3, Director Chang presided over the remainder of the Board meeting.

Public Comment:

Roland Lebrun expressed concern regarding the meeting being allowed to start, noting that he raised his hand several items prior to indicate that the meeting was not streaming on SFGovTV. Mr. Lebrun described his view of an alleged violation of the Brown Act.

6. Citizens Advisory Committee (CAC) Update

Belal Aftab, TJPA CAC Vice Chair, presented the CAC update. He welcomed new CAC Members, Hunter Oatman-Stanford as the Bicycle Advocate seat member and Gabriel Chan as the Daily MUNI Rider on a line that terminates at or passes through the Transbay Terminal seat member.

He stated CAC Members echoed the TJPA's sentiment regarding the passing of the \$1.2 trillion Infrastructure package and noted that CAC Members are interested in learning more about it as well as the TJPA's approach to accessing this funding opportunity and others.

Vice Chair Aftab highlighted the CAC Members excitement regarding more events at the rooftop park and applauded the TJPA's continuous efforts in enhancing the wayfinding at the Transit Center. He also reported that CAC Members appreciated the Security Metrics Report presented by Rodney Harris, TJPA Chief Security Officer, and looks forward to receiving it on a quarterly basis.

Vice Chair Aftab concluded his report by stating the CAC appreciated the presentation on the Second and Howard Crossing Construction Approach for the DTX project by Alfonso Rodriguez, TJPA DTX Project Director, noting it was very well done and educational.

7. Public Comment

Members of the public may address the Authority on matters that are within the Authority's jurisdiction and are not on today's calendar.

None.

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

CONSENT CALENDAR

8. 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.

(8.1) Approving the Minutes of the October 14, 2021 meeting.

(8.2) Approving the Minutes of the October 29, 2021 Special meeting.

(8.3) Approving the continued use of teleconferencing technologies for meetings of the legislative bodies of the TJPA pursuant to the provisions of Assembly Bill 361.

RESOLUTION 21-034

(8.4) Annual review and approval of updates to Board Policy No. 009, Investment Policy.

RESOLUTION 21-035

(8.5) Annual review and approval of updates to Board Policy No. 017, Debt Management Policy.

RESOLUTION 21-036

(8.6) Authorizing the Interim Executive Director to execute a first amendment to the lease agreement with Poke House, Inc. for commercial/retail space on the first floor of the Transit Center (Suite 127), consistent with the previously adopted Retail/Commercial Leasing Strategy to address COVID-19 impacts to tenancies.

RESOLUTION 21-037

No public comment.

On the motion to approve the Consent Calendar:

ADOPTED: AYES – Chang, Forbes, Lipkin, Shaw and Tumlin

SPECIAL CALENDAR

9. Authorizing the Interim Executive Director to execute Professional Services Agreements for Construction Management and Engineer Services with a bench of firms consisting of Dabri, Inc and Zoon Engineering, Inc. to provide services on an as-needed basis for five year terms with options to extend for two additional two year terms, as long as the total compensation under all bench agreements does not exceed \$2,000,000.

Dennis Turchon, TJPA Senior Construction Manager, presented the item.

RESOLUTION 21-038

Public comment:

Ted Olsson, former CAC Member and Chair stated he had difficulties providing public comment under item 7. He expressed his appreciation towards various Directors that he worked with previously and applauded their continuous civic contributions. He suggested that the Board consider naming the path that encircles the rooftop park to “Civic Way” and recommended labeling the path in four places, on the ends and at the middle on each side.

On the motion to approve:

ADOPTED: AYES – Chang, Forbes, Lipkin, Shaw and Tumlin

10. San Francisco Peninsula Rail Program Executive Steering Committee (ESC) Update.

Michelle Bouchard, Acting Executive Director of Caltrain and ESC Chair, presented the item.

Public Comment:

Roland Lebrun expressed concern regarding the design of DTX, noting that there was never a need for a third track option between Fourth and Townsend and the Transit Center and suggested that TJPA consider alternative options.

11. Presentation on the Design Configuration Changes for the Downtown Rail Extension.

Alfonso Rodriguez, TJPA DTX Project Director, presented the item.

Public Comment:

Roland Lebrun echoed his previous comment under item 10, stating that there was never a need for a third track option for the DTX. He also stated that California High Speed Rail never had any intentions on stopping at Fourth and Townsend, which was based on a study done by Deutsche Bahn, a German-based railway company. Mr. Lebrun concluded his remarks by

stating that four tracks are required for the four platforms at Fourth and Townsend.

RECESS SPECIAL 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

Director Chang called the Closed Session to order at 10:46 a.m.

13. Roll Call

Present: Tilly Chang
Elaine Forbes
Boris Lipkin
Diane Shaw
Jeffrey Tumlin

Absent: Dina El-Tawansy
Alicia John-Baptiste
Rafael Mandelman
Jeff Gee

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

Property: Parcel F development site (APN 3721-016, 3721-135, 3721-136, 3721-138) and Salesforce Transit Center site (APN 3719-003, 3720-010, 3720-011, 3721-006, 3721-124, 3721-134, 3721-137)

TJPA negotiators: Nila Gonzales, Interim Executive Director, and Andrew Schwartz, Shute, Mihaly & Weinberger LLP, outside counsel

Negotiating parties: F4 Transbay Partners LLC

Under negotiation: Price and terms of payment for easement

ADJOURN CLOSED SESSION AND RECONVENE SPECIAL MEETING – The Closed Session was adjourned at 11:17 a.m.

15. Announcement of Closed Session.

Deborah Miller, TJPA Legal Counsel, announced that there was no action to report.

ADJOURN – Director Chang adjourned the meeting at 11:19 a.m.

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

Donald Pollitt II
Interim 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.