

**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES**

Thursday, October 10, 2013  
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  
Art Lloyd  
Gabriel Metcalf  
Edward Reiskin  
Bijan Sartipi

Executive Director  
Maria Ayerdi-Kaplan

Secretary  
Nila Gonzales

201 Mission St. #2100  
San Francisco, California 94105  
415-597-4620  
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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 stated that due to scheduling conflicts Directors Reiskin and Lloyd were absent and Director Lee would be sitting in as Director Lloyd's alternate.

Present: Greg Harper  
Marian Lee  
Gabriel Metcalf (absent at roll call, arrived during Item 5)  
Bijan Sartipi  
Jane Kim

Absent: Art Lloyd  
Ed Reiskin

3. Communications

None.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Small Business Outreach Update
- Construction Update

Executive Director Ayerdi-Kaplan reported on the closing of Blocks 6/7 for the purchase price of \$30.6 million paid to the TJPA and \$24 million paid to the Successor Agency to construct affordable housing. Regarding TJPA's continued outreach to veterans, she announced that Webcor was hosting a fundraiser, the 2<sup>nd</sup> Annual Veterans Victory Velo Ride, on Saturday, October 12, 2013. She also reported the archaeological investigations have been completed in the footprint of the Transbay Transit Center site. She stated the first ever Small Business outreach event to the Lesbian Gay Bisexual Transgender (LGBT) community was hosted on September 26, 2013 by the TJPA's Small Business Outreach consultant Paul Pendergast and it was well attended by Lieutenant Governor Newsom as well as other officials.

Paul Pendergast, Pendergast Consulting, presented the SBE outreach update.

Steve Rule, Turner Construction, presented the Construction Update.

#### 6. Public Comment

Roland Lebrun suggested cancelling security costs and inviting the Department of Homeland Security to do their own assessment so that if they have money maybe they can provide a grant as they did with BART after an incident occurred. He also provided comments on the Downtown Rail Extension project and expressed his dissatisfaction with Parsons.

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 Minutes of the September 12, 2013 meeting.

Due to Directors Harper and Lee abstaining and the absent Directors, the item was continued to the next meeting.

#### 8. Election of Chair and Vice Chair pursuant to the TJPA Joint Powers Agreement.

Director Metcalf motioned to nominate Director Kim as Chair and Director Harper as Vice Chair of the TJPA. Director Kim seconded the nomination.

No public comment.

On motion to elect Director Kim as Chair and Director Harper as Vice Chair:

AYES – Harper, Lee, Metcalf, and Kim

#### RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

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

## CLOSED SESSION

### 9. Call to Order

Chair Kim called the closed session to order at 10:00 a.m.

### 10. Roll Call

Present: Greg Harper  
Marian Lee  
Gabriel Metcalf  
Bijan Sartipi  
Jane Kim

Absent: Art Lloyd  
Ed Reiskin

11. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8) and CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION (Gov. Code section 54956.9(a) and 54956.9(d)(1))

(11.1) Property: 564 Howard Street (Block 3721, Lot 019)

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

Negotiating parties: TJPA; 564 Howard Street, LLC

Under negotiation: Price and terms of payment for TJPA's acquisition of property interest in 564 Howard Street

Name of case: City and County of San Francisco v. 564 Howard Street, LLC, et al., San Francisco Superior Court Case No. 10-506781

(11.2) Property: 568 Howard Street (Block 3721, Lot 020)

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

Negotiating parties: TJPA; InvesMaster Corporation

Under negotiation: Price and terms of payment for TJPA's acquisition of property interest in 568 Howard Street

Name of case: City and County of San Francisco v. InvesMaster Corporation, et al., San Francisco Superior Court Case No. 10-506782

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

Property: 181 and 183 Fremont Street (Assessor's Block 3719, Lots 010 and 011); 425 Mission Street (Assessor's Block 3720, Lot 010; Block 3721, Lots 006, 045A, 046, 053, and 054; and Block 3719, Lot 003)

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

Negotiating parties: TJPA; 181 Fremont Street LLC

Under negotiation: Price and terms of payment for exchange of certain easement interests in the properties

RESOLUTION 13-029

On motion to approve:

ADOPTED: AYES – Harper, Lee, Metcalf, and Kim

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 10:25 a.m.

13. Announcement of Closed Session.

Deborah Miller, TJPA Counsel, reported in regards to Items 11.1 and 11.2 that there is no action to report and in regards to Item 12 the Board unanimously authorized the Executive Director to execute the Pedestrian Bridge Easement Agreement, confidential Security Agreement, Foundation Agreement, and Right of Entry Agreement with 181 Fremont Street LLC and take any reasonable steps necessary to implement and comply with those agreements.

ADJOURN – Chair Kim adjourned the meeting at 10:30 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](http://www.sfethics.org).

