



**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES**

Thursday, February 13, 2020

1 Dr. Carlton B. Goodlett Place, Room 416  
San Francisco, CA

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

**BOARD OF DIRECTORS**

Jeff Gee, Vice Chair  
Elaine Forbes  
Matt Haney  
Michael Hursh  
Boris Lipkin  
Nadia Sesay  
Jeffrey Tumlin  
Tony Tavares (*ex-officio*)

Executive Director  
Mark Zabaneh

Secretary  
Nila Gonzales

425 Mission Street, Suite 250  
San Francisco, California 94105  
415-597-4620

9:30 – REGULAR MEETING

## ORDER OF BUSINESS

### 1. Call to Order

Secretary Gonzales called the meeting to order at 9:35 a.m.

### 2. Roll Call

Secretary Gonzales announced that Vice Chair Gee was absent due to a scheduling conflict and Director Chang was sitting in as Director Haney's alternate. She also acknowledged and welcomed the two new members, Director Forbes representing the San Francisco Mayor's Office and Director Tumlin representing the San Francisco Municipal Transportation Agency (SFMTA).

Present: Tilly Chang  
Elaine Forbes  
Michael Hursh  
Boris Lipkin  
Nadia Sesay  
Jeffrey Tumlin

Absent: Jeff Gee  
Matt Haney  
Tony Tavares

### 3. Communications

None.

### 4. Board of Director's New and Old Business

Director Lipkin reported that the California High Speed Rail Authority (CHSRA) released the Draft 2020 Business Plan which highlights progress made on the program and provides updates on cost estimates, funding, ridership, and other program delivery aspects of the project. He explained that the February 12, 2020 release is the management recommendation and is available on the CHSRA website for a 60-day public comment period. Additionally, there will be public hearings with the CHSRA Board of Directors in anticipation of the plan being presented for approval in April 2020 and then submitted to the legislature by May 1, 2020. He reported that the Draft 2020 Business Plan builds on the prior plans and continues to advance towards getting electrified High-Speed Rail in California, maintains commitments to book end projects in Northern and Southern California, and getting the rest of the system shovel ready. Moreover, it highlights the 350-mile plan for High-Speed Rail being built in California in the next year or so.

### 5. Executive Director's Report

Executive Director Zabaneh welcomed the two new board members and stated that he looks forward to working with them to ensure that the TJPA continues to meet the needs of the diverse

communities of the Bay Area and transit riders, as well as moving the Downtown Rail Extension/Phase 2 forward. Regarding operations, he reported that TJPA staff continues to work with transit operators and new retailers to identify and resolve issues. Further, the communication channels established between security, operations, transit operators and retailers are working well. Executive Director Zabaneh was pleased to report that Philz plans to open both of its locations in March as they are in the final stages of tenant improvements and preparing for operations. Additionally, once both Philz locations open, it is expected to add more vibrancy and retail options at the transit center; therefore, with Fitness SF open and thriving, and Verizon Wireless opening later this spring, the transit center will have 45 percent of its retail space open for business.

Executive Director Zabaneh provided an update on the federal complaint that mentioned TJPA's retail leasing program. He reiterated that there was no allegation of wrongdoing by any other member of the TJPA Board or its staff, and it was unfortunate that the agency was mentioned. He expressed confidence in the rigorous process in place to lease retail space at the transit center, including detailed and public reporting, and welcomed independent reviews of the program. He further reported that the City Controller has informed him that the TJPA will be included in the citywide review which he welcomed and stated the agency would fully participate and cooperate.

Executive Director Zabaneh announced that Sidonie Sansom, TJPA Chief Security Officer, would retire in March. He expressed his gratitude for her contributions and congratulated her on her retirement. He also announced that he was pleased that Deputy Chief Security Officer, Rodney Harris, has agreed to take on the role of Chief Security Officer for a seamless transition.

Finally, Executive Director Zabaneh reported that a window at the Millennium Tower fell and impacted the park, streets and sidewalks around the transit center. As a precaution, the TJPA temporarily closed the park, and SFMTA and Golden Gate Transit buses were rerouted to the surrounding streets around the temporary terminal for the afternoon. Throughout the incident, the TJPA was in close contact with city officials and reopened the bus plaza after the streets reopened. Additionally, the TJPA reopened the park after a thorough cleanup was undertaken. Executive Director Zabaneh acknowledged that incidents like this help improve the transit center's overall security protocols, as the TJPA serves the transit center, transit riders, visitors and the general public.

## 6. 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 EXECUTIVE DIRECTOR OR THE CHAIR.**

## REGULAR CALENDAR

7. Selection of a Director to preside over this meeting in the absence of a Chair or the Vice Chair.

Director Lipkin nominated Director Hursh to preside over the meeting. Director Chang seconded the motion.

No public comment.

On motion to approve:

ADOPTED: AYES – Chang, Forbes, Hursh, Lipkin, and Sesay, and Tumlin

## RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

Public Comment on items scheduled for discussion in Closed Session:

Jim Patrick, Patrick and Company, stated that the TJPA spent millions on buttresses to secure the transit center and he felt the TJPA did a good job securing the transit center and Millennium Tower. He found it objectionable that the meeting was being held in Closed Session and urged the Board not to settle.

## CLOSED SESSION

8. Call to Order

Director Hursh called the Closed Session to order at 9:45 a.m.

9. Roll Call

Present: Tilly Chang  
Elaine Forbes  
Michael Hursh  
Boris Lipkin  
Nadia Sesay  
Jeffrey Tumlin

Absent: Jeff Gee  
Matt Haney  
Tony Tavares

10. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)

Name of case: Lehman, et al. v. Transbay Joint Powers Authority, et al., San Francisco County Superior Court, Case No. CGC-16-553758

and

Name of case: Buttery, et al. v. Jeffries, et al., San Francisco County Superior Court, Case No. CGC-17-556292

and

Name of case: Chang, et al. v. Mission Street Development LLC, et al., San Francisco County Superior Court, Case No. CGC-17-556617

and

Name of case: Millennium Tower Association v. Mission Street Development LLC, et al., San Francisco County Superior Court, Case No. CGC-17-557830

and

Name of case: Montana, et al. v. Mission Street Development, LLC, et al., San Francisco County Superior Court, Case No. CGC-17-558649

and

Name of case: Ying, et al. v. Transbay Joint Powers Authority, et al., San Francisco County Superior Court, Case No. CGC-17-559210

and

Name of case: Maui Peaks Corp. v. Mission Street Development LLC, et al., San Francisco County Superior Court, Case No. CGC-17-560322

and

Name of case: Turgeon, et al. v. Transbay Joint Powers Authority, et al., San Francisco County Superior Court, Case No. CGC-18-564417

and

Name of case: Shadduck, et al. v. Snyder, et al., San Francisco County Superior Court, Case No. CGC-17-562423

#### 11. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)

Name of case: Howard Historic Properties, LLC, et al. v. Transbay Joint Powers Authority, et al. San Francisco County Superior Court, Case No. CGC-19-576934

#### 12. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (1 potential case)

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 11:25 a.m.

13. Announcement of Closed Session.

Secretary Gonzales announced that there was nothing to report.

ADJOURN – Director Hursh adjourned the meeting at 11:27 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.

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).