



TRANSBAY JOINT POWERS AUTHORITY BOARD OF DIRECTORS

MINUTES

Thursday, September 13, 2012
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

201 Mission St. #2100
San Francisco, California 94105
415-597-4620
415-597-4615 fax

9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

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

2. Roll Call

Secretary Gonzales announced that Directors Metcalf and Sartipi would not be present due to scheduling conflicts.

Present: Art Lloyd
Ed Reiskin
Elsa Ortiz
Jane Kim

Absent: Gabriel Metcalf
Bijan Sartipi

3. Communications

None.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Quarterly Financial Reports
- Quarterly Project Labor Agreement Report
- Construction Update

Executive Director Ayerdi-Kaplan announced the discovery of a woolly mammoth tooth that was found by a construction worker on the Transbay Transit Center construction site on September 10, 2012. She reported that the project has worked with archaeologists for many years to identify artifacts and report on the history of the area while building for the future. She also commented on the well received Transbay Archaeology Exhibit that displays items of people living in the Transbay area at the turn of the last century. She introduced Jim Allen, Paleontologist, to report on the details of the woolly mammoth tooth and the significance of its find.

Jim Allen, Paleontologist, reported that the woolly mammoth tooth was discovered during excavation at the Transbay Transit Center construction site about one-hundred-ten feet below the surface. He stated it was preserved extremely well by burial, which means it is not replaced by minerals. He described and pointed out in the pictures of the tooth the areas used as a grinding

surface to grind leaves for consumption. He expressed the significance of the find in terms of biological purposes, evolutionary purposes and for kids and science altogether. He believes the tooth is from a mastodon, a Mammoth Columbi, and estimates it to be about 11,000 years old. It is the first find of its kind in the heart of downtown San Francisco although there have been a few mammoth localities within a two to three mile radius. He stated that study of the tooth could provide information regarding the ice age and global warming throughout the past six-hundred million years. The data could also provide a potential hypothesis of when the next earthquake will be. He reported that there is a high probability of finding more remains of the woolly mammoth but the depth of the find was too dangerous to send any crews down to investigate so the best thing to do is continue construction work and allow the construction workers to do the thorough job of monitoring with a keen eye and calling in the archaeologists and paleontologists when there is something out of the ordinary.

Sara Gigliotti, TJPA Chief Financial Officer, presented the Quarterly Financial Reports.

Bob Beck, TJPA Senior Program Manager, presented the PLA report. Manny Flores of Carpenters Local 22 reported on their specific efforts with reaching and recruiting women into the trade by connecting with the Women's Resource Center and he confirmed that two women are currently enrolled in the pre-apprenticeship program.

Steve Rule, Turner Construction, presented the Construction 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.

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 June 14, 2012 meeting.

(7.2) Authorizing the Executive Director to execute amendments to extend Agreements for State Advocacy Services with Mercury LLC and Townsend Public Affairs for one year each and additional compensation of \$102,000 each, with options remaining to extend each agreement for an additional three years.

RESOLUTION 12-023

On motion to approve the Consent Calendar:

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

REGULAR CALENDAR

8. Authorizing the Executive Director to execute Professional Services Agreements for Legal Services with a bench of law firms, consisting of Shute, Mihaly & Weinberger; Seyfarth Shaw; Renne Sloan Holtzman Sakai; and Nixon Peabody, to provide services in their respective practice areas on an as-needed basis for five year terms as long as the total compensation under all bench agreements does not exceed \$8,000,000.

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

No public comment.

RESOLUTION 12-024

On motion to approve:

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

9. Approving the recommended applicant to the Transbay Joint Powers Authority Citizens Advisory Committee.

Bob Beck, TJPA Senior Program Manager, presented the item. Mark Garcia expressed his appreciation to the Board for their consideration of his appointment to the Environmentalist seat. He described his experience and what he hopes to give back to the project.

No public comment.

RESOLUTION 12-025

On motion to approve:

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

10. Approving changes to the Small Business Enterprise (SBE) Program and the Disadvantaged Business Enterprise (DBE) Program, including the Anticipated DBE Participation Level (ADPL) for the remainder of the triennial period of federal fiscal years 2011 through 2013 and authorizing the release of the revised draft ADPL for a 30-day public review/45-day public comment process.

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

Chair Kim suggested staff also advertise in the Sing Tao and World Journal publications.

No public comment.

RESOLUTION 12-026

On motion to approve:

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

11. Approving operating budget amendments for Fiscal Year 2012 in an amount of \$739,134 and Fiscal Year 2013 in an amount of \$800,000 to update the AC Transit Operations Support expenditures and include AC Transit Operating Reserve revenues.

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

No public comment.

RESOLUTION 12-027

On motion to approve:

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

12. Presentation on Oscar Park, a proposed new open space under the Transbay Bus Ramps and Caltrans freeway ramps, by the Successor Agency to the San Francisco Redevelopment Agency.

Mike Grisso, Senior Project Manager of the Successor Agency to the San Francisco Redevelopment Agency, presented the item.

RECESS REGULAR 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

1. Call to Order

Chair Kim called the closed session to order at 11:10 am.

2. Roll Call

Present: Art Lloyd
Ed Reiskin
Elsa Ortiz
Jane Kim

Absent: Gabriel Metcalf
Bijan Sartipi

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

Property: Portion of Parcel T bounded by Fremont, Mission, and First Streets

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

Negotiating parties: TJPA and Hines

Under negotiation: Terms of the Exclusive Negotiating Agreement between the TJPA and Hines

RESOLUTION 12-028

On motion to approve:

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

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 11:20 am.

13. Announcement of Closed Session.

Andrew Schwartz, TJPA Counsel, reported that there was nothing to disclose from Closed Session.

ADJOURN – Chair Kim adjourned the meeting at 11:25 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.