



TRANSBAY JOINT POWERS AUTHORITY
Board of Directors

TRANSBAY JOINT POWERS AUTHORITY BOARD OF DIRECTORS

MINUTES

Thursday, March 14, 2013
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

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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 Director Sartipi would not be present due to a scheduling conflict.

Present: Art Lloyd
Gabriel Metcalf
Ed Reiskin
Elsa Ortiz
Jane Kim

Absent: Bijan Sartipi

3. Communications

Secretary Gonzales announced that the TJPA Board would hold a Special Meeting on Monday, March 25, 2013.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Construction Update

Executive Director Ayerdi-Kaplan dedicated the meeting to Bimla Rhinehart, recently retired Executive Director of the California Transportation Commission, who passed away on March 5, 2013. She expressed her gratitude for Ms. Rhinehart's support of the project over the past fifteen years and extended sincere condolences to her family and friends.

Mike Grisso, Office of Community Investment and Infrastructure previously the Redevelopment Agency, presented an update on Block 9 which is at the corner of Folsom and 1st Streets.

Steve Rule, Turner Construction, presented the Construction Update.

Executive Director Ayerdi-Kaplan also reported that there continues to be a lot of international interest in the project and in February a group of college students from Japan were presented a briefing and tour of the project and in March visitors from the Busan Development Institute in Korea were also briefed on the project.

6. Public Comment

Jim Patrick, Patrick & Company, stated he has requested a copy of the agreement with Hines at past Board meetings and understands from Counsel that it is not able to be disclosed until after escrow closes so he asked for a copy to be provided when the transaction is closed which is scheduled for April 1.

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

REGULAR CALENDAR

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

7. Call to Order

Chair Kim called the closed session to order at 9:55 a.m.

8. Roll Call

Present: Art Lloyd
Gabriel Metcalf
Ed Reiskin
Elsa Ortiz
Jane Kim

Absent: Bijan Sartipi

9. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Gov. Code section 54956.9(a) and 54956.9(d)(1))

Name of case: *DND Construction v. Balfour Beatty Infrastructure, Inc., et al.*, San Francisco County Superior Court case no. CGC-12-525388

10. Pursuant to Government Code Section 54957(b) and Government Code Section 54957.6, the TJPA Board of Directors will meet in closed session to discuss routine evaluation of public employee and negotiation of contract with same:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Executive Director

CONFERENCE WITH LABOR NEGOTIATOR

Agency designated representative: to be determined

Unrepresented employee: Executive Director

ADJOURN CLOSED SESSION AND RECONVENE REGULAR MEETING – The Closed Session was adjourned at 10:45 a.m.

11. Announcement of Closed Session.

Deborah Miller, TJPA Counsel, stated that there was no action to report on item 9 and that the Board unanimously designated Chair Kim as the Agency’s representative in regards to item 10.

12. Authorizing the Executive Director to execute a Dispute Resolution Advisor (“DRA”) Agreement with Webcor/Obayashi Joint Venture (the “CM/GC”) in order to implement the DRA procedure referred to in the revised Claim Procedure set forth in the Contract with the CM/GC for all subsequent disputed Claims with the CM/GC and its Trade Subcontractors.

No public comment.

RESOLUTION 13-006

On motion to approve:

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

13. Approving the Minutes of the February 14, 2013 meeting.

No public comment.

On motion to approve:

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

14. Presentation of proposed revision to Phase 1 Baseline Budget for the Transbay Transit Center Program.

Robert Beck, TJPA Senior Program Manager, and Denise Sines, URS Security Matter Expert, presented the item.

Chair Kim advised that due to timing the presentation would have to be continued to the March 25, 2013 Special Board meeting and she requested Board members provide their opinions on what they would like presented at that meeting.

Director Metcalf requested options be presented that the team believes would bring the overall cost down.

Director Reiskin requested a breakdown of the program's change management process. Robert Beck suggested the budget change management procedure would address his request and would send it to him. Director Reiskin also suggested staff present on how potential escalation is being addressed on the other big packages that are upcoming.

Chair Kim stated she wants the overall \$164 million number to come down.

No public comment.

ADJOURN – Chair Kim adjourned the meeting at 12:00 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.



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.