



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, November 9, 2023

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

REGULAR MEETING

9:30 a.m.

BOARD OF DIRECTORS

Jeff Gee, Chair
Rafael Mandelman, Vice Chair
Elaine Forbes
Alicia John-Baptiste
Boris Lipkin
Sarah Syed
Jeffrey Tumlin
Dina El-Tawansy (*ex-officio*)

Executive Director
Adam Van de Water

Secretary
Nila Gonzales

TJPA Office
425 Mission Street, Suite 250
San Francisco, California 94105
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9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chair Gee called the meeting to order at 9:34 a.m.

2. Roll Call

Secretary Gonzales announced that Director Lipkin was absent and noted that alternates for Vice Chair Mandelman and Directors El-Tawansy and Tumlin were sitting in as their alternates.

Present: David Ambuehl
Tilly Chang
Elaine Forbes
Alicia John-Baptiste (*arrived during Item 5*)
Jonathan Rewers
Sarah Syed
Jeff Gee

Absent: Dina El-Tawansy
Boris Lipkin
Rafael Mandelman
Jeffrey Tumlin

3. Communications

Secretary Gonzales provided instructions on the Public Call-in/Comment process. She also noted that due to scheduling constraints, Items 7 and 11 would be taken after item 13.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Project Labor Agreement (PLA) Quarterly Report
- Contract Security Quarterly Report
- Facility Operations Update

Executive Director (ED) Van de Water presented the ED report including the PLA Report and Contract Security Quarterly Report.

R.E. Walsh, TJPA Facility Director, presented the Facility Operations Update.

Public Comment:

Jim Patrick stated he does not support the PLA and suggested it be renegotiated.

6. Citizens Advisory Committee (CAC) Update

Brian Larkin, CAC Chair, presented the update.

No public comment.

As noted earlier under Item 3, Secretary Gonzales stated the Board would advance to Item 8, Consent Calendar, and return to Item 7 after Item 13.

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.

Roland Lebrun suggested the Directors listen to the recording of the California High-Speed Rail Authority (CHSRA) Board of Directors Meeting from November 2, 2023 regarding an extra station being considered between Los Angeles and Anaheim because he believes Director Chang raised the same objections to the 4th and King Station.

THE FOLLOWING MATTERS BEFORE THE TRANSBAY JOINT POWERS AUTHORITY ARE RECOMMENDED FOR ACTION AS STATED BY THE 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 12, 2023 meeting.

(8.2) Authorizing the Executive Director to execute an amendment to the agreement for Fire Life Safety Sprinkler Testing Maintenance Service with Sciens Building Solutions to extend the agreement for one year for additional compensation of up to \$163,084.

RESOLUTION 23-052

(8.3) Approving updated versions of the following financial policies: Board Policy No. 017, Debt Management Policy, and Board Policy No. 009, Investment Policy.

RESOLUTION 23-053

(8.4) Approving Board Policy No. 023: Civil Rights Policy.

RESOLUTION 23-054

Public Comment:

Roland Lebrun referenced the redlines on Item 8.3.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Chang, Forbes, John-Baptiste, Rewers, Syed and Gee
ABSENT – Lipkin, Mandelman and Tumlin

REGULAR CALENDAR

9. San Francisco Peninsula Rail Program Executive Steering Committee (ESC) Update and status of the Downtown Rail Extension/The Portal Workplan schedule and funding update.

Michelle Bouchard, ESC Chair, provided the ESC update; Alfonso Rodriguez, TJPA Project Director for The Portal, provided the status of the schedule; and, ED Van de Water provided the funding update.

Director Chang suggested the funding slide include a budget and schedule confirming what planned work is tied to which funding.

Public Comment:

Roland Lebrun complimented the ESC on their leadership and common-sense approach. He noted two red flags on the funding slide regarding Federal funding.

Herschell Larrick identified himself as the Office Administrator at TJPA and said he was calling to test the quality of the public comment call in line.

10. Approving the Regional Measure 3 (RM-3) Resolution of Project Compliance for the allocation of RM-3 bridge toll funds in the amount of \$100,700,000 for right-of-way professional services, acquisition, and relocation, including approving the Resolution's attached Allocation Request and updated Initial Project Report, and authorizing the Executive Director to take such additional actions and enter such additional agreements with the Metropolitan Transportation Commission as necessary and appropriate to implement the purposes of the Resolution and receipt of RM-3 funds.

Mary Pryor of NWC Partners, TJPA Financial Consultant, presented the item.

No public comment.

RESOLUTION 23-055

On motion to approve:

ADOPTED: AYES – Chang, Forbes, John-Baptiste, Rewers, Syed and Gee
ABSENT – Lipkin, Mandelman and Tumlin

As noted earlier under Item 3, Item 11 would be heard/called after Item 13.

11. Presentation on the Draft Relocation Plan, released for public comment on November 3, 2023.

John Updike, TJPA Real Estate Manager Consultant, presented the item.

Public Comment:

Roland Lebrun suggested delaying relocation plan until expert tunnel builders have been hired and are in place to direct the work.

12. Approving modifications to the Downtown Rail Extension/The Portal Project Delivery approach for select project elements.

Alfonso Rodriguez, TJPA Project Director for The Portal, presented the item.

Public Comment:

Roland Lebrun mentioned that he was having audio technical difficulties. He also stated that he agrees with splitting the railyard contact into two contracts, but suggested design changes.

RESOLUTION 23-056

On motion to approve:

ADOPTED: AYES – Chang, Forbes, John-Baptiste, Rewers, Syed and Gee
ABSENT – Lipkin, Mandelman and Tumlin

13. Authorizing the Executive Director to execute an amendment to the DTX Rail Program Enabling Works Planning Memorandum of Agreement with the Peninsula Corridor Joint Powers Board (Caltrain), for additional compensation of \$460,000 for a total not to exceed amount of \$1,055,000, and adopting Amendment No. 4 to the FY23-24 Capital Budget for Phase 2 to reallocate \$801,000 to accommodate the contemplated Caltrain services and make other adjustments, but with no change to the total amount of the fiscal year budget or the overall Phase 2 Program Budget.

Anna Harvey, TJPA Deputy Project Director – Engineering for The Portal, presented the item.

No public comment.

RESOLUTION 23-057

On motion to approve:

ADOPTED: AYES – Chang, John-Baptiste, Rewers and Syed
ABSTAIN – Gee
ABSENT – Forbes, Lipkin, Mandelman and Tumlin

ADJOURN – Chair Gee adjourned the meeting at 10:45 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) 252-3112 and web site: www.sfethics.org.