



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, May 9, 2024

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
415-597-4620

9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Chair Gee called the meeting to order at 9:36 a.m.

2. Roll Call

Secretary Gonzales announced that Director Tumlin was absent and Director Ambuehl was sitting in as Director El-Tawansy's alternate.

Present: David Ambuehl
Elaine Forbes
Alicia John-Baptiste
Boris Lipkin
Sarah Syed
Rafael Mandelman
Jeff Gee

Absent: Dina El-Tawansy
Jeffrey Tumlin

3. Communications

Secretary Gonzales provided instructions on the Public Call-in/Comment process.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Security Quarterly Update
- Facility Operations Update

Executive Director Van de Water reported that the Downtown Rail Extension project, also known as The Portal, entered the engineering phase of the Federal Transit Administration Capital Investment Grants New Starts program.

Rodney Harris, Chief Security Officer, presented the Security Quarterly Report.

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

Public Comment:

Roland Lebrun stated the Executive Working Group meeting is not subject to the Brown Act and expressed concern that the public will not be able to comment on items discussed in the meeting.

Bob Feinbaum of Save MUNI suggested that a public celebration for The Portal's funding be held, which would also help reintroduce the project to the public.

6. Citizens Advisory Committee (CAC) Update

Brian Larkin, CAC Chair, presented the update.

Public Comment:

Roland Lebrun suggested moving the CAC meeting a week before the Board Meeting.

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.

Emilio Cruz of EPC Consultants discussed their protest for the recommended award to AECOM for The Portal Program management (PM) Construction Management contract. He explained that his team does not believe AECOM can serve as the PM for both California High Speed Rail Authority and TJPA without a conflict of interest. He also reported that AECOM held a private event and invited TJPA to attend but no other public agencies, using it as a solicitation promoting AECOM.

Paul Pendergast of Pendergast Consulting invited the TJPA Directors to Build Out California's Founders Day event on May 30, 2024 and noted that, in 2014, TJPA was the first agency to host a small business outreach event for the LGBTQ+ community.

Tyler Sheldon of AECOM disagreed with Mr. Cruz's comments and looks forward to the protest process.

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 April 11, 2024 meeting.

(8.2) Approving the Minutes of the April 30, 2024 meeting.

(8.3) Authorizing the Executive Director to execute a fourth amendment to the lease agreement with Onsite Dental, LLC for commercial/retail space on the second floor of the transit center (Suites 216, 218, and 220).

RESOLUTION 24-015

No public comment.

On motion to approve the Consent Calendar Items 8.1 and 8.2:

ADOPTED: AYES – Forbes, John-Baptiste, Lipkin, Mandelman and Gee
ABSTAIN – Syed

On motion to approve the Consent Calendar Item 8.3:

ADOPTED: AYES – Forbes, John-Baptiste, Lipkin, Syed, Mandelman and Gee

REGULAR CALENDAR

9. San Francisco Peninsula Rail Program Executive Steering Committee (ESC) Update.

Tilly Chang, ESC Vice Chair, presented the update.

Public Comment:

Bob Feinbaum of Save MUNI suggested continuing with the aggressive schedule and seeking funding from the private sector to fund the project and meet the schedule.

Roland Lebrun protested the ending of the ESC meetings which he felt would cause a lack of transparency.

10. Update on The Portal funding plan and schedule.

Alfonso Rodriguez, Project Director for The Portal, and Shima Mirzaei, Chief Financial Officer, presented the update.

Vice Chair Mandelman congratulated the team but expressed concern regarding the near \$3 billion funding gap.

Director John-Baptiste advised that expenditures need to be carefully planned considering the funding gap to ensure work that advances does not go stale while the project awaits full funding.

Chair Gee stated that it is fair to have anxiety about the funding gap, but it is important to continue advancing the project as it has a good shelf life. He requested regular updates at the Board so they may advise on whether to slow down or speed up the project.

Public Comment:

Bob Feinbaum of Save MUNI supported the MEGA application to the Department of Transportation, suggested getting support from the private sector and urged the Board to act.

Roland Lebrun commended Vice Chair Mandelman for raising concerns about the funding gap. He noted that the Brightline project is privately funded and recommended that approach be studied.

11. Presentation of and Public Hearing for draft budgets for Fiscal Year (FY) 2024-25 Operating Budget in the amount of \$27,616,660 and FY 2024-25 Capital Budget for The Portal, Tenant Improvements, and Capital Maintenance, Repair and Replacement in an amount of \$99,006,700 and FY 2024-25 Debt Service Budget in the amount of \$15,702,535.

Shima Mirzaei, Chief Financial Officer, presented the item.

No public comment.

ADJOURN – Chair Gee adjourned the meeting at 11:20 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.