



**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, June 13, 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 9:33 a.m.

2. Roll Call

Secretary Gonzales announced that Vice Chair Mandelman and Directors El-Tawansy and Tumlin were absent.

Present: Elaine Forbes
Alicia John-Baptiste
Boris Lipkin
Sarah Syed
Jeff Gee

Absent: Dina El-Tawansy
Rafael Mandelman
Jeffrey Tumlin

3. Communications

Secretary Gonzales provided instructions on the Public Call-in/Comment process. She also announced that due to scheduling constraints, quorum would be lost at 10:15 a.m. and, therefore, next up would be the Consent Calendar followed by the Regular Calendar before returning to take items 4-7.

4. Board of Director's New and Old Business

Secretary Gonzales announced the cancellation of the July 11, 2024 Board meeting and that a Special meeting has been scheduled for July 17, 2024.

5. Executive Director's Report

- The Portal Update
- Quarterly Financial Reports
- Facility Operations Update

Executive Director (ED) Van de Water provided The Portal Update. He also advised that Shima Mirzaei, Chief Financial Officer, was available to answer any questions regarding the Quarterly Financial Reports.

Chair Gee asked ED Van de Water to include a schedule look ahead for The Portal at future meetings.

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

Public Comment:

Roland Lebrun reiterated his position on making the Executive Working Group for The Portal subject to the Brown Act and suggested that the ED report be added to the Board meeting packet, and he recommended privatization to secure the funds for The Portal project.

6. Citizens Advisory Committee (CAC) Update

Brian Larkin, CAC Chair, presented the update.

Public Comment:

Roland Lebrun suggested CAC minutes be added to the Board meeting packet.

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 stated that he could not find the TJPA Board meeting on the cable channels and Secretary Gonzales responded that as previously announced at the start of the Board meeting, the meeting would be live streaming on sfgovtv.org/tjpaLIVE.

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 May 9, 2024 meeting.

(8.2) Approving the Operating Agreement Template forms dated June 13, 2024, Implementing Agency Resolutions of Project Compliance for the allocation of Regional Measure 2 funds in the amount of \$8,711,240 and Regional Measure 3 Funds in the amount of \$3,549,361, and the required Certification of Assurances.

RESOLUTION 24-016A

RESOLUTION 24-016B

(8.3) Authorizing the Executive Director to execute a fourth amendment to the lease agreement with Venga, Inc. (dba Venga Empanadas) for commercial/retail space on the ground floor of the transit center (Suite 123).

RESOLUTION 24-017

(8.4) Authorizing the Executive Director to execute a sixth amendment to the lease agreement with Transbay Fitness, Inc. a California corporation, dba Fitness SF Transbay, for commercial/retail space on the second floor of the transit center (Suites 208 and 212).

RESOLUTION 24-018

(8.5) Authorizing the Executive Director to execute a second amendment to the agreement for Independent Auditing Services with Maze and Associates to extend the agreement for one year with no change in the total authorized contract amount.

RESOLUTION 24-019

(8.6) Authorizing the Executive Director to execute Amendment No. 3 to the agreement for Physical Security Systems and Maintenance with Securadyne Systems Intermediate LLC dba Allied Universal Technology Services to extend the agreement for one year for additional compensation of up to \$384,200.

RESOLUTION 24-020

(8.7) Approving updated versions of Board Policy No. 003, Budget Policy, and Board Policy No. 012, Reserve Policy.

RESOLUTION 24-021

On motion to approve the Consent Calendar:

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

REGULAR CALENDAR

9. Adopting 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 (CFO), presented the item.

No public comment.

RESOLUTION 24-022

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

10. Authorizing the Executive Director to execute Amendment No. 1 to the agreement for Unarmed Contract Security Services with Universal Protection Service, LP, dba Allied Universal Security Services to extend the agreement for one year for additional compensation of up to \$5,295,000.

Rodney Harris, Chief Security Officer, presented the item.

No public comment.

RESOLUTION 24-023

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

11. Authorizing the Executive Director to execute an agreement for data communications products and associated services with Presidio Networked Solutions Group for the Transit Center Network in an amount not to exceed \$947,882.46 and adopting Amendment No. 2 to the FY 2023-24 Capital Maintenance, Repair, and Replacement Budget to reallocate \$948,000 to accommodate the contemplated products and services, with no change to the total amount of the fiscal year budget.

Secretary Gonzales advised that staff was available to answer any questions; the Board confirmed the Staff Report was thoroughly written and moved the item.

No public comment.

RESOLUTION 24-024

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

12. Authorizing the Executive Director to execute a professional services agreement with AECOM Technical Services, Inc. for Program Management and Construction Management services for the Downtown Rail Extension, known as The Portal, for a five-year term in an amount not to exceed \$158,165,635, and with two options to extend for two years each (total of nine years) in an aggregate amount not to exceed \$297,335,420.

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

Director Forbes inquired how TJPA will fulfill its Disadvantage Business Enterprise and Small Business Enterprise policies and Mr. Rodriguez responded that he would regularly report on AECOM's subcontractors who fulfill the policies.

Chair Gee inquired about the durability of work to be done with limited funds and how it would be managed.

Ms. Mirzaei explained that managing contracts is done through Notices to Proceed based on the work schedule and scope of work, which must be durable and within the availability of the funds that will have to be certified by the CFO. Contracts will not be allowed to exceed the specific certified amount and terms in the contract require certification by the CFO.

Public Comment:

Emilio Cruz, EPC Consultants, discussed the violation of the cone of silence. He reported again that AECOM held a private event that included TJPA staff. He stated they believe the panelists were biased for AECOM.

Andrew Lui, AECOM Senior Vice President, thanked TJPA for the opportunity. He informed the Board that AECOM and its subcontractors are made up of diverse backgrounds and are excited to work on the project.

Paul Pendergast disagreed with Mr. Cruz's comment about the event that was held because it was an open event and noted that two EPC employees attended.

Robert Luster stated that his company was the first firm to graduate from the San Francisco Human Rights Commission diversity program and he expressed his appreciation for AECOM's support of local businesses.

Shalonda Baldwin, WSP Northern California Transportation Leader, acknowledged AECOM for investing in equity and diversity.

Roland Lebrun stated that California High Speed Rail Authority has a policy that 30% of all contracts should be allocated to Disadvantaged Business Enterprise and asked if TJPA has a similar policy.

RESOLUTION 24-025

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

ADJOURN – Chair Gee adjourned the meeting at 10:35a.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.