



**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES**

Thursday, January 10, 2019

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

**REGULAR MEETING**

9:30 a.m.

**BOARD OF DIRECTORS**

Mohammed Nuru, Chair

Jeff Gee, Vice Chair

Michael Hursh

Boris Lipkin

Edward Reiskin

Nadia Sesay

Tony Tavares

Executive Director

Mark Zabaneh

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 Nuru called the meeting to order at 9:30 a.m.

### 2. Roll Call

Secretary Gonzales announced that Director Sesay was absent, Vice Chair Gee was in route and Director Chang was attending as the San Francisco Board of Supervisors alternate appointee.

Present: Tilly Chang  
Michael Hursh  
Boris Lipkin  
Ed Reiskin  
Jeff Gee (*arrived during Item 5*)  
Mohammed Nuru

Absent: Nadia Sesay  
Tony Tavares

### 3. Communications

None.

### 4. Board of Director's New and Old Business

None.

### 5. Executive Director's Report

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

Executive Director Zabaneh reported on the progress being made to reopen the Salesforce Transit Center. He stated that the two temporary multilevel shoring systems remain in place at both Fremont and First streets and testing of the samples extracted from the girders at those locations have been completed. He also stated that monitoring continues, and no additional issues have been found. Additionally, he reported that the Metropolitan Transportation Commission (MTC) Peer Review Panel (PRP) approved the repair design for the girders at Fremont Street and the same design will be applied to reinforce the girders at First Street; therefore, staff has directed Webcor/Obayashi Joint Venture to procure the materials for the repair. He further stated that staff has made significant progress, working with the MTC PRP, in determining the cause of the fractures and is eager to complete the final report on the findings. He emphasized that reopening the transit center will involve not only identifying the cause of the

failure and repairing the girders but also working with the MTC PRP to determine if other areas in the transit center need to be addressed. The MTC PRP's independent analysis will help TJPA restore the public's trust and confidence. Executive Director Zabaneh thanked the MTC and their peer review panel, Mayor Breed, and Mayor Schaaf for their continued support of the TJPA's efforts to reopen the transit center as soon as safely possible.

Director Reiskin asked when the MTC PRP would have their recommendation regarding additional inspections. Executive Director Zabaneh responded that the panel has hired a consultant to assist with reviewing the drawings and that he expects a recommendation from them in February.

Regarding Phase 2, Executive Director Zabaneh reported that staff is working with the Federal Transit Administration (FTA) to issue the amended Record of Decision (ROD) for the Final Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) for the Transbay Program. Updates from FTA staff, however, were not yet available due to the partial shutdown of the federal government. The Final SEIS/EIR was posted to the Federal Register on December 7, 2018, and the 30-day minimum posting period ended on January 7, 2019. He reiterated that approval of the supplemental environmental document along with resumption of the 30% design effort are major milestones in advancing delivery of Phase 2/Downtown Rail Extension (DTX) and reaching those milestones will not only allow the TJPA to request entry into the federal New Starts program, which would allow the Program to capture \$1 billion in federal funding that is included in Plan Bay Area for Phase 2/DTX, but also position the TJPA to compete for state and federal infrastructure funding for Phase 2/DTX.

Executive Director Zabaneh also provided an update on the San Francisco County Transportation Authority's (SFCTA) suspension of Proposition K funding for Phase 2/DTX until an evaluation of the management and delivery of Phase 1 by the San Francisco Controller's office and a review of alternative oversight and governance models for the management and delivery of Phase 2 by SFCTA are completed. He stated that SFCTA released a Request for Proposals for the evaluation in December 2018 and expects to award a contract shortly. SFCTA's review will involve one or more peer review panels and is anticipated to be complete by May 2019. The Controller's review is also anticipated to be complete within the same time frame. Staff will continue to support SFCTA and the Controller's Office, as appropriate, so that funding can be reinstated and work on Phase 2/DTX can resume. Executive Director Zabaneh also stated that, per the TJPA Board's concurrence, staff has contacted the American Public Transportation Association's (APTA) Technical Services and Innovation Department on forming a peer review panel to evaluate the processes and procedures implemented in Phase 1 and to recommend improvements for Phase 2. He highlighted that the APTA peer review is intended to complement SFCTA's review with expert analysis from public sector leaders who have extensive experience in delivering complex public infrastructure projects.

Regarding the Pennsylvania Avenue Extension (PAX), Executive Director Zabaneh reiterated that the TJPA received a letter of support for the project from Mayor Breed and stated that he plans to present the PAX to the TJPA Board to consider adopting the PAX into the Transbay Program.

Martha Velez, TJPA Facility Manager, with assistance from Sidonie Sansom, TJPA Chief Security Officer, presented the Facility Operations Update.

Director Reiskin appreciated the Facility Operations Update and staff's efforts to reduce costs but emphasized the importance of continuing to track all costs and lost revenue due to the temporary closure. He also suggested that should the Board adopt the PAX as Phase 3 of the Program, the scope of work for APTA could be expanded to focus on both Phases 2 and 3.

Dennis Turchon, TJPA Senior Construction Manager, presented the PLA Report.

#### 6. Update on Construction and Temporary Closure of the Salesforce Transit Center

Dennis Turchon, TJPA Senior Construction Manager, and Ron Alameida, San Francisco Public Works Director of Design & Construction for the Transit Center, presented the update.

Director Reiskin appreciated that the MTC PRP has approved the fix for the girders and their comprehensive approach to review the building and restore public confidence. He inquired about the quality assurance/quality control (QA/QC) process in regard to the weld access holes and Mr. Alameida confirmed that the QA/QC verification process was done and showed that the work met the criteria of the code. Director Reiskin suggested testing samples after the repairs are complete, as the repairs will involve bolting steel plates to the existing flange which could compromise the integrity of the steel. Mr. Turchon responded that the design has accounted for the drilling of the steel and Mr. Alameida stated he would bring Director Reiskin's suggestion back to the MTC PRP.

Director Hursh echoed Director Reiskin's comments and appreciated the assurance of the QA/QC previously done but he expressed concerns about the root cause of the fractures. He would like a definitive answer as to what caused the failure of the steel girders and expects an answer in the final report. He also stated that if the failure was due to the drilling of the access holes, then additional measures should be taken to inspect other parts of the transit center with similar access holes. Mr. Alameida confirmed that a definitive statement on the root cause of the failure is expected in the final report.

Director Chang asked whether the Structural and Seismic Review Committee (SSRC) peer review ever concluded and Mr. Alameida responded that the SSRC peer review was engaged in conjunction with San Francisco Department of Building Inspection's (DBI) plan review process prior to permitting to assure DBI that the design met code.

Vice Chair Gee emphasized that there are three main components to resolving the issue, which are reassuring the public that the building and transit operations are safe, establishing the cause of the issue, and establishing who is at fault.

Director Lipkin asked if there would be a final report from the MTC PRP that would explain the issue to the public in a way that assures them that the building is safe, and Mr. Alameida responded affirmatively.

## 7. Citizens Advisory Committee (CAC) Update

Bruce Agid, CAC Chair, reported that the CAC is looking forward to the ROD for the Final SEIS/EIR for the Transbay Program Phase 2/DTX. He said the CAC was pleased that the contract had been issued by the SFCTA for the review of Phase 1 and Phase 2/DTX and hopes that the work moves expeditiously for completion by May 2019. He suggested SFCTA's efforts be regularly presented to the SFCTA Commission, TJPA Board, and associated citizens advisory committees. The CAC was glad that APTA had been contacted to initiate a best practices and lessons-learned review for Phase 2 as well as Phase 3, as appropriate. The CAC supports the TJPA Board's adoption of the PAX into the Transbay Program once it is brought for consideration and encourages that scoping and environmental work move forward expeditiously, as many of the stakeholder groups would like to see those two phases integrated. The CAC is also looking forward to an update on newly signed leases in the coming months, as lease revenue is important in meeting the goals of the transit center's revenue model to cover operation and maintenance costs for the transit center. Chair Agid expressed the CAC's gratitude to the project team for their level of detail and transparency in reporting on the cause of the fractured girders and the temporary closure of the transit center. He also expressed appreciation for the exhaustive review and analysis by the team of experts assembled to review the issue.

## 8. 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.

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

9. 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.

*Director Lipkin requested to abstain from item 9.2, therefore, that item was called separately.*

(9.1) Approving the Minutes of the December 13, 2018 meeting.

(9.3) Authorizing the Executive Director to execute an amendment to extend the Agreement for a Web-Based Labor Compliance System with Elation Systems, Inc. through December 31, 2021 for additional compensation of \$32,000 from \$102,500 to a maximum amount of \$134,500.

RESOLUTION 19-001

No public comment.

On motion to approve the Consent Calendar Items 9.1 and 9.3:

ADOPTED: AYES – Chang, Hursh, Lipkin, Reiskin, Gee and Nuru

(9.2) Approving the Minutes of the December 19, 2018 Special meeting.

No public comment.

On motion to approve the Consent Calendar Item 9.2:

ADOPTED: AYES – Chang, Hursh, Reiskin, Gee and Nuru  
ABSTAIN – Lipkin

## REGULAR CALENDAR

10. Presentation by the Structural & Seismic Peer Review Panel for the transit center.

Loring Wyllie of Degenkolb Engineers and Mason Walters of Forell/Elsesser Structural Engineers presented the item.

Vice Chair Gee asked Mr. Wyllie to elaborate on the various design standards for seismic events referred to in the presentation. Mr. Wyllie described different types of seismic events and provided comparisons.

Director Chang inquired about the design meeting code and suggested the MTC PRP consider using different language which would clearly state that “it meets or exceeds design goals” and not that it meets “code”. Mr. Wyllie stated that the language used in his review states that it met the design criteria and code compliance as well as met the performance goals of TJPA.

11. Presentation of the audited Financial Report for the fiscal year ended June 30, 2018, and the Report to the Board of Directors.

Executive Director Zabaneh introduced Nathan Edelman of Vavrinek, Trine, Day & Company who presented the item and reported that a clean opinion was issued and there are no exceptions and no weaknesses.

12. Approving the Fiscal Year 2019-20 Preliminary Operating Projection in the amount of \$29,832,213.

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

Director Hursh thanked Ms. Pryor for acknowledging that further discussion between TJPA staff and AC Transit needs to occur to refine the budget and stated he would vote no on the item because the costs stated in the report seemed more significant than what was initially discussed with AC Transit.

Director Reiskin stated he felt there was no need to vote on the item at the present time since the budget needed refinement and he recommended that the item be continued.

Chair Nuru suggested that the item be continued to the February 2019 Board meeting.

After further discussion amongst the Board, it was decided to continue the item.

Public Comment:

Jim Patrick, Patrick & Company, commented on the high security and Operations & Maintenance costs and said that the TJPA should continue to look for ways to keep costs down.

13. Appointing Erin Roseman to the position of Chief Financial Officer for the TJPA.

Executive Director Zabaneh presented the item and introduced Erin Roseman.

No public comment.

RESOLUTION 19-002

On motion to approve:

ADOPTED: AYES – Chang, Hursh, Lipkin, Reiskin, Gee and Nuru

*At the conclusion of the agenda, the Chair allowed a member of the public to speak.*

Public Comment:

Tony Taddeo, Senior Vice President with Skanska, requested to present information by a team of experts at the Board's next meeting, as he felt the information provided by the MTC PRP lacked pertinent information. Chair Nuru suggested that Mr. Taddeo send his information to Executive Director Zabaneh.

ADJOURN – Chair Nuru adjourned the meeting at 11:25 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) 252-3124 and web site: [www.sfethics.org](http://www.sfethics.org).