

CALENDAR ITEM NO.: 9
FOR THE MEETING OF: August 31, 2006

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Resolve that the Transbay Joint Powers Authority (TJPA) Board of Directors extend an invitation to the State Department of Transportation (Department) to serve as an ex-officio member of the TJPA's Board of Directors.

SUMMARY:

The Department has requested that the TJPA Board of Directors consider including a Departmental representative as an ex-officio member of the TJPA Board. The Department has indicated that it and the TJPA would "both benefit from an even closer working relationship during the implementation phase of the very complex Cooperative Agreement. In addition, this would facilitate the ongoing relationship between the TJPA and the Department resulting from terminal related uses that will continue to occur on active State rights-of-way even after completion of the new terminal."

RECOMENDATION:

Staff recommends that the Board of Directors extend an invitation to the Department to serve as an ex-officio Member of the TJPA's Board of Directors per the attached resolution.

ENCLOSURES:

1. Letter from the State Department of Transportation
2. Resolution

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, The State of California (State), as part of the San Francisco-Oakland Bay Bridge, owns and operates, through the State Department of Transportation (Department) the Transbay Terminal, located at First and Mission Streets in San Francisco; and

WHEREAS, The State, the City & County of San Francisco (City), and the Transbay Joint Powers Authority (TJPA) have approved a Cooperative Agreement which provides for the transfer, subject to conditions, of State property to the City and the TJPA for the express purpose of building a new Transbay Terminal; and

WHEREAS, The Department has requested that it be seated as an ex-officio member of the TJPA Board of Directors; and

WHEREAS, Having the Department as an ex-officio member of the TJPA Board will enhance the parties' coordination of the contemplated land transfers and the construction work of the Bay Bridge retrofit and of the new terminal, as well as provide for consistency in the decision making of the parties as both projects proceed toward completion; and

WHEREAS, Section 17 of the Joint Powers Agreement creating the TJPA, as well as Article V of the TJPA By-Laws provide for other public entities to serve as ex-officio Members of the Board of Directors by adoption of a resolution; now, therefore, be it

RESOLVED, That the TJPA Board of Directors extends an invitation to the Department to appoint an individual of its choosing to serve as an ex-officio Member of the TJPA's Board of Directors commencing with the adoption of this resolution and its acceptance by an authorized member of the Department; and

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon its adoption by a majority of the members of the TJPA's Board of Directors.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of August 31, 2006.

Secretary, Transbay Joint Powers Authority

DEPARTMENT OF TRANSPORTATION**TOLL BRIDGE PROGRAM**

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August 24, 2006

Ms Maria Ayerdi
Executive Director
Transbay Joint Powers Authority
201 Mission Street, Suite 1960
San Francisco CA 94102

Dear Ms Ayerdi:

The California State Department of Transportation (Department) has been following the development of the Transbay Terminal Project with great interest. The Transbay Joint Powers Authority (TJPA) Board's recent decision to phase the Transbay Terminal Project was a critical milestone and it is clear that implementation of the project-related Cooperative Agreement between the Department, the TJPA and the City and County of San Francisco will be occurring in the near future.

In an effort to ensure effective and prompt implementation of the Cooperative Agreement together with a smooth transition of the Transbay Terminal related functions from the Department (as the current owner-operator of the terminal), to the TJPA, (as the new owner-operator), the Department is requesting that the TJPA give consideration to including a Departmental representative as an ex-officio member of the TJPA Board. The Department and TJPA would both benefit from an even closer working relationship during the implementation phase of the very complex Cooperative Agreement. In addition, this would facilitate the ongoing relationship between the TJPA and the Department resulting from terminal related uses that will continue to occur on active State rights-of-way even after the completion of the new terminal.

The Department has been working to develop better and stronger ties with our regional transportation partners. The Department, through membership on the TJPA Board, can be a more effective partner to move this significant transportation project to a successful conclusion. The Department hereby requests that the TJPA Board, in accordance with Section 17 of the TJPA Joint Powers Agreement and Article V of the TJPA Bylaws invite the Department to serve as an ex-officio member on the Board of the TJPA.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tony Anziano".

Tony Anziano
Toll Bridge Program Manager