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*Vice Chair,  
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STEVE HEMINGER  
*Executive Director*

ANN FLEMER  
*Deputy Executive Director, Policy*

ANDREW B. FREMIER  
*Deputy Executive Director, Operations*

BAY AREA HEADQUARTERS AUTHORITY (BAHA)

February 22, 2012

MINUTES

Attendance

Vice Chair Amy Rein Worth convened the meeting at 11:52 a.m. In addition to Vice Chair Rein Worth, the following Authority members were in attendance: Tom Bates, Dave Cortese, Bill Dodd, and Scott Wiener.

Additional MTC Commissioners in attendance: Dorene Giacomini, Anne Halsted, Steve Kinsey, and Jake Mackenzie.

Quorum was confirmed

Minutes

Upon the motion of Commissioner Dodd and the second from Commissioner Bates, the Authority unanimously approved the resubmitted Minutes of the December 21, 2012 meeting and the Minutes of the January 25, 2012 meeting.

390 Main Status Report February 2012

Mr. Steve Heminger directed the Authority to the report in their packets. Commissioner Cortese mentioned that he would like to see an updated state of the art web/audio-sound system at the new building.

Agreement – Project Stabilization Agreement for the Bay Area Headquarters Project

Mr. Heminger, BAHA Executive Director presented a substantially completed draft version of the Project Stabilization Agreement PSA that included key points approved by the Authority in their January 2012 meeting. The agreement had been reviewed by the San Francisco Building Trades Council and was presented for BAHA’s approval.

Teri Green introduced Mr. Mike Vlaming with Vlaming and Associates, who assisted BAHA with the negotiation of the PSA and Mike Theriault with the San Francisco Building Trades Union. Vice Chair Rein Worth mentioned that the PSA refers to specific individuals who are on call in case there is the need for arbitration and wanted the background on the individuals and how they were obtained. Mr. Vlaming responded there are two dispute resolution procedures in this PSA. The first are the “No Strike, No Lockout” procedures and Mr. John Kagel and Mr. Robert Hirsch are assigned to this portion of the arbitration which are expedited procedures. Both Mr. Kagel and Mr. Hirsch are local and very knowledgeable with “No Strike-No Lockout” arbitrations. The second is the “Grievance” Procedure under which two individuals are appointed by Management, two others are appointed by Labor and the fifth is a mutually agreed upon individual.

Michael Theriault with the San Francisco Building Trades, spoke in support of the PSA and stated that the PSA would not exclude non-union contractors. The double payment issue would not likely occur based on his past experiences in San Francisco.

Commissioner Dodd expressed concern with the provision that mandates the contractors to pay into the labor unions' health/retirement benefits.

Commissioner Bates moved for approval of authorizing the Executive Director or his designee, to complete the negotiations and execute the PSA substantially as set forth in the attachment to the staff memo and to make modifications without further review by BAHA, as long as such changes do not materially amend the terms of the PSA. Commissioner Wiener seconded the motion. Motion passed unanimously.

After the motion passed Commissioner Wiener commented that although the building job is in San Francisco this is a regional project and there will be work opportunities for workers from around the Bay Area. Vice Chair Rein Worth expressed appreciation to the San Francisco, Alameda, Contra Costa, and Santa Clara County labor groups and Building Trades Council for their cooperative discussion.

Agreement – Authority to Negotiate with California Department of General Services for Lease at 390 Main Street, San Francisco

Mr. Heminger, BAHA Executive Director presented this item which authorizes the Executive Director or his designee to commence discussions and negotiations with the California Department of General Services (DGS) on a potential lease of 17,115 square feet of space at 390 Main Street, San Francisco on behalf of the San Francisco Bay Conservation and Development Commission (BCDC). Mr. Heminger mentioned that the DGS is concerned with the ability to complete the required tenant improvements necessary to facilitate BCDC's relocation from their current facility to the new location by February 28, 2013 which is when BCDC's current lease extension expires. There is the possibility that BCDC can buy additional months on their current lease and this extra time will be useful to BAHA as this will allow for the 390 Main Street, San Francisco building to be ready for BCDC to move in. Mr. Heminger went on to state that BCDC would prefer to not move out of their building twice, once to a temporary location then into a permanent facility at 390 Main, San Francisco. A certain extension date will have to be negotiated and agreed to.

Commissioner Bates moved to approve authorizing the Executive Director or his designee, to commence discussions and negotiations with California Department of General Services for the BCDC Lease at 390 Main Street, San Francisco. Commissioner Dodd seconded the motion. Motion passed unanimously.

Public Comment/Other Business/Next Meeting/Adjournment

There being no further public comment or business, Vice Chair Rein Worth adjourned the meeting at 12:04 p.m. The next BAHA meeting is scheduled for March 28, 2012 in Oakland, California.