



SFMTA
Municipal
Transportation
Agency

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS
AND PARKING AUTHORITY COMMISSION**

MINUTES

Tuesday, November 5, 2013
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

**REGULAR MEETING AND CLOSED SESSION
1 P.M.**

BOARD OF DIRECTORS

Tom Nolan, Chairman
Cheryl Brinkman, Vice Chairman
Malcolm Heinicke
Jerry Lee
Joél Ramos
Cristina Rubke

Edward Reiskin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
BOARD SECRETARY

ORDER OF BUSINESS

1. Call to Order

Chairman Nolan called the meeting to order at 1:02 p.m.

2. Roll Call

Present: Cheryl Brinkman
Malcolm Heinicke - absent at Roll Call
Jerry Lee
Tom Nolan
Joél Ramos - absent at Roll Call
Cristina Rubke

3. Announcement of prohibition of sound producing devices during the meeting.

Chairman Nolan announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. He advised that any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices might be removed from the meeting. He also advised that cell phones that are set on “vibrate” cause microphone interference and requested that they be placed in the “off” position.

4. Approval of Minutes

On motion to approve the minutes of the October 15, 2013 Regular Meeting: unanimously approved (Heinicke, Ramos-absent).

5. Communications

Chairman Nolan requested that the Board adjourn in memory of Bill Shoemaker, former member of the Board of Directors of SamTrans.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director’s Report (For discussion only)

- Special Recognition Award
- BART Strike
- 5L Pilot Project
- Ongoing Activities

Directors Heinicke and Ramos arrived.

Special Recognition awards were presented to Linda Chen, San Francisco Police Department; Gloria Johnson, Senior Citation and Parking Permit Clerk, Citations & Permits Unit, Finance and Information Technology; Larry Chau and Hong Luu Electronic Maintenance Technicians, Transit Services.

Director Reiskin discussed the implementation of the 5L Fulton Line; Fell-Oak Bike Lanes; the BART Strike; Medallion Issuance; Folsom St. Pilot Community meeting; 6th St. Pedestrian Safety project; Safe Driver Awards Event; E-Mail and Text Alerts Launch and the approval of the New Flier contract by the Board of Supervisors.

PUBLIC COMMENT:

Herbert Weiner questioned the priority being given to public transit. With a growing population, buses are needed and must be part of the budget. The central focus of the Board is public transit and it should be given more priority over other projects.

Madeleine Savit expressed appreciation for the Folsom Street pilot project and expressed hope that it can be expanded to include Howard St.

Peter Witt discussed signal timing of Oak Street. Some real time data would be helpful as far as the taxi market goes. This will allow the SFMTA to know if the market is flooded. The lack of drivers is an absorption problem. There is always somebody who wants to take the job. The SFMTA can flood the market and dilute the income of a taxi driver. Drivers can't afford to drive a taxi and so they have gone to Uber, Lyft, etc. There is a peak time problem without a peak time solution. The SFMTA doesn't care about customer service.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Howard Strassner discussed a combined Uber-Google car that will eliminate parking. A driverless car or taxi would be better than carshare because there won't be a need to park. In the future, no one will need a car because they will use a taxi or Muni.

Herbert Weiner discussed a memo he sent about problems with Muni to which he has not received a response. If the SFMTA doesn't have the decency to answer concerns then how can you run public transportation.

Dennis Hyde expressed concern about the SFMTA's approach to a variety of issues such as the Dewey Blvd. traffic calming project. The SFMTA wants to put two speed humps in front of his house as a first step to a plan that hasn't been fully conceptualized. Everyone says the real problem is the diversion of traffic from arterials but changing the arterials is excluded from the discussion. Staff said city won't consider improving the flow of arterials.

Mike Daly discussed the new facility at Cesar Chavez and Indiana. It's an unqualified success. Employees are being forced to work beyond their job description. He urged the SFMTA to request other agencies to protect our facilities. He expressed appreciation for Muni services during the BART strike.

Mary McGuire stated that a Google taxi wouldn't work. It has been 60 days since the CPUC decision. Illegal cabs are still operating without insurance. She wondered who would be responsible if one of them hits a pedestrian. They aren't required to register with DMV as a livery vehicle so they can't purchase commercial insurance. Workers compensation is well enforced by the SFMTA.

Joan Wood discussed the ad regarding the sale of revenue bonds that will finance improvements to transit and infrastructure. She expressed hope that part of those funds will go to bus maintenance. If the bus had a people catcher, that cyclist wouldn't have died. The problem with revenue bonds is that there's no guaranteed source to pay them back. The weekly construction report of Oct. 25 stated that the Bank of America parking lot will be dug up. There is no mention of it in the EIR and this is the first that any has heard of it.

Peter Witt discussed his annual taxi survey. He stated that he takes the taxi business seriously and expressed hope that others did as well. The survey got a higher than 95% return rate. The survey is quantitative and he has 16 years of taxi data. This is political and social science. (Mr. Witt provided a written statement that is attached to these minutes.)

THE FOLLOWING MATTERS BEFORE THE SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ARE RECOMMENDED FOR ACTION AS STATED BY THE SFMTA DIRECTOR OF TRANSPORTATION OR CITY ATTORNEY WHERE APPLICABLE. EXPLANATORY DOCUMENTS FOR ALL CALENDAR ITEMS ARE AVAILABLE FOR REVIEW AT 1 SOUTH VAN NESS AVE. 7th FLOOR.

CONSENT CALENDAR

10. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the San Francisco Municipal Transportation Agency Board of Directors and will be acted upon by a single vote. There will be no separate discussion of these items unless a member of the Board of Directors or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(10.1) Requesting the Controller to allot funds and to draw warrants against such funds available or will be available in payment of the following claims against the SFMTA:

- A. Jean Toney vs. CCSF, Superior Ct. #CGC12521842 filed on 6/25/12 for \$1,000
- B. Lan Yuk Hoo vs. CCSF, Superior Ct. #CGC12519625 filed on 3/29/12 for \$6,500
- C. Ismeta Velic vs. CCSF, Superior Ct. #CGC9486202 filed on 3/16/09 for \$6,500
- D. Naida Alifova vs. CCSF, Superior Ct. #CGC12524390 filed on 9/18/12 for \$35,000
- E. Keighla White/Laurel Vickers vs. CCSF, Superior Ct. #CGC12517684 filed on 1/27/12 for \$35,000

F. Jane Ross vs. CCSF, Superior Ct. #CGC13532519 filed on 7/1/13 for \$75,000

RESOLUTION 13-235

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – TOW-AWAY NO PARKING ANYTIME - Stockton Street, east side, from 50 feet to 120 feet south of Jackson Street.
- B. ESTABLISH – PERPENDICULAR PARKING - Noe Street, east side, from 36 feet to 156 feet south of 14th Street.
- C. ESTABLISH – PERPENDICULAR PARKING - Revere Avenue, west side, from Industrial Street to Selby Street.
- D. ESTABLISH – STOP SIGNS - 48th Avenue, at Anza Street.
- E. ESTABLISH – RED ZONE - Mt. Vernon Avenue, north side, from Delano Avenue to 33 feet easterly.
- F. ESTABLISH – NO PARKING ANYTIME - 30th Street, north side, between the east and west crosswalks at Chenery Street; and 30th Street, north side, from Chenery Street to 25 feet easterly.
- G. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA S ELIGIBILITY - 3870 – 24th Street.
- H. RESCIND – TOW-AWAY, NO STOPPING ANYTIME AND ESTABLISH – TOW-AWAY, NO PARKING ANYTIME - Anson Place, both sides, from Powell Street to terminus.
- I. ESTABLISH – TOW-AWAY, NO PARKING ANYTIME - Buena Vista Avenue West, east side, from Frederick Street to 24 feet southerly.
- J. ESTABLISH – TRAFFIC ISLAND - Buena Vista Avenue West, from Frederick Street to 13 feet southerly.
- K. ESTABLISH – NO PARKING ANYTIME - Market Street, east side, from Romain Street to 70-feet northerly.
- L. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME - Francisco Street, both sides, between Lyon Street and Richardson Avenue.
- M. ESTABLISH – TOW-AWAY, NO STOPPING, 7 AM TO 10 AM, MONDAY THROUGH FRIDAY - Sansome Street, east side, from Bush Street to 45 feet northerly.
- N. ESTABLISH – RED ZONE - 24th Street, south side, from Shotwell Street to 24 feet westerly.
- O. ESTABLISH – BUS ZONE - 11th Street, east side, from Mission Street to 91 feet northerly.
- P. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA G, 2-HOUR TIME LIMIT, 8 AM TO 9 PM, DAILY - Post Street, north side, between Gough Street and Laguna Street; Post Street, south side, from Gough Street to 411 feet westerly; and Geary Boulevard, north side, from Gough Street to 411 feet westerly.
- Q. ESTABLISH – YIELD SIGN - Hilitas Street, eastbound, at Diamond Street.
- R. ESTABLISH – STOP SIGN - Ward Street, at Girard Street.
- S. ESTABLISH – STOP SIGN - Austin Street, east bound, at Van Ness Avenue.
- T. ESTABLISH – RED ZONE - 17th St., south side, from 19 feet to 39 feet east of Kansas St.
- U. ESTABLISH – TOW AWAY, NO STOPPING ANY TIME - Stanyan Street, east side, from Fulton Street to 55 feet southerly.
- V. ESTABLISH – RED ZONE - Frederick Street, north side, from 5 feet to 23 feet east of Clayton Street.

- W. ESTABLISH – NO PARKING ANYTIME - Washington Street, north side, from Powell Street to 14 feet easterly.
- X. ESTABLISH – TWO-WAY STREET - Clementina Street, from 2nd Street to 280 feet easterly (at Oscar Alley).
- Y. ESTABLISH – RIGHT TURN ONLY - Clementina Street, westbound, at 2nd Street. (Explanatory documents include a staff report and resolution.)

RESOLUTION 13-236

(10.3) Approving various traffic and parking modifications on Bay Street between Fillmore Street and Laguna Street:

- A. RESCIND – PARALLEL PARKING and ESTABLISH – BACK-IN DIAGONAL 45-DEGREE ANGLED PARKING - Bay Street, south side, from 75 feet east of Fillmore Street to Webster Street; Bay Street, south side, from Webster to Buchanan Streets and Bay Street, south side, from Buchanan Street to 130 feet west of Laguna Street
- B. ESTABLISH – NO PARKING ANYTIME - Bay Street, south side, at Webster Street, between the eastern and western crosswalks and Bay Street, south side, at Buchanan Street, between the eastern and western crosswalks
- C. ESTABLISH – TOW-AWAY NO PARKING ANYTIME - Bay Street, south side, from 75 feet to 175 feet east of Fillmore Street and Bay Street, south side, from Laguna Street feet to 130 feet westerly
- D. ESTABLISH – RIGHT LANE MUST TURN RIGHT - Cervantes Boulevard, eastbound, at Fillmore Street
- E. ESTABLISH – BLUE ZONES - Bay Street, south side, from 29 feet to 54 feet east of Webster Street; Bay Street south side, from Buchanan Street to 20 feet easterly Laguna Street, west side, from 10 feet to 30 feet south of Bay Street
- F. ESTABLISH – CLASS III BIKEWAY - Laguna Street, between Bay and Francisco Streets, both directions. (Explanatory documents include a staff report, resolution, overview and graphic.)

RESOLUTION 13-237

(10.4) Authorizing the Director to execute Contract No. 1276, Market and Haight Streets Transit and Pedestrian Improvement, with A. Ruiz Construction Co., in an amount of \$4,492,627 for a term of 210 calendar days. (Explanatory documents include a staff report, resolution and financial plan.)

RESOLUTION 13-238

(10.5) Authorizing the Director to execute a Settlement Agreement and Release of Claims with Hogan & Vest in an amount not to exceed \$111,240, as total compensation for the value of the loss of goodwill and the non-moveable fixtures and equipment of Hogan & Vest resulting from the condemnation of the Property at 933-949 Stockton Street and rescinding SFMTA Resolution No. 13-188. (Explanatory documents include a staff report, resolution and agreement.)

RESOLUTION 13-239

(10.6) Approving an increase in expenditures of \$550,000 to use the site at 1731-1741 Powell Street to facilitate tunneling for the Central Subway Project, for total expenditures in an amount not to exceed \$9,700,000. (Explanatory documents include a staff report and resolution.)

Item 10.6 was severed at the request of a member of the public.

PUBLIC COMMENT on Item 10.6:

Members of the public expressing opposition: Michael Barrett and Gerald Cauthen

RESOLUTION 13-240

On motion to approve Item 10.6:

ADOPTED: AYES – Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

(10.7) Accepting a gift in the amount of \$200,000 from CRP/Cypress Market Street to fund the planning and construction of various transit, pedestrian and bicycle safety improvements on Market Street, between 5th and 6th Streets and on 5th Street, between Market and Mission Streets. (Explanatory documents include a staff report and resolution.)

RESOLUTION 13-241

On motion to approve the Consent Calendar (Item 10.6 severed):

ADOPTED: AYES – Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

REGULAR CALENDAR

11. Presentation and Discussion regarding the Fiscal Year 2013 SFMTA Annual Report, which outlines the Agency's progress in implementing the goals and objectives from the FY2013 – FY2018 SFMTA Strategic Plan. (Explanatory documents include a staff report, resolution, slide presentation and metrics report.)

Ed Reiskin, Director of Transportation, presented the item.

PUBLIC COMMENT:

Members of the public expressing neither support nor opposition: Howard Strassner, Leah Shahum and Mary McGuire

Members of the public expressing opposition: Herbert Weiner

Leah - Agency has missed major milestones in bicycle plan. NIMBY pushback is hampering safety efforts, Potrero, Folsom and Polk.

Director Heinicke asked Ms. Shahum to let the Board know what milestones had been missed.

12. Presentation and discussion regarding the work of the Mayor's 2030 Transportation Task Force to develop a coordinated set of transportation priorities and identify new revenue sources. (Explanatory documents include a slide presentation.)

Monique Zmuda, Deputy Controller, Controller's Office, presented the item.

PUBLIC COMMENT:

Members of the public expressing neither support nor opposition: Howard Strassner and Bob Allen

Members of the public expressing opposition: Gerald Cauthen, Herbert Weiner and Michael Barret

Members of the public expressing support: Leah Shahum

13. Approving the SFMTA's 2013 Title VI Program, and the results of the system-wide monitoring of service standards and policies. (Explanatory documents include a staff report, resolution, program and presentation.)

Jeff Flynn, Manager, Service Planning, Transit Services, presented the item.

No public comment.

RESOLUTION 13-242

On motion to approve:

ADOPTED: AYES – Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

14. Discussion and vote pursuant to Administrative Code Section 67.10(d) as to whether to conduct a closed session.

On motion to invoke the attorney-client privilege: unanimously approved.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 4:21 p.m.

2. Roll Call

Present: Cheryl Brinkman
Malcolm Heinicke
Jerry Lee
Tom Nolan
Joél Ramos
Cristina Rubke

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
John Haley, Director, Transit Services
Candace Sue, Director, Communications

3. Pursuant to Government Code Sections 54956.9 (b), and Administrative Code Section 67.10 (b) (2), the Municipal Transportation Agency Board of Directors will meet in closed session to discuss attorney-client matters in the following case(s):

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant or As plaintiff

Save North Beach Village et. al. vs. FTA, SFMTA et. al, US District Court of No. California

Also present: John Funghi, Director, Central Subway Project.

4. Pursuant to California Government Code section 54956.9(d)(2) and San Francisco Administrative Code section 67.8(a)(3), the Municipal Transportation Agency Board of Directors will meet in closed session to discuss and take action on attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant As plaintiff

Authorizing the City Attorney's Office to execute a Tolling Agreement with the California Water Resources Control Board regarding alleged violations of state law with respect to the SFMTA's ownership and operation of underground storage tanks.

RESOLUTION 13-243

On motion to approve:

ADOPTED: AYES – Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 4:33 p.m.

15. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss Save North Beach Village et. al. vs. CCSF with the City Attorney. They took no action. They also voted unanimously to authorize the City Attorney's Office to execute a Tolling Agreement with the California Resources Control Board.

16. Motion to disclose or not disclose the information discussed in closed session.

On motion to not disclose the information discussed: unanimously approved.

ADJOURN - The meeting was adjourned at 4:34 p.m. in memory of Bill Shoemaker.

A tape of the meeting is on file in the office of the Secretary to the San Francisco Municipal Transportation Agency Board of Directors.

Roberta Boomer
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [S.F. Campaign and Governmental Conduct Code section 2.100 et seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 415.581.2300; fax: 415.581.2317; 25 Van Ness Avenue, Suite 220, SF, CA 94102-6027 or the web site: sfgov.org/ethics.

Material supplied by Peter Witt for inclusion in the SFMTA's minutes of November 19, 2013. To ensure that the comments are accessible, this material is reproduced as written below. The actual statement provided will be added to the printed meeting minutes.

To SFMTA To be included into the minutes of SFMTA's regular meeting of 11/5/2013.

From Peter Witt 11/5/2013

Item 9. Public comment-----

You may or may-not know about... the little TAXI-SURVEY every year submitted for PC&N.

I TAKE MY BUSINESS....seriously.

I WOULD HOPETHE PEOPLE THAT RUN MY BUSINESS.....TAKE IT SERIOUSLY TOO !!!!

It's not rocket scienceit's common sense. If you want to improve your business ...you do customer outreach.

I'm here submitting A copy of the yearly survey (to our beloved) SF Taxi Regulators, Board / Staff and ex-director FOR The Public Convenience & Necessity. AndAGAIN, I would like to thank thecustomers that took the survey,... seriously.

Qualitative,with a higher that, 95% return rate -that includes Visitors. A 41% Market Share,..... Dr. Dan overlooks.

It's also QUONATATIVED(without president) 16 years of unbiased – “S.F. TAXI-DATA” . I've been called an anthropologist. But surly now,... it could be called political AND social science after 15 years of denial.