



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, April 1, 2014
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

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

SFMTA BOARD OF DIRECTORS

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

Edward D. Reiskin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
SECRETARY

ORDER OF BUSINESS

1. Call to Order

Chairman Nolan called the meeting to order at 1:00 p.m.

2. Roll Call

Present: Cheryl Brinkman
Malcolm Heinicke – absent at Roll Call
Jerry Lee
Tom Nolan
Joél Ramos
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 March 14, 2014 Special Meeting: unanimously approved (Heinicke-absent).

On motion to approve the minutes of the March 28, 2014 Special meeting: unanimously approved (Heinicke-absent).

5. Communications

Board Secretary Boomer stated that there would be no discussion of anticipated litigation in closed session.

6. Introduction of New or Unfinished Business by Board Members

Vice Chairman Brinkman requested that, with respect to the Polk Street project, staff bring a pilot project to the Board that is designed for LTS2 or LTS1.

7. Director’s Report (For discussion only)

- Special Recognition Award
- Ongoing Activities

Director Reiskin recognized those who were involved in facilitating the response to the March 11, 2014 fire including: Carol Wolther, Wes Valeris, Ernesto del Barrio; Leo Emmmler, Linda Grove, Adelaide Julian, Linus Oha, Curtis Rucker, Henry Trinh, Jesse Jones, James Watts and Michael Young.

Director Heinicke arrived.

Director Reiskin discussed the M Line rail replacement project at San Jose and Geneva and the results of the recent FTA Triennial Review.

PUBLIC COMMENT:

Herbert Weiner questioned whether the 19th Avenue/M-line Southwest Subway project had been subjected to medical review and what the impact of the project would be on seniors, people with disabilities.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Arthur Lembke discussed the current state of the taxicab industry and the needs of paratransit riders. There are 4,000 vehicles that are fighting for fares. There will be a lot more accidents. It's not fair for a taxi driver to pay for medallion and let others run into the City. These cars don't have insurance. The CPUC knows that.

Herbert Weiner discussed a statement made by a member of SFTRU at the last meeting who said that it was unacceptable to water down TEP proposals for a small vocal minority who will be gone in a few years. That exemplifies the disdain that elderly are exposed to. The SFMTA and SFTRU should state that seniors and people with disabilities are a primary priority of any transit system. He expressed appreciation for the support that youth gave to seniors.

Bruce Campbell discussed the sinking quality of life in the Castro and the need for a parking structure at Church and Market. Tow fines are inhuman. He recommended that judges are given the flexibility to waive the fine in relation to the persons' income. He also questioned the number of tech buses allowed in San Francisco and suggested that they should be charged at least \$5 per stop. They affect the quality of life in the City.

Barry Taranto stated that traffic congestion is due to the TNC's who park everywhere. Tech buses are using cab stands to drop off passengers. Breeze is acting as a quasi-color scheme. They should be made to go to court and explain themselves. FlyWheel is taking 10% of the fares. When taxi drivers call during business hours, they get an answering service and don't get a timely return call. It's great to have more people using FlyWheel but the system isn't working for drivers.

Carl Macmurdo discussed Breeze, a company that rents cars to people to use taxi apps. The retransfer fee for Pre-K medallion holders shouldn't be 20%. Other cities have a 5% retransfer fee. San Francisco's retransfer fee should also be 5%.

Mark Gruberg discussed a company that leases vehicles to drivers and charges them by the day. These vehicles and drivers are on TNC and other ride service apps. This is against what the CPUC decided which is that it has to be a personal vehicle. They have no permits or authority to be in business. The head of the company is admitting to insurance fraud in the news and is getting away with it because the City did nothing.

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) Approving the following traffic modifications:

- A. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA N, 2-HOUR LIMIT, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY – Cabrillo Street, both sides, between 11th Avenue and 12th Avenue.
- B. RESCIND – BUS ZONE – 7th Street, east side, from Folsom Street to 100 feet southerly.
- C. ESTABLISH – BUS ZONE – 7th Street, east side, from Folsom Street to 81 feet northerly.
- D. ESTABLISH – STOP SIGN – Chattanooga Street, at 21st Street.
- E. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Mission St., west side, from 24th St. to 38 feet northerly; and Mission St., east side, from 24th St. to 53 feet southerly.
- F. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME – Peter Yorke Way, north side, from Gough Street to 65 feet easterly; and Geary Boulevard, north side, from Peter Yorke Way to 70 feet easterly.
- G. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME – Geary Boulevard, south side, from Cleary Street to Laguna Street; and Laguna Street, east side, from Geary Boulevard to south property line of the Consulate General of the People's Republic of China.
- H. ESTABLISH – RED ZONE – Pacific Avenue, south side, from Powell Street to 27 feet easterly.
- I. ESTABLISH – NO U-TURN, 8 AM TO 9 AM, 2:30 PM TO 3:30 PM, SCHOOL DAYS – Moraga Street, westbound, at 37th Avenue.

- J. ESTABLISH – NO U-TURN, 8 AM TO 9 AM, 2 PM TO 3 PM, SCHOOL DAYS – Pacheco Street, eastbound, at 34th Avenue; Pacheco Street, eastbound, at 35th Avenue; Quintara Street, eastbound, at 34th Avenue; and Quintara Street, eastbound, at 35th Avenue.
- K. EXTEND – BUS ZONE – Fillmore St., west side, from 75 feet to 95 feet north of Haight St.
- L. RESCIND – BUS ZONE – 17th Street, north side, from Wisconsin Street to 55 feet westerly; and 17th Street, south side, from Wisconsin Street to 75 feet easterly.
- M. RESCIND – FLAG STOP – Connecticut Street, east side, at 17th Street.
- N. ESTABLISH – BUS ZONE – 17th Street, north side, from Connecticut Street to 100 feet westerly.
- O. ESTABLISH – TWO-WAY LEFT TURN LANE – Jerrold Avenue, between Phelps Street and Quint Street.
- P. RESCIND – TOW-AWAY NO STOPPING ANYTIME – Oak Street, south side, from Octavia Boulevard to 50 feet westerly.
- Q. RESCIND – TOW-AWAY NO STOPPING, 7AM TO 9 AM, 4PM TO 6PM, MONDAY THROUGH FRIDAY – Oak Street, south side, from 50 feet to 100 feet west of Octavia Blvd.
- R. ESTABLISH – NO PARKING ANYTIME – Oak Street, south side, from Octavia Boulevard to 20 feet westerly; Oak Street, south side, from Laguna Street to 20 feet easterly; and Oak Street, north side, from Laguna Street to 20 feet easterly.
- S. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME – Oak Street, north side, from Octavia Boulevard to 150 feet westerly.
- T. ESTABLISH – TOW-AWAY NO STOPPING, 7AM TO 10AM, MONDAY THROUGH FRIDAY – Oak Street, north side, from Laguna Street to 150 feet west of Octavia Blvd.
- U. ESTABLISH – BLUE ZONES – Drumm Street, 200 Block, west side, from 20 feet to 42 feet south of Washington Street; Washington Street, 200 Block, north side, from 0 feet to 20 feet east of metered stall #4; Montgomery Street, 700 Block, east side, from 20 feet to 42 feet north of Washington Street; Grant Avenue, 100 Block, east side, from 13 feet to 24 feet north of Geary Street; Brannan Street, 800 Block, north side, from 10 feet to 28 feet west of 7th Street; Harrison Street, 600 Block, north side, from 12 feet to 34 feet west of Hawthorne Street; Harrison Street, 600 Block, south side, from 4 feet to 25 feet east of Vassar Place; South Park Avenue, Unit Block, north side, from 2 feet to 11 feet west of 2nd Street; New Montgomery Street, 100 Block, west side, from 2 feet to 22 feet south of Minna Street; Lapu-Lapu Street, Unit Block, north side, from 5 feet to 23 feet west of Harrison Street; Lapu-Lapu, Unit Block, south side, from 4 feet to 24 feet east of Rizal Street; Howard Street, 500 Block, west side, from 11 feet to 33 feet south of 1st Street; Folsom Street, 300 Block, south side, from 12 feet to 31 feet east of Fremont Street; Folsom Street, 650-700 Block, south side, from 3 feet to 20 feet east of 3rd Street; Harrison Street, 500 Block, south side, from 3 feet to 21 feet east of Essex Street off ramp; and 3rd Street, 300 Block, west side, from 4 feet to 24 feet south of Folsom Street.
- V. ESTABLISH – NO PARKING ANYTIME – Crescent Avenue, north side, at Agnon Avenue between east and west crosswalks; and Crescent Avenue, south side, from Agnon Avenue to 22 feet westerly. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-044

(10.2) Approving various parking and traffic modifications on Herbst Road between Skyline Boulevard and Armory Drive including:

- A. RESCIND – BLUE ZONE - Herbst Road, south side, from 249 feet to 258 feet east of Armory Drive and Herbst Road, south side, from 282 feet to 291 feet east of Armory Drive
- B. ESTABLISH – BLUE ZONE - Herbst Road, south side, from 242 feet to 251 feet east of Armory Drive and Herbst Road, south side, from 288 feet to 297 feet east of Armory Drive
- C. ESTABLISH – NO PARKING ANYTIME - Herbst Road, south side, from 237 feet to 242 feet east of Armory Drive; Herbst Road, south side, from 251 feet to 261 feet east of Armory Drive; Herbst Road, south side, from 276 feet to 288 feet east of Armory Drive; Herbst Road, north side, from 282 feet to 320 feet east of Armory Drive and Herbst Road, south side, from 297 feet to 320 feet east of Armory Drive
- D. ESTABLISH – BUS ZONE - Herbst Road, north side, from 169 feet to 181 feet east of Armory Drive.
- E. ESTABLISH – RAISED CROSSWALK - Herbst Road, between Armory Drive and Skyline Boulevard. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-045

(10.3) Approving various traffic and parking modifications on Bosworth Street to support the Glen Park Community Plan Bosworth Street/Diamond Street Intersection project and adopting CEQA findings for:

- A. ESTABLISH – SIDEWALK WIDENING (BULBS) - Bosworth Street, north side, from Diamond Street to 25 feet westerly; Bosworth Street, north side, from Diamond Street to 113 feet easterly; Bosworth Street, south side, from Diamond Street to 120 feet easterly; Bosworth Street, south side, from Diamond Street to 28 feet westerly; and Diamond Street, west side, from Bosworth Street to 108 feet southerly.
- B. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME - Bosworth Street, north side, from Diamond Street to 25 feet westerly; Bosworth Street, north side, from Diamond Street to 113 feet easterly; Bosworth Street, south side, from Diamond Street to 120 feet easterly; Bosworth Street, south side, from Diamond Street to 28 feet westerly; Diamond Street, west side, from Bosworth Street to 108 feet southerly; and Diamond Street, west side, from Bosworth Street to 67 feet northerly (removes three metered spaces).
- C. ESTABLISH – WHITE ZONE - Bosworth Street, south side, from 120 feet to 204 feet east of Diamond Street. (Explanatory documents include a staff report and resolution.)

RESOLUTION 14-046

(10.4) Approving the removal of the tow-away lane on the east side of the 800 block of Kearny Street. (Explanatory documents include a staff report and resolution. The proposed action is an Approval Action as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-047

(10.5) Authorizing the Director to accept and expend \$167,589 in FY 2014 PCA Grant Program funding to be used for the Twin Peaks Connectivity Planning Project. (Explanatory documents include a staff report and resolution.)

RESOLUTION 14-048

(10.6) Authorizing the Director to execute the Special Transit Fare (Fast Pass) Agreement between the SFMTA and the San Francisco Bay Area Rapid Transit District with a term from July 1, 2014 through June 30, 2020. (Explanatory documents include a staff report, resolution and agreement.)

RESOLUTION 14-049

(10.7) Rescinding Resolution No. 14-016 and authorizing the Director to execute the First Amendment to the Restated and Amended Towing Agreement for Towing, Storage and disposal of Abandoned and Illegally Parked Vehicles and an Amended and Restated Revocable License to Enter and Use Property with TEGSCO/San Francisco AutoReturn until July 31, 2015. Explanatory documents include a staff report, resolution and amendments.)

RESOLUTION 14-050

(10.8) Approving the Woods Facility Mini Playground Gift Agreement with the San Francisco Parks Alliance to donate a children's play structure and landscaping improvements in an existing play area at the Woods Maintenance Facility. (Explanatory documents include a staff report, resolution and agreement. The proposed action is an Approval Action as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-051

(10.9) Authorizing the Director to accept from Google a gift of \$6.8 million to fund the Free Muni for Low and Moderate Income Youth Program for FY 2015 and FY 2016. (Explanatory documents include a staff report and resolution.)

Item 10.9 was removed from the Consent Calendar at the request of Director Rubke who asked that she be recused from voting on the item.

On motion to recuse Director Rubke from voting on Item 10.9:

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

EXCUSED - Rubke

RESOLUTION 14-052

On motion to approve Item 10.9:

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

RECUSED - Rubke

On motion to approve the Consent Calendar (Item 10.9 severed):

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

REGULAR CALENDAR

11. Presentation and discussion of the FY2015 and FY2016 Operating Budget including possible changes to various fares, fees, fines, rates and charges; possible new revenue sources and new expenditures and revenue and expenditure reductions; and discussion of the FY2015 and FY2016 Capital Budget including possible capital programs and projects. (Explanatory documents include as slide presentation.)

Ed Reiskin, Director of Transportation, presented the item.

PUBLIC COMMENT:

Members of the public expressing support for Free Muni for youth, seniors and/or people with disabilities: Vera Haile, Susan Pfeifer, Darnell Boyd, Sabrina Hernandez, Jane Martin, Ana Aureles, Peter Mendoza, Roug Hai Lao, Wing Hoo Leung, Demian Williams, Carolyn Goossen, Daniel Catalan, Jen Kabbabe, Heidi Seretan, Betty Traynor, Donna Willmott, Herbert Weiner, Pete Wolware, John Lowell, Jessica Lehman, Barbara Cesana, Bob Allen, Jia Tan, David Trang, Ling Zhu, Jacky Weng, Meifeng Deng, Eric Yu, Faeza, Raymond Castillo, Miriam, Lourdes Figueroa, Jesus Perez, Tony Robles, Peter Cohen, Leo and Beatriz Herrera

Members of the public expressing support for increased funding for cycling and/or pedestrians: Nicole Schneider, Marie Mika, Cathy Kora, Scott Miller, Michael Huang, Shining Yu, Shirley Tsang, Aaron Dong, Elias Zamaria, Madeleine Savit, Leah Shahum and Barry Taranto

Members of the public expressing opposition to ending enforcement of parking meters on Sunday: Bob Planthold

Members of the public expressing opposition to increasing paratransit fees: Roxie Kellam and Nicole Clause

Members of the public expressing opposition to contracting out DMV certification exams: Annette Burns

Members of the public expressing opposition to taxi cab permit renewal fees: Mark Gruberg

Members of the public expressing opposition to increasing the fare for people with disabilities:
Gena Lynn Luna

Members of the public expressing support for the budget: Anthony Ballester

12. Presentation and discussion regarding the 19th Avenue/M-line Southwest Subway project, including the recently completed Feasibility Study and the upcoming pre-environmental study. (Explanatory documents include a staff report and slide presentation.)

Peter Albert, Manager, Urban Planning Initiatives; Frank Markowitz, Planner, Sustainable Streets and Liz Bryson, Planner, Transportation Authority, presented the item.

No public comment.

13. 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 4:48 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
Rob Maerz, Deputy City Attorney
Donald Ellison, Director, Human Resources
Sonali Bose, Director, Finance and Information Technology
Alicia John-Baptiste, Chief of Staff
Candace Sue, Director, Communications
Jonathan Rolnick, Deputy City Attorney

3. Pursuant to Government Code Section 54956.9 and the 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

Existing Litigation and/or Claim:

Stitt vs. CCSF, US District Court #1203704YGR filed on 7/16/12

CCSF vs. TMG Partners, Unlitigated claim in the amount of \$375,000 (City to receive)

RESOLUTION 14-053

On motion to approve:

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

4. 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 X As plaintiff

This item was removed from the agenda and was not discussed.

Director Rubke left the meeting.

5. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board of Directors shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative and/or his designee: Donald Ellison

Employee Organizations:

- TWU Local 250-A (9163)
- TWU Local 250-A (9132)
- TWU Local 200
- SEIU Local 1021
- Electricians Local 6

- Automotive Mechanics Local 1414
- Municipal Executives Association

To discuss:

- Wages
- Hours
- Benefits
- Working Conditions
- Other

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 5:37 p.m.

14. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Stitt and TMG Partners cases with the City Attorney. The Board of Directors voted to settle the TMG case and took no action on the Stitt case. The Board also discussed labor negotiations but took no action. There was no discussion of anticipated litigation.

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

On motion to not disclose the information discussed: unanimously approved (Rubke-absent).

ADJOURN - The meeting was adjourned at 5:38 p.m.

A recording 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.

California Environmental Quality Act (CEQA) Appeal Rights under S.F. Admin. Code Chapter 31:
For identified Approval Actions, the Planning Department or the SFMTA has issued a CEQA exemption determination or negative declaration, which may be viewed online at the Planning Department's website. Following approval of the item by the SFMTA Board, the CEQA

determination is subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16 which is typically within 30 calendar days. For information on filing a CEQA appeal, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or submitted in writing to the City prior to or at such hearing, or as part of the appeal hearing process on the CEQA decision.