



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, August 19, 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
Gwyneth Borden
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 1:03 p.m.

2. Roll Call

Present: Cheryl Brinkman
Gwyneth Borden
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 July 15, 2014 Regular Meeting and July 30, 2014 Special Meeting: unanimously approved (Heinicke-absent).

5. Communications

Chairman Nolan discussed the Mayor’s new attendance policy establishing a goal of 90% attendance at board meetings.

Board Secretary Boomer stated that Item 12, Armed and Unarmed Security Guard contract had been removed from the agenda at the request of staff. Also in closed session, the performance evaluation of the Director of Transportation has been removed.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director’s Report (For discussion only)

- Special Recognition Award
- Ongoing Activities

Sonali Bose, Director, Finance and Information Technology recognized Emmet Nelson, Administrative Analyst. Jerry Robbins, Director, Sustainable Streets recognized Gabriel Ho, Assistant Engineer.

Director Heinicke arrived.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Nidhi Doshi discussed how difficult it is to find parking in San Francisco and how long it takes to find a place to park. San Francisco has been spearheading efforts to improve parking, i.e., demand pricing but some technologies don't apply to the areas where there are no meters. Crowdsourcing is a viable solution, such as the Spark app.

Madeleine Savit stated that they're continuing to work for the best possible options for Polk Street and San Francisco. She relayed a story about a neighbor who was almost hit by a car and another victim who had been hit and killed. There is an ongoing disaster on San Francisco streets.

Mark Gruberg discussed a new taxi driver alliance that has the objective of joining a national taxicab union. With issues facing the industry, UTW is extremely enthusiastic about having an organization that will help drivers and the industry. He discussed various benefits that will result such as fair competition, insurance, environmental concerns.

Andy Baskerville expressed concerns about the armed and unarmed security guard contract, a multi-million dollar contract. Security guards can't afford cuts to wages or benefits. He is looking forward to working with the SFMTA.

Hansu Kim discussed his next door neighbor who has a pink moustache on his car and knows nothing about San Francisco streets. There are between 7,000 and 10,000 cars operating as a taxi due to a loophole. Twenty-five percent of his cabs are sitting in a yard at the height of summer. The cab driver pool is shrinking. Drivers for the illegal companies don't think they need to follow those rules when they can download an app and drive. Taxi companies can either go out of business or retool their business to be competitive. The industry needs help.

Tone Lee stated that there are too many bus accidents and there is no oversight. Taxi policies are unfair. People who bought a medallion are struggling to make the payment. Many drivers are struggling and soon will be unable to make payments. The SFMTA can't change their policies quick enough to address the problem.

Guadalupe Acosta expressed appreciation to the SFMTA for working with security guards to raise the standards of security and have a working wage to support their families.

Paulette Myszka thanked Director Reiskin for listening to the security guard concerns. It's difficult to live in San Francisco on a \$14 per hour wage.

Harry Helgoth expressed appreciation to Director Reiskin for hearing the concerns of security guards. The main one is pay and benefits. Their quality of service will continue to be outstanding.

Carl Macmurdo stated that what Mr. Kim said is accurate. There are about 8,000 TNC's devastating the taxi industry. There are a lot of TNC'S who use the apps. There is a pending appeal regarding the use of these apps. He expressed hope that the City Attorney would join them in this appeal and that the SFMTA Board would urge the Mayor to participate. The industry will eventually collapse if the City doesn't wrestle control from the State.

Mary McGuire discussed media remarks made by Kate Toran. She wondered why the taxi industry should pay fees when the TNC's aren't paying them. Thousands of San Franciscans rely on DeSoto to get to their appointments. Cab companies are no longer accepting medallions and they can't be easily transferred to other companies. She expressed concern about why taxicabs weren't allowed to serve the public during the McCartney concert. Concert goers were left stranded and the public was steered towards using "Ubers" who charged exorbitant prices. Taxis need to be able to serve the public.

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. Rachael Sterner vs. CCSF, CityLaw#1401502 filed on 1/13/14 for \$27,500
- B. Bettye Elliot vs. CCSF, Superior Ct. #CGC13531951 filed on 6/7/13 for \$52,000

RESOLUTION 14-126

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME – Lincoln Way, south side, from 20th Avenue to 106 feet easterly.
- B. ESTABLISH – STOP SIGN – Middle Point Road and Hare Street.
- C. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA N, 2-HOUR PARKING 9 AM

TO 6 PM, MONDAY THROUGH FRIDAY – Anza Street, north side, between 10th Avenue and 11th Avenue.

- D. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA R ELIGIBILITY–515 Octavia St.
- E. ESTABLISH – STOP SIGNS – Thomas Avenue, eastbound and westbound, at Hawes Street.
- F. ESTABLISH – PERPENDICULAR PARKING – Thomas Avenue, north side, from Hawes Street to Griffith Street.
- G. ESTABLISH – STOP SIGNS – Moraga Street, eastbound and westbound, at 11th Avenue.
- H. ESTABLISH – STOP SIGNS – Clement Street, eastbound and westbound, at 31st Avenue.
- I. ESTABLISH – STOP SIGN – Vicente Street, eastbound and westbound, at 20th Avenue.
- J. ESTABLISH – 2-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA N PERMITS – 11th Avenue, both sides, between Anza Street and Geary Boulevard.
- K. ESTABLISH – STOP SIGNS – 47th Avenue, northbound and southbound, at Wawona Street.
- L. ESTABLISH – FLAG STOP – 47th Avenue, west side, north of Wawona Street.
- M. RESCIND – FLAG STOP– 47th Avenue, west side, south of Wawona Street
- N. ESTABLISH – NO PARKING ANY TIME – Garfield Street, north side, from Junipero Serra Boulevard to 25 feet easterly.
- O. ESTABLISH – BLUE ZONE – 500 Felton Street, north side, from 0 feet to 20 feet west of west crosswalk line at Hollyoke Street.
- P. ESTABLISH – BLUE ZONE – 1035 Chenery Street, south side, from 14 feet to 36 feet east of Elk Street. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-127

(10.3) Adopting all mitigation measures in the Mitigation Monitoring and Reporting Program and approving converting temporary bulb-outs to permanent bulb-outs, and additional traffic, parking and pedestrian changes to re-align sidewalks and relocate a bus zone in the Persia Triangle area as follows:

- A. ESTABLISH – NO PARKING ANYTIME - Ocean Avenue, north side, from Alemany Boulevard to 70 feet easterly; Ocean Avenue, north side, from Mission Street, 15 feet to 35 feet westerly
ESTABLISH – TOW-AWAY NO STOPPING ANYTIME - Alemany Boulevard, east side, from Ocean Avenue to 55 feet northerly; Alemany Boulevard, east side, from Ocean Avenue to 55 feet southerly; Mission Street, west side, from Ocean Avenue to 50 feet southerly; Mission Street, west side, from Persia Avenue to 25 feet northerly; Ocean Avenue, north side, from Alemany Boulevard to 70 feet easterly; Ocean Avenue, south side, from Alemany Boulevard to 35 feet easterly; Ocean Avenue, north side, from Mission Street to 30 feet westerly; Ocean Avenue, south side, from Mission Street to 76 feet westerly; Ocean Avenue, south side, from Persia Avenue to 20 feet westerly; Ocean Avenue, south side, from Persia Avenue to 15 feet easterly; Persia Avenue, east side, from Mission Street to 20 feet northerly and Persia Avenue, east side, from Ocean Avenue to 20 feet southerly
- B. ESTABLISH – BUS ZONE - Ocean Avenue, north side, from Alemany Boulevard to 110 feet easterly and Ocean Avenue, south side, from Mission Street to 75 feet westerly. (Explanatory documents include a staff report and resolution.)

RESOLUTION 14-128

(10.4) Establishing Tow-Away No Stopping Anytime Except Permitted Car Share Vehicles at the following locations:

- A. 33rd Avenue, west side, from 16 feet to 52 feet south of Balboa Street
- B. Balboa Street, south side, from 28 feet to 71 feet west of 6th Avenue
- C. Cabrillo Street, south side, from 20 feet east of 37th Avenue
- D. Funston Avenue, west side, from 7 feet to 43 feet north of Fulton Street
- E. California Street, south side, from 12 feet to 36 feet east of Spruce Street
- F. Filbert Street, south side, from 17 feet to 57 feet west of Laguna Street
- G. 40th Avenue, west side, from 21 feet to 58 feet north of Taraval Street
- H. Laguna Street, west side, from 25 feet to 65 feet north of Post Street
- I. Pierce Street, east side, from Haight Street to 36 feet northerly
- J. Octavia Street, west side, from 21 feet to 40 feet north of Lily Street
- K. Beale Street, north side, from 11 feet to 19 feet east of Folsom Street
- L. Florida Street, east side, from 18th Street to 8 feet northerly
- M. 14th Avenue, south side, from 26 feet to 66 feet west of West Portal Avenue
- N. Font Boulevard, north side, from Chumasero Drive to 8.5 feet westerly
- O. Monterey Boulevard, north side, from 213 feet to 231 feet east of Baden Street
- P. Ocean Avenue, north side, 18 feet to 58 feet west of Keystone Way
- Q. Serrano Drive, south side, from 40 feet to 56 feet east of Tapia Drive
- R. Taraval Street, south side, from 12 feet to 30 feet west of Lennox Way
- S. West Portal Avenue, west side, from 42 to 56 feet south of Ulloa Street
- T. Diamond Street, east side, from 232 feet to 269 feet south of 18th Street
- U. 20th Street, north side, from 16 feet to 52 feet east of Castro St
- V. Portola Drive, east side, from 238 feet to 278 feet north of Clipper Street
- W. Capp Street, west side, from 10 feet to 46 feet north of 23rd Street
- X. 20th Street, north side, from Connecticut Street to 40 feet westerly
- Y. 3rd Street, east side, from 28 feet to 68 feet south of McKinnon Avenue
- Z. Evans Avenue, north side, from 18 feet to 56 feet west of Newhall Street
- AA. Quesada Avenue, south side, from 17 feet to 37 feet west of 3rd Street
- BB. Naples Street, east side, from 63 feet to 87 feet south of Geneva Avenue
- CC. Naples Street, west side, from Persia Avenue to 36 feet northerly
- DD. Pope Street, west side, from 20 feet to 60 feet south of Mission Street (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-129

(10.5) Approving temporary parking modifications to remain in effect for the duration of Commuter Shuttle Pilot Program as follows:

- A. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 6 AM TO 10 AM, MONDAY THROUGH FRIDAY - San Jose Avenue, west side, from 29th Street to 85 feet southerly
- B. EXTEND – BUS ZONE - Parnassus Ave., south side, from 75 feet to 93 feet west of Stanyan St.

- C. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 6 AM-10 AM, MONDAY THROUGH FRIDAY - Powell Street, west side, from Union Street to 129 feet northerly.
- D. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 4 PM-8 PM, MONDAY THROUGH FRIDAY and REVOKE – TOUR BUS ONLY, 9:30 AM TO 7 PM - Powell Street, east side, from Filbert Street to 40 feet northerly
- E. ESTABLISH – TOUR AND COMMUTER SHUTTLE BUS ZONE ONLY, 9:30 AM TO 8 PM - Fell Street, north side, from Pierce Street to 160 feet easterly
- F. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 6 AM TO 10 AM AND 3PM-7PM, MONDAY THROUGH FRIDAY - 8th Street, west side, from 85 feet to 165, south of Market Street.
- G. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 6 AM TO 10 AM AND 3PM-7PM, MONDAY THROUGH FRIDAY - 4th Street, west side, from Brannan Street to 116 feet northerly. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

Item 10.5 was removed from the agenda at the request of Director Rubke who requested that she be recused from participating on the item.

On motion to recuse Director Rubke:

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

RECUSED - Rubke

RESOLUTION 14-130

On motion to approve Item 10.5:

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

RECUSED - Rubke

(10.6) Authorizing the Director to execute Contract No. 1284, Glen Park Community Plan Implementation Project, with Azul Works to add pedestrian bulb-outs, widen sidewalks, install landscaping, repave, restripe and make traffic signal improvements to the Diamond/Bosworth intersection at the Glen Park BART Station, in the amount of \$1,224,873.75, and for a term of 90 calendar days. (Explanatory documents include a staff report, resolution and financial plan.)

RESOLUTION 14-131

(10.7) Approving revisions to the Title VI analysis for the fare changes in the SFMTA Fiscal Year (FY) 2015 and FY 2016 Operating Budget, including providing “Free Muni” for low and moderate income 18 year olds, effective November 1, 2014, and providing “Free Muni” to low and moderate income 19-

22 year olds enrolled in the San Francisco Unified School District's Special Education Programs (Explanatory documents include a staff report, resolution and analysis.)

RESOLUTION 14-132

(10.8) Approving "Free Muni" for low and moderate 19 to 22 year old students who use a Clipper® card and are enrolled the San Francisco Unified School District's Special Education Services Program. (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 14-133

On motion to approve the Consent Calendar (Item 10.5 severed):

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

REGULAR CALENDAR

11. Authorizing the Director to execute Amendment Two to Contract No. APT 591-01 – LRV Doors and Steps Reconditioning and Systems Rehabilitation, with AnsaldoBreda, to remove the doors and steps and the air supply unit rehabilitation from the project scope and to shift the funds to rehabilitate trucks for 41 LRVs, with three options to rehabilitate the remaining sets of trucks for up to 71 LRVs, for a total Contract amount not to exceed \$104,263,354; and to extend the term of the contract to no later than October 31, 2018. (Explanatory documents include a staff report, resolution and amendment.)

No public comment.

RESOLUTION 14-134

On motion to approve:

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

12. Approving Contract No. SFMTA-2014-27, Armed and Unarmed Security Services, with Andrews International to provide armed and unarmed security services in the amount of \$29,226,586.68, for an initial term of three years with an option to extend the term for up to three additional years. (Explanatory documents include a staff report, resolution and contract.)

Item 12 was removed from the agenda at the request of staff.

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 1:41 p.m.

2. Roll Call

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

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Mariam Morley, Deputy City Attorney
John Haley, Director, Transit Services
Sonali Bose, Director, Finance and Information Technology
Melvyn Henry, Director, System Safety

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:

Troy Nickol vs. CCSF, Superior Ct. #CGC13530875 filed on 4/24/13 for \$105,000

RESOLUTION 14-135

On motion to approve:

ADOPTED: AYES – Borden, 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 relating to vehicle accidents on Geary Blvd and 3rd Street:

X As defendant or X As plaintiff

5. Pursuant to Government Code Section 54957 and Administrative Code Section 67.10 (b), the SFMTA Board of Directors will meet in closed session to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Director of Transportation Ed Reiskin

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

6. Pursuant to Government Code Section 54957 and Administrative Code Section 67.10 (b), the SFMTA Board of Directors will meet in closed session to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Board Secretary Roberta Boomer

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 2:47 p.m.

14. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Troy Nickol vs. CCSF case with the City Attorney. The Board of Directors voted to settle the case. The Board also discussed anticipated litigation and evaluated the performance of the Board Secretary but took no action.

15. 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 2:48 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

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.

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.