



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, January 20, 2015
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
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 1:02 p.m.

2. Roll Call

Present: Cheryl Brinkman
Gwyneth Borden
Malcolm Heinicke – absent at Roll Call
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 January 6, 2015 Regular Meeting: unanimously approved (Heinicke-absent).

5. Communications

Chairman Nolan discussed the order of business and asked the Secretary to call item 11 immediately following item seven.

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

6. Introduction of New or Unfinished Business by Board Members

(6.1) Election of SFMTA Board Chairman and Vice Chairman pursuant to SFMTA Rules of Order

No public comment.

On motion to elect Tom Nolan as Chairman:

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

ABSENT - Heinicke

On motion to elect Cheryl Brinkman as Vice Chairman:

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

ABSENT - Heinicke

7. Director's Report (For discussion only)

- Special Recognition Award
- Ongoing Activities

Director Reiskin presented the special recognition award to Jerry Robbins.

Director Heinicke arrived.

Director Reiskin discussed the January 31 service changes, the Sunset Tunnel Construction, ongoing N Judah Improvement Projects, Muni Forward Haight Street streetscape changes, and the Institute of Transportation Engineers Recognition of the Cesar Chavez Project. Director Reiskin also discussed his recent Transportation Research Board/National Association of City Transportation Officials trip.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Madeline Savit, Folks for Polk, expressed appreciation for "Free Muni" for youth, senior and disabled communities. She expressed condolences for the loss of Director Jerry Lee. Polk Street residents have issues with the high injury area at Pine and California Streets. They would like to see the sidewalk extension project on the Board's agenda.

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) Declaring official intent to reimburse the SFMTA with proceeds of the Obligations for capital project expenditures for certain projects funded by the proceeds of the City's sale of general obligation bonds incurred prior to the date of issue of such Obligations. (Explanatory documents include a staff report and resolution.)

RESOLUTION 15-012

(10.2) Authorizing the Director to accept and expend \$9,123,591 in FY 2012 and FY 2014 Transit Performance Initiative Investment Grant Program from the MTC, to be used for Colored Lanes on the SFMTA Rapid Network, Muni Forward Capital Transit Enhancements, and 9 San Bruno: Potrero Avenue Fast Track Transit and Streetscape Enhancements. (Explanatory documents include a staff report and resolution.)

RESOLUTION 15-013

(10.3) Extending the time to award SFMTA Contract No. 1281, Muni Metro Subway Escalator Rehabilitation – Phase II, to January 30, 2015; and authorizing the Director of Transportation to execute a contract with Schindler Elevator Corporation to modernize and/or replace 17 escalators in the Metro Subway stations, in an amount not to exceed \$19,582,833, and for a term of 1335 calendar days. (Explanatory documents include a staff report, resolution and financial plan.)

RESOLUTION 15-014

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

- A. 3rd Street, east side, from 96 feet to 116 feet north of 22nd Street
- B. 10th Street, south side, from 152 feet to 174 feet east of Market Street
- C. 19th Street, south side, from Linda Street 18 feet easterly
- D. 20th Street, north side, from 16 feet to 54 feet east of Guerrero Street
- E. 20th Street, north side, from 6 feet to 42 feet east of Bryant Street
- F. 21st Street, south side, from Guerrero Street to 34 feet easterly
- G. 28th Avenue, east side, from Clement Street to 38 feet northerly
- H. 38th Avenue, west side, from 16 feet to 54 feet north of Noriega Street
- I. Anza Street, north side, from 9 feet to 29 feet east of 44th Avenue
- J. Bosworth Street, north side, from 18 feet to 38 feet west of Brompton Avenue
- K. Bosworth Street, north side, from 38 feet to 56 feet west of Brompton Avenue
- L. Carolina Street, east side, from 22nd Street 38 feet southerly
- M. Cayuga Avenue, west side, from Balhi Court to 20 feet northerly
- N. Clement Street, north side, from 34th Avenue to 34 feet westerly
- O. Excelsior Avenue, north side, from 11 feet to 54 feet east of Mission Street
- P. Green Street, north side, from Hyde St to 36 feet westerly

- Q. Hayes Street, north side, from 80 feet to 100 feet west of Steiner Street
- R. Montgomery Street, east side, from Green Street to 8.5 feet northerly
- S. Noriega Street, north side, from 16 feet to 54 feet west of 9th Avenue
- T. San Jose Avenue, west side, from Havelock Street to 34 feet southerly
- U. Sanchez Street, east side, from 24 feet to 60 feet north of 30th Street
- V. Taylor Street, east side, from 20 feet to 60 feet north of Union Street
- W. Taylor Street, west side, from 51 feet to 69 feet north of Pacific Avenue
- X. Thornton Avenue, north side, from 3 feet to 39 feet east of Bridgeview Drive
- Y. Ulloa Street, south side, from 16th Avenue to 38 feet easterly
- Z. Vallejo Street, south side, from 22 feet to 46 feet west of Franklin Street
- AA. Walter Street, west side, from 10 feet to 44 feet north of 14th Street
- BB. Webster Street, east side, from Washington Street to 20 feet southerly (Explanatory documents include a staff report and resolution.)

RESOLUTION 15-015

(10.5) Approving Amendment #2 to the Employment Agreement with Edward Reiskin to provide benefits, obligations, and other terms and conditions of employment equivalent to those provided for a member of the Executive Management bargaining unit under the agreement for Fiscal Years 2015-2017 between the Municipal Executives Association and the SFMTA, provided that the October 11, 2014 adjustment in the 2015 MEA MOU will be applied as of January 20, 2015. (Explanatory documents include a staff report and resolution.)

RESOLUTION 15-016

(10.6) Accepting a gift of \$100,000 from the San Francisco Bicycle Coalition Education Fund for the construction of the Folsom-Essex Bikeway Improvement Project on Folsom Street between 1st Street and 3rd Street. (Explanatory documents include a staff report, fact sheet and resolution.)

RESOLUTION 15-017

On motion to approve the Consent Calendar:

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

REGULAR CALENDAR

11. Authorizing the Director to implement a seven percent transit service to be phased in as part of the Transit Effectiveness Project/Muni Forward service increase; authorizing free Muni for low and moderate income seniors and disabled customers who use a Clipper® card for FY 2015 and FY 2016 effective March 1, 2015; allocating additional funding for transit fleet cleanliness and appearance; and amending Transportation Code Division II, Section 309 to eliminate the payment of telephone and on-line computer transaction fee effective May 1, 2015. (Explanatory documents include a staff report, resolution, fare comparison and amendment.)

Ed Reiskin presented the staff report.

PUBLIC COMMENT:

Supervisor Eric Mar expressed his condolences on the passing of Director Jerry Lee. He encouraged the Board to implement "Free Muni" for seniors and disabled customers.

Supervisor David Campos expressed support for "Free Muni" for seniors and people with disabilities.

Supervisor Norman Yee expressed support for "Free Muni" for seniors and people with disabilities.

Supervisor Jane Kim expressed support for "Free Muni" for seniors and people with disabilities.

Members of the public expressing support: Heidi Seretan, DeMian Williams, Jakee Bryson, Mary Ellen White, Angie Bargares, Patrick and Sara, Rosa Chen, Denise Senhaux, Gia Portuguese, Rheema Calloway, James Wong, Natividad Galinato, Wing Hoo Leung, Ruby Zhao, Cesar Ayala, Bob Allen, Shirley Tsang, Paul Hickman, Ursula McGuire, and Jessica Lehman

Members of the public expressing opposition: Gena Lynn Luna

RESOLUTION 15-018

On motion to approve:

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

12. Approving programming of up to \$210 million from various sources to exercise the first option for 40 additional light rail vehicles under Contract #2013-19; authorizing the Director enter into an agreement with the Metropolitan Transportation Commission to repay up to \$153 million if the SFMTA is unable to secure cap-and-trade funds to finance Option 1 and authorizing the Director to execute an amendment to Contract #2013-19 with Siemens Industry to exercise Option 1 to procure an additional 40 light rail vehicles for an amount not to exceed \$210 million. (Explanatory documents include a staff report and resolution.)

John Haley, Director Transit Operations, provided the staff report.

Director Heinicke requested an update on the Commuter Shuttle Pilot Program.

No public comment.

RESOLUTION 15-019

On motion to approve:

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

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 2:56 p.m.

2. Roll Call

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

Also present: Ed Reiskin, Director of Transportation
Caroline Celaya, Assistant Board Secretary
Rob Maerz, Deputy City Attorney
Vince Harris, Director, Capital Programs and Project
John Haley, Director, Transit
David Greenaway, Project Manager
Audrey Pearson, 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:

Jeffrey Giesecking vs. CCSF, Superior Ct. #CGC14537710 filed on 2/27/14 for \$300,000

RESOLUTION 15-020

On motion to approve:

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

The Committee for Re-Evaluation of the T-Line Loop; William Schwartz; and Richard Weiner v. SFMTA, Superior Ct. #CPF14513887, filed on 9/26/14

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

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION

13. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Giesecking and The Committee for Re-Evaluation of the T-Line Loop cases with the City Attorney. The Board of Directors voted to settle the Giesecking case but took no action on the T-Line Loop case. There was no discussion of anticipated litigation in closed session.

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

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

ADJOURN - The closed session was adjourned at 3:06 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.



Caroline Celaya
Assistant 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.