



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, April 4, 2017
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

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

SFMTA BOARD OF DIRECTORS

Cheryl Brinkman, Chairman,
Malcolm Heinicke, Vice Chairman
Gwyneth Borden
Lee Hsu
Tom Nolan
Joél Ramos
Cristina Rubke

Edward D. Reiskin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
SECRETARY

ORDER OF BUSINESS

1. Call to Order

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

2. Roll Call

Present: Cheryl Brinkman
Gwyneth Borden
Malcolm Heinicke
Lee Hsu
Joél Ramos
Cristina Rubke

Absent: Tom Nolan – with notification

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

Chairman Brinkman announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She 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. She 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 21, 2017 Regular Meeting: unanimously approved (Nolan-absent).

5. Communications

Board Secretary Boomer stated that Item 10.2 T regarding a bike lane on Bosworth had been removed from the agenda at the request of staff.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director’s Report (For discussion only)

- Special Recognition Award
- Update on Vision Zero
- Ongoing Activities

Ted Graff, Director, Parking, recognized Kenny Fan and May Szeto, parking attendant at Moscone Center Garage.

Ed Reiskin, Director of Transportation, discussed the L Taraval project; the 7th and 8th streets projects; Octavia street closure; Walk to Work Day; a lowrider tribute to Selena in the Mission; Transit School; and recent funding efforts and hearings.

Director Ramos requested an analysis regarding how the Van Ness project, once completed, has had an impact on pedestrian safety.

PUBLIC COMMENT:

Herbert Weiner stated that he finds it offensive that the “Walk to Work” posters depict people on crutches and in a wheelchair. This is a cruel slam at seniors and the disabled. The SFMTA signed onto these signs. He requested for those signs to be pulled two weeks ago. WalkSF denied his concerns. This is a mean attitude. With regard to the L Taraval project, seniors and people with disabilities are being kicked by expecting them to walk a quarter mile. The SFMTA will keep doing it until there’s a lawsuit.

Tariq Mehmood discussed the federal budget, increasing the car tax, and road congestion. These funds are devoted to other places already. San Francisco’s streets are horrible and filled with patches. People’s cars will be destroyed in three to six months by city streets. The money shouldn’t be given. San Francisco has the worst roads. People with disabilities say that the cars jump around but it’s the streets.

8. Citizens’ Advisory Council Report

No report.

9. Public Comment

Gena Lynn Luna is in favor of what the SFMTA is doing. The bus drivers are rude to seniors and people with disabilities. The homeless are getting worse on buses. She is glad that the SFMTA is doing something for seniors and people with disabilities.

Tariq Mehmood discussed the Taxi Driver Fund. Kate Toran sent an email to cab companies about creating a panel to discuss the fund. The panel is not populated by taxi drivers. It’s populated by medallion holders. A survey was sent to 4,000 drivers. She didn’t follow the results of the survey. There were 187 emails sent asking for the money to be distributed to the drivers but those were hidden for several months. She should be removed.

Arthur Lembke said that he is disgusted that Mayor Lee has no regard for people in the transportation industry. There are over 40,000 Transportation Network Companies (TNCs) operating in San Francisco and they’re breaking every law in the book. State law mandates that commercial vehicles for hire must carry commercial insurance, have commercial license plates and have a medical card. TNCs violate federal law and are flooding the streets, while looking at their mobile devices rather than the street. TNC drivers don’t have workers compensation benefits.

Tone Lee stated that most cab drivers in San Francisco aren’t local. He wants to join the SFConnect group but can’t get in. There should be small Muni electric cars for people to use. People don’t need to drive. The city needs to shut down traffic into San Francisco.

Carl Macmurdo stated that the taxi stakeholders are being “uberred” out of San Francisco by selling rides below cost. It’s predatory pricing. There’s an anti-trust lawsuit that’s been filed. The TNC business model isn’t sustainable. He understands that the jurisdiction is at the State but the city can enforce traffic laws such as stopping at stop signs and having commercial plates.

Roberto Marquez stated that taxi drivers can’t live or work in the city because it’s a mess. The TNCs have made it difficult. Taxi drivers can’t go to the airport because it’s a mess. There are a lot of issues. He bought a medallion and can’t make the payments or the other fees. The SFMTA needs to do something about it.

Tom Gilberti expressed disappointment that buses are rattle-traps. He is disappointed that we haven’t corrected the problem. These buses should have been fixed at the factory. He discussed issues with individual vehicles and is disappointed that the city didn’t respond. The streets and taxis are a mess and wheelchair users have lost taxis. Van Ness Ave. is a mess. The SFMTA should treat passengers better.

Ahmad discussed taxi passengers who wait for taxi drivers. The opposite is true for TNCs who wait for the passenger. TNC drivers wait in the traffic lane, making cars behind them wait or go around. The SFMTA should notify TNCs to go around the block. Carpools were created to reduce the number of cars on the road. TNCs put more cars on the road and clog the streets.

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. Fog City Cabs vs. CCSF, Superior Ct. #CGC16553565 filed on 8/9/16 for \$2961.15
- B. State Farm vs. CCSF, Superior Ct. #CGC15546656 filed on 6/30/15 for \$6,511.67
- C. Meredith Crawford vs. CCSF, Superior Ct. #CGC16549940 filed on 1/15/16 for \$7,500
- D. Mary Davis vs. CCSF, Superior Ct. #CGC15546276 filed on 6/10/15 for \$20,000
(Explanatory documents include a resolution.)

RESOLUTION 170404-036

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA O, 2-HOUR PARKING, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA O PERMITS – San Pablo Avenue, both sides, between Santa Monica Way and Portola Drive.
- B. ESTABLISH – STOP SIGNS – Jennings St., northbound and southbound, at Quesada Ave.
- C. ESTABLISH – TOW AWAY NO STOPPING FIRE LANE – Capitol Avenue, west side, from 122 feet to 158 feet south of Sagamore Street.
- D. ESTABLISH – STOP SIGN – Conrad Street, southbound, at Sussex Street.
- E. ESTABLISH – RIGHT TURN ONLY – Vermont Street, southbound, at Cesar Chavez Street.
- F. ESTABLISH – 4-HOUR TIME LIMIT, 8 AM TO 6 PM, EXCEPT SUNDAYS – Arkansas Street, both sides, between 16th Street and 17th Street.
- G. ESTABLISH – NO STOPPING, 10 PM TO 6 AM, EVERYDAY – Rincon Street, both sides, between US Interstate-80 and Bryant Street.
- H. ESTABLISH – TOW-AWAY NO STOPPING ANY TIME – Jackson Street, north side, from Powell Street to 30 feet west of Powell Street.
- I. ESTABLISH – NO LEFT TURN – 11th Street, northbound, 160 feet north of Division Street.
- J. RESCIND – 4-HOUR TIME LIMIT, 8 AM TO 6 PM, EXCEPT SUNDAY – De Haro Street, west side, between 15th Street and 16th Street.
- K. ESTABLISH – 2-HOUR TIME LIMIT, 8 AM TO 6 PM, EXCEPT SUNDAYS – De Haro Street, west side, between 15th Street and 16th Street.
- L. RESCIND – TOW-AWAY NO STOPPING EXCEPT PERMITTED CAR SHARE VEHICLES – Ocean Avenue, north side, from 18 feet to 58 feet west of Keystone Way.
- M. ESTABLISH – TOW-AWAY NO STOPPING EXCEPT PERMITTED CAR SHARE VEHICLES – Keystone Way, west side, from Ocean Avenue to 38 feet northerly.
- N. ESTABLISH – NO PARKING ANYTIME – Market Street, south side, from east crosswalk of Danvers Street to 25 feet westerly.
- O. ESTABLISH – NO PARKING VEHICLES GREATER THAN 6 FEET TALL – Market Street, south side, from 25 feet west of east crosswalk of Danvers Street to 100 feet westerly.
- P. ESTABLISH – BUS ZONE – Van Ness Ave., west side, from Chestnut St. to 124 feet northerly.
- Q. RESCIND – TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY – Van Ness Avenue, west side, from Chestnut Street to 68 feet southerly.
- R. ESTABLISH – CABLE CAR ONLY LANE – California Street, eastbound, from Powell Street to Grant Avenue.
- S. ESTABLISH – RIGHT TURN ONLY – Pratt Street, southbound, at California Street and Sabin Street, southbound, at California Street.
- T. ESTABLISH – BIKE LANE – Bosworth Street, westbound, from 225 feet east of Elk Street to Bosworth Street/O’Shaughnessy Path.
- U. ESTABLISH – PERPENDICULAR PARKING – Hudson Avenue, north side, from Newhall Street to Mendell Street.
- V. ESTABLISH – RED ZONE – Hudson Avenue, north side, from Newhall Street to 30 feet east; Hudson Avenue, south side, from Newhall Street to 10 feet east; Hudson Avenue, north side, from Mendell Street to 29 feet west; and Hudson Avenue, south side, from Mendell Street to 30 feet west.
- W. ESTABLISH – BLUE ZONE, DISABLED PARKING ONLY, AT ALL TIMES – “399” 9th Street, east side, from Harrison Street to 20 feet northerly.
- X. ESTABLISH – BLUE ZONE, DISABLED PARKING ONLY, AT ALL TIMES –

“777” Font Boulevard, south side of 700 Block of Font Boulevard east of the traffic circle (Explanatory documents include a staff report and resolution. For every parking and traffic modification that received a categorical exemption, the proposed action is the Approval Action as defined by Chapter 31 of the San Francisco Administrative Code.)

Item 10.2 T was removed from the agenda at the request of staff.

RESOLUTION 170404-037

(10.3) Authorizing the Director to execute the required Certifications and Assurances for all transit projects funded by the Low Carbon Transit Operations Program for Fiscal Year 2016-17 and making environmental review findings. (Explanatory documents include a staff report, certifications assurances, and resolution.)

RESOLUTION 170404-038

(10.4) Approving the Tentative Agreements for successor Memoranda of Understanding between SFMTA and Transport Workers Union, Local 250-A (9163); Transport Workers Union, Local 250-A (7410); Transport Workers Union, Local 250-A (9132); Transport Workers Union, Local 200; Service Employees International Union, Local 1021; International Brotherhood of Electrical Workers, Local 6; International Association of Machinists and Automotive Mechanics, Local 1414; and the Municipal Executives Association to extend the term of the agreements from June 30, 2017, to June 30, 2019 and provide for a base wage increase of three percent in Fiscal Year 2018 and a three percent base wage increase in Fiscal Year 2019. (Explanatory documents include a staff report, agreements, analysis, environmental documents and resolution. All of the proposed actions listed above are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 170404-039

On motion to approve the Consent Calendar (Item 10.2T removed):

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

ABSENT - Nolan

REGULAR CALENDAR

11. Amending Transportation Code Division II, Article 1100, Section 320 to eliminate the Medallion Holder Renewal Fee for Transferable Medallions that were purchased under the Taxi Medallion Sales Pilot Program and the Permanent Taxi Medallion Transfer Program and to correct minor, non-substantive numbering errors in Article 1100, Sections 1103, 1106 - 1109, 1113, 1114 and 1120. (Explanatory documents include a staff report, amendment and resolution.)

Kate Toran, Director, Taxis and Accessible Services presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Bill Mounsey, Tariq Mehmood, Tone Lee, David

Smith, and Herbert Weiner

Members of the public expressing support for waiving the fee for all medallion holders: Arthur Lembke, Marcelo Fonseca, Carl Macmurdo, and Mark Gruberg

RESOLUTION 170404-040

On motion to approve:

ADOPTED: AYES - Borden, Brinkman, Heinicke, Hsu, Ramos, and Rubke

ABSENT - Nolan

12. Presentation and discussion regarding the Western Addition Community Transportation Plan. (Explanatory documents include a plan and slide presentation.)

Sarah Jones, Planning Director, Monica Munowich, Manager, Complete Streets, and Danielle Harris, Project Manager, Western Addition Community Based Transportation Plan, presented the item.

PUBLIC COMMENT:

Devi Zinzuvadia stated that the community enjoyed the collaboration over the past 20 months. The Western Addition has had its share of transportation challenges. There are concerns about the speed of traffic moving through the neighborhood, and at times, transit is unpredictable. The process was valuable for everyone involved. There was great participation by seniors living in the community. The inclusion of the residents' perspectives is crucial to any improvements. The Western Addition hasn't been a high priority service area.

Gena Lynn Luna stated that there's crime at Masonic and Haight streets. Street lights are needed on Page and Haight. Crime has gotten worse in that neighborhood. Police officers need to patrol the neighborhood. The SFMTA is doing a wonderful job.

Daniel English expressed appreciation for the plan. The Western Addition hasn't been a priority for decades and even today, tour buses go through this neighborhood to get to other parts of San Francisco. The neighborhood has been treated like a thoroughfare. This is an opportunity for the SFMTA to be a partner with residents and move forward with community-based strategies. The SFMTA used care and concern to make sure the interests of the neighbors were considered.

Tone Lee stated that Gavin Newsom took out the trees and put in concrete. As a cab driver, he uses the whole city. The City is now putting in bike lanes everywhere which is stopping traffic. The SFMTA has too much money to spend and they don't remember what things looked like. The SFMTA needs to hire a guy like him to speak different languages.

13. Discussion and vote pursuant to Administrative Code Section 67.10(d) as to whether to invoke the attorney-client privilege and conduct a closed session conference with legal counsel.

On motion to invoke the attorney-client privilege: unanimously approved (Nolan-absent).

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Brinkman called the closed session to order at 3:20 p.m.

2. Roll Call

Present: Cheryl Brinkman
Gwyneth Borden
Malcolm Heinicke
Lee Hsu
Joél Ramos
Cristina Rubke

Absent: Tom Nolan – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Susan Cleveland-Knowles, Deputy City Attorney
John Kennedy, Deputy City Attorney
Joe Sandoval, Deputy City Attorney
Candace Sue, Director, Communications

3. Pursuant to Government Code Section 54956.9(d)(1) 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 on the following:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

Synergy Project Management vs. CCSF, Superior Court #CGC13535412 filed on 11/12/13 for \$660,000

RESOLUTION 170404-041

On motion to approve:

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

ABSENT - Nolan

4. Pursuant to Government Code Sections 54956.9 (d) (2), and Administrative Code Section 67.10 (d) (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

Also present: Christine Van Aken, Deputy City Attorney
Gail Stein, Manager, Advertising Contract

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 3:54 p.m.

14. Announcement of Closed Session.

Chairman Brinkman announced that the SFMTA Board of Directors met in closed session to discuss the Synergy Project Management vs. CCSF case with the City Attorney. The Board of Directors voted to settle the case. The Board also discussed anticipated litigation 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 (Nolan–absent).

16. Amending the SFMTA’s Advertising Policy to change the advertising standards to prohibit advertisements concerning a political or public issue, containing profanity or violent descriptions or images, are intended to be insulting, degrading, disparaging, demeaning or offensive, are reasonably likely to be harmful or disruptive to the SFMTA’s transit system, encourage or depict unsafe transit behavior or are adverse to the interests of the SFMTA, effective April 5, 2017. (Explanatory documents include a staff report, policy and resolution)

Gail Stein, Manager, Advertising Contract, presented the item.

No public comment.

RESOLUTION 170404-042

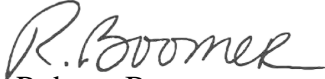
On motion to approve:

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

ABSENT - Nolan

ADJOURN - The meeting was adjourned at 3:59 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.