



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

NOTICE OF MEETING AND CALENDAR

Tuesday, February 18, 2020
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

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

SFMTA BOARD OF DIRECTORS

Malcolm Heinicke, Chair
Gwyneth Borden, Vice Chair
Cheryl Brinkman
Amanda Eaken
Steve Heminger
Cristina Rubke
Art Torres

Jeffrey Tumlin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
SECRETARY

ACCESSIBLE MEETING POLICY

The San Francisco Municipal Transportation Agency Board of Directors/Parking Authority Commission meeting will be held at 1455 Market Street, 22nd Floor San Francisco, CA. in the Transportation Authority Conference Room. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible Muni transit serving this location are: Muni Metro lines J-Church, K-Ingleside, L Taraval, M Ocean View, N Judah and T Third at Van Ness and Civic Center Stations; F Market-Wharves; 19 Polk, 47 Van Ness; 49 Mission-Van Ness; 5 Fulton; 5R Fulton; 6 Haight-Parnassus, 7 Haight-Noriega 7R Haight-Noriega; 21-Hayes; 9 San Bruno; 9R San Bruno Rapid and 71 Haight-Noriega. For information about Muni accessible services, call 415.701.4485.

The meeting room is wheelchair accessible. There is accessible parking available within the underground Civic Center Garage at the corner of McAllister and Polk streets and within the Performing Arts Garage at Grove and Franklin streets.

To obtain a disability-related accommodation, including auxiliary aids or services, or to obtain meeting materials in alternative format, please contact Roberta Boomer at 415.701.4505. Providing at least 72 hours' notice will help to ensure availability. Written reports or background materials for calendar items are available for public inspection and copying at 1 South Van Ness Ave 7th floor during regular business hours and are available online at www.sfmta.com/board. Public comment will be taken on each item before or during consideration of the item.

To assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.


The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chairman may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Administrator, by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415.554.7724; by fax at 415.554.7854; or by email at sotf@sfgov.org.

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at sfgov.org.

LANGUAGE ASSISTANCE

 **415.XXX.XXXX:** For free interpretation services, please submit your request 48 hours in advance of meeting./Para sa libreng serbisyo sa interpretasyon, kailangan mag-request 48 oras bago ang miting./Para servicios de interpretación gratuitos, por favor haga su petición 48 horas antes de la reunión./如果需要免費口語翻譯，請於會議之前48小時提出要求。/Đóí với dịch vụ thông dịch miễn phí, vui lòng gửi yêu cầu của bạn 48 giờ trước cuộc họp./ Для бесплатных услуг устного перевода просьба представить ваш запрос за 48 часов до начала собрания./ Pour les services d'interprétation gratuits, veuillez soumettre votre demande 48 heures avant la réunion./무료 통역 서비스를 원하시면 회의 48 시간 전에 귀하의 요청을 제출하십시오./ 無料通訳サービスをご希望の場合は、会議の48時間前までにリクエストを提出してください。/บริการให้ความช่วยเหลือในหลายภาษาด้านภาษาฟรี ณ ที่ประชุมโดยต้องแจ้ง ล่วงหน้า 48 ชั่วโมง/ يمكن تقديم مساعدة لغوية مجانية في الاجتماع على أن يتم طلب هذه الخدمة قبل الاجتماع بفترة 48 ساعة.

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Announcement of prohibition of sound producing devices during the meeting.
4. Approval of Minutes
 - February 4, 2020 Regular Meeting

5. Communications
6. Introduction of New or Unfinished Business by Board Members
7. Director's Report (For discussion only)
 - Ongoing Activities

8. Citizens' Advisory Council Report
9. Public Comment

Members of the public may address the SFMTA Board of Directors on matters that are within the Board's jurisdiction and are not on today's calendar.

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. Robert Bergesen and Rigoberto Hernandez vs. CCSF, CityLaw#191267 filed on 11/29/17 for \$3,792.79
- B. Chau Fong Chung vs. CCSF, Superior Ct. #CGC19573795 filed on \$7,500
- C. Markel Services vs. CCSF, Superior Ct. #CGC17563270 filed on 12/21/19 for \$22,500
- D. Kiet Qui Truong vs. CCSF, Superior Ct. #CGC19574122 filed on 2/27/19 for \$25,000
(Explanatory documents include a resolution.)

(10.2) Authorizing the Director to execute Contract No. 2019-59, Zero Emission Facility and Fleet Transition Plan, with WSP USA, for an in-depth facility and fleet assessment to support the SFMTA's facility and operational transition to a zero-emission battery electric bus fleet, in an amount not to exceed \$2,200,000, and for a term of two years with two one-year options to extend the contract. (Explanatory documents include a staff report, contract and resolution.)

(10.3) Authorizing the Director to execute unilateral Modification No. 9 to Contract No. 1289, Van Ness Corridor Transit Improvement Project, with Walsh Construction Company for additional sewer and roadway work, by increasing the contract amount by \$633,003.16, for a total contract amount not to exceed \$215,448,179.80, with no time extension and making environmental review findings. (Explanatory documents include a staff report, modification and resolution.)

(10.4) Appointing Steve Heminger, Director, SFMTA Board of Directors to serve as a director on the Peninsula Corridor Joint Powers Board of Directors, effective March 1, 2020. (Explanatory documents include a staff report, and resolution.)

(10.5) Consenting to the Potrero Power Station Mixed-Use Project Development Agreement, authorizing the Director of Transportation to execute the SFMTA's Consent to the Development Agreement and making environmental review findings. (Explanatory documents include a staff report, agreement, environmental documents and resolution.)

REGULAR CALENDAR

- 11. Adopting the Bayview Community Based Transportation Plan. (Explanatory documents include a calendar item, plan, and resolution.)
- 12. Presentation and discussion regarding the Fiscal Year 2021 and FY 2022 operating budget including discussion on fare policy and pricing and possible modifications to various fares. (Explanatory documents include a staff report, indexing plan, fare policies and comparison.)
- 13. Adopting the SFMTA's Curb Management Strategy. (Explanatory documents include a calendar item, strategy, and resolution.)
- 14. Authorizing the City Traffic Engineer to install tow-away zones and add, remove, modify, or lengthen bus zones on eight Muni Forward corridors and ten Transit Delay Hot Spot segments, based upon a determination of public convenience and necessity including, but not limited to, the alleviation of traffic congestion and public safety. (Explanatory documents include a staff report, resolution and map.)

15. 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.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

2. Roll Call

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:

A. Susan Dwyer vs. CCSF, Superior Ct. #CGC18566621 filed on 5/17/18 for \$163,075

B. Ching Szeto vs. CCSF, Superior Ct. #CGC19576245 filed on 5/24/19 for \$550,000

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:

 1 As defendant or 1 As plaintiff

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION

16. Announcement of Closed Session.

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

18. Approving Unilateral Modification No. 125 to Contract No. 1300, Third Street Light Rail Program Phase 2 - Central Subway Stations, Surface, Track and Systems to compensate Tutor Perini Corporation for direct and indirect costs resulting from the additional work described in the Contract Modification No 125, which was required by differing site conditions and City-directed design changes, which increase the contract value by \$18,995,027.44, with no change to contract time and making

environmental review findings. (Explanatory documents include a staff report, modification, environmental documents and resolution.)

19. Delegating an additional \$30,000,000 in authority to the Director to execute contract modifications to Contract No. 1300, Third Street Light Rail Program Phase 2 - Central Subway Stations, Surface, Track and Systems with Tutor Perini Corporation for the construction of Central Subway Stations, Trackway and Systems, and authorizing the Director to re-delegate to Resident Engineers the authority to approve contract modifications up to \$50,000, with all re-delegated contract approvals not to exceed a total of \$5,000,000. (Explanatory documents include a staff report and resolution.)

ADJOURN

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.

Board of Supervisors review of certain SFMTA Decisions: Certain parking and traffic modifications as well as Private Transportation Programs that involve certain parking modifications can be reviewed by the Board of Supervisors. These decisions are subject to review within 30 calendar days after they are made by the SFMTA Board of Directors. For information on requesting a review, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, call (415) 554-5184. Ordinance No. 127-18 specifying which SFMTA decisions are reviewable by the Board of Supervisors can be accessed on-line: <https://sfbos.org/sites/default/files/o0127-18.pdf>.

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.