



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, May 20, 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 May 6, 2014 Regular Meeting: unanimously approved (Heinicke-absent).

5. Communications

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

Chairman Nolan asked the Board Secretary to call Item 11 after Item 6.

6. Introduction of New or Unfinished Business by Board Members

Vice Chairman Brinkman requested a report regarding street widths.

Director Ramos requested information regarding platform heights and boarding along the Van Ness Bus Rapid Transit corridor.

7. Director’s Report (For discussion only)

-Ongoing Activities

-Taxi Dispatch Data

Christiane Hayashi, Director, Taxis and Accessible Services, discussed electronic taxi dispatch.

Director Reiskin discussed introduction of a General Obligation Bond measure for the November 2014 ballot; Bike to Work Day and recent cycling improvements; Bay to Breakers service; LRV seat reconfiguration pilot project; Small Business Week and status of the Titan Ad contract.

PUBLIC COMMENT:

Herbert Weiner discussed the pilot to reduce the number of seats on light rail vehicles and inquired if this would provide for seating for all seniors and people with disabilities. The SFMTA needs more coaches and not this plan. Trains are crowded when there's only one coach. Bulb-outs cost \$300,000 each which could be used to buy more coaches. He would like to see a monthly report on bunching, breakdowns and other vital statistics.

Hansu Kim discussed electronic taxi dispatch and expressed appreciation for recognizing that new equipment wasn't needed. There is accountability now and the Regulator can see where vehicles are. This company has bragged that they would control taxi companies through equipment in the vehicles. He urged caution due to comments made in the past.

Tariq Mehmood discussed taxi dispatch. The SFMTA is throwing money away. It doesn't need to know how fast a taxi is going. It doesn't need a kill switch. The issue is with Uber and the money going out of his pocket.

Mark Gruberg stated that it was a missed opportunity by not having a single app that people can use. This is shortsighted.

Director Heinicke requested a report as to progress made towards electronic taxi dispatch.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Herbert Weiner expressed concern that the panels saying when a bus arrives are not always accurate. This has to be straightened out. The SFMTA has proposed the near elimination of transportation along Clement Street. This is a street of small businesses from Arguello to 32nd Ave. The TEP is cutting access to small businesses which is a disservice to the city.

Hansu Kim stated that the taxi industry is about to go under and may have 18 months of life left. The industry can't compete against new forms of service that have no regulatory oversight or workers' compensation and pay nothing for insurance. Drastic measures are necessary now to save the industry.

Tariq Mehmood stated that FlyWheel is a great attempt but is not successful. Yellow Cab collected 5% without telling cab drivers they were collecting these credit card fees. They should be closed down. They failed the city and the public. Drastic measures are needed to stop Uber.

Mark Gruberg stated that Mr. Kim's concerns are most serious. The Board has approved and proceeded with the transfer value of a medallion and has precluded the possibility of lowering medallion fees. If medallion holders aren't paid enough, they can't make the payment and their loan will be foreclosed. Some companies have been charging 5% for credit card fees and have instituted a \$9.75 gate increase. This was supposed to come back to the Board but it is now in effect. He suggested wrapping the credit card fee into the gate fee.

Richard Hybels stated that cab companies are struggling and one will go out of business soon. There is a dire need for parking control officers at 2nd and Bryant as aggressive drivers pose a danger to pedestrians. There is a private trucking company that parks trailers at the park at the end of 24th St. all day and night. It's improper.

Chairman Nolan asked staff to look into the situation at the park on 24th St.

Director Rubke asked staff to provide feedback to the Enforcement Division about the situation at 2nd St. and Bryant.

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. Aria Kabiri vs. CCSF, Superior Ct. #CGC12520298 filed on 4/25/12 for \$54,000 (998 offer)

RESOLUTION 14-074

(10.2) Approving the following traffic modifications:

- A. RESCIND – BUS STOP – 11th Street, east side, north of Mission Street.
- B. ESTABLISH – 25 MILES PER HOUR SPEED LIMIT – Monterey Boulevard between Ridgewood Avenue and Circular Avenue.
- C. ESTABLISH – TOW-AWAY NO PARKING ANYTIME – Holloway Avenue, north side, from Beverly Street east property line to 65 feet easterly.
- D. ESTABLISH – BUS ZONE EXTENSION – Leavenworth Street, east side, from Clay Street to 95 feet southerly.
- E. ESTABLISH – TOW-AWAY NO PARKING ANYTIME – Pennsylvania Avenue, east side, from 18th Street to 65 feet northerly.
- F. RESCIND – TOW-AWAY, NO PARKING ANYTIME – Minna Street, south side, from 155 feet to 250 feet east of 5th Street.
- G. ESTABLISH – NO TURN ON RED – 11th Street, southbound, at Howard Street.
- H. ESTABLISH – NO TURN ON RED EXCEPT BICYCLES – Folsom Street, eastbound, at 8th Street.
- I. ESTABLISH – NO PARKING ANYTIME – Geary Boulevard, north side, from 61 feet to 109 feet east of Jordan Avenue. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-075

(10.3) Approving proposed traffic and parking modifications on Bartlett Street between 21st and 22nd streets, for the Bartlett Streetscape Project as follows:

- A. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME – Bartlett Street, both sides, from 22nd Street to 170 feet northerly; and Bartlett Street, both sides, from 328 feet to 355 feet north of 22nd Street; and Bartlett Street, both sides, from 21st Street to 40 feet southerly.
- B. RESCIND – 45-DEGREE ANGLE PARKING – Bartlett Street, west side, from 170 feet north of 22nd Street to 21st Street.
- C. ESTABLISH – PARALLEL PARKING – Bartlett Street, west side, from 170 feet north of 22nd Street to 21st Street.
- D. ESTABLISH – RED METERED LOADING ZONE, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY – Bartlett St., east side, from 170 feet to 218 feet north of 22nd St.
- E. ESTABLISH – YELLOW METERED LOADING ZONE, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY – Bartlett Street, east side, from 218 feet to 310 feet north of 22nd 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 14-076

(10.4) Authorizing the Director to execute Contract No. CPT 660: Complete Rehabilitation of 16 PCC Historic Streetcars with Brookville Equipment Corporation, to rehabilitate the streetcars and furnish related tools, training and spare parts, in an amount not to exceed \$34,482,428 and for a term not to exceed six years. (Explanatory documents include a staff report, resolution and contract.)

RESOLUTION 14-077

(10.5) Authorizing the Director to award Contract No. 1272, Job Order Contract, to Yerba Buena Engineering & Construction in an amount not to exceed \$5,000,000 and for an initial term not to exceed three years and extending the contract for up to an additional two years to complete previously issued task orders. (Explanatory documents include a staff report and resolution.)

RESOLUTION 14-078

(10.6) Amending Transportation Code Division II, Sections 401, 410, and 412 to authorize the Director to determine parking meter rates, times and days for enforcement, maximum time period permitted to park, and parking meter technology to be used in *SFpark* Parking Meter Zone Number Five; continue *SFpark* Parking Meter Zone Number Five meter and special event rates at the current geographic locations and identify the criteria for setting motorcycle, vehicle, and Special Event Parking meter rates for *SFpark* Parking Meter Zone Number Five; add the North Beach, Polk-Bush, SF General Hospital, and Vallejo Street parking garages, and SF General Hospital and 7th & Harrison parking lots to the *SFpark* program, and authorize the Director to make rate adjustments at these garages and lots based on the *SFpark* program's demand-responsive pricing effective July 1, 2014. (Explanatory documents include a staff report, resolution and Transportation Code.)

RESOLUTION 14-079

(10.7) Authorizing the Director to waive color scheme and dispatch service permit renewal fees for FY 2015, and amending the Transportation Code to define "e-hail"; authorize an e-hail fee; prohibit a driver from charging an amount above the taximeter fare plus other expressly authorized charges; require all taxi drivers to log into the in-taxi equipment while driving a taxi; authorize a medallion holder to purchase a taxi vehicle that will be operated "gas and gates" by a taxi company; and to provide for a penalty for failing to install accessible passenger information monitors in all taxicabs. (Explanatory documents include a staff report, resolution and Transportation Code.)

Item 10.7 was removed from the agenda at the request of members of the public.

PUBLIC COMMENT:

Members of the public expressing support: Richard Hybels, Hansu Kim, Charles Rathbone and Evelyn Poquez

Members of the public expressing neither support nor opposition: Tariq Mehmood and Herbert Weiner

On motion to approve Item 10.7:

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

RESOLUTION 14-080

On motion to approve the Consent Calendar (Item 10.7 severed):

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

REGULAR CALENDAR

11. Approving the temporary closure of eastbound Lombard Street between Larkin and Leavenworth Streets on Saturdays and Sundays from June 21st through July 13th, and on Friday, July 4th. (Explanatory documents include a staff report and resolution. The proposed action is the Approval Action as defined by S.F. Administrative Code Chapter 31.)

Ricardo Olea, Traffic Engineer, presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Catherine Stephanie, Randall Brubaker, Richard Juster and James Hickman

Members of the public expressing opposition: Reed Rahlmann and Tariq Mehmood

On motion to amend the resolution to exempt taxicabs from the pilot program if feasible:

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

RESOLUTION 14-081

On motion to approve as amended:

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

12. Adopting the FY 2015-2019 Capital Improvement Program totaling \$3.30 billion for approximately 370 projects including transit, accessibility, taxi, street, bicycle, parking, traffic and pedestrian projects. (Explanatory documents include a staff report, resolution and CIP.)

Jonathan Rewers, Principal Lead/Manager of Capital Financial Planning & Analysis, presented the item.

PUBLIC COMMENT:

Members of the public expressing opposition: Herbert Weiner

RESOLUTION 14-082

On motion to approve:

ADOPTED: AYES – Brinkman, Heinicke, Lee 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 3:17 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
Alicia John-Baptiste, Chief of Staff
Candace Sue, Director, Communications
Donald Ellison, Director, Human Resources
Sonali Bose, Director, Finance and Information Technology

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:

Edward Delaney vs. CCSF, Superior Ct. #CGC12524784 filed on 12/8/12 for \$1,250,000

RESOLUTION 14-083

On motion to approve:

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

Evelyn Vincenzi, Susan Shields, David Barrett and Diane Robinson vs. CCSF, Superior Ct. #CGC13534990 filed on 10/22/13 for \$4,000,000

RESOLUTION 14-084

On motion to approve:

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

Also present: Cheryl Adams, Deputy City Attorney
Karen Kirby, Deputy City Attorney
John Haley, Director, Transit Services

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.

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 3:55 p.m.

14. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Edward Delaney and Vincenzi et. al vs. CCSF cases with the City Attorney. The Board of Directors voted to settle both cases. 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.

ADJOURN - The meeting was adjourned at 3:55 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.