

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

MINUTES

Tuesday, May 21, 2013
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

REGULAR MEETING AND CLOSED SESSION
1 P.M.

BOARD OF DIRECTORS

Tom Nolan, Chairman
Cheryl Brinkman, Vice Chairman
Leona Bridges
Malcolm Heinicke
Jerry Lee
Joél Ramos
Cristina Rubke

Edward Reiskin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
BOARD SECRETARY

ORDER OF BUSINESS

1. Call to Order

Chairman Nolan called the meeting to order at 1:05 p.m.

2. Roll Call

Present: Leona Bridges
Cheryl Brinkman
Malcolm Heinicke
Tom Nolan
Joél Ramos
Cristina Rubke

Absent: Jerry Lee – with notification

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 7, 2013 Regular Meeting: unanimously approved (Lee-absent).

5. Communications

Board Secretary Boomer stated that Items 10.2 P, Q, R and S had been removed from the agenda at the request of staff.

6. Introduction of New or Unfinished Business by Board Members

Vice Chairman Brinkman requested information regarding what the City can do about Market St. in advance of the street repaving.

Chairman Nolan requested an update on the Van Ness Bus Rapid Transit Project.

Director Heinicke requested a report regarding service issues in the subway, including communication with passengers, double berthing of vehicles and what steps are being taken to address the issues.

7. Director's Report (For discussion only)

-Ongoing Activities

Director Reiskin discussed the new SFMTA website, the Bay Area's bike share program, the 2013 Bike to Work Day, Bay to Breakers event service and the 2013 City Survey.

PUBLIC COMMENT:

Herbert Weiner stated that if the SFMTA can gage the number of cyclists on Market Street, it should be able to gage the number of cyclists who run red lights. The SFMTA would be solvent if it levied a \$100 fine. Muni service is getting worse and people are fed up. The City Survey didn't reach out to residents.

Charles Minster expressed appreciation to drivers, mechanics and clerks who make the system run. Checking for transfers criminalizes the poor. It's a political attack and is being used by the SFMTA as a means of harassment of the working class. Bankers on Montgomery aren't being checked.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Neal Patel announced an adaptive cycling event at the June Sunday Streets event.

Herbert Weiner discussed charging for handicapped parking and reducing the schedule on Sunday during the summer. The TEP reduces service to people who need it the most.

Lance Carnes discussed Central Subway project shortfalls in terms of time and money. The levels are below federal levels. Not proceeding with the North Beach tunnel variant would make up for the shortfall. He asked the SFMTA to consider cutting it.

Joan Wood expressed concern about the speed to bail out a developer and lease the Pagoda property. The Feds have noticed serious time and financial contingencies. The SFMTA Board should take their responsibilities more seriously. The piles are crooked around Union Square.

Mary McGuire expressed appreciation for the SFMTA's comments at the CPUC workshop. The solution must ensure that unregulated services doesn't drive regulated service out of business. Electronic hailing shouldn't be exempt from regulations. She wondered whether the SFMTA was prepared to act if the CPUC doesn't.

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. Maria Vado vs. CCSF, Superior Ct. #CGC11515482 filed on 10/28/11 for \$10,000 (998 offer)
- B. Christopher Borgzinner vs. CCSF, Superior Ct. #CGC10504272 filed on 9/30/10 for \$15,000 (998 offer)

RESOLUTION 13-055

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – BACK-IN 60-DEGREE ANGLE PARKING – Market Street, south side, from 26 feet to 93 feet east of Diamond Street.
- B. ESTABLISH – NO PARKING ANYTIME – Market Street, south side, from 106 feet to 112.5 feet east of Diamond Street.
- C. ESTABLISH – NO PARKING ANYTIME – Howard Street, east side, 1600 Block, from 214-feet north of 13th Street to 21-feet northerly.
- D. ESTABLISH – RED ZONE – Turk Street, north side, at Lyon Street between east and west crosswalks and Turk Street, south side, from Lyon Street to 23.5 feet westerly.
- E. ESTABLISH – TOW-AWAY NO PARKING ANYTIME – Dow Place, both sides, from 2nd Street to end.
- F. RESCIND – BUS FLAG STOP – Broadway, southeast corner of Broadway and Sansome St.
- G. ESTABLISH – BUS FLAG STOP – Broadway, southwest corner of Broadway and Sansome St.
- H. RESCIND – BUS ZONE – Page Street, south side, from Franklin Street to 100 feet westerly.

- I. ESTABLISH – TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY – Battery Street, both sides, from Bush Street to 122 feet northerly.
- J. ESTABLISH – STOP SIGN – Stopping Edward Street at Arguello Boulevard, westbound.
- K. ESTABLISH – NO PARKING ANYTIME – Baker Street, west side, between the northern and southern curb ramps at Beach Street; and Baker Street, west side, between the northern and southern curb ramps at North Point Street.
- L. ESTABLISH – RED ZONE EXTENSION – 26th Street, north side, from 29 feet to 57 feet east of Wisconsin Street.
- M. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Hyde Street, east side, from McAllister Street to Fulton Street.
- N. RESCIND – FARMER’S MARKET PERMIT PARKING ONLY, 6 AM TO 9:30 AM, WEDNESDAY AND SUNDAY – Hyde Street, east side, from 11 feet south of McAllister Street to 192 feet southerly.
- O. RESCIND – BLUE ZONE – Hyde Street, east side, from 40 feet north of Fulton Street to Fulton Street.
- P. RESCIND – ANGLE PARKING – North side of Point Lobos avenue, near 902 Point Lobos Avenue, between the parking lot crosswalk and driveway to access road to Sutro Baths.
- Q. ESTABLISH – PARALLEL PARKING – North side of Point Lobos avenue, near 902 Point Lobos Avenue, between the parking lot crosswalk and driveway to access road to Sutro Baths.
- R. ESTABLISH – ANGLE PARKING – North side of Point Lobos Avenue, west of access road to Sutro Baths to existing angled parking.
- S. ESTABLISH – CLASS II BIKEWAY – Bayshore Boulevard, northbound, Paul Avenue to Silver Avenue; Bayshore Boulevard, southbound, Silver Avenue to Paul Avenue; Paul Avenue, westbound, 3rd Street to San Bruno Avenue; Paul Avenue, eastbound, San Bruno Avenue to 3rd Street; San Bruno Avenue, northbound, Mansell Street to Paul Avenue; and San Bruno Avenue, southbound, Paul Avenue to Mansell Street.
- T. ESTABLISH – RIGHT LANE MUST TURN RIGHT EXCEPT MUNI – Bayshore Boulevard at Paul Avenue, northbound; and Paul Avenue at Bayshore Boulevard, westbound.
- U. ESTABLISH – LEFT LANE MUST TURN LEFT – Bayshore Boulevard at Augusta Street, southbound.
- V. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Paul Avenue, north side, from Bayshore Boulevard to 3rd Street. (Explanatory documents include a staff report and resolution.)

Items 10.2 P, Q, R and S were removed from the agenda.

RESOLUTION 13-056

(10.3) Authorizing the Director to execute a claim for allocation of operating assistance from Transportation Development Act, State Transit Assistance, AB1107 One-Half Cent Sales Tax, and Regional Measure 2 funds for Fiscal Year 2014 to support the operating budget. (Explanatory documents include a staff report and resolution.)

RESOLUTION 13-057

(10.4) Authorizing the Department of Public Works to award DPW Contract No. 2108J: Contract 33 Traffic Signal Modifications, to Phoenix Electric Company for a total contract amount not to exceed \$1,176,888 and for a contract term not to exceed 330 days. (Explanatory documents include a staff report, resolution and financial plan.)

RESOLUTION 13-058

(10.5) Authorizing the Director to retroactively execute Master Agreements with Otis Elevator Company for an amount not to exceed \$488,280, Schindler Elevator Corporation for an amount not to exceed \$2,257,611, and KONE, Inc. for an amount not to exceed \$1,419,506 for maintenance and repair of elevator and escalator in the Muni Metro System and at various locations for a period not to exceed five years from March 1, 2013 through February 28, 2018. (Explanatory documents include a staff report, resolution and contracts.)

RESOLUTION 13-059

(10.6) Amending Transportation Code Division II Section 303, to reduce the penalty for various disabled parking violations. (Explanatory documents include a staff report, resolution and amendment.)

RESOLUTION 13-060

No public comment.

On motion to approve the Consent Calendar (Items 10.2 P, Q, R and S removed):

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

ABSENT: Lee

REGULAR CALENDAR

11. Awarding Contract No. 1300, Third Street Light Rail Program, Phase 2 Central Subway – Stations, Surface, Track and System to Tutor Perini Corporation in an amount not to exceed, \$839,676,400 for base contract work and \$490,000 for optional contract work, for a total contract amount not to exceed \$840,166,400 and term not to exceed 1700 calendar days, said award contingent upon no bidder submitting a timely protest challenging the award, and further authorizing the Director to exercise options set out in the contract, and further authorizing the Director to approve up to an aggregate of \$20 million in contract amendments before seeking SFMTA Board approval. (Explanatory documents include a staff report, resolution and financial plan.)

John Funghi, Program Director, Central Subway project, presented the staff recommendation.

PUBLIC COMMENT:

Members of the public expressing opposition: Julianna Choy, Stanley Chan, Oren Sellstrom, Darolyn Davis, Alex Chiu, Lance Carnes, Albert Wong, Howard Wong and Al Norman

Members of the public expressing support: Ron Tutor and Keith Gilliam

RESOLUTION 13-061

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

ABSENT: Lee

12. 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 (Lee-absent).

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 2:42 p.m.

2. Roll Call

Present: Leona Bridges
Cheryl Brinkman
Malcolm Heinicke
Tom Nolan
Joél Ramos
Cristina Rubke

Absent: Jerry Lee

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney

John Haley, Director, Transit Services
Sonali Bose, Director, Finance and Information Technology
Candace Sue, Director, Communications

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:

A. Pui Fong Huey vs. CCSF, Superior Ct. #CGC12521463 filed on 6/8/12 for \$132,500

RESOLUTION 13-062

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

ABSENT: Lee

B. TWU 250-A et. al, vs. CCSF, Public Employment Relations Board, #SFCE827M

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- The closed session was adjourned at 3:05 p.m.

13. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Huey and TWU 250-A cases with the City Attorney. The Board of Directors voted unanimously to settle the Huey case. The Board took no action on the 250-A case. The Board also discussed anticipated litigation but took no action.

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

On motion to not disclose the information discussed: unanimously approved (Lee-absent).

ADJOURN - The meeting was adjourned at 3:07 p.m.

A tape 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.