



# San Francisco Municipal Transportation Agency Citizens' Advisory Council

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**MINUTES** • Meeting Date: July 7, 2022

## **REGULAR MEETING**

5:30 pm

Due to the COVID-19 health emergency and to protect our Council Members, SFMTA staff, and members of the public, the SFMTA Meeting Room (Union Square Conference Room) is closed.

Members of the public are encouraged to participate remotely. If you want to ensure your comment on any item on the agenda is received by the Council in advance of the meeting, please send an email to [CAC@sfmta.com](mailto:CAC@sfmta.com) by 5 p.m. the day before the meeting, or call (415) 646-2388.

## **REMOTE MEETING ACCESS**

WATCH: (link can be found online <https://www.sfmta.com/calendar/citizens-advisory-council-cac-regular-meeting-july-7-2022>)

PUBLIC COMMENT CALL-IN: (415) 915-0757 | Conference ID: 761 115 52#

## **SFMTA CITIZENS' ADVISORY COUNCIL MEMBERS**

Michael Chen, Chair  
Aaron Leifer, Vice-Chair  
Chris Arvin  
Sascha Bittner  
Queena Chen  
Steve Cornell  
John Lisovsky  
Obai Rambo  
Karim Salgado  
Yensing Sihapanya  
Connor Skelly  
Susan Vaughan  
Dorris Vincent  
Frank Zepeda

## **COUNCIL LIAISON**

Christine Silva

## **COUNCIL SECRETARY**

Keka Robinson-Luqman



## **ORDER OF BUSINESS**

### 1. Call to Order

Chair Chen called the meeting to order at 5:35 p.m.

### 2. Roll Call

CAC members present at Roll Call: Chris Arvin, Sascha Bittner, Michael Chen, Queenena Chen, Stephen Cornell, Aaron Leifer, Obai Rambo, Connor Skelly, Susan Vaughan, and Frank Zepeda

CAC members absent at Roll Call: Yensing Sihapanya

CAC members absent with notification: John Lisovsky and Karim Salgado

CAC members absent without notification: Dorris Vincent

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

No announcement was made.

### 4. Approval of Minutes:

No public comment.

On motion to approve the minutes of June 2, 2022:

ADOPTED: AYES – Chris Arvin, Sascha Bittner, Michael Chen, Queenena Chen, Stephen Cornell, Aaron Leifer, Obai Rambo, Connor Skelly, Susan Vaughan, and Frank Zepeda

ABSENT – John Lisovsky, Karim Salgado, Yensing Sihapanya, and Dorris Vincent

### 5. Report of the Chair (For discussion only)

Chair Chen reported on upcoming Muni events.

No public comment.

### 6. Public Comment

Paula Katz stated that the Board of Directors never voted to change the L bus route. It violates the City Charter if the change goes into effect.

Barry Taranto objected to one minute for public comment.



Edward Mason stated that private commuter shuttle patronage is drastically reduced. If the program is supposed to reduce pollution, near-empty buses are not addressing that issue. No permit or expired permits continue. The program should be reexamined for its utility and value.

Evy stated that the increased pollution on the 48 re-route is staggering and it has completely cut service to an entire neighborhood.

### **REGULAR CALENDAR**

7. Presentation, discussion, and possible action regarding findings under new state urgency legislation to allow remote meetings during the COVID-19 emergency; continuing remote meetings for the next 30 days; and directing the Council Secretary to agendize a similar resolution at a council meeting within 30 days. (Explanatory documents include a resolution.)

### **PUBLIC COMMENT:**

Evy expressed support for the continuation of remote meetings.

### **CAC MOTION 220707.01**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (COVID-19) pandemic, and that state of emergency remains in effect; and

WHEREAS, On February 25, 2020, the Mayor of the City and County of San Francisco (the City) declared a local emergency, and on March 6, 2020, the City's Health Officer declared a local health emergency and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and



WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City's Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at [www.sfdph.org/healthorders](http://www.sfdph.org/healthorders)) and one directive (Health Officer Directive No. 2020-33i, available online at <http://www.sfdph.org/directives>) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City's Department of Public Health, in coordination with the City's Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited exceptions, prohibited policy bodies other than the Board of Supervisors and its committees from meeting in person under any circumstances, so as to ensure the safety of policy body members, City staff, and the public; and

WHEREAS, The SFMTA Citizens' Advisory Council has met remotely during the COVID-19 emergency and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; and

WHEREAS, On September 27, 2021, the SFMTA, under authority delegated by the Planning Department, determined that the AB 361 findings described above are not a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Citizens' Advisory Council and is incorporated herein by reference;



WHEREAS, On October 14, 2021, in Recommendation No. 211014-117, the Council adopted the recommended findings allowing it to continue to meet remotely for 30 days; now, therefore, be it

RESOLVED, That SFMTA Citizens' Advisory Council finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, the Council has reconsidered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.
3. As described above, because of the COVID-19 pandemic, conducting meetings of this body and its committees in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it further

RESOLVED, for at least the next 30 days, meetings of the SFMTA Citizens' Advisory Council and its committees will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of the Council and its committees that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and its committees and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it further

RESOLVED, That the Council Secretary is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of The SFMTA Citizens' Advisory Council within the next 30 days. If the Council does not meet within the next 30 days, the Council Secretary is directed to place such a resolution on the agenda of the next meeting of the Council.

On motion to approve:

ADOPTED: AYES – Chris Arvin, Sascha Bittner, Michael Chen, Queena Chen, Stephen Cornell, Aaron Leifer, Obai Rambo, Connor Skelly, Susan Vaughan, and Frank Zepeda

ABSENT – John Lisovsky, Karim Salgado, Yensing Sihapanya, and Dorris Vincent



8. Presentation, discussion, and possible action regarding the election of the CAC Chair and Vice Chair.

CAC Secretary Robinson-Luqman opened the floor for nominations for the position of Chair.

Council member Aaron Leifer nominated Council member Michael Chen for Chair of the CAC. There were no additional nominations, so nominations were closed.

PUBLIC COMMENT:

Edward Mason expressed concern for the Chair only allowing one minute for public comment.

On motion to elect Council member Michael Chen as Chair:

ADOPTED: AYES – Chris Arvin, Sascha Bittner, Michael Chen, Queena Chen, Stephen Cornell, Aaron Leifer, Obai Rambo, Connor Skelly, Susan Vaughan, and Frank Zepeda

ABSENT – John Lisovsky, Karim Salgado, Yensing Sihapanya, and Dorris Vincent

Chair Michael Chen opened the floor for nominations for the position of Vice Chair.

Chair Michael Chen nominated Council member Aaron Leifer for Vice Chair of the CAC. There were no additional nominations, so nominations were closed.

No public comment.

On motion to elect Aaron Leifer as Vice Chair:

ADOPTED: AYES – Chris Arvin, Sascha Bittner, Michael Chen, Queena Chen, Stephen Cornell, Aaron Leifer, Obai Rambo, Yensing Sihapanya, Connor Skelly, Susan Vaughan, and Frank Zepeda

ABSENT – John Lisovsky, Karim Salgado, and Dorris Vincent

9. Presentation, discussion, and possible action regarding the Taxi Upfront Fare Pilot Program. (Kate Toran, Director, Taxis, Access & Mobility Services. Explanatory documents include a slide presentation.)

Kate Toran, Director, Taxis, Access & Mobility Services presented the item.



PUBLIC COMMENT:

Jessica Felix stated that business for Taxis right now is good. Customer service is not good. Disabled riders say it is taking longer to get rides. Paratransit users will not be able to get rides and third-party apps will now have access to drivers' funds.

Sara Greenwald stated that for a variety of reasons, Uber has taken over and there are not enough proper taxis with clean fuel. This pilot would disadvantage labor and subsidize fossil fuel.

Evy spoke in opposition to the pilot program. Not everyone has a smartphone. Prop 22 was voted down and this is Uber oozing back in.

Mark Gruberg expressed concern about the impact on taxi passengers, particularly paratransit users. There is a disconnect between what the passenger pays and what the driver pays.

Barry Taranto stated that he refuses to participate because it would cause him to ignore his regular passengers.

Herbert Weiner stated that he is fully against Uber.

Evelyn Engel expressed concern about the third-party dispatch. They don't oppose upfront fares in general, it's the third-party dispatch that is concerning, given how much this benefits Uber.

Edward Mason asked for clarification on if someone uses the app whether it will be a Taxi or an Uber that shows up. He stated that Uber is on par with Wells Fargo in terms of corruption.

CAC MOTION #220707.02

WHEREAS the San Francisco Planning Department has recently issued a report highlighting the socio-economic and environmental problems associated with transportation network companies (TNCs, e.g., Uber and Lyft), including the exacerbation of the global climate emergency and widening divisions between those who can afford ride hail services and those who cannot; and

WHEREAS Uber is a financially failing company propped up by investments from various funds, including the Saudi Arabian Public Investment Fund, making Uber an extension of the fossil fuel industry; and

WHEREAS 59% of San Franciscans who voted in the November 2020 election voted NO on Proposition 22 to convert Uber and Lyft drivers, among others, from employees with



benefits ranging from minimum hourly pay and Workmen’s Compensation to private contractors; and

WHEREAS the San Francisco Charter requires the San Francisco Municipal Transportation Agency (SFMTA) to ensure “roads that are not gridlocked with congestion;” and

WHEREAS the San Francisco Charter requires the SFMTA to provide “A transportation sector that promotes environmental sustainability and does not contribute to global warming;” and

WHEREAS the San Francisco Charter gives the SFMTA “exclusive authority over taxi-related functions and taxi-related fares, fees, charges, budgets, and personnel that it has over the Municipal Railway;” and

WHEREAS the Taxi Upfront Fare Pilot Program requires the SFMTA to give up the power to regulate taxi meter fares for all cab rides booked through third-party dispatch systems and to transfer that power to the third-party dispatch companies; and

WHEREAS Uber has stated that it has a goal of having all taxis globally on its platform by 2025, thereby converting all taxi drivers globally into Uber contract gig workers; and

WHEREAS TNC participation is not an essential component of the Taxi Upfront Fare Pilot Program; now, therefore be it

RESOLVED that the San Francisco Municipal Transportation Agency Citizens’ Advisory Council urges the San Francisco Municipal Transportation Agency Board of Directors to remove third-party (TNC) dispatch from the Taxi Upfront Fare Pilot Program.

On motion to approve:

ADOPTED: AYES – Chris Arvin, Sascha Bittner, Queena Chen, Stephen Cornell, Aaron Leifer, Obai Rambo, Yensing Sihapanya, Connor Skelly, and Susan Vaughan

NAYES – Michael Chen and Frank Zepeda

ABSENT – John Lisovsky, Karim Salgado, and Dorris Vincent

11. Council Member Information and Agenda Item Requests. (For discussion only)

Stephen Cornell asked why public input has been eliminated from ISCOTT.

**ADJOURN**- The meeting was adjourned at 8:25 p.m.





Submitted by:

A handwritten signature in black ink, appearing to read 'KAR Luqman'.

Keka Robinson-Luqman  
SFMTA CAC – Secretary

Next regular meeting: Thursday, August 4<sup>th</sup> at 5:30pm | Online via Microsoft Teams