



San Francisco Municipal Transportation Agency Board of Directors & Parking Authority Commission

MEETING MINUTES • Meeting Date: Tuesday, October 4, 2022

REGULAR MEETING AND CLOSED SESSION

1:00pm

1 Dr. Carlton B. Goodlett Place
Room 400, City Hall

This meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45th Supplement to her February 25, 2020 emergency proclamation, it is possible that some members of the SFMTA Board of Directors may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or online at www.sfgovtv.org/sfmtaLIVE. Instructions for providing remote public comment are below.

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 Board in advance of the meeting, please send an email to MTABoard@sfmta.com by 5pm the day before the meeting or call 415.646.4470.

REMOTE MEETING ACCESS

WATCH: www.sfgovtv.org/sfmtaLIVE or
<https://www.sfmta.com/calendar/board-directors-meeting-october-4-2022>

PUBLIC COMMENT CALL-IN: 415.655.0001 Access Code: 2484 146 5505

SFMTA BOARD OF DIRECTORS

Gwyneth Borden, Chair
Amanda Eaken, Vice Chair
Stephanie Cajina
Steve Heminger
Fiona Hinze
Manny Yekutieli

DIRECTOR OF TRANSPORTATION

Jeffrey Tumlin

BOARD SECRETARY

Christine Silva



ORDER OF BUSINESS

1. Call to Order

Chair Borden called the meeting to order at 1:04pm.

2. Roll Call

Present: Stephanie Cajina
Steve Heminger
Fiona Hinze
Manny Yekutieli
Gwyneth Borden

Absent (with notification): Amanda Eaken

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

Board Secretary Silva announced that ringing and the use of cell phones and similar sound-producing electronic devices were prohibited at the meeting.

4. Approval of Minutes

PUBLIC COMMENT:

David Pilpel shared that he did not find any corrections.

On motion to approve the minutes of the September 20, 2022 Regular Meeting:

ADOPTED: AYES – Cajina, Heminger, Hinze, Yekutieli and Borden
ABSENT – Eaken

5. Communications

None.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director's Report (For discussion only)



- Special Recognition
- Central Subway Project Updates
- Ongoing Activities

Julie Kirschbaum, Director of Transit, recognized transit operator, Timothy Rossi.

Director Tumlin shared updates on Central Subway opening events, a legislative update, and upcoming events including Fleet Week and Sunday Streets Second Annual Phoenix Day.

PUBLIC COMMENT:

Aleta Dupree looked forward to attending upcoming Central Subway Project events and shared that people should be able to ride e-bikes anywhere in the state.

David Pilpel requested staff post the last Director's Report slide presentation and asked if any changes would be made to Muni passenger rules and regulations related to gender-based harassment.

Susan Cieutat expressed concern for tows and requested staff provide a report.

8. Citizens' Advisory Council Report

None.

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.

Flo Kelly expressed concern for tows and urged the SFMTA to bring it to the Board as an action item.

Alison Francis shared about her experience living in San Francisco and about a towing experience five years ago.

Alisa Sheehan commented on the difficulty of getting a vehicle back after being towed and her experience in San Francisco.

Jordan Smith shared about those living in vehicles and urged the SFMTA to give people the benefit of the doubt.



Susan Cieutat urged the Board to hold a hearing on tows as soon as possible and shared that it is important to look at who is being towed and why.

Aleta Dupree looked forward to riding Muni and shared about her experience riding transit in Chicago.

Paula Katz submitted the following public comment summary per Admin Code §67.16:

1. SFMTA should find the necessary resources to restore full service downtown for all L buses. 2. Jeff Tumlin didn't report to the Board that the City Attorney orally told SFMTA it didn't have to get the Board's approval to stop the L bus at West Portal, and he didn't get a written report. The Board or SFMTA should get a written report from the City Attorney on whether SFMTA violated Charter Section 16.112(b) on July 9th when, without a prior hearing or Board approval, it ended the L bus route at West Portal, eliminating the longer Embarcadero segment with more stops. If the City Attorney has decided that this change is an exception to the Charter requirement for a public hearing and Board approval of significant bus route changes, the public deserves to know why, including the facts and law relied upon.

Charles Belov shared about accessibility issues with the online board meetings and requested that the scrolling text on screen be replaced with static messaging. He also requested that the Board make improving walking signage part of the SFMTA's mission.

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. Keith Johnson v. CCSF, Superior Ct. #CGC-21-592108 filed 5/21/2021 for \$30,000.
- B. Pamela Brown v. CCSF, Superior Ct. #CGC-20-588611 filed 12/22/20 for \$25,000.



- C. Selena Holmes v. CCSF, Superior Ct. #CGC-20-586497 filed 9/11/20 for \$19,715.97 (for total settlement amount of \$64,715.97 with \$45,000 approved by the SFMTA Board on 4/5/2022).
- D. Mario Galindo v. CCSF, Superior Ct. #CGC-21-594591 filed 8/18/21 for \$12,500. (Explanatory documents include a resolution.)

RESOLUTION No. 221004-087

10.2. Approving various routine parking and traffic modifications:

- A. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA J – 1042-1048 Irving Street.
- B. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA X – 131 Missouri Street.
- C. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA J 1807-1811 Haight Street.
- D. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA I – 2315 Mission Street.
- E. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA I – 2331-2333 Mission Street.
- F. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA I – 2812-2814 Mission Street.
- G. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA Z – 3769 24th Street.
- H. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA Z – 3773-3775 24th Street.
- I. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA S – 4026-4030 24th Street.
- J. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA C – 540 O'Farrell Street.
- K. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA C – 630 Jones Street.
- L. RESCIND – 2-HOUR TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY – Harrison Street, both sides, from 7th Street to 10th Street.
- M. ESTABLISH – GENERAL METERED PARKING, NO TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY – Harrison Street, both sides, from 7th Street to 10th Street.
- N. RESCIND - 1-HOUR TIME LIMIT, 7AM TO 6PM, MONDAY THROUGH SATURDAY – Harrison Street, north side, from 10th Street to 11th Street.
- O. ESTABLISH - GENERAL METERED PARKING, NO TIME LIMIT, 9AM TO 6PM, MONDAY THROUGH SATURDAY – Harrison Street, north side, from 10th Street to 11th Street.
- P. RESCIND - 2-HOUR PARKING, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA DD PERMITS – ESTABLISH - 2-HOUR PARKING, 8 AM TO 4 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA DD PERMITS – 800 block of Eucalyptus Drive, north side, between 25th and 26th Avenues. (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.)



RESOLUTION No. 221004-088

- 10.3. Adopting a resolution making findings pursuant to AB361 to allow for continued remote meetings due to the COVID-19 pandemic. (Explanatory documents include a resolution.)

RESOLUTION No. 221004-089

- 10.4. Authorizing the Director to exercise a Lease extension option and execute the First Amendment to the lease between Hudson 1455 Market, LLC, as Landlord, and the SFMTA, as Tenant, for a portion of the 7th Floor at 1455 Market Street, a portion of the 1st Floor, and a Bike Room in the 3rd Floor garage (Lease) for the Transportation Management Center (TMC) for an additional ten-year term, effective September 20, 2023, and to authorize the Director to exercise the second Lease extension option, at the Director's discretion if the rent for the second Lease extension term is no more than fair market value at that time. (Explanatory documents include a staff report and resolution.)

RESOLUTION No. 221004-090

- 10.5. Requesting the Board of Supervisors by ordinance to authorize the SFMTA to (1) issue a Request for Proposals for a Communications Based Train Control System to be awarded by a contract with a term exceeding 10 years, and to waive the Administrative Code Section 21.9(a)(2) prohibition against issuing solicitations for a contract for professional services for a term longer than 10 years; (2) authorize the SFMTA to use negotiated procurement procedures; and, (3) to adopt findings under the California Environmental Quality Act. (Explanatory documents include a staff report and resolution.)

RESOLUTION No. 221004-091

PUBLIC COMMENT (Items 10.1-10.4):

Members of the public expressing neither support nor opposition: David Pilpel (10.4)

On motion to approve the Consent Calendar (Item 10.5 severed):

ADOPTED: AYES – Cajina, Heminger, Hinze, Yekutieli and Borden
ABSENT – Eaken



PUBLIC COMMENT (Item 10.5):

Members of the public expressing opposition: Paula Katz submitted the following public comment summary per Admin Code §67.16:

It's very disappointing that SFMTA still is considering interlining the L Taraval and K Ingleside in 2024, when the L Taraval train is expected to return to service. Interlining would create a combined K-L line that would run from the Zoo to West Portal and then out to Balboa Park. Riders on both lines would be forced to transfer at West Portal to ride downtown, which wastes their time and creates difficulties for seniors, people with disabilities, parents with children, etc. The Board should not approve any future plan that includes interlining the L & K for any reason. L & K riders, who number more than 70,000 a day in normal times, will strongly oppose any forced transfer at West Portal once the L Taraval train returns.

Members of the public expressing neither support nor opposition: David Pilpel

On motion to amend Item 10.5 ordinance with the updated ordinance:

ADOPTED: AYES – Cajina, Heminger, Hinze, Yekutieli and Borden
ABSENT – Eaken

On motion to approved as amended:

ADOPTED: AYES – Cajina, Heminger, Hinze, Yekutieli and Borden
ABSENT – Eaken

REGULAR CALENDAR

11. Authorizing the Director, or his designee, to execute the Second Amendment to the Transit Shelter Advertising Agreement with Clear Channel Outdoor, LLC.; to exercise the option to extend the Agreement for five years, through December 7, 2027; adjust the annual minimum guarantee payments, as well as administrative and marketing payments; and increase the maintenance and service obligations of Clear Channel. (Explanatory documents include a staff report and resolution.)

Jonathan Rewers, Acting Chief Financial Officer, presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Mark Gleason, Larry, David Pilpel, and Romero



RESOLUTION No. 221004-092

On motion to amend the resolution, directing staff that within 60 days of the approval of the contract agreement that staff complete a full assessment of the state of bus shelters and platforms with a plan to bring them up to the maximum condition score and that a hearing is scheduled within six months to report back on how many shelters and platforms were repaired, including an overlay of equity neighborhoods, and to what level, as well as the clearance of the backlog of repairs:

ADOPTED: AYES – Cajina, Heminger, Hinze, Yekutieli and Borden
ABSENT – Eaken

On motion to approve as amended:

ADOPTED: AYES – Cajina, Heminger, Hinze, Yekutieli and Borden
ABSENT – Eaken

12. Presentation and discussion regarding a fiscal and management update including the 2021 State of Good Repair Report. (Explanatory documents include a report and slide presentation.)

Jonathan Rewers, Acting Chief Financial Officer, and Jim Morrill, Acting Asset Management Unit Manager, presented the item.

PUBLIC COMMENT:

David Pilpel expressed support for the item.

Herbert Weiner shared that a growing population has a growing need and that there is a need for more transportation resources.

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.

No public comment.

On motion to go into closed session:



ADOPTED: AYES – Cajina, Heminger, Hinze, Yekutiel and Borden
ABSENT – Eaken

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION - The Board recessed at 4:01pm.

CLOSED SESSION

1. Call to Order

Chair Borden called the closed session to order at 4:06pm.

2. Roll Call

Present: Stephanie Cajina
Steve Heminger
Fiona Hinze
Manny Yekutiel
Gwyneth Borden

Absent (with notification): Amanda Eaken

Also present: Jeffrey Tumlin, Director of Transportation
Susan Cleveland-Knowles, Deputy City Attorney
Isidro Jimenez, Deputy City Attorney
Wayne Snodgrass, Deputy City Attorney
Diana Hammons, Senior Manager - Revenue Collection & Sales
Ted Graff, Director of Parking
Tom Maguire, Director of Streets
Ricardo Olea, City Traffic Engineer
Christine Silva, Board Secretary
Viktoriya Wise, Chief of Staff

3. Pursuant to Government Code Section 54956.9(d)(1) and the Administrative Code Section 67.8 (a)(3), the SFMTA 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:
Coalition on Homelessness v. CCSF, California Court of Appeal Case No. A164180
(filed 12/20/2018)



Director Cajina left the meeting.

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION – The Board adjourned the closed session at 5:00pm.

14. Announcement of Closed Session

Board Secretary Silva announced that the Board of Directors met in closed session. No action was taken.

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

On motion to not disclose:

ADOPTED: AYES – Heminger, Hinze, Yekutieli and Borden
 ABSENT – Cajina and Eaken

ADJOURN – The meeting adjourned at 5:02pm.

A recording of the meeting is on file in the office of the Secretary to the San Francisco Municipal Transportation Agency Board of Directors.


Christine Silva
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.

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 website: <https://sfethics.org/>.

If you wish to contact the Board regarding an item that is expected to be on an agenda, please email the Board at MTABoard@sfmta.com. Please know that the Board appreciates receiving such communication not later than 5pm the day before the meeting so they have time to review and consider the comments prior to the meeting.

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 <https://sfgov.org/sunshine/>.