

# Part 1: A Brief History of Muni (the People's Railway)



Presented by Robin Keitzes, Deputy City Attorney

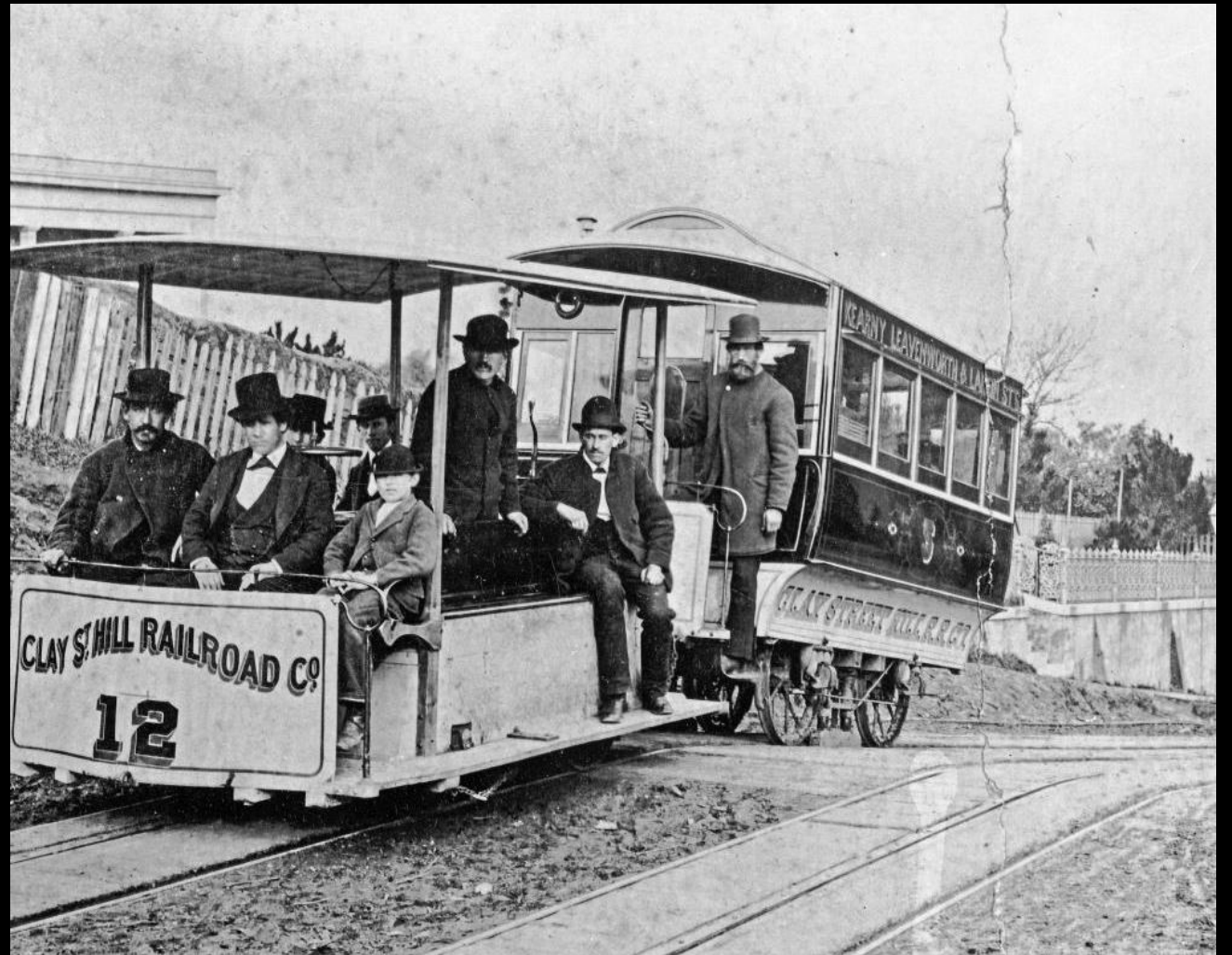
## Transit's Beginning - 1851

Horse-drawn omnibuses owned by private, for-profit companies, pictured around the turn of the century.



1873

Inventor of the cable car –  
Andrew Hallidie –  
pictured on the side of an  
early car



# Labor Trouble

Around the turn of the 20th century, many smaller, privately operated transit companies consolidated. The corruption and callous labor practices of one company, the United Railroads (which became the Market St. Railway), led to a bond measure in 1909 for a municipally owned system.

Carbarn interior, c. 1917.  
Strikebreakers were housed in these facilities during the protracted strike of 1917.





**Streetcar Strike,  
1917**

# Opening Day of the People's Railway - December 28, 1912

(Geary near Grant St.)



# City purchases MSRY Co.

September 29, 1944 — the privately owned Market Street Railway Company turned over all its assets, including more than 500 streetcars, to the San Francisco Municipal Railway, following approval of San Francisco voters to buy the private company.



# Cable Cars

Three years later (1947), Mayor Lapham tried to kill off the Powell St. cable car line. Friedel Klussman created the Citizen's Committee to save the cable cars and put a charter amendment on the ballot to save the Powell-Mason line and the Washington-Jackson line. The California St. line became part of Muni in 1952 when the private company went out of business.





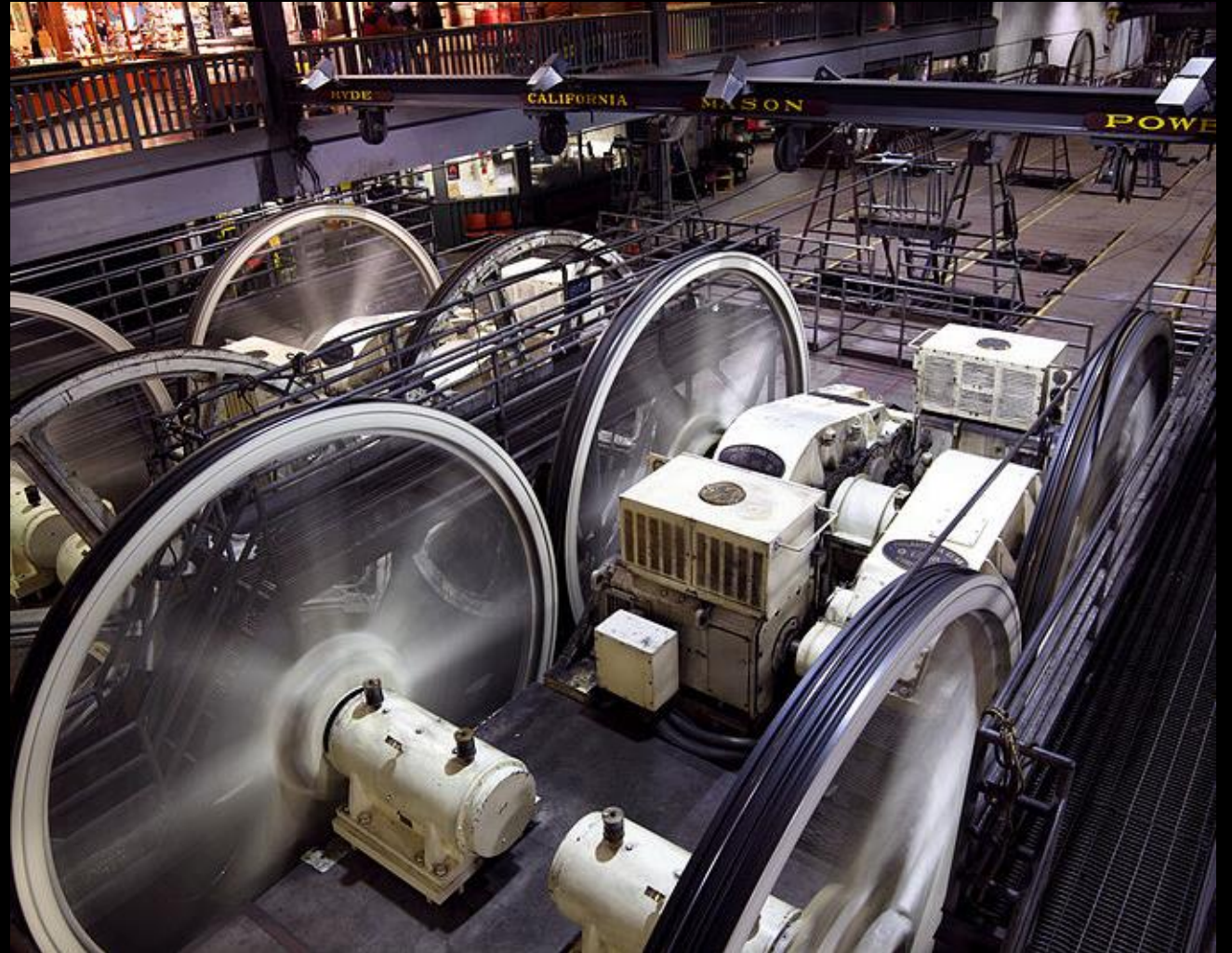
# Cable Cars, cont'd

1964 - cable cars listed on the National Register of Historic Places

1982-84 - entire cable car system restored. Then Mayor Feinstein led the fund-raising effort, which included federal and private funds. The rebuild was completed on June 21, 1984 - just in time for the Democratic Convention.

Current Charter - 3 lines

- Powell-Mason
- Powell-Hyde
- California Street



- WWII - Muni began hiring African Americans, including women
- As a young woman, Dr. Maya Angelou briefly worked as a conductor for Market Street Railway in the summer of 1944



- In 1970, H. Welton Flynn was appointed as the City's first African-American commissioner, who served on commissions governing Muni for almost 30 years. Under his leadership, the PUC created the first program that gave contracting opportunities for women and minorities.



- In 1974, Muni appointed the first African-American general manager of a major U.S. transit system. Curtis E. Green, one of the World War II Muni hires (at 90 cents per hour), rose through the ranks after starting as a bus driver



# Other Milestones

- “Transit First” Policy – 1973 – adopted by BOS - Municipal Railway vehicles and other transit vehicles have priority over other vehicles on San Francisco streets
- Paratransit service began in 1979 (before the ADA)
- Muni Metro – 1980
- F-Line historic streetcar service from Castro to the Wharf
  - Began as part of annual trolley festivals (1983-87)
  - F-Line opened – September 1, 1995

# SFMTA Organizational History

- Under the 1932 Charter, Muni was part of the PUC. In 1993, a Charter Amendment created the Public Transportation Commission, incorporated into the 1996 Charter.
- In 1999, Prop. E combined the PTC and the City's parking and traffic functions under a single agency, the SFMTA. DPT officially merged into the SFMTA in 2002.
- Prop. A (2007) increased the SFMTA's autonomy, authorized the Agency to issue bonds and adopt parking and traffic regulations, Agency given a larger allocation of General Fund revenues, and the authority to issue a two-year budget.
- In 2009, the SFMTA began taxi regulation.

# SFMTA Exclusive Authority

- Under Article VIIIA of the Charter, the SFMTA has exclusive authority:
  - over acquisition, construction, management of its property, including its real, personal, and financial assets;
  - over contracting, leasing, and purchasing for the Agency
  - to adopt rates, fees, fares
  - to enter into agreements for fare media
  - to enter into joint arrangements with other public entities for the common use of transit facilities and for through-ticketing
  - to legislatively adopt, and to enforce parking and traffic regulations
  - applying for, accepting, and expending grants
- Agency must comply with ordinances of general application



## Part 2

# New Year's Resolutions - 2019

Presented by: Susan Cleveland-Knowles, Deputy City Attorney

---

1. Pause before pushing “send” (Public Records and Personal Electronic Devices)
2. Stick to the Agenda
3. Remember my role (Non-interference in Administrative Affairs)





# 1. Pause before hitting the send button

## Public Records: Recent Case Law

### *(City of San Jose v. Superior Court)*

---

- Public records request: Email and text messages sent or received on private electronic devices by the mayor, two city council members, and their staffs.
- Holding: When a city employee or official uses a personal account to communicate about the conduct of public business, the writings may be subject to disclosure under the California Public Records Act
- Court emphasized 6 points in its decision.



# First Point

- Government employees cannot avoid disclosure under public records law by using personal electronic devices to create public records. Government employees include officials
  - Communications include: Emails you send or receive, Text messages you send or receive
  - Personal electronic devices include: Private email, telephone accounts, personal computers and cell phones

# Second Point

- Only communications that relate to the conduct of the public's business are public records



## Third Point

- Government employees and officials may be required to search their personal electronic devices and retrieve possible public records

## Fourth Point

- Existing exemptions from disclosure apply to communications made using personal electronic devices (attorney-client privilege, personnel documents, privacy, etc.)



## Fifth Point

- Existing records retention policies apply to communications made using personal electronic devices
- No requirement to keep public records on personal electronic devices, May transfer public records to government-owned devices

## Sixth Point

- A public records request may cover communications on personal electronic devices even if not expressly specified



## 2. Stick to the Agenda (power of the agenda)

---

- MTA Board cannot discuss or act on matters not on a meeting's agenda
- No exception for unexpected matters that arise during a meeting
- Discussing or acting on matters that are not on the agenda violates public notice requirements



# Exceptions to Agenda Rule

---

- Very limited exceptions include:
  - Public health or safety emergency (majority vote)
  - Immediate need to avoid serious injury to public interest (2/3 vote)
  - Commendations and announcements
- Agenda rule does not prohibit:
  - Requests to place items on a future agenda
  - Follow up to on general public comments:
    - Clarification questions
    - Referrals to staff or other resources for factual information
    - Requests for staff to report back at a subsequent meeting



### 3. Remember my role

## Non-Interference in MTA Administrative Affairs

- A Director's direction, suggestion, or interference in MTA administrative affairs is official misconduct
- Administrative affairs include:
  - Contract negotiations and administration
  - Appointment, promotions, compensation, and discipline of individual employee
  - Permitting decisions
- Non-interference covers two areas:
  - Chain of command
  - Action only by body as a whole



# Chain of Command

---

- MTA Board and its members may:
  - Address MTA administrative matters solely through Director of Transportation or his/her designees
  - Seek information about MTA operations solely from Director of Transportation
  - Seek information from subordinate staff only with Director of Transportation's approval
- Chain of command requirements do not affect MTA Board's powers of hearing and inquiry
  - MTA Board may call any MTA officer or employee before the board to answer questions regarding MTA operations





THE END