



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

MINUTES

Tuesday, November 5, 2019
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

**REGULAR MEETING AND CLOSED SESSION
1 P.M.**

SFMTA BOARD OF DIRECTORS

Malcolm Heinicke, Chair
Gwyneth Borden, Vice Chair
Cheryl Brinkman
Amanda Eaken
Steve Heminger
Cristina Rubke
Art Torres

Tom Maguire
INTERIM DIRECTOR OF TRANSPORTATION

Roberta Boomer
SECRETARY

ORDER OF BUSINESS

1. Call to Order

Chair Heinicke called the meeting to order at 1:13 p.m.

2. Roll Call

Present: Gwyneth Borden
Cheryl Brinkman
Amanda Eaken
Malcolm Heinicke
Cristina Rubke
Art Torres

Absent: Steve Heminger – with notification

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

Board Secretary Boomer announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She 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. She 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

No public comment.

On motion to approve the minutes of the October 15, 2019 Regular Meeting: unanimously approved (Heminger-absent).

5. Communications

Board Secretary Boomer stated that the Bay Area Motivate item scheduled for closed session had been removed from the agenda at the request of staff.

6. Introduction of New or Unfinished Business by Board Members

Chair Heinicke asked that the meeting be adjourned in memory of Kathleen Knox, former member of the Public Transportation Commission.

Vice Chair Borden asked that the meeting be adjourned in memory of Buck Delventhal, Deputy City Attorney.

7. Director's Report (For discussion only)

- Special Recognition
- Update on Vision Zero
- Interactive project map
- Ongoing Activities

Caroline Celaya, Manager, Office of the Board of Directors recognized John Jones, transit operator and Eyby Alfaro, sign shop, for their service while staffing the 7th Floor reception desk.

Tom Maguire, interim Director of Transportation discussed the fatality on October 31, a Board of Supervisors resolution declaring a state of emergency, speed limits and automated speed enforcement and the impact of daylight savings time on pedestrian safety, public art installation for the Central Subway, a risk assessment review of the Central Subway Project and the SFMTA's efforts to assist people affected by the Kincadee fire.

Tori Winters, Transportation Planner and Steph Nelson, GIS Administrator and Developer presented the interactive project map.

Vice Chair Borden requested a robust social media campaign for the project map. Chair Heinicke asked staff to reach out to neighborhood groups about the map.

PUBLIC COMMENT:

Hayden Miller asked about the transit only lane cameras onboard Muni buses and wondered how they are used and whether they can be used for other violations.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Stephen Braitsch discussed a "Safe Lanes" reporting and data analysis tool. He discussed the violations on Valencia Street and offered ways to improve safety on that corridor. Enforcement must be increased.

Hayden Miller discussed strollers that are congesting areas on buses. He suggested an aggressive educational campaign.

John Paar expressed appreciation to SFMTA staff for the work done at the corner of 31st and Balboa streets. The work will save lives. The harder work must now start. He requested an elevated light rail station in the outer Sunset. Stations and trains don't match each other in the outer Sunset.

Herbert Weiner discussed equity. Bicyclists don't pollute the environment but neither do people who ride Muni. Muni riders deserve as much consideration as cyclists, but bus stops are removed, and bus lines don't run efficiently. The SFMTA increases fares but gives nothing in return.

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) Approving the following parking and traffic modifications:

- A. RESCIND – TOW-AWAY, NO PARKING ANYTIME – Colin P. Kelly Jr Street, west side, from Brannan Street to 140 feet southerly.
- B. ESTABLISH – GENERAL METERED PARKING, FOUR HOUR TIME LIMIT, 9 AM TO 10 PM, MONDAY THROUGH SATURDAY – 18th Street, both sides, between Connecticut Street and Texas Street.
- C. ESTABLISH – METERED YELLOW ZONE, COMMERCIAL LOADING, 30-MINUTE TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY – 18th Street, south side, from 20 feet to 65 feet west of Texas Street.
- D. ESTABLISH – RED ZONES – 18th Street, north side, from Missouri Street to 20 feet easterly; and 18th Street, south side, from Missouri Street to 20 feet westerly.
- E. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA X – 18th Street, both sides, between Connecticut Street and Texas Street.
- F. ESTABLISH – METERED MOTORCYCLE PARKING – 18th Street, north side, from 25 feet to 35 feet west of Missouri Street.
- G. ESTABLISH – PERPENDICULAR PARKING – Broadway, south side, between Scott Street and Pierce Street; Collingwood Street, east side, between 19th Street and 20th Street; and Colby Street, west side, between Olmstead Street and northern terminus.
- H. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Geary Boulevard, south side, from Laguna Street to 165 feet westerly; Geary Boulevard, north side, from Laguna Street to 181 feet easterly.

- I. ESTABLISH – NO STOPPING ANYTIME – Gough Street, west side, from Geary Boulevard to 8 feet southerly.
- J. ESTABLISH – BUS ZONE – Geary Boulevard, south side, from St. Joseph’s Avenue to 105 feet easterly.
- K. ESTABLISH – GENERAL METERED PARKING, 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY – Geary Boulevard, south side, from 105 feet to 117 feet east of St. Joseph’s Avenue; Geary Boulevard, north side, from 191 feet to 285 feet west of Steiner Street.
- L. ESTABLISH – RED ZONE – Geary Boulevard, south side, from Gough Street to 25 feet easterly.
- M. ESTABLISH – YELLOW 6-WHEEL COMMERCIAL METERED LOADING ZONE, 30-MINUTE TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY – O’Farrell Street, south side, from 8 feet to 57 feet east of Hyde Street.
- N. ESTABLISH – YELLOW 6-WHEEL COMMERCIAL METERED LOADING ZONE, 30-MINUTE TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH SATURDAY – Geary Boulevard, south side, from 183 feet to 231 feet west of Fillmore Street.
- O. ESTABLISH – GREEN METERED PARKING, 30-MINUTE TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY – Geary Boulevard, south side, from 137 feet to 183 feet west of Fillmore Street.
- P. ESTABLISH – YELLOW METERED LOADING ZONE, 30-MINUTE TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH SATURDAY – Geary Boulevard, south side, from 20 feet to 137 feet west of Fillmore Street.
- Q. ESTABLISH – PASSENGER LOADING ZONE AT ALL TIMES – Geary Boulevard, north side, from 112 feet to 191 feet west of Steiner Street; Geary Boulevard, north side, from 180 feet to 236 feet east of Webster Street.
- R. ESTABLISH – RIGHT TURN LANE – ESTABLISH – TOW-AWAY, NO PARKING ANYTIME – Geary Boulevard, north side, from Divisadero Street to 88 feet westerly.
- S. ESTABLISH – RIGHT TURN LANE – ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Laguna Street, west side, from Geary Boulevard to 87 feet northerly.
- T. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Franklin Street, east side, between Geary Street and Post Street.
- U. ESTABLISH – RED ZONE — Tennessee Street, east side, from 20th Street to 41 feet southerly; and making environmental review findings. (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 191105-133

(10.2) Adopting a Resolution of Support for the New Flyer Midlife Overhaul Phase III Project, to expend \$7,174,000 of anticipated federal funds programmed within the State Transportation Improvement Program, from the Fixing America's Surface Transportation Act or any successor legislation. (Explanatory documents include a staff report and resolution.

Item 10.2 was severed from the Consent Calendar at the request of a member of the public.

PUBLIC COMMENT:

Members of the public expressing support: Mark Jane

RESOLUTION 191105-134

On motion to approve Item 10.2:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Rubke, and Torres

ABSENT – Heminger

On motion to approve the Consent Calendar (Item 10.2 severed):

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Rubke, and Torres

ABSENT – Heminger

REGULAR CALENDAR

11. Approving the SFMTA’s 2019 Title VI Program Update, and the results of the required system-wide monitoring of service standards and policies conducted by SFMTA’s Transit Planning Division. (Explanatory documents include a staff report, resolution and update.)

Kathleen Sakelaris, Manager, Regulatory Affairs and Sean Kennedy, Manager, Transit Planning, presented the item.

Vice Chair Borden asked staff to make sure the announcements on all lines are consistent with respect to translations into other languages. She also asked staff to look at having better quality glass at transit shelters that was less susceptible to being broken and to track the response time and speed of repair for replacing broken transit shelter glass.

No public comment.

RESOLUTION 191105-135

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Rubke, and Torres

ABSENT – Heminger

12. Amending Division II of the Transportation Code to establish a definition of Shared Mobility Device Service that encompasses existing shared mobility device services (bikeshare and e-scooter share); delegate authority to the Director to authorize the temporary operation of a Shared Mobility Device Service or Non-Standard Vehicle service under a Proof of Concept Authorization if there is not an existing permit program, and establish fees and administrative penalties for violations and recommend that the Board of Supervisors approve an amendment to Division I of the Transportation Code to prohibit the operation of Shared Mobility Devices Service without a permit or authorization from SFMTA. (Explanatory documents include a staff report, resolution and amendments.)

Kate Toran, Director, Taxis and Accessible Services, and Darton Ito, Manager, Office of Innovation, presented the item.

Vice Chair Borden suggested establishing an advisory panel of technology professionals to advise the SFMTA.

No public comment.

RESOLUTION 191105-136

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Rubke, and Torres

ABSENT – Heminger

13. Authorizing the Director to execute Contract No. SFMTA-2019-02 with New Flyer of America, for a total amount not to exceed \$4,452,536; Contract No. SFMTA-2020-18 with BYD Coach & Bus for a total amount not to exceed \$3,509,150; and Contract No. SFMTA-2020-19 with Proterra, Inc., for a total amount not to exceed \$5,262,602, to procure three 40-foot, low floor, battery-electric buses, along with associated spare parts, training, manuals, and special tools and with options for up to three additional coaches over the next five years from each contractor. (Explanatory documents include a staff report, resolution and contracts.)

This item was continued from the October 15, 2019 meeting.

Julie Kirschbaum, Director, Transit, presented the item.

PUBLIC COMMENT:

Members of the public expressing neither support nor opposition: Hayden Miller, Tom Ghilberti and Mark Jane.

On motion to sever the BYD contract and authorize the contracts with New Flyer and Proterra pending the outcome of the conference committee:

MOTION FAILED:

AYES – Heinicke, and Torres

NAYES - Borden, Brinkman, Eaken, and Rubke

ABSENT – Heminger

RESOLUTION 191105-137

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Rubke, and Torres

ABSENT – Eaken and Heminger

Following the closed session, Director Torres requested that the original vote (5-1, Torres - nay) be rescinded and retaken. The motion to rescind the vote to approve the three contracts was unanimous (Eaken, Heminger – absent) and the subsequent motion to approve the item was unanimous (Eaken, Heminger – absent).

14. 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.

On motion to invoke the attorney-client privilege: unanimously approved (Heminger-absent).

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chair Heinicke called the closed session to order at 2:58 p.m.

2. Roll Call

Present: Gwyneth Borden
Cheryl Brinkman
Amanda Eaken
Malcolm Heinicke
Cristina Rubke
Art Torres

Absent: Steve Heminger – with notification

Also present: Roberta Boomer, Board Secretary
Susan Cleveland-Knowles, Deputy City Attorney

3. Pursuant to Government Code Section 54956.9(d)(1) 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 possible action on attorney-client matters on the following:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

Gil Asido vs. SFMTA, Superior Ct. #CGC17-561730 filed on 10/5/17 for \$150,000

RESOLUTION 191105-138

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Rubke, and Torres

ABSENT – Heminger

Also present: Tom Maguire, Interim Director of Transportation
Kimberly Ackerman, Director, Human Resources

Bay Area Motivate vs. CCSF, Superior Ct. #CGC19576554, filed on June 7, 2019

This item was removed from the agenda at the request of staff.

4. Pursuant to Government Code Section 54957(b) and Administrative Code Section 67.10(b), the SFMTA Board of Directors will meet in Closed Session for discussion and possible action:

PUBLIC EMPLOYEE APPOINTMENT/HIRING FOR THE POSITION OF DIRECTOR OF
TRANSPORTATION

Director Eaken left the meeting.

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 3:22 p.m.

15. Announcement of Closed Session.

Chair Heinicke announced that the SFMTA Board of Directors met in closed session to discuss the Asido case with the City Attorney. The Board of Directors voted to settle the Asido case (Heminger-absent). The Bay Area Motivate item was removed from the agenda at the request of staff and was not discussed. The Board also discussed the selection of the Director of Transportation but took no action.

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

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

ADJOURN - The meeting was adjourned at 3:24 p.m. in memory of Kathleen Knox and Buck Delventhal.

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

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 web site: sfgov.org/ethics.