



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

MINUTES

Tuesday, December 1, 2020

Due to the COVID-19 health emergency and to protect our Board Members, SFMTA staff, and members of the public, the Board's Meeting Room (Room 400) 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 Board in advance of the meeting, please send an email to MTABoard@sfmta.com by 5pm on Monday, November 30 or call (415) 646-4470. Please see the information on the next page for remote meeting access.

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

SFMTA BOARD OF DIRECTORS

Gwyneth Borden, Chair
Amanda Eaken, Vice Chair
Cheryl Brinkman
Steve Heminger
Sharon Lai

Jeffrey Tumlin
DIRECTOR OF TRANSPORTATION

Christine Silva
SECRETARY

ORDER OF BUSINESS

1. Call to Order

Chair Borden called the meeting to order at 1:00 p.m.

2. Roll Call

Present: Gwyneth Borden
Cheryl Brinkman
Amanda Eaken
Steve Heminger
Sharon Lai

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 the November 17, 2020 Regular Meeting: unanimously approved.

5. Communications

Chair Borden discussed the virtual meeting and expressed appreciation to staff for their work to enable the meeting to be held via teleconference. Acting Board Secretary Celaya reviewed how members of the public could watch the meeting and address the Board.

Acting Board Secretary Celaya noted that at the November 17th meeting, the Board continued the item regarding the Metropolitan Transportation Commission's (MTC) strategy to institute telecommuting mandates. That item is not on the agenda as it no longer requires action. The MTC instead adopted an alternative strategy.

6. Introduction of New or Unfinished Business by Board Members

No public comment.

7. Director's Report (For discussion only)

- Great Highway
- Ongoing Activities

PUBLIC COMMENT:

Richard Rothman stated that he did not see ADA blue parking at the Great Highway. Staff said the alternative to using Sunset Boulevard is to go north but he believes Chain of Lakes is a better option. People are not obeying the stop sign at JFK and MLK. He asked the Board to look at the big picture and to look at 19th Avenue which can't handle an increase in traffic.

Barry Taranto asked that an announcement be made several times, for the public to press "10" because his colleagues were confused about the instructions. He is thankful that personal protective equipment was provided. Taxi drivers need more cleaning supplies from SFMTA, especially ramp drivers. He inquired if the SFMTA knows how many cab drivers have been infected. He urged staff to remind passengers to wear masks and keep them on.

Anthony Ballester expressed support regarding fare collection. Operators are exposed when someone coughs or sneezes. No operators should be laid off.

David Pilpel asked for a copy of the Directors' report. He inquired if there was any comment on the 19th Avenue project and the likelihood of traffic diversion and alternate routes. There is a question about the purpose of the SFMTA going forward because if staff is shrunk, revenue raising becomes harder. He suggested a board member request a list of approved development projects and how service will impact those projects.

Anonymous stated that there is a need for revenue but putting fare inspectors on buses when there is a need for social distancing doesn't make sense. Buses will pass stops when there are too many people onboard. The agency needs a better way to get revenue.

Hayden Miller hopes traffic calming can be implemented at the Great Highway and the great walkway can be kept open. The capacity limits on buses are too high and there is no enforcement. The rest of the country has lesser capacity limits because they measured, and Muni hasn't. Buses are full and passengers are not wearing masks. The 9 line needs to go back to 50-foot buses. Riders and workers are suffering. Ambassadors were supposed to be handing out warnings, but they were on the phone so not a lot of people got the information.

Edward Mason stated that once rear door boarding happened, everyone thought the ride was free. Other agencies added screen barriers and it took SFMTA eight months to make changes. He urged the SFMTA to put up signs that boarding in rear doesn't mean you don't have to pay.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Hayden Miller stated that he understands that without parking enforcement there is a loss of revenue but that currently there are no parking limits being enforced. Safety hazards need to be enforced which will help fill the budget gap. Calls to 311 are being ignored. Parking Control Officers are directing traffic

where there isn't a need. They could be enforcing red zones, traffic lanes, double parking and sidewalk parking. Street cleaning is the only thing being enforced.

Eileen Boken stated that at the March 2, 2020 Capital Planning Committee meeting, there were presentations on capital planning. During public comment, she stated the fundamental problem is the culture at the SFMTA. The culture of fear is why capital projects are not going as planned. At the November 17th Board meeting, affinity groups testified about SFMTA's legacy of racism and sexism. Operators are considered front line workers but are being penalized by eliminating the Back First program. She urged the Agency to reinstate the program.

Richard Rothman discussed concerns with accidents on Fulton Street. Supervisor Fewer got funding for day lighting, but nothing has happened. No one at the SFMTA is getting back to him. Tom Maguire says the way to reduce traffic is through engineering. He urged staff to do something to re-engineer this street. When he requests information, he isn't getting the right information. Staff need to answer calls and emails.

Marley Kornreich stated that she has grave concerns on the recommended extension of the 30 Stockton to the Marina and suggested keeping the existing route. She is frustrated that the SFMTA misled the public about the extension and signed a five-year contract. This is a misuse of public funds. There is a lack of appropriate process to ensure it's safe for 50-foot buses to travel in this area given the danger of the sea wall and sewer lines. The latest reports say it's not safe. There is not support or demand for this extension.

Mary McGuire discussed the ban on certain taxis at the airport. The Transportation Code states that restrictions cab trips coming from SFO are to alleviate congestion but there is no congestion right now. It's a ghost town at the airport. Taxi Director Kate Toran said the reason is to provide additional support to purchased medallion holders which is illegal. She asked that the Board schedule a hearing on the policy to determine its legality and address ramifications.

Barry Taranto stated he can't afford to give on "Giving Tuesday" because he isn't making any money. He has asked K medallion holders at the airport what they are going to do. They said they are going to switch to a "P cab", if available. Sunday was busy but there is still a wait. The idea of barring K medallion holders isn't going to work. He requested help with loan and debt relief for taxi drivers.

Joanna Gobbin asked the Board to look into the Residential Parking Permit program. A permit costs \$144 per year but represents thousands of dollars a year in public and society costs. The program doesn't cover the whole city and is not strictly enforced. Charging market rate would discourage car use and have air quality benefits. Car parking spaces could be used for bikes, public space or even commercial space. There is a video about the true cost of residential street parking. There are no legal hurdles to do this. Please also support fare integration.

Sara Ogilvy encouraged the Board to support the regional fare integration. It's important to increase transit use to combat climate emissions. We need to have some faith and optimism that the Biden administration will move quickly to get a vaccine. Transit is going to be critical. People will need to commute. Regionally integrated fares are the solution.

Jordan Wing encouraged the Board to support the regional fare integration study. This will be an incentive for ridership to rebound because transfers make trips more expensive.

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 – 1-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, EXCEPT VEHICLES WITH AREA I PERMITS – ESTABLISH – TOW AWAY, NO STOPPING ANYTIME, Lucky Street, west side, from 195 feet to 263 feet north of 25th Street.
- B. RESCIND – 2 HOUR PARKING, 8 AM THROUGH 10 PM, EVERYDAY, EXCEPT VEHICLES WITH AREA U PERMITS – ESTABLISH – TOW-AWAY NO STOPPING FIRE LANE, Rodgers Street, east side, from 195 to 275 feet south of Folsom Street.
- C. ESTABLISH – BUS ZONE – Fitzgerald Avenue, south side, from 76 feet to 151 feet east of Keith Street.
- D. ESTABLISH – PART-TIME BUS ZONE, 6 AM to 7 PM, MONDAY THROUGH FRIDAY – Fitzgerald Avenue, south side, from 151 feet to 233 feet east of Keith Street.
- E. ESTABLISH – TOW AWAY NO STOPPING ANYTIME – Harriet Street – west side, Bryant Street to 90 feet southerly, Harriet Street – east side, Bryant Street to 90 feet southerly.
- F. ESTABLISH – RED ZONE – Bryant Street – south side, Boardman Place to 32 feet easterly (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.)

Item 10.1 was severed from the Consent Calendar at the request of a member of the public.

PUBLIC COMMENT:

Members of the public expressing opposition: Astrid Barreskin

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

RESOLUTION 201201-103

On motion to approve 10.1 the Consent Calendar:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heminger, and Lai

(10.2) Authorizing the Director to execute Modification No. 12 to Contract No. 1289, Van Ness Corridor Transit Improvement Project, with Walsh Construction Company for additional costs related to pedestrian monitoring services in the amount of \$2,589,381, for a total Contract amount not to exceed \$220,507,216, with no time extension and making environmental review findings. (Explanatory documents include a staff report, resolution, modification, financial plan and environmental review documents.)

PUBLIC COMMENT:

Members of the public expressing neither support nor opposition: Hayden Miller, Barry Taranto

Director Lai made a motion to amend the resolution to reduce the contract modification to the amount of \$2,249,381 but no vote was taken.

Director Lai withdrew the motion.

This item was continued to the next meeting.

REGULAR CALENDAR

11. Presentation and discussion regarding the SFMTA's budget and fiscal status. (Explanatory documents include a slide presentation.)

Jonathan Rewers, Senior Manager, Budget, Financial Planning and Analysis, presented the item.

PUBLIC COMMENT:

Joel Kamisher suggested the agency not outsource work in order to protect SFMTA employees. For contractor work such as flaggers and pedestrian monitors, he inquired if we could use SFMTA employees. This is work that parking control officers and school crossing guards can do instead.

Hector Jimenez stated that some slides in the presentation are dedicated to impossible scenarios that ask the Board to imagine if the CARES Act isn't received. This was done cruelly to illustrate hypothetical layoffs to instill fear and degrade morale in the middle of a pandemic, which is wrong. He asked that work be done to improve the workforce and the public's confidence.

Teresa Rutherford discussed the issue of layoffs for co-workers who are heroes. SFMTA workers are front line workers helping the community. Workers need to be treated with respect by not using them as bait. This isn't about delivery of service; this is political with pressure from City Hall directly related to workers having a contract. This overwhelmingly affects Black and brown workers. There is money from CARES Act, in city reserves, and \$1 million in savings from vacancies.

Trevor Adams expressed concern as he listened to the Board discuss enforcement that workers do and how out of touch Board members are with how enforcement works. Enforcement is always the topic to bring in revenue but there is never a discussion about safeguarding these employees. When workers feel safe, there will be an increase in the type of enforcement that they do.

Richard Rothman stated that the Board is asking the right questions, but they need help. He suggested outside eyes like Harvey Rose or Ben Rosenfield. He also suggested having one staff member report directly to the Board who they could do the research and not through the Director of Transportation. Early retirement is off the table.

Bob Allen discussed the fiscal crisis that the agency is facing. Advocacy community groups are pursuing avenues including flexing capital funding, looking at maintenance funds and a ballot measure to maximize regional and state funds.

Anthony Ballester thanked the Board for brainstorming ways to bring in more revenue and save jobs. Operators are doing their job and facing potential exposure to the virus. No one wants layoffs. He hopes everyone comes together to avoid layoffs for all employees. He suggested that staff look at labor contracts and check employee rights before laying anyone off.

Hayden Miller stated that it's sad that we have to hope for Georgia. When thinking about layoffs, think about employees that get assaulted and those that have to sleep in their cars. All options depend on front line workers yet it's the employees that will help the agency recover. He suggested furloughs over layoffs as the least bad option. Pay cuts for upper management and naming/branding stations should be considered. Hopefully good news will come from the federal government.

Nicole Christina stated that she is disappointed with the Board's conversation suggesting furloughs or layoffs as the only way to bridge the budget gap. Making the statement to cancel the Residential Parking Permit program shows how out of touch the Board is with the daily operations of the agency. That program pays for itself. The Board would be cancelling services and jobs which would dry up current revenue. Unions will fight back on layoffs and furloughs. She urged the Board to give more thought to generating new revenue and finding new funding sources.

Herbert Weiner appreciates the sacrifices that operators make daily. Any layoffs need to include management. Some projects need to be halted and that money should be given to employees. Even bike line projects need to be halted because public transit should have priority. Slow Streets create congestion. Charging residents to park in front of their own house is ridiculous. Don't sacrifice drivers.

Aleta Dupree asked that the Board consider all options including layoffs. She doesn't want to see anyone laid off because she knows what it's like and unemployment doesn't pay much. There needs to be long term thinking on how to fund public transit. She hopes the SFMTA gets more funding because the CARES Act money isn't going to be permanent. Public transit is essential, especially for people with disabilities.

Kristin Michael appreciates the analysis and transparency around the budget although the presentation to staff greatly impacted them with dire projections if CARES Act funding is not received. There is a 540

vacant Full Time Employee (FTE) savings. Current staff are absorbing the work of those employees. The staff is very upset. There needs to be thoughtful partnership and a clear analysis of the facts.

Cannon stated that the presentation to staff was bleak and scary. The SFMTA has a healthy reserve fund. The City's General Fund also has a large reserve fund. Employees are already contending with the wage freezes from the 2008 recession. Employees have been burdened for years. He urged consideration of all options before resorting to layoffs.

Roger Marengo noted that labor unions will speak up on behalf of workers. Director Tumlin has made it clear that we need to go down in history as not laying off employees during a pandemic because there are other solutions. The Transport Workers Union will do what we can and has hope and faith in meeting with agency staff. There isn't just one solution but instead there is a plethora of smaller solutions to avoid layoffs.

Barry Taranto applauded operators on busy routes because they are running frequently and are important. There is little enforcement of the transit only lanes. People can't call to complaint after 5pm to report violations. The flow of traffic on 16th Street at Valencia and Mission is blocked by cars that are double parked. There must be a way to provide parking for Transportation Network Companies. The agency will make money giving citations here.

Shayda Haghgoo thanked staff for their analysis and asked the Board to review slides in the presentation that imagine a scenario that won't happen because of the CARES Act. The 540 vacancies represent a savings of \$101 million annually. As we move forward, please include the cost savings of vacancies.

David Pilpel suggested that the SFMTA seek ideas from labor, stakeholders, and the general public. He also suggested cancelling capital projects, shifting funds, cutting non-essential programs and staff, reducing accrued paid time off, setting lower accrual limits, voluntary furloughs and time off, and maintaining at least pre-virus Saturday service. And, if allowed, early retirement for targeted classes. Only after all other options are exhausted should layoffs be considered as a last resort.

Brian Smith asked how the SFMTA can rebuild if the SFMTA lays off people.

12. Presentation and discussion regarding transit service. (Explanatory documents include a slide presentation.)

Julie Kirschbaum, Director of Transit, presented the item.

PUBLIC COMMENT:

Hayden Miller stated that he is happy for the extra service.

David Pilpel stated that there are questions about the purpose of the SFMTA with people traveling less and walking more. He inquired if the agency has considered discretionary riders. The agency needs to address the behavioral health of riders. Operators are becoming social workers. Vehicle cleaning is a constraint and mobile clean teams are needed.

13. Approving temporary parking and traffic modifications as a part of the Rail Transfer Projects and Bus Terminal and Route Improvements as follows:

- A. TEMPORARY ROAD CLOSURE EXCEPT FOR MUNI, PARATRANSIT, TAXIS, BICYCLES, AND COMMERCIAL VEHICLES – Church Street, southbound, from Market Street to 15th Street
- B. ESTABLISH – TOW AWAY NO STOPPING ANY TIME and ESTABLISH – BUS ZONE -- Church Street, west side, from Market Street to 199 feet southerly; Church Street, east side, from Duboce to 185 feet southerly
- C. ESTABLISH – 30 MINUTE COMMERCIAL LOADING AT ALL TIMES– Church Street, east side, from 45 feet to 105 feet north of 15th Street; Church Street, east side, from 126 feet to 188 feet north of 15th Street; Church Street, west side, from 15th Street to 163 feet northerly
- D. ESTABLISH – RIGHT TURN ONLY EXCEPT MUNI, PARATRANSIT, TAXIS, BICYCLES, AND COMMERCIAL VEHICLES– Northbound Church Street at 15th Street; Southbound Church Street at Market Street
- E. ESTABLISH – NO RIGHT TURN EXCEPT MUNI, PARATRANSIT, TAXIS, BICYCLES, AND COMMERCIAL VEHICLES– Eastbound Market Street at Church Street; Westbound 15th Street at Church Street
- F. ESTABLISH – NO LEFT TURN EXCEPT MUNI, PARATRANSIT, TAXIS, BICYCLES, AND COMMERCIAL VEHICLES– Eastbound 15th Street at Church Street
- G. ESTABLISH – NO LEFT TURN– Westbound Market Street at Church Street
- H. ESTABLISH– GREEN ZONE, AT ALL TIMES –Church Street, east side, from 5 feet to 45 feet north of 15th Street; Church Street, east side, from 105 feet to 126 feet north of 15th Street
- I. ESTABLISH – GREEN ZONE, 9AM TO 6PM, MONDAY THROUGH SATURDAY– 15th Street, north side, from Church Street to 20 feet westerly; 15th Street, south side, from 10 feet to 30 feet east of Church Street
- J. ESTABLISH– GREEN METERS, 15-MINUTE TIME LIMIT, 9AM TO 6PM, MONDAY THROUGH SATURDAY– Market St., south side, from 131 feet to 149 feet west of Church St.
- K. ESTABLISH – TOW AWAY NO STOPPING ANY TIME– Church Street, west side, from 225 feet to 265 feet north of 14th Street
- L. ESTABLISH – COMMERCIAL LOADING 8 AM to 11 AM, MONDAY TO SATURDAY– Church Street, west side, from 289 feet to 319 feet north of 14th Street
- M. RESCIND – BUS ZONE – Ulloa Street, south side, from West Portal Avenue to 75’ easterly
- N. ESTABLISH – NO STOPPING FIRE LANE–Ulloa Street, south side, from West Portal Avenue to 20’ easterly
- O. ESTABLISH – WHITE ZONE 7 AM – 7 PM, MONDAY THROUGH SATURDAY– Ulloa Street, south side, from 20’ to 75’ east of West Portal Avenue
- P. ESTABLISH – TRANSIT ZONE– Ulloa Street, south side, from West Portal Avenue to Wawona Street; Ulloa Street, north side, from Lenox Way to Wawona Street; Vicente Street, north side, from 21’ to 40’ west of West Portal Avenue; Ulloa Street, north side, from 10’ to 55’ west of Wawona Street
- Q. ESTABLISH – WHITE ZONE– Lenox Way, from 20 to 45’ north of Ulloa Avenue
- R. ESTABLISH – GREEN ZONE– Lenox Way, from 45’ to 90’ north of Ulloa Avenue
- S. ESTABLISH – NO LEFT TURN– Lenox Way, southbound at Ulloa Avenue
- T. ESTABLISH -- BUS ZONE– Parkridge Drive, west side, 40 feet to 100 feet north of Burnett Ave.
- U. ESTABLISH -- RIGHT TURN ONLY EXCEPT MUNI– 11th Street, northbound, at Market St.

- V. ESTABLISH—RED ZONES— Diamond Street, east side, from Clipper Street to 10 feet northerly; Diamond Street, west side, from Clipper Street to 5 feet northerly; Clipper Street, north side, from Diamond Street to 20 feet westerly; Clipper Street, south side, from Diamond Street to 10 feet westerly; 24th Street, south side, from Diamond Street to 17 feet easterly.
- W. ESTABLISH – BUS ZONE – Bayshore Boulevard, east side, Blanken Avenue to Arleta Avenue; Arleta Avenue, south side, from San Bruno Avenue to 50 feet westerly; Northridge Road, south side, from Ingalls Street to 130 feet easterly; Palou Avenue, south side, from 3rd Street to 115 feet westerly Jones Street, west side, from Ellis Street to 80 feet southerly; Jones Street, west side, from Turk Street to 80 feet southerly; Leavenworth Street, east side, from Turk Street to 80 feet northerly; Jackson Street, north side, from Van Ness Avenue to 80 feet westerly; Pacific Avenue, south side, from 15 feet to 60 feet west of Van Ness Avenue
- X. ESTABLISH – RED ZONE –Tennessee Street, west side, from 9 feet to 29 feet south of 20th Street; Pennsylvania Avenue, east side, from 22nd Street to 25 feet northerly; 22nd Street, north side, from 12 feet to 32 feet west of Tennessee Street; 20th Street, south side, from Connecticut Street to 20 feet easterly; Connecticut Street, west side, from 12 feet to 30 feet north of 20th Street; Connecticut Street, east side, from 20th Street to 16 feet northerly; Rutland Street, east side, from Visitacion Avenue to 20 feet northerly; Rutland Street, east side, from Leland Avenue to 20 feet southerly; Rutland, east side, from Leland Avenue to 20 feet northerly; Arleta Avenue, south side, from Rutland Street to 10 feet easterly; Keith Street, east side, from Palou Avenue to 20 feet northerly; Palou Avenue, north side, from Keith Street to 10 feet westerly; Newcomb Avenue, south side, from Keith Street to 10 feet easterly; La Salle Avenue, south side, from Newcomb Avenue to 20 feet easterly; Northridge Road, north side, from Ingalls Street to 20 feet easterly; Kirkwood Avenue, north side, from Donahue Street to 20 feet westerly; Kirkwood Avenue, south side, from Donahue Street to 20 feet westerly; Donahue Street, west side, from Jerrold Avenue to 10 feet southerly; Ingalls Street, east side, from Palou Avenue to 20 feet northerly; Palou Avenue, north side, from Ingalls Street to 5 feet westerly; Noe Street, west side, from 18th Street to 20 feet southerly; 19th Street, both sides, from Noe Street to 20 feet westerly; Diamond Street, both sides, from 19th Street to 20 feet northerly; Diamond Street, east side, from 18th Street to 40 feet southerly; Diamond Street, west side, from Market Street to 20 feet southerly; Sanchez Street, both sides, from 18th Street to 20 feet northerly
- Y. ESTABLISH—BUS FLAG STOP—20th Street, south side, at Pennsylvania Avenue; Pennsylvania Avenue, east side, at 20th Street; 20th Street, south side, at Missouri Street; 20th Street, north side, at Missouri Street. (Explanatory documents include a staff report, and resolution.)

Sean Kennedy, Transit Planning Manager, presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Justin Zucker, Anonymous

Members of the public expressing opposition: Hayden Miller, Patricia Ferrero, Marley Kornreich and Kelly Mills

Members of the public expressing neither support nor opposition: David Pilpel, and Francisco DeCosta

On motion to amend the item to delete reference to northbound Church St. in Item 13 D, delete reference to westbound 15th St. in Item 13 E; delete Item 13F with regard to establishing a no left turn on eastbound 15th St.; and clarify which of the decisions can be reviewed by the Board of Supervisors:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heminger, and Lai

RESOLUTION 201201-104

On motion to approve the item as amended:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heminger, and Lai

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.

PUBLIC COMMENT:

David Pilpel stated that the agenda misstates the closed session.

On motion to invoke the attorney-client privilege: unanimously approved.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chair Borden called the closed session to order at 6:29 pm.

2. Roll Call

Present: Gwyneth Borden
Cheryl Brinkman
Amanda Eaken
Steve Heminger
Sharon Lai

Also present: Jeffrey Tumlin, Director of Transportation
Caroline Celaya, acting Board Secretary
Susan Cleveland-Knowles, Deputy City Attorney
Molly Alarcon, Deputy City Attorney
Tim Fama, Deputy City Attorney
John Kennedy, Deputy City Attorney
Julie Kirschbaum, Director of Transit
Tom Maguire, Director of Sustainable Streets
Viktoriya Wise, Chief of Staff, Sustainable Streets

Jamie Parks, Livable Streets Director

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 action on attorney-client matters on the following:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

Guo Xi Chen vs. CCSF, Superior Court #CGC18568042 filed on 7/12/18 for \$385,000

RESOLUTION 201201-105

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heminger, and Lai

Bay Area Motivate vs. CCSF, Superior Court #CGC19576554 filed on 6/7/19 (Information only)

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 7:21 p.m.

15. Announcement of Closed Session.

Acting Board Secretary Celaya announced that the SFMTA Board of Directors met in closed session to discuss the Chen and Bay Area Motivate cases with the City Attorney. The Board of Directors voted unanimously to settle the Chen case and took no action on the Bay Area Motivate case.

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

On motion to not disclose the information discussed: unanimously approved.

ADJOURN - The meeting was adjourned at 7:24 p.m.

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

Caroline Celaya

Caroline Celaya
Acting 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.

If you wish to contact the Board regarding an item that is expected to be on a agenda, please email the Board at MTABoard@sfmta.com. Please know that the Board appreciates receiving such communication not later than Monday, 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 sfgov.org.