



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, March 17, 2015
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

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

SFMTA BOARD OF DIRECTORS

Tom Nolan, Chairman
Cheryl Brinkman, Vice Chairman
Gwyneth Borden
Malcolm Heinicke
Joél Ramos
Cristina Rubke

Edward D. Reiskin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
SECRETARY

ORDER OF BUSINESS

1. Call to Order

Vice Chairman Brinkman called the meeting to order at 1:00 p.m.

2. Roll Call

Present: Cheryl Brinkman
Gwyneth Borden
Malcolm Heinicke
Joél Ramos
Cristina Rubke

Absent: Tom Nolan – with notification

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

Vice Chairman Brinkman announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. He 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. He 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

PUBLIC COMMENT:

Dawn Trennert stated that the essence of the conversation regarding Polk Street was that after a 12 month period and after an understanding of the economics and modal shift, the SFMTA would review the project and then decisions would be made. The printed minutes say “no longer than 12 months after completion of the project.” The spirit of the conversation was “let’s see how we did, give ourselves a grade and then see and not just race ahead and see how much more we can do.”

Board Secretary Boomer stated that she reviewed the video of the meeting and the motion that was read into the record just prior to the vote was the same motion as reflected in the minutes.

On motion to approve the minutes of the March 3, 2015 Regular Meeting: approved (Nolan-absent, Borden-opposed).

5. Communications

Board Secretary Boomer stated that there would be no discussion of anticipated litigation in closed session.

6. Introduction of New or Unfinished Business by Board Members

Vice Chairman Brinkman congratulated Director Ramos on his reappointment by the Mayor to the SFMTA Board.

7. Director's Report (For discussion only)

- Proof of Labor Harmony for Commuter Shuttles
- Ongoing Activities

Director Reiskin discussed Supervisor Weiner's resolution regarding proof of labor harmony and upcoming work at the CPMC site and the impact on traffic.

No public comment.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Corey Lamb discussed changes at 4th and Townsend where a bike share machine was put in the taxi stand and the taxi stand was moved 20 feet towards 5th. Taxis should be inside the station and not further away from the station for accessibility. This impact wasn't considered. Also, bikes are in traffic. He wondered why this wasn't vetted and urged the SFMTA to reconsider.

Tone Lee stated the city isn't just about the economy but also about liberalism. Too much liberalism isn't good. Cabdrivers are struggling and their interests are tied to the SFMTA. The SFMTA can reset policy to significantly change the taxi business but the agency needs courage. Let the cab drivers run their business. This will give them more choices and the freedom to fight Uber and Lyft. FlyWheel is changing. He added that he sees Lyft advertising on Muni buses but the SFMTA does nothing for taxis.

Mike Ritter asked the Board to exempt motorcycles and scooters from the Residential Parking Permit program. Recently RPP Area Q was approved. Motorcycles must pay the same amount as cars but six motorcycles can park where one car parks. There are thousands of small scooters that are part of the transportation system but motorcycles and scooters are lumped in with cars. Mr. Ritter presented a petition that has 1000 signatures.

Mark Gruberg discussed the loss of the cabstand at Caltrain and wondered why it happened. This kicks the cab industry when it's down. The industry wasn't told about it. It was just done. This will turn into a staging area for TNC's. Cabs can't compete with TNC's.

Robert Cesana stated that sooner or later, the Board will have to decide whether it wants a taxi industry. Because of the Mayor, everybody is afraid for their jobs and thus the Board doesn't care at all. Mr. Cesana discussed a letter sent by Taxi and Accessible Services staff that tells medallion holders that they have to pay the SFMTA because one of the companies bounced checks. They have been told that the only form of payment is by check and then they are charged an administrative fee. Credit cards are allowed elsewhere at the SFMTA. Some drivers don't have a checking account and the SFMTA doesn't take cash either.

Mary McGuire addressed the Caltrain cab stand which was done without public input or hearing. She wondered why there was no legislation to remove it. The red transit only lanes weren't created for taxis. They're for Lyft and Uber. Cab drivers are like dinosaurs and won't exist in a few years. The SFMTA is trying to destroy taxis. The SFMTA advertises for Lyft on buses. A lot of people want to take a cab and the SFMTA is taking that away.

Carl Macmurdo stated that the medallion holder fee should be the responsibility of the medallion holder but wondered what the correct amount should be. The SFMTA should reduce or waive the fee for this year. About 15,000 Uber and Lyft drivers are doing the work of taxi drivers without a permit. State laws require having a commercial plate and insurance if they're doing commercial work.

Barry Taranto showed a flier about the change to the Caltrain stop. He wondered why there wasn't a hearing. He's personally offended because he helped create the cabstand. He wants to know who did this and why. The SFMTA needs to find another taxi expert on the traffic engineering staff. Staff shouldn't spend money on driver appreciation.

Herbert Weiner discussed Google buses and stated that those agreements were built on a house of sand because it constituted a handshake agreement between Bauer and the SFMTA. He wondered how legal the agreements are. If the SFMTA bases their policies on handshake agreements, it sheds a horrible light.

Kamaljit Singh said that the cab drivers work for 30 and 40 years to earn a medallion. The SFMTA isn't doing its' job. Medallion holders will sue the city.

Tim stated that he is trying to buy a medallion but he will have to do something else. Uber and Lyft make it worse. It takes much longer to get into the city. He can't survive.

Natasha Dedrick stated that she occasionally rides a cab and has noticed the change at Caltrain. It doesn't make sense. The bikes should be on the sidewalk and the taxis should be back where they belong. She used Uber for the first time and it was a serious safety risk. The driver didn't know where she was going, and nearly hit cars and killed pedestrians. It took 20 extra minutes to get to where she was going. Taxi drivers are professionals. She added that she doesn't understand the medallion system at all and how others can avoid that system.

Bakir Hussein stated that he doesn't see any respect from the Board. Cab drivers have families and they need the SFMTA to do something about Uber and Lyft. He sees them at the airport during the week while taxi business has dropped. Taxis are part of the SFMTA community. They have issues at the airport and get hassled there because there are too many cabs. This is the land of freedom.

Marianna Potiou asked the Board to reconsider the medallion fee for this year. Things are so bad and so the SFMTA should give it up for this year.

Vice Chairman Brinkman asked staff to look at the taxi stand at Caltrain and medallion fees.

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. Christopher Ghazi vs. CCSF, Superior Ct. #CGC13535538 filed on 11/18/13 for \$8,000.74
- B. Andre Garcia vs. CCSF, Superior Ct. #CGC13532435 filed on 11/17/11 for \$11,000

RESOLUTION 15-041

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – NO PARKING ANYTIME – Geneva Avenue, south side, from Esquina Drive to 66 feet westerly.
- B. ESTABLISH – RED ZONE – Oak Street, south side, from 86 feet to 110 feet west of Franklin Street
- C. ESTABLISH – RESIDENTIAL PERMIT PARKING, AREA S, 2-HR PARKING, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA S PERMITS – 18th Street, south side, between Dolores Street and Oakwood Street.
- D. ESTABLISH – RESIDENTIAL PERMIT PARKING, AREA S, 2-HR PARKING, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA S PERMIT – Broderick Street, both sides, between Haight Street and Waller Street.
- E. ESTABLISH – OVERSIZE VEHICLE RESTRICTION (NO PARKING, MIDNIGHT TO 6 AM, DAILY, FOR VEHICLES MORE THAN 7 FEET TALL OR 22 FEET LONG) – Santiago Street, south side, between 41st and 42nd Avenues.
- F. ESTABLISH – STOP SIGN – Cecilia Avenue, northbound, at Rivera Street.
- G. ESTABLISH – 15 MILES PER HOUR SPEED LIMIT WHEN CHILDREN ARE PRESENT 12th Avenue, from Taraval Street to 500 feet northerly – Castenada Avenue, from Montalvo Avenue to westerly terminus; and Dorantes Avenue, from Cortes Avenue to westerly terminus.
- H. RESCIND – TOW-AWAY NO STOPPING ANYTIME – Cyril Magnin Street, east side, from 71 feet to 88 feet south of Ellis Street.
- I. ESTABLISH – NO PARKING ANY TIME – Dolores Street, west side, from San Jose Avenue to 110 feet northerly.
- J. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME – Hayes Street, north side, from

Laguna Street to 20 feet westerly; Hayes Street, south side, from Laguna Street to 20 feet westerly; Laguna Street, west side, from Hayes Street to 20 feet northerly; Hayes Street, north side, from Buchanan Street to 20 feet westerly; Hayes Street, south side, from Buchanan Street to 20 feet westerly; Buchanan Street, west side, from Hayes Street to 20 feet northerly; and Buchanan Street, east side, from Hayes Street to 20 feet northerly. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

Item 10.2 E and 10.2 I were removed from the Consent Calendar at the request of members of the public.

PUBLIC COMMENT:

Members of the public expressing opposition: Natasha Dedrick, Melodi, Nick, Mary McGuire and Herbert Weiner.

Members of the public expressing support: Genaro Escarzaga

Director Borden requested a report on the concept of a safe parking area, where oversized vehicles are located and how the City is going to deal with oversized vehicles. Director Rubke requested an update regarding training and what systems are in place to help people.

RESOLUTION 15-042

On motion to approve Item 10.2 E and 10.2 I:

ADOPTED: AYES – Borden, Brinkman, Heinicke, Ramos and Rubke

ABSENT: Nolan

(10.3) Approving the following traffic modification in support of the Commuter Shuttle Pilot program as follows:

- A. ESTABLISH-TOW-AWAY NO STOPPING ANY TIME, PART TIME BUS ZONE 6-10 AM, MONDAY THROUGH FRIDAY--19th Avenue, west side, from 85 feet to 153 feet north of Kirkham Street. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

Item 10.3 severed by Director Rubke who asked to be recused due to a conflict of interest.

On motion to recuse Director Rubke:

ADOPTED: AYES – Borden, Brinkman, Heinicke, and Ramos

ABSENT: Nolan

ABSTAIN: Rubke

RESOLUTION 15-043

On motion to approve Item 10.3:

ADOPTED: AYES – Borden, Brinkman, Heinicke, and Ramos

ABSENT: Nolan

RECUSED: Rubke

(10.4) Approving the following parking modifications as part of the Visitation Valley Green Nodes project on Sunnydale Avenue at Rutland Street for bulbouts as follows:

- A. ESTABLISH – NO PARKING ANYTIME and ESTABLISH – SIDEWALK WIDENING - Sunnydale Avenue, north side, from Rutland Street to 61 feet westerly
- B. ESTABLISH – NO PARKING ANYTIME and ESTABLISH – SIDEWALK WIDENING - Sunnydale Avenue, south side, from 192 feet west of Peabody Street to 295 feet west of Peabody Street. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 15-044

(10.5) Approving parking and traffic modifications associated with the Mission Valencia Green Gateway Streetscape Project on Valencia Street between Cesar Chavez Street and Mission Street as follows:

- A. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME and ESTABLISH – SIDEWALK WIDENING (BULB-OUTS) - Valencia Street, west side, from Mission Street to 133 feet northerly; Valencia Street, east side, from 208 feet to 352 feet north of Mission Street; Valencia Street, west side, from Duncan Street to 136 feet southerly; Valencia Street, west side, from Duncan Street to 41 feet northerly
- B. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME - Valencia Street, west side, from 133 feet to 191 feet north of Mission Street; Valencia, east side, from 25 feet to 75 feet south of Cesar Chavez Street
- C. ESTABLISH – BACK-IN ANGLED PARKING, 45 DEGREES -Valencia Street, east side, from 37 feet to 190 feet north of Mission Street
- D. ESTABLISH – CLASS II BIKEWAY - Valencia Street, east side, between Duncan Street and Cesar Chavez Street
- E. EXTEND – BUS ZONE - Valencia Street, west side, from 75 feet to 275 feet south of Cesar Chavez Street. (Explanatory documents include a staff report and resolution.)

RESOLUTION 15-045

(10.6) Authorizing the Director to execute a Grant and Cooperative Agreement with the Metropolitan Transportation Commission to procure Clipper[®]-only fare collection equipment and associated technical support for the Central Subway Project, for an amount not to exceed \$4,100,000 and a term not to exceed four years. (Explanatory documents include a staff report, resolution, agreement and financial plan.)

RESOLUTION 15-046

(10.7) Programming \$49,000,000 from the sale of SFMTA Revenue Bonds in FY2016-17 of the SFMTA Capital Improvement Program to fully fund the Van Ness Transit Corridor Improvement Project; finds and determines that the proposed programming action requires no further environmental review. (Explanatory documents include a staff report and resolution.)

Item 10.7 was removed from the Consent Calendar by a member of the public.

PUBLIC COMMENT:

Members of the public expressing opposition: Barry Taranto.

RESOLUTION 15-047

On motion to approve Item 10.7:

ADOPTED: AYES – Borden, Brinkman, Heinicke, Ramos and Rubke

ABSENT: Nolan

(10.8) Authorizing the Director to accept and expend up to \$10,277,540 in funding from the One Bay Area Grant Program through the Metropolitan Transportation Commission for the Light Rail Vehicle procurement project. (Explanatory documents include a staff report and resolution.)

RESOLUTION 15-048

(10.9) Authorizing the Director to execute Contract No. SFMTA #2014-35, EAMS Professional Services, with 21Tech for professional and technology services to implement an Enterprise Asset Management System, in a total amount not to exceed \$8,893,912 for a term of two years, with the option to extend the term an additional year. (Explanatory documents include a staff report, resolution, agreement and financial plan.)

RESOLUTION 15-049

On motion to approve the Consent Calendar (Items 10.2 E and I, 10.3 and 10.7 severed):

ADOPTED: AYES – Borden, Brinkman, Heinicke, Ramos and Rubke

ABSENT - Nolan

REGULAR CALENDAR

11. Approving Contract No. SFMTA-2015-31, Armed and Unarmed Security Services with Cypress Security to provide security services in the amount of \$38,314,208.17, for an initial term of three years with an option to extend the term for up to three additional years. (Explanatory documents include a staff report, resolution, contract and financial plan.)

Chris Grabarkiewctz, Director of Security, Investigations & Enforcement, presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Kes Narbutas

Members of the public expressing opposition: Peter Evins and Brad Lauer

RESOLUTION 15-050

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Heinicke, Ramos and Rubke

ABSENT - Nolan

12. Discussion and vote pursuant to Administrative Code Section 67.10(d) as to whether to conduct a closed session.

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

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Vice Chairman Brinkman called the closed session to order at 2:26 p.m.

2. Roll Call

Present: Cheryl Brinkman
Gwyneth Borden
Malcolm Heinicke
Joél Ramos
Cristina Rubke

Absent: Tom Nolan – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Rob Maerz, Deputy City Attorney
Karen Kirby, Deputy City Attorney
John Haley, Director, Transit Services

3. Pursuant to Government Code Section 54956.9 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 in the following case:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

Lauren Harrington vs. CCSF, Superior Ct. #CGC12524725 filed on 9/2/12 for \$335,000

RESOLUTION 15-051

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Heinicke, Ramos and Rubke

ABSENT – Nolan

4. Pursuant to Government Code Sections 54956.9 (b), and Administrative Code Section 67.10 (b) (2), the Municipal Transportation Agency Board of Directors will meet in closed session to discuss attorney-client matters in the following case(s):

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant or X As plaintiff

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 2:45 p.m.

13. Announcement of Closed Session.

Vice Chairman Brinkman announced that the SFMTA Board of Directors met in closed session to discuss the Lauren Harrington vs. CCSF case with the City Attorney. The Board of Directors voted to settle the case. There was no discussion of anticipated litigation.

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

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

ADJOURN - The meeting was adjourned at 2:48 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.

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.

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.