

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

MINUTES

Tuesday, March 19, 2013  
Room 400, City Hall  
1 Dr. Carlton B. Goodlett Place

REGULAR MEETING AND CLOSED SESSION  
1 P.M.

BOARD OF DIRECTORS

Tom Nolan, Chairman  
Cheryl Brinkman, Vice Chairman  
Leona Bridges  
Malcolm Heinicke  
Jerry Lee  
Joél Ramos  
Cristina Rubke

Edward Reiskin  
DIRECTOR OF TRANSPORTATION

Roberta Boomer  
BOARD SECRETARY

## ORDER OF BUSINESS

### 1. Call to Order

Chairman Nolan called the meeting to order at 1:03 p.m.

### 2. Roll Call

Present: Leona Bridges  
Cheryl Brinkman  
Malcolm Heinicke  
Jerry Lee  
Tom Nolan  
Joél Ramos  
Cristina Rubke

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

Chairman Nolan 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

On motion to approve the minutes of the March 5, 2013 Regular Meeting: unanimously approved.

### 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 requested an update on the Fell/Oak Bike project at the next meeting.

### 7. Director's Report (For discussion only)

-Ongoing Activities

Director Reiskin acknowledged Ms. Lea Militello for receiving SPUR's "Good Government" award for public managerial excellence; BAAQMD's Bike Sharing program; Muni service changes for Spring Break and other permanent schedule changes.

PUBLIC COMMENT:

Peter Witt discussed rush hour traffic congestion and expressed concern about air quality, quality of life, the ability to get from one place to another in a short period of time and the ability of emergency vehicles to get through congestion.

Robert Cesana commented on bus service reduction. As buses get more congested, more people will travel in cars because they have no alternative and the aging population will not get onto a bicycle to get to their appointments.

Terry Roach talked about the need for Muni vehicles to be able to pull out of the traffic lane on Sunset in order to pick up passengers and not block traffic.

8. Citizens' Advisory Council Report

No report.

PUBLIC COMMENT:

Peter Witt noted that the CAC's Chairman hadn't been to a meeting in a long time and that there should be a report.

9. Public Comment

Tara Housman urged consideration of allowing taxicabs to make left turns onto Sutter from Powell St.

Tarek El Dardiri asked for a left turn onto Sutter from Powell St. for taxis.

Emmanuel Mouskountakis discussed his attempts to get an "A" card and a taxi medallion.

John Lazar requested that the cab stand at the corner of Taylor and Jefferson be replaced. There needs to be many more cab stands in the city.

Robert Cesana discussed a proposal to put new cabs on the street; the need to do something about illegal taxi cab services; and the need to hire police officers to check what people are doing. Many limousines and illegal cabs don't always use dispatch.

Greg Gieber read from a statement by Marc Bruno. The move to the Pagoda Palace as a tunnel boring machine extraction site was a well-meaning compromise. It's not fair that any neighborhood should face a construction period of two to seven years given that there is a better way. There is no ecological reason for the removal of the machines and it's better to leave them in the ground.

Lance Carnes stated that a fire alarm cut short a meeting in No. Beach. They have scheduled a meeting on March 26 and to facilitate the meeting, they have provided their questions to the SFMTA. They would appreciate knowing which members of SFMTA staff will attend. Board members are also welcome.

Charlie Walker stated that the SFPD told people that they can't park in their own driveway and then issued tickets. No white people got tickets in the Sunset for parking in their driveway. On Third St., Muni had said they would put up parking lots but that never happened in over 10 years. Third St. used to be a six-lane road but is now it's down to one lane for cars. It's unfair and seems racist.

Jonah Deutschman stated that last year he went to work for Uber but has since returned to Yellow Cab. Uber added a lot of cars and he lost money. That's about to happen when you put more cabs on the street. He urged the Board to make the taxis currently on the street work better. New taxis won't get distributed effectively.

Peter Witt discussed the Hara report and stated that the Agency is holding the report back. He showed pictures of cabs during the evening. Cabs are stacked at the Hyatt Regency, the CalTrain depot and at other locations waiting for passengers. The days and times are different but the picture is the same. Cabs aren't needed all the time.

Bruce Oka discussed the need for taxi stands. He commented that expecting the CPUC to come up with a decision about illegal limousines may not happen in his lifetime. Their ruling to not fine the illegal cabs before they make a decision was taken to mean that the illegal cabs can continue to operate. He expressed support for any effort to investigate it.

Ed Healy asked about the explanation to the public when they are hurt by the thousands of illegal vehicles that have been operating.

Mike Dashti talked about the increase in bicycles and the elimination of traffic lanes. It's not a good idea to eliminate lanes just to add a bicycle lane. It creates more congestion/pollution. Cab drivers have to make \$140 before they break even. Cyclists don't follow the rules and cause trouble.

Joan Wood stated that President Chiu doesn't represent them and won't call a community meeting. North Beach has unanswered questions and they had to schedule a meeting themselves.

The SFMTA acknowledged that there was insufficient public outreach. The tunnel boring machines should be taken out in Chinatown. The Pagoda plan will be disruptive for years.

John Horn stated that he was surprised at how the focus group for taxis was conducted. Nobody seemed to be listening. The results are flawed and questionable.

Ron Collins urged the SFMTA not to put 500 cabs on the street. It will hurt cab drivers and cut into their income. Limousines are taking away business. Cab drivers need to make their income and pay their bills. No more Uber or mustache cabs.

Mark Gruberg stated that the confusion around the meetings is doing a lot of harm. The UTW newsletter was obsolete before it returned from the printer. The Hara report will recommend 320 and eventually 800 more cabs. He stated that he doesn't see how the SFMTA can proceed with a coherent decision before it knows what's going to happen with Uber, Lyft and the illegal cabs. If they get the green light from the state, it will drive everybody into the ground. They should have been squelched before they got onto the street but the SFMTA sat on its hands.

Jacob Novak stated that taxi drivers can't find passengers. There are no stops for taxis. Uber and the moustache cars are taking everything. The industry needs one dispatch system for the entire city and to control the amount of taxis on the street.

Satnam Singh stated that every year it's more difficult to make a living. Adding 500 more cabs will make it hard. Uber and limousines are stealing all of their business.

Peter Jacobs discussed the redistribution of the ramped medallions. They should be redistributed on an even basis to all full service cab companies who are willing to pay health benefits. The SFMTA should help cover those costs.

Tariq Mehmood stated that the trains brakes has failed and nobody can stop it. Ms. Hayashi continues to make misstatements, abuses her power and is not listening to drivers. A strike is coming very soon. Drivers are angry and will block everyone from entering the city. He stated that he has a plan to stop Uber and the other illegal cabs. He should be given the power to stop them.

Bill Mounsey stated the Board doesn't know how the cab industry works. The industry is out of control. Uber and Lyft are picking up people in their private cars and nothing is done. He is making less than half the money he made a year or two ago. Something has to be done. Cab drivers want to drive for Uber because they make more money.

David Basada discussed a book he wrote about the SFMTA and the administrative code. Nowhere in his research does it show that the SFMTA has authorized limos to operate.

Jeffrey Rosen expressed anger about where the cab industry is today. Cab drivers are stirred up about having more cabs on the street. He thought that Sidecar's "cease and desist" order was not lifted by the CPUC. Adding cabs is not an option at this time. Cab drivers pay their dues and fees. They are upset and deserve proper treatment.

Tervee stated that new cab drivers were assigned the 8000 cabs and they can't go to the airport but they have to pay the same fee that other cab drivers pay. He got two parking tickets on Third Street but he wasn't there at the time.

Muhamed Tokmic stated that SFMTA makes rules and it should fight the pink moustache cars and Uber. It should help cab drivers do their job and make money rather than complicate the industry by making more rules.

Benjamin Valis discussed the rear seat credit card terminals and safety for the passenger. He also discussed Lyft drivers.

Hazid Lamsika expressed opposition to adding new medallions. It's not a good time to add cabs.

Brad Newsham stated that he is surrendering his medallion. He loved being a cab driver and will miss it. He stated that he knows that the Board thinks of themselves as good people but he can't understand how the Board can listen to the pleas of hard working people and vote to take the medallions that they've earned.

Mary McGuire stated that the pink moustache cars are an incendiary cancer. She wondered who was tying the hands of the city from acting about the situation. She was removed from the former Taxi Commission when she went against the Mayor's orders. These illegal companies live by motto "it's easier to ask for forgiveness than for permission." She questioned whether that was the kind of world that they want to live in.

Inderjit Ghotra said "no" to more cabs and e-waybills. He pays 70 percent of his income to cab companies. More cabs will hurt taxi drivers.

Mohammed Khan doesn't want more cabs on the street or electronic waybills.

Ayhan Aksu stated that he waited for 12 years to buy a medallion but now the SFMTA was going to adding more cabs. First, it needs to solve the problem about the illegal cab companies. The illegal car companies don't have insurance yet cab drivers have to pay \$800 per month. They bought cars that can only be used for three years, after which they have to spend another \$25,000 for another car. This business is going downhill.

Ali Unsal stated that there is big opposition between drivers and SFMTA. The SFMTA should find a way to work with drivers. Every decision the SFMTA has made has hurt drivers and has

benefited cab companies. Before adding more taxis, the SFMTA should fix the problems.

Kenny Hui stated that they don't need e-waybills as it invades both the taxi drivers' and customers' privacy. The industry doesn't need illegal cab services or more cabs. Cab drivers need to be allowed to make a left turn off of Market Street and be allowed to use bus stops to drop off and pick up passengers. There needs to be call buttons so passengers can call for a taxicab.

Long Wo asked that .50 cents not be added to the meter. He doesn't want e-waybills. He would like the white zone to be enforced. He noted that last week, limos double parked in the white zone and waited for fares. It's been going on for years but nobody has done anything.

Harbin Batth stated that the SFMTA is trying to put the cart in front of the horse by putting more cabs on the street and not regulating the illegal cab services. Cab drivers are the backbone of the industry and they should be listened to. The Board should drive a cab to see how hard it is.

Mesghina stated that he opposes electronic waybills and taxi companies that collect and confiscate from taxi drivers. He doesn't like limos. They take away their business.

Jake Khalid stated that adding more cabs will ruin the taxicab business.

Kamaljit Singh expressed opposition to electronic waybills. Many drivers don't want to speak but are in the audience. Drivers are against the SFMTA and are very upset. Ninety percent of drivers have no money.

Ashwani Aeri stated that it's a bad time to put more cabs on the road because their income has gone down. Many illegal cabs are stealing their business. Limos are blocking cabs from their fares. He asked that something be done about the illegal cabs.

Theo Tran stated that it's unfair that he bought a medallion for \$250,000 but he sees illegal cabs everywhere. It's hard to report an illegal cab because there are no numbers on the vehicle.

Muhd Ishfaq expressed opposition to electronic waybills. Many limos and buses park around Moscone Center so there are no places for a taxi. Taxis then go home empty.

Philip Gangi stated that he sees cabs everywhere. It's like a war zone with all of the illegal cabs. It's crazy and dangerous to go out. He asked the Agency to pay attention.

Hafed Dubaie stated that adding more cabs is not the solution; it's only more pollution and suffering for the cab drivers who drive around empty. Say "no" to electronic waybills.

Nurim Baratth stated that it takes four months to become a taxi driver. There are many illegal cars that aren't following the law. Taxis work with paratransit people and drunks to help them

get to where they need to go. Limousines won't help them.

Mr. Langer stated that the current situation calls for the involvement of professional standards. Inexperienced drivers are hurting the city's reputation. The airport and city streets can't maintain what is wanted for the city. Constituents should pay for the luxuries, such as a taxi. If everyone made as much as they did 10 years ago, it would be another story.

Stuart Seligson stated that black cars are parking in taxi zones and taxis are told to take a hike. He tried to stop at Hyde and Beach but there was no place to park because of the limos and town cars. On California, the black cars are in front of the entrances. The problem is substantial. The price of the "A" card doubled in two years. If the SFMTA wants money, it should fine the limos and black cars that are parked in taxi zones.

Mumdal Hassid stated a taxi cab has responsibility for the passenger safety. If the SFMTA wants to add more cabs, then the Agency will have to raise the gate for the cab companies.

Blake Derby stated that limos have taken the business and have double parked in front of restaurants and hotels. The SFMTA's job is to keep streets clear. He expressed support for Tariq Mehmood call to shut the city down. The illegal services don't have to put up with paraplegic people.

Kamran Kha stated that the taxi is the backbone of the city and represents the city. People are asking about the moustache cars. Issuing more cabs is not the solution. There are problems that need to be fixed but adding more isn't the solution.

Shimelis Seregela expressed opposition to e-waybills. The Board has ignored cab drivers for years but finally gave us .50 cents, which now will be taken away. The pressure put on cabbies is more than on any other public employee. It's not fair to balance the SFMTA budget on their backs.

Michael Nukonenn stated that the former mayor is lobbying for Uber and Lyft. He can't afford a cup of coffee so he's going to move to Hawaii because this is a mess.

Brad Gates stated that there appears to be a demand for more taxis but they should be trickled out 200 at a time. 500 more cabs will be a blow to our gut. If a taxi cab driver doesn't like Uber, they shouldn't drive for them.

Liz Bradley stated that not much has changed in 15 years except for charging for our cab license. Nothing has been done about health benefits or illegal cabs. The illegal cabs come to taxi stands, restaurants, hotels and ask if people need a ride. What's happening to our livelihood is being ignored.



Ali Alen stated that it took him seven loops around the airport before he could get in. He wondered how he could take care of his baby and give her a future when he can't afford to drive.

Fouad Allilovitch stated that limos are out every night and work like a cab. E-waybills are an invasion of privacy. He questioned how he would pay his "gate" fee if 500 more cabs were put on the street. Cab drivers can't afford the clothing, health benefits or a vacation.

Trevor Johnson stated that the SFMTA needs to speak up to the CPUC about illegal cabs. Hearing from the SFMTA will make a huge difference and will keep the medallions from being devaluated. More enforcement is needed. They need 100 dedicated cops. A uniform app for city-wide hailing would be a good thing, but possibly a state-wide app would be better. Adding a measure of new medallions will help the city.

Ahmed Ansaidi stated that he mortgaged his house for \$250,000 to buy a medallion but now there are illegal cabs on the street. It's depressing to see pink moustaches on cars. They should be told that they can only respond to a dispatched call. White zones are occupied by limousines.

Bart Goldstein stated that he pays \$1300 per month to insure his cab. All cabs need to be replaced every three years which is another expense. Muni is siphoning money from the industry but cab drivers don't have pensions or health benefits. The SFMTA should protect the industry. Adding more cabs will create more hardship. He requested help by protecting cab drivers from unfair competition.

Nuru Mamuye stated that he's not qualified to buy a medallion. Drivers should get a break in the price. Medallions should be leased directly to drivers and not leased to companies.

Christopher Fulkerson stated that the SFMTA paid the firm to say what they wanted the report to say. The SFMTA doesn't behave like a government agency but more like a profit making business. Having peak time cabs in Toronto was a disaster. Having more cabs on the street will make it easier to get a cab at times when it's already easy to get a cab. The SFMTA operates in an authority, enforcement and dispatch vacuum. Cops should issue tickets. The SFMTA is teaching people that it's okay to not play by the rules.

Joaka Dragor stated that driving a cab is very hard. We're on the road 24/7 and we are fighting for our livelihood. We're struggling for our lives. Oppose e-waybill and I urge you to do something. Need medical attention. Do some legislation that we can take off with paid leave.

Carl Macmurdo showed a picture of illegal cabs lined up at a hotel. It's ruining the income of the legal cab drivers. He urged the SFMTA to do something proactive to get illegal operators out of business.

Anne McVeigh stated that a single application for all the cabs in the city is needed. There were 200 more permits issued in the last year and a half and more part-time cabs are needed. The Hara report is recommending too many cabs. It's hard to enter the number of passengers in a cab and volunteers should be asked to enter that information. She urged people to report illegal cabs.

Dekko Vish stated that the illegal cab companies are impossible and cab drivers need to be protected against them.

Ahmad Atieh stated that nobody will help them. Cab drivers can't make money to cover their "gate and gas" fee.

Barry Korengold stated that with respect to the no left-turn from Powell onto Stockton, he was told that cabs couldn't turn because of the cable car but cabs should be able to turn left after the cable cars stop running. The SFMTA is allowing illegal cabs to operate just because they have an app. The SFMTA should stop them. He questioned why cab drivers should follow the rules if the SFMTA was going to let the black town cars operate. Those cars should be regulated. More investigators need to be hired.

Mozammil Shaikh stated that cab drivers don't need more cabs on the street. There is no demand for cabs at the airport.

John Kessler stated that people who run the illegal companies are "game" people and are trying to get ahead by ignoring the rules. They're anarchists. More cabs aren't needed because cabs are empty 50 percent of the time. Things would improve with a centralized dispatch system. On average he pays \$5.70 per shift in credit card fees, which is over \$3 million for the industry. He questioned what that money was being spent on.

Raja Rathor stated that the illegal cabs are ignoring the rules. Cab drivers don't want e-waybills or a technology fee.

Ejaz Ahmed stated that he got his medallion but he's being punished after 23 years. He bought a medallion for \$250,000 but since the price has dropped, he requested that his price be reduced.

Firouz Mahdavi stated that a central dispatch application is needed.

Anthony Fernandez stated that business is bad because of the apps. We need a city-wide app that calls any cab. The rules need to be enforced and the SFMTA should go after the illegal companies. They don't follow the rules and something needs to be done.

Mohammed Shaikh asked the Board to ride with them during a shift and see what it takes to drive. He wondered how the illegal cabs were being regulated and added that he is waiting for something to happen in one of those cars so the SFMTA can get a lawsuit on their hands. He

noted that he paid \$250,000 to get a medallion but he got scammed because now they're being sold like those in Los Angeles. Cab drivers are frustrated.

Hassan Alrastezi asked the Board not to put more cabs on the street, to do away with e-waybills and have centralized dispatch.

Stan stated that cab drivers don't have a retirement system yet one guy was paid a lot of money at the SFMTA for overtime. Now a driver has to buy a medallion. Taxi drivers die on the job.

Vahid Bonjhovi stated that after years of driving, he makes less than minimum wage. Right now there are 1700 cabs and everyday there are 700-900 limos that operate illegally in San Francisco. The number of conventions has increased but more buses are chartered so taxi drivers only get two to three rides from conventioners.

Faouzi stated that they want to be listened to and for the Board to understand the situation. This is a country of law and freedom. It has to be fair for everyone. It won't be fair or work well if you add more cabs.

Doug Woods stated that since the SFMTA got ahold of the industry, nothing has been done. Now it wants to flood the street with cabs. In the cab business, you have to pay for the privilege of taking a day off.

Lee Federchuck stated that he drives cabs because he can't find another job. It's a good way to pay the bills. Last year, his salary was 50 percent less than what he used to make. Illegal limos are taking away the business. The illegal cabs don't follow the rules. It's safe to ride with taxicab drivers. Do something about the illegal cabs.

Yada Botaragh stated that adding more cabs isn't good for business.

Tony Fletcher stated that it's ironic that it is Uber who is running around the CPUC rules and yet the only body that accepts pre-arrangement is taxicabs. He stated that there's lots of concern and resistance to electronic data gathering as it's an invasion of privacy. Until the issues regarding illegal cabs are resolved, don't move forward with e-waybills. Data gathering is important but the SFMTA should gather a volunteer group to get a sample.

Dave expressed concern about the safety implications of adding 500 more cabs. It takes time to become a safe cab driver.

Kharandib Singh stated that 500 new cabs wouldn't be good.

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. 7<sup>th</sup> 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. Patricia Danielson vs. CCSF, Superior Ct. #CGC11511092 filed on 5/19/11 for \$22,500
- B. Eloise McKinney Johnson vs. CCSF, Superior Ct. #CGC12523086 filed on 8/9/12 for \$90,000

#### RESOLUTION 13-029

(10.2) Amending Transportation Code Division II, Article 400, Section 408 to lower the minimum hourly parking meter rate for Parking Meter Zone Three and Section 410 to lower the minimum parking rate for motorcycles; and Article 1000, Section 1001 to clarify the signage required for noticing parking restrictions. (Explanatory documents include a staff report, resolution and amendments.)

#### RESOLUTION 13-030

(10.3) Authorizing the Department of Public Works to award Contract No. 1901J: Various Locations Pedestrian Countdown Signals Contract No.1, to Phoenix Electric Company for a total contract amount not to exceed \$1,172,661. (Explanatory documents include a staff report, budget and resolution.)

#### RESOLUTION 13-031

(10.4) Approving the SFMTA Strategic Plan Actions that address the Metropolitan Transportation Commission Transit Sustainability Project goals. (Explanatory documents include a staff report, plan and resolution.)

#### RESOLUTION 13-032

On motion to approve the Consent Calendar:

ADOPTED: AYES – Bridges, Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

## REGULAR CALENDAR

11. Amending Transportation Code Sections 1102, 1105, 1108, 1109, 1113 and 1114 to require all motor vehicle for hire permit holders to cooperate with implementation of the Electronic Taxi Access (ETA) System to support the development of taxi hailing smart phone applications, for color scheme permit holders to provide financial data to support the SFMTA's review of gate fees, and extending the deadlines for implementation of electronic trip data and blind-accessible passenger information monitors, and providing that a driver may not smoke inside a taxi at any time. (Explanatory documents include a staff report, resolution and amendment.)

Board Secretary Boomer read a number of amendments to both the Resolution and Transportation Code that would remove reference to the provision of financial data and access to financial records.

### PUBLIC COMMENT:

Members of the public expressing support: Tara Housman, Christopher Fulkerson, Ed Healy, Mary McGuire, Gratchia Makarian, Ejaz Ahmed, Benjamin Valis and Barry Korengold.

Members of the public expressing opposition: Catherine Dominguez, Tarek El Dardiri, Mark Gruberg, John Lazar, Charles Rathbone, Robert Cesana, Bill Mounsey, Jim Gillespie, Nathan Dwiri, Andrew Sun, Jacob Mayzel, Tariq Mehmood and Mohammed Shake.

Members of the public expressing neither support nor opposition: Peter Witt, Abraham Langer and Anne McVeigh.

### RESOLUTION 13-033

On motion to amend the resolution and Transportation Code to delete reference to the provision of financial data and access to specified financial records:

ADOPTED: AYES – Bridges, Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

On motion to approve as amended:

ADOPTED: AYES – Bridges, Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

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.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 5:45p.m.

2. Roll Call

Present: Leona Bridges  
Cheryl Brinkman  
Malcolm Heinicke  
Jerry Lee  
Tom Nolan  
Joél Ramos  
Cristina Rubke

Also present: Roberta Boomer, Board Secretary  
Julia Friedlander, 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:

A. Daryl Brand vs. CCSF, Superior Ct. #CGC10497860 filed on 3/16/10 for \$900,000

RESOLUTION 13-034

On motion to approve:

ADOPTED: AYES – Bridges, Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

B. Vidalina Pubill vs. CCSF, Unlitigated Claim for \$210,000

RESOLUTION 13-035

On motion to approve:

ADOPTED: AYES – Bridges, Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

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

This item was not discussed.

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 5:47 p.m.

13. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Brand and Pubill cases with the City Attorney. The Board of Directors voted unanimously to settle the cases. 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.

ADJOURN - The meeting was adjourned at 5:48 p.m.

A tape 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

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](http://sfgov.org/ethics).