

ORDER OF BUSINESS

1. Call to Order

Chairman Nolan called the meeting to order at 1:04 p.m.

2. Roll Call

Present: Leona Bridges
Cheryl Brinkman
Jerry Lee
Tom Nolan
Bruce Oka
Joél Ramos – absent at Roll Call

Absent: Malcolm Heinicke – with notification

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 January 3, 2012 Regular Meeting: unanimously approved (Heinicke, Ramos-absent).

5. Communications

6. Introduction of New or Unfinished Business by Board Members

Director Lee requested an analysis regarding whether staff has revisited the locations and time of tow away zones to determine whether they still fulfilled the purpose for which they were initially installed.

Director Oka inquired about the cost to put the paratransit program on the Clipper Card.

Director Ramos arrived.

(6.1) Election of SFMTA Board Chairman and Vice Chairman pursuant to SFMTA Rules of Order.

No public comment.

On motion to elect Tom Nolan as Chairman:

ADOPTED: AYES – Bridges, Brinkman, Lee, Nolan, Oka and Ramos

ABSENT - Heinicke

On motion to elect Cheryl Brinkman as Vice Chairman:

ADOPTED: AYES – Bridges, Brinkman, Lee, Nolan, Oka and Ramos

ABSENT - Heinicke

7. Executive Director’s Report (For discussion only)

- Muni’s Centennial Anniversary
- Church and Duboce Construction Project
- Switch Replacement Program
- Ongoing Activities

8. Citizens’ Advisory Council Report

No report.

9. Public Comment

Bob Planthold stated that the statistics from MTC regarding the Clipper card are misleading and often in error. In February, seniors and people with disabilities will have to rely on the Clipper Card. He urged the Board to consider community education for seniors and to tell the hearing officers to be sensitive.

John Kyle spoke against the installation of parking meters as recommended by the Mission Bay Parking Management plan and the lack of public outreach regarding the plan.

Herbert Weiner stated that there is a problem with the 1 California. Sometimes passengers have to wait and then three buses arrive at once. This problem has been going on for six months. He also discussed how the discontinuance of the 2 Clement was creating a hardship for seniors and people with disabilities and cyclists who run red lights and endanger those in an intersection.

Claire Caldwell discussed the recent distribution of Trust Fund monies and how drivers who were driving in 1984 were aggrieved because they were left out. This money was the result of a 1984 cost of living adjustment that was placed in the trust fund that has been earning interest. She questioned how difficult it would have been to have tracked those people down to get them paid. She expressed hope that it can be resolved but if not they are prepared to litigate and file appropriate criminal charges.

Hannah Kahn spoke against the parking meters planned for the Mission Bay area and the lack of time to consider the impact this will have on the neighborhood. Installing parking meters is a regressive tax.

Miranda Caroligne stated that there was very little public outreach for the Mission Bay parking Plan. The plan is great where it is applicable but not for her neighborhood. This plan will cause a lot of businesses to leave. The data that was collected wasn't statistically significant.

Leah LaCroix stated that there are many families with children in San Francisco who ride Muni every day. In the face of the many fiscal cuts that affect youth, providing free Muni for all youth will greatly and positively impact them. She urged the Board to vote in favor.

Phimy Truong, Youth Commission, stated that she had a tape of testimony from members of the Youth Commission. They request that the hearing be held at 4:30 pm so youth can speak.

THE FOLLOWING MATTERS BEFORE THE SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ARE RECOMMENDED FOR ACTION AS STATED BY THE SFMTA EXECUTIVE DIRECTOR/CEO 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. Pierre Mange vs. CCSF, Superior Ct. #CGC10506304 filed on 2/17/10 for \$75,000

RESOLUTION 12-009

Board Secretary Boomer clarified that the amount of the settlement is \$18,407.26.

(10.2) Amending the San Francisco Transportation Code, Division II, by adding Sections 314 and 315 to establish administrative penalties and related hearing procedures for submitting false, misleading, or fraudulent information on Residential Parking Permit applications. (Explanatory documents include a staff report, resolution and amendments.)

RESOLUTION 12-010

On motion to approve the Consent Calendar:

ADOPTED: AYES – Bridges, Brinkman, Lee, Nolan, Oka and Ramos

ABSENT – Heinicke

REGULAR CALENDAR

11. Presentation and Discussion regarding the People’s Plan for the America’s Cup. (Explanatory documents include a slide presentation.)

Peter Albert, Manager, Sustainable Streets and Michael Martin, Director, America’s Cup, Mayor’s Office of Economic Development presented the report.

PUBLIC COMMENT:

Andy Thornley, SF Bike Coalition, spoke in support.

Francisco Da Costa, Herbert Weiner and David Pilpel spoke neither in support nor opposition.

12. Approving a Transit Shelter Removal policy. (Explanatory documents include a staff report, resolution and policy.)

Gail Stein, Manager, Finance and Information Technology presented the report.

PUBLIC COMMENT:

Bob Planthold spoke in opposition.

David Pilpel spoke neither in support nor opposition.

RESOLUTION 12-011

On motion to approve:

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

NAYES – Oka

ABSENT - Heinicke

13. Authorizing the Director of Transportation to execute an agreement with Parsons Brinkerhoff to develop the SFMTA Real Estate and Facilities Vision for the 21st Century and provide as-needed services, at a cost not to exceed \$1,060,220, and for a term of five years. (Explanatory documents include a staff report, resolution and agreement.)

Kerstin Magary, Manager, Real Estate, Finance and Information Technology presented the report.

PUBLIC COMMENT:

David Pilpel expressed opposition to the contract. There are a good number of people in the real estate division who should have been looking out for the SFMTA's real estate needs. This is something that internal staff could do.

RESOLUTION 12-012

On motion to approve:

ADOPTED: AYES – Bridges, Brinkman, Lee, Nolan, Oka and Ramos

ABSENT - Heinicke

14. 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 (Heinicke-absent).

PUBLIC COMMENT:

David Pilpel spoke neither in support nor opposition.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 3:01 p.m.

2. Roll Call

Present: Leona Bridges
Cheryl Brinkman
Jerry Lee
Tom Nolan
Bruce Oka – absent at Roll Call
Joél Ramos

Absent: Malcolm Heinicke – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Reggie Mason, Director, Safety, Training, Security and Enforcement
Bond Yee, Director, Sustainable Streets

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. Carl Natvig vs. CCSF, Superior Ct. #CGC10500733 filed on 6/14/10 for \$94,800

RESOLUTION 12-013

On motion to approve:

ADOPTED: AYES – Bridges, Brinkman, Lee, Nolan, Oka and Ramos

ABSENT - Heinicke

B. Edwin Cheah vs. CCSF, Superior Ct. #CGC10502248 filed on 8/22/10 for \$162,500

RESOLUTION 12-014

On motion to approve:

ADOPTED: AYES – Bridges, Brinkman, Lee, Nolan, Oka and Ramos

ABSENT - Heinicke

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 3:07 p.m.

16. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Cheah and Natvig cases with the City Attorney. The Board of Directors voted unanimously to settle the cases, Cheah, in the amount of \$162,500 (Heinicke-absent). There was no discussion of anticipated litigation.

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

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

ADJOURN - The meeting was adjourned at 3:09 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