

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

MINUTES

Tuesday, April 3, 2012
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
Bruce Oka
Joél Ramos

Edward Reiskin
DIRECTOR OF TRANSPORTATION
MUNICIPAL TRANSPORTATION AGENCY

Roberta Boomer
BOARD SECRETARY

ORDER OF BUSINESS

1. Call to Order

Vice Chairman Brinkman called the meeting to order at 1:01 p.m. and noted that Chairman Nolan was unable to attend due to recent surgery.

2. Roll Call

Present: Leona Bridges
Cheryl Brinkman
Malcolm Heinicke
Jerry Lee
Bruce Oka
Joél Ramos

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

On motion to approve the minutes of the March 20, 2012 Regular Meeting: unanimously approved (Nolan-absent).

5. Communications

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

Vice Chairman Brinkman reviewed the order of business for the day.

6. Introduction of New or Unfinished Business by Board Members

Vice Chairman Brinkman requested a briefing for the Board regarding the Van Ness Bus Rapid Transit project.

7. Director's Report (For discussion only)

- Special Recognition Award
- April 5 Centennial Kick-Off
- Overtime Report
- Ongoing Activities

Director Reiskin presented special recognition awards to David Kim, Accountant, Grants and Capital Projects, Finance and Information Technology; Rhonda Ford and Jamie Barcia, Transit Operators, Transit Services; and Tee Phang, Project Engineer, Track, Overhead and Civil Engineering, Capital Programs and Construction.

Director Reiskin also discussed the SFMTA's Centennial Kick-Off event, rebuilding CPMC hospitals, the Controller's Overtime report and All Door Boarding.

8. Citizens' Advisory Council Report

Daniel Murphy, chairman, Citizen's Advisory Council, presented the report including the CAC's recommendations regarding the SFMTA's budget and transit fares for youth.

9. Public Comment

Hansu Kim discussed taxi medallion sales. He expressed support for efforts to reform the taxi industry and for selling medallions to drivers. He cautioned that replacing the medallion holder with a "rental model" is dangerous and there will be enormous pushback if the MTA becomes a monthly income earner.

THE FOLLOWING MATTERS BEFORE THE SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ARE RECOMMENDED FOR ACTION AS STATED BY THE 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 traffic modifications:

- A. ESTABLISH – NO PARKING and ESTABLISH – SIDEWALK WIDENING – Judson Street, north side, between Circular Avenue and Detroit Street, and Circular Avenue, west side, from Paulding Street to 10 feet northerly.
- B. ESTABLISH – NO PARKING – Circular Avenue, east side, from Paulding Street to 35 feet northerly.
- C. ESTABLISH – NO PARKING and ESTABLISH – SIDEWALK WIDENING or ISLAND – Circular Avenue, east side, from Judson Avenue to 15 feet southerly, and Paulding Street, south side, from Circular Avenue to 20 feet easterly.
- D. ESTABLISH – RED ZONE – 3rd Street, east side, from Minna Street to 23' southerly.
- E. ESTABLISH – LEFT LANE MUST TURN LEFT – Westbound Cesar Chavez Street onto Evans Avenue.
- F. ESTABLISH – RIGHT LANE MUST TURN RIGHT – Northbound Evans Avenue onto Cesar Chavez Street. (Explanatory documents include a staff report and resolution.)

RESOLUTION 12-041

Item 10.1 E and F were severed at the request of a member of the public.

PUBLIC COMMENT:

Ellen Johnck, Bill Butler, Espanola Jackson and Patricia Vaughey expressed opposition.

Neal Patel expressed support.

On motion to approve Item 10.1 E and F:

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

ABSENT – Nolan

(10.2) Authorizing the Director to execute the sole source agreement with Sedgwick Claims Management Services to provide the Workers' Compensation Claims Third Party Administrator Services for a total not-to-exceed contract amount of \$3.9 million and a contract term from April 8, 2012 to October 31, 2012 with a month-to-month extension up to April 30, 2013. (Explanatory documents include a staff report, resolution and agreement.)

RESOLUTION 12-042

On motion to approve the Consent Calendar (Item 10.1 E and F severed):

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

ABSENT – Nolan

REGULAR CALENDAR

11. Presentation and discussion of the FY12 First and Second Quarter Service Standards. (Explanatory documents include a staff report, scorecard and slide presentation.)

Items 11, 12 and 13 were called together.

Travis Fox, manager, Information Technology, presented the FY12 Q1 and Q2 reports and the proposed FY13 and FY14 service standards.

Bonnie Nelson, Nelson/Nygaard, presented the FY09 and FY10 Transportation Quality Review results.

PUBLIC COMMENT ON ITEMS 11, 12 and 13:

Francisco Da Costa expressed neither support nor opposition.

12. Presentation and discussion of the FY09-FY10 Transportation Quality Review results. (Explanatory documents include a staff report, review and slide presentation.)

13. Adopting the SFMTA's FY2013 and FY2014 Service Standards and Milestones. (Explanatory documents include a staff report, resolution, standards and slide presentation.)

RESOLUTION 12-043

On motion to approve:

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

ABSENT – Nolan

14. Authorizing the Director of Transportation to implement free transit service for low-income youth, ages 5-17, who use a Clipper® card for a pilot program beginning August 1, 2012 through May 31, 2014 or any of the other fare options for transit service for youth as presented by staff. (Explanatory documents include a staff report and resolution.)

Director Reiskin presented the item.

PUBLIC COMMENT:

Members of the public expressing support for free Muni for all students: Stephanie Schaudel, David Campos, Jane Kim, Kim-Shree Maufas, Luis Barahona Angelina Yu, Judy John Avalos, Tina Sataraka, Lorena Melgarejo Betty, Maria Dora, Bob Allen, Clarissa, Jane Martin, Linda Weiner, Michelle Olague, Tow Kuk Wong, Anali Padilla, Alisha McGary, Eric Mar, Manuela Esteba, Fernando Enciso-Marquez, Espanola Jackson, Nancy, Aggie, Angelica Cabande, Sandra Lee Fewer, Joyce Tseng, Leah LaCroix, Nicholas Persky, Jessica Inron, Ernest Stokes, Anthony Navarro and Rene Ontiveros.

Vice Chairman Brinkman closed public comment.

On motion to approve implementation of free transit service for low-income youth, ages 5-17, who use a Clipper® card for a pilot program beginning August 1, 2012 through May 31, 2014:

AYES –Brinkman, Heinicke, Lee,

NAYES - Bridges, Oka and Ramos

ABSENT – Nolan

The motion failed adoption.

On motion to provide free transit service to all youth, ages 5-17, who use a Clipper® card for a pilot program beginning August 1, 2012 through May 31, 2014:

AYES – Bridges, Oka and Ramos

NAYES - Brinkman, Heinicke and Lee

ABSENT – Nolan

The motion failed adoption.

Vice Chairman Brinkman continued Item 14 to the April 17 agenda.

15. Approving the SFMTA's FY 2013 and FY 2014 Operating Budget in the amounts of \$821 million and \$840.5 million; certifying that the FY 2013 and FY 2014 Operating Budget is adequate in making substantial progress towards meeting the SFMTA's performance standards; approving changes in various fines, fees, fares, rates and charges, including Municipal Railway transit passes, passports, stickers and fares, Candlestick Park Express and Special Event service fares, transit fare evasion/passenger conduct fines, neighborhood and other parking permit fees, temporary street closure permit fees, color curb fees, special traffic permit fees, community service processing fees, taxi service regulatory fees, traffic permit fees and penalties, boot removal fees, auto tow and storage fees, cable car/historic street car rental fee, special collection

fees, parking meter use fees, temporary exclusive use of parking meter fees, Transportation Code and Vehicle Code penalties; and parking citation fines and establishing a parklet installation fee; approving revisions to Division II of the Transportation Code to reflect these changes; approving a waiver of fares on New Year's Eve 2013, between 8 PM on December 31, 2012 and 6 a.m. January 1, 2013 and on New Year's Eve 2014, between 8 PM on December 31, 2013 and 6 a.m. January 1, 2014; authorizing the Director of Transportation to implement short-term experimental fares; concurring with the Controller's certification that parking citation processing and collection; facility security services; paratransit services; parking meter collection and coin counting services; low-level platform maintenance services; and vehicle towing, storage and disposal services can be practically performed by private contractors at a lesser cost than to provide the same services with City employees; and authorizing the Director of Transportation to make any necessary technical and clerical corrections and to allocate additional revenues and/or City and County discretionary revenues provided that the Director of Transportation shall return to the SFMTA Board of Directors for approval of technical or clerical corrections that, in aggregate, exceed a five percent increase of the total SFMTA Budget. (Explanatory documents include a staff report, resolution, Title VI analysis, Transportation Code amendments and budget.)

Board Secretary Boomer noted a clerical correction to the resolution regarding the correct time that enforcement for parking would begin on Sunday.

Director Reiskin reviewed several technical corrections that needed to be made to the Transportation Code.

At the request of Director Reiskin, Gabe Metcalf, Co-Chairman, Budget Balancing Panel reviewed the efforts of the panel

Director Reiskin presented the item.

PUBLIC COMMENT:

Members of the public expressing opposition to enforcement of parking meters on Sunday: James DeLange, Jim Kitchens, Michael Pappas, Floyd Trammel, Patricia Vaughey, Herbert Weiner, Amos Brown, Angelica Cabande, Jesus Perez, Espanola Jackson, Walker Bass,

Members of the public expressing support for the budget: Jim Lazarus, David Varnum, and Ben Kaufman

Hansu Kim expressed neither support nor opposition for the budget.

Jim Gillespie and Nathan Dwiri expressed opposition to taxi fees and fines.

Vice Chairman Brinkman closed public comment.

Vice Chairman Brinkman continued Item 15 to the April 17 agenda.

16. Adopting the FY 2013-2017 Capital Improvement Program and approving the two year Capital Budget of \$550.5 million for FY 2012-2013 and \$472.8 million for FY 2013-2014; certifying that the FY Capital Budget is adequate in all respects to make substantial progress towards meeting the goals, objectives, and performance standards and authorizing the Director of Transportation to make technical and clerical corrections and allocate additional revenues and/or discretionary revenues provided that the Director of Transportation shall return to the Board of Directors for approval of technical or clerical corrections that, in aggregate, exceed a five percent increase of the total Capital Budget. (Explanatory documents include a staff report, resolution, CIP and budget.)

Director Reiskin presented the budgets.

No public comment.

Vice Chairman Brinkman continued Item 16 to the April 17 agenda.

17. 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 6:59 p.m.

2. Roll Call

Present: Leona Bridges
Cheryl Brinkman
Malcolm Heinicke
Jerry Lee
Bruce Oka
Joél Ramos

Absent: Tom Nolan – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney

3. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board of Directors shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative: Debra Johnson and/or her designees

Employee Organizations:

Carpenters Local 22, Glaziers, Architectural Metal & Glass Workers Local 718, IAM Local 1414, IBEW Local 6, MEA, SEIU Local 1021, TWU Local 250-A (7410), IFPTE Local 21, IUNA Laborers Local 261, Operating Engineers, Local 3, Painters and Allied Trades Local 1176, Plumbers Union Local 38, Sheetmetal Workers International Local 104, Stationary Engineers Local 39, Teamsters Local 853, and Teamsters Local 856

To discuss:

Wages
 Hours
 Benefits
 Working Conditions
 Other

The item was removed from the agenda.

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:

As defendant or As plaintiff

This item was removed from the agenda.

5. 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. Jason and Lora May vs. CCSF, Superior Ct. #CGC9494887 filed on 12/1/09 for \$450,000

RESOLUTION 12-044

On motion to approve:

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

ABSENT – Nolan

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION- The closed session was adjourned at 7:02 p.m.

18. Announcement of Closed Session.

Vice Chairman Brinkman announced that the SFMTA Board of Directors met in closed session to discuss May vs. CCSF with the City Attorney. They voted unanimously to approve the settlement (Nolan-absent). The Board did not discuss anticipated litigation nor did they discuss labor negotiations.

19. 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 7:05 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.