



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

MINUTES

Tuesday, November 19, 2019
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

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

SFMTA BOARD OF DIRECTORS

Malcolm Heinicke, Chair
Gwyneth Borden, Vice Chair
Cheryl Brinkman
Amanda Eaken
Steve Heminger
Cristina Rubke
Art Torres

Tom Maguire
DIRECTOR OF TRANSPORTATION

Roberta Boomer
SECRETARY

ORDER OF BUSINESS

1. Call to Order

Vice Chair Borden called the meeting to order at 1:02 p.m.

2. Roll Call

Present: Gwyneth Borden
Cheryl Brinkman
Amanda Eaken
Malcolm Heinicke – absent at Roll Call
Steve Heminger
Cristina Rubke
Art Torres

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

Board Secretary Boomer announced that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at the meeting. She 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. She 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

No public comment.

On motion to approve the minutes of the November 5, 2019 Regular Meeting: unanimously approved (Heinicke-absent).

5. Communications

None.

6. Introduction of New or Unfinished Business by Board Members

Director Brinkman requested an update on the Embarcadero quick build project.

Director Rubke asked that the “Getting to the Curb” booklet be provided board members.

7. Director’s Report (For discussion only)

- Update on Vision Zero
- Update on transit service
- Ongoing Activities

Tom Maguire, interim Director of Transportation discussed two recent fatalities, election results, Federal Transit Administration Triennial Review, Safe Driver Awards event, ConnectSF, and Winter Walk.

The update on transit service was postponed to later in the meeting.

Vice Chair Borden requested discussion about slowing down speed limits.

Director Eaken requested discussion about how to change driver behaviors.

PUBLIC COMMENT:

Robin Krop discussed safety on the streets. There are two angles: drivers and pedestrians. Drivers speed through red lights all the time. That's a set up to hit someone. There needs to be a public campaign to not run a red light. She suggested something about "you can wait" in an education campaign. Pedestrians are crossing the street while looking at their cell phone. Pedestrians must see where the cars are. There needs to be a campaign for pedestrians as well.

Elizabeth Kurhan stated that she was blown away that cyclists don't know the rules. The Department of Motor Vehicles doesn't cover pedestrian nor cyclist safety.

8. Citizens' Advisory Council Report

Neil Ballard, Chair, Finance and Administration Committee, Citizens' Advisory Council, presented a recommendation regarding bunching and gapping of transit vehicles.

9. Public Comment

Ruth Badetsky discussed how she walks, bikes, drives, and takes Muni every day. She recounted a story where she got a ticket from a camera onboard a bus when they were briefly stopped in a red lane. The ticket was justified. She expressed appreciation for the enforcement and suggested the same for enforcing people who stop in protected bike lanes.

Mark Gruberg discussed his lack of faith in the SFMTA and a study that Mr. Tumlin participated in a few years ago.

Herbert Weiner discussed project planning. People who are going to be affected aren't involved in the early stages of planning but are presented with a fait accompli. This results in unrealistic plans. Buses running at the same speed with the same lousy service but with no improvements. People must be involved in the initial stages of planning.

Matthew Ajiake expressed interest in diversity, equity, and inclusion both in contracting and in employment.

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 traffic modifications:

- A. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA X – 1601-1695 18th Street.
- B. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Masonic Avenue, west side, from Geary Boulevard to 155 feet northerly.
- C. ESTABLISH – TOW-AWAY, NO STOPPING EXCEPT PERMITTED CAR SHARE VEHICLES – Golden Gate Ave, north side, from 40 to 80 feet west of Polk Street; Brighton Avenue, west side, from 20 feet to 40 feet south of Ocean Avenue.
- D. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH – SIDEWALK EXTENSION; Tennessee Street, east side, from 19th Street to 128 feet northerly.
- E. ESTABLISH – PASSENGER LOADING ZONE, AT ALL TIMES – Tennessee Street, east side, from 128 to 150 feet north of 19th Street.
- F. ESTABLISH – RED ZONE – ESTABLISH – SIDEWALK EXTENSION (6 FEET); 19th Street, north side, from Tennessee Street to 23 feet easterly.
- G. ESTABLISH – SPEED TABLES – 17th Street, between Market Street and Diamond Street.
- H. ESTABLISH – CROSSWALK – 17th Street, midblock between Diamond Street and Castro Street.
- I. ESTABLISH – CLASS IV BIKEWAY – 17th Street, westbound, from Castro Street to 200 feet westerly; and making environmental review findings. (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 G, H and I were severed from the Consent Calendar at the request of a member of the public.

PUBLIC COMMENT:

Members of the public expressing opposition: David Russo and Roan Kattouw

Casey Hildreth, project manager, discussed the changes. Vice Chair Borden asked staff to explore an easement with the gas station. Director Torres asked staff to work with Mr. Russo regarding a remedy to his issue.

RESOLUTION 191119-138

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Heminger, and Rubke

NAYES – Eaken and Torres

ABSENT - Heinicke

(10.2) Amending the Transportation Code, Division II, Section 801 to expand existing parking restrictions on Turk Street except for vehicles displaying an SFMTA issued permit; and approving parking restrictions to expand existing parking restrictions on Turk Street except for vehicles displaying an SFMTA issued permit as follows:

- A. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME EXCEPT VEHICLES DISPLAYING A PERMIT ISSUED BY THE SFMTA, 6 AM TO 6 PM, MONDAY THROUGH SATURDAY — Turk Street, north side, from 411 feet to 211 feet west of Gough Street and Turk Street, south side, from 369 feet to 169 feet west of Gough Street.
- B. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME EXCEPT VEHICLES DISPLAYING A PERMIT ISSUED BY THE SFMTA, AT ALL TIMES, - Turk Street, north and south side, from Laguna Street to 435 feet east. (Explanatory documents include a staff report, amendment and resolution. The proposed action is the Approval Action as defined by Chapter 31 of the San Francisco Administrative Code.)

Item 10.2 was severed from the Consent Calendar at the request of a member of the Board.

Vice Chair Borden requested a city-wide strategy for employee parking.

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, and Rubke

NAYES - Eaken, Heminger and Torres

ABSENT – Heinicke

The motion failed adoption.

Director Brinkman requested better justification, data on the need for the spaces, other alternatives considered, and what Transportation Demand Management strategies have been employed.

On the motion to rescind the previous vote and continue the item to a future meeting: unanimously approved (Heinicke – absent).

(10.3) Authorizing the Director to execute Modification No. 5 to Contract No. 1236R, Third Street Light Rail Project Mission Bay Loop, with Mitchell Engineering, to perform additional miscellaneous work, increasing the Contract amount by \$492,689.18, for a total Contract amount not to exceed \$7,712,858.98 and making environmental review findings. (Explanatory documents include a staff report, modification, financial plan, environmental review documents and resolution.)

RESOLUTION 191119-139

(10.4) Establishing a meeting schedule for 2020 for meetings of the SFMTA Board of Directors/Parking Authority Commission and the Policy and Governance Committee. (Explanatory documents include a staff report, and resolution.)

RESOLUTION 191119-140

On motion to approve the Consent Calendar (Items 10.1 G H and I and Item 10.2 severed):

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke, and Torres

REGULAR CALENDAR

11. Approving a 15-month Page Street Bikeway Improvement pilot project, starting approximately February 1, 2020; establishing Class II, Class III and Class IV bicycle facilities on Page Street; adding a peak period right-turn only except Muni lane on Haight Street for one block; making environmental review findings; and approving related parking and traffic modifications to improve safety and livability as follows:

- A. ESTABLISH – RIGHT OR LEFT TURNS ONLY, EXCEPT BICYCLES – Page Street, eastbound, at Webster Street
- B. ESTABLISH – RIGHT TURN ONLY, EXCEPT BICYCLES - Page Street, westbound, at Octavia Boulevard
- C. ESTABLISH – NO LEFT TURN - Webster Street, southbound, at Haight Street
- D. ESTABLISH – ONE-WAY STREET, EXCEPT BICYCLES - Page Street, westbound, from Octavia Boulevard to Laguna Street
- E. RESCIND – CLASS II BIKEWAY (BIKE LANE) - Page Street, eastbound, from Buchanan Street to Octavia Boulevard
- F. ESTABLISH – CLASS II BIKEWAY (BIKE LANE) - Page Street, westbound, from Octavia Boulevard to Webster Street

- G. ESTABLISH – TOW-AWAY, NO STOPPING ANY TIME - Page Street, south side, between Laguna Street and Octavia Boulevard
- H. ESTABLISH – CLASS IV BIKEWAY (PROTECTED BIKEWAY) - Page Street, eastbound, from Laguna Street to Octavia Boulevard
- I. ESTABLISH – CLASS III BIKEWAY (SHARED LANE) – Page Street, eastbound, from Buchanan Street to Laguna Street
- J. ESTABLISH – TOW-AWAY, NO STOPPING, MONDAY TO FRIDAY, 7 AM – 10 AM AND 3 PM - 6 PM - Haight Street, south side, from 154 feet west of Buchanan Street to Webster Street
- K. RESCIND – 2-HOUR PARKING, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA S PERMITS - Haight Street, south side, from 154 feet west of Buchanan Street to Webster Street
- L. ESTABLISH – 2-HOUR PARKING, 10 AM TO 3 PM AND 6 PM TO 9 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA S PERMITS - Haight Street, south side, from 154 feet west of Buchanan Street to Webster Street. (Explanatory documents include a staff report, environmental review document, drawings and resolution. The proposed action is the Approval Action as defined by Chapter 31 of the San Francisco Administrative Code.)

Mark Drager, project manager, Page Street Bikeway Improvement Project, presented the item.

Chair Heinicke arrived.

Juan Carlos, Office of Supervisor Vallie Brown, expressed Supervisor Brown’s support for the project.

PUBLIC COMMENT:

Members of the public expressing support: Sarah Buecher, Marcel Moran, David Mischel, Miriam Goldman, Kristen Leckie, Raffaele Saposhnik, Roan Kattouw, Jessica Jenkins, Nikki Cooper, Richard Johnson, Janelle Wong, Scott Feeney, Cat Carter, Ben Black, Jason Henderson, Brian Haagsman, and Robin Levitt

Members of the public expressing opposition: Guy Berryessa, Warren Lathe, Rod Schultz, Kendall Willits, Brian Ruben, and Elizabeth Kurhan

Vice Chair Borden asked staff to do a better job reaching out to small businesses and consider additional turn restrictions.

Director Eaken asked staff to provide information about possible changes to Haight Street when staff reports to the Board about this item.

Director Brinkman asked staff to consider extending parking meters to later in the evening on Haight Street.

The Board asked staff to report back in four months, including potential changes to Haight Street and education to the public and to limit the project to 12 months.

On motion to amend the item to limit the pilot project to 12 months:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke, and Torres

RESOLUTION 191119-141

On motion to approve as amended:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke, and Torres

Chair Heinicke asked Julie Kirschbaum, Director of Transit to present the update on transit service.

PUBLIC COMMENT:

Herbert Weiner asked if the report was going to be reviewed by the Muni Task Force. Buses are behind schedule and service is very uneven. He would also like to see the workplace bullying within the SFMTA addressed as it impacts service. The command, communication, and control structure need to be reviewed.

Edward Mason questioned hiring of new employees. Both the Valley Transportation Agency (VTA) and Santa Cruz Transit sends out daily notices about the lack of service due to employee shortages. VTA has hired retirees to provide service. With hiring problems in the South Bay, Mr. Mason questioned how the SFMTA would increase their employment opportunities.

12. Authorizing the Director to execute Contract Modification No. 6 to Contract No. 2013-19: Procurement of New Light Rail Vehicles, with Siemens Mobility, Inc., to enhance the vehicle design with passenger comforts, updated operator cab features, and engineering refinements that improve fleet performance; and to advance Phase 2 long-lead activities to accelerate fleet replacement, for an amount not to exceed \$9,799,688, with no increase in the total Contract price, and no increase in the term. (Explanatory documents include a staff report, modification, environmental review documents and resolution.)

Julie Kirschbaum, Director, Transit, presented the item.

PUBLIC COMMENT:

Members of the public expressing opposition: Robin Krop

Members of the public expressing neither support nor opposition: Edward Mason and Herbert Weiner

RESOLUTION 191119-142

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke, and Torres

13. Appointing Jeffrey Paul Tumlin to the position of Director of Transportation of the San Francisco Municipal Transportation Agency, effective December 16, 2019; and approving the execution of an Employment Agreement including a term of ending December 31, 2024, base annual compensation in the amount of \$342,483, benefits equivalent to specified benefits provided to members of the Executive Management bargaining unit under the 2019-2022 Memorandum of Understanding between the Municipal Executives Association and the SFMTA, and one year severance pay. (Explanatory documents include a staff report, agreement and resolution.)

Chair Heinicke reviewed the financial and other provisions in the contract and thanked Tom Maguire for leading the agency as the interim Director of Transportation.

PUBLIC COMMENT:

Members of the public expressing support: Roan Kattouw

RESOLUTION 191119-143

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke, and Torres

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.

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

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chair Heinicke called the closed session to order at 5:11 p.m.

2. Roll Call

Present: Gwyneth Borden
Cheryl Brinkman
Amanda Eaken
Malcolm Heinicke
Steve Heminger

Cristina Rubke
Art Torres

Also present: Tom Maguire, Interim Director of Transportation
Roberta Boomer, Board Secretary
Susan Cleveland-Knowles, Deputy City Attorney
John Kennedy, Deputy City Attorney
Molly Alarcon, Deputy City Attorney
Viktoriya Wise, interim Director, Sustainable Streets
Jamie Parks, Manager, Sustainable Streets

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 attorney-client matters on the following:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

Bay Area Motivate vs. CCSF, Superior Ct. #CGC19576554, filed on June 7, 2019

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 5:38 p.m.

15. Announcement of Closed Session.


Chair Heinicke announced that the SFMTA Board of Directors met in closed session to discuss the Bay Area Motivate litigation with the City Attorney but took no action.

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 5:39 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.

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.