



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Friday, March 14, 2014
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

**SPECIAL MEETING AND CLOSED SESSION
9 A.M.**

SFMTA BOARD OF DIRECTORS

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

Edward D. Reiskin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
SECRETARY

ORDER OF BUSINESS

1. Call to Order

Chairman Nolan called the meeting to order at 9:00 a.m.

2. Roll Call

Present: Cheryl Brinkman
Malcolm Heinicke – absent at Roll Call
Jerry Lee
Tom Nolan
Cristina Rubke

Absent: Joél Ramos – 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 March 4, 2014 Regular Meeting: unanimously approved (Heinicke, Ramos-absent).

5. Communications

Chairman Nolan stated that he would like to rearrange the agenda and asked the secretary to call the Consent calendar followed by items on the Regular calendar. After presentation of those items, the Board would return to the agenda order.

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

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director’s Report (For discussion only)

-FTA 2013 Triennial Report

-Ongoing Activities

No report.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

None.

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. State Farm Ins. vs. CCSF, Superior Ct. #CGC13534196 filed on 9/12/13 for \$1,100
- B. Hartford Underwriters Ins. vs. CCSF, Superior Ct. #CGC13533724 filed on 8/23/13 for \$1,980.35
- C. Amelia Valle de Chavarria vs. CCSF, Superior Ct. #CGC13528883 filed on 3/18/13 for \$6,250
- D. John Cherry vs. CCSF, Superior Ct. #CGC11511335 filed on 5/31/11 for \$22,500

RESOLUTION 14-038

(10.2) Authorizing the Director to execute Modification No. 2, to Contract No. 1265, Curtis Green Facility Roof Rehabilitation Project, with Pioneer Contractors to increase the amount by \$250,250, for a total amount not to exceed \$4,552,250; extend the Contract term by 183 days, for a total term of 488 days; and substitute the electrical and glazing subcontractors. (Explanatory documents include a staff report, resolution and financial plan.)

RESOLUTION 14-039

On motion to approve the Consent Calendar:

ADOPTED: AYES – Brinkman, Lee Nolan and Rubke

ABSENT – Heinicke and Ramos

REGULAR CALENDAR

11. Presentation and discussion regarding a system-wide passenger survey conducted onboard Muni transit vehicles, addressing the demographics and travel behavior of Muni customers. (Explanatory documents include a slide presentation.)

12. Presentation and discussion regarding proposed service and route changes as part of the Transit Effectiveness Project including up to a ten percent increase in service to reduce crowding, redesign routes, make new connections and improve efficiency, and modify or discontinue low-ridership routes and segments. (Explanatory documents include a staff report and slide presentation.)

Items 11 and 12 were called together.

Julie Kirschbaum, Manager, Operations and Scheduling, Transit Services, presented the two items.

PUBLIC COMMENT:

Members of the public expressing opposition for the proposed change to the 36 Teresita: Steve Erickson, Lisa To, Wiley Cowan, Todd Campbell, Kim Isaac, Emmet McDonagh, Suketu Sanghwi, Kevin Warnock, Jennifer Kan, Sue Denlinger, Lily King, Jean Ninos, Walter Caplan, Kristine Zaback and Maria Sousa

Members of the public expressing support for the proposed change to the 17 Parkmerced: Joan O'Donnell and Danny Gottlieb

Members of the public expressing opposition to the proposed change to the 35 Eureka: Evelyn Kelsey

Members of the public expressing support for the proposed change to the 35 Eureka: Betsy Eddy, Kif Bender

Members of the public expressing opposition for the proposed change to the 6 Parnassus: MaryAnne Lewis and Phylis Silk

Members of the public expressing opposition to the proposed change to the 43 Masonic (eliminating the stop at Lombard and Lyon): Sal Castenada, Craig Cole and Patricia Cady

Members of the public expressing support for the proposed change to the 43 Masonic (maintaining the stop at Lombard and Lyon): Marilyn Hughes and Patricia Vaughey

Members of the public expressing support for the proposed change to the 3 Jackson: Daniela Kirschenbaum

Members of the public expressing support for the proposed change to the 3 Jackson and 43 Masonic: Winston Parsons

Members of the public expressing opposition to the 27 Bryant: Leslie de Taillandier, Alan Beber, Todd Parrish and Indiana Gutierrez

Members of the public expressing opposition to the proposed change to 5 Fulton: Eva Chao and Joe O'Donoghue

Members of the public expressing opposition to the 3 Jackson: Henry Pan

Members of the public expressing opposition to the TEP: Herbert Weiner and Linda Chapman

Members of the public expressing support for the TEP: Randall Glock and Howard Strassner

Members of the public expressing neither support nor opposition: Gerald Cauthen

13. Presentation and discussion of the FY2015 and FY2016 Operating Budget including possible changes to various fares, fees, fines, rates and charges; possible new revenue sources and new expenditures and revenue and expenditure reductions; and discussion of the FY2015 and FY2016 Capital Budget including possible capital programs and projects. (Explanatory documents include as slide presentation.)

Director Heinicke arrived.

Sonali Bose, Director, Finance and Information Technology, and Tim Papandreou, Deputy Director, Sustainable Streets, presented the item.

PUBLIC COMMENT:

Members of the public expressing opposition to the budget impact on seniors and people with disabilities: Gena Lynn Luna

Members of the public expressing neither support nor opposition: Howard Strassner, Charles Minster and Patricia Vaughey

Members of the public expressing support for funding for bicycling infrastructure: Paolo Cosulich-Schwartz and Shirley Johnson

Members of the public expressing support for additional funding for pedestrian safety: Nicole Schneider, Kevin Stull and Jono Cowgill

Members of the public expressing support for funding for pedestrian safety and bicycling infrastructure: Winston Parsons

Members of the public expressing support for funding for pedestrian safety and continuing to enforce parking meters on Sundays: Elias Zamaria

Members of the public expressing support for extending “Free Muni for Youth” to 19 year olds: Thea Selby and Fernando Mart

Chairman Nolan left the meeting.

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 (Nolan, Ramos-absent).

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Vice Chairman Brinkman called the closed session to order at 12:57 p.m.

2. Roll Call

Present: Cheryl Brinkman
Malcolm Heinicke
Jerry Lee
Cristina Rubke

Absent: Tom Nolan – with notification
Joél Ramos – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Rob Maerz, 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:

Christopher and Deborah Dunn vs. CCSF, Superior Ct. #CGC11516959 filed on 12/29/11 for \$2,850,000

RESOLUTION 14-040

ADOPTED: AYES – Brinkman, Heinicke, Lee and Rubke

ABSENT - Nolan and Ramos

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.

5. 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 and/or his designee: Don Ellison

Employee Organizations:

- TWU Local 250-A (9163)
- TWU Local 250-A (9132)
- TWU Local 200
- SEIU Local 1021
- Electricians Local 6
- Automotive Mechanics Local 1414
- Municipal Executives Association

To discuss:

- X Wages
- X Hours
- X Benefits
- X Working Conditions

X Other

This item was not discussed.

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 1:00 p.m.

15. Announcement of Closed Session.

Vice Chairman Brinkman announced that the SFMTA Board of Directors met in closed session to discuss the Dunn case with the City Attorney. The Board of Directors voted unanimously to settle the case (Nolan, Ramos-absent). The Board did not discuss labor negotiations nor anticipated litigation.

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

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

ADJOURN - The meeting was adjourned at 1:05 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

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.

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.