



# San Francisco Municipal Transportation Agency Board of Directors & Parking Authority Commission

**MEETING MINUTES** • Meeting Date: Tuesday, September 5, 2023

## **REGULAR MEETING AND CLOSED SESSION**

1:00pm

1 Dr. Carlton B. Goodlett Place  
Room 400, City Hall

Members of the SFMTA Board of Directors will attend this meeting in-person. Members of the public are invited to observe the meeting in-person or remotely online as described below. Members of the public attending the meeting in person will have an opportunity to provide public comment on every action or discussion item.

In addition to in-person public comment, the Board will hear up to 10 minutes of remote public comment on each action or discussion item. The Board will hear remote public comment on items in the order that commenters add themselves to the queue to comment on the item. Because of the 10-minute time limit, it is possible that not every person in the queue will have an opportunity to provide remote public comment. Remote public comment from people who have received an accommodation due to disability (as described below) will not count toward the 10-minute limit.

Members of the public are encouraged to provide public comment via email. Send an email to [MTABoard@sfmta.com](mailto:MTABoard@sfmta.com) by 5pm the day before the meeting to ensure your comment is received by the Board in advance of the meeting.

## **REMOTE MEETING ACCESS**

WATCH: [www.sfgovtv.org/sfmtaLIVE](http://www.sfgovtv.org/sfmtaLIVE) or  
<https://www.sfmta.com/calendar/board-directors-meeting-september-5-2023>

PUBLIC COMMENT CALL-IN: 415.655.0001 ACCESS CODE: 2663 860 7018

## **SFMTA BOARD OF DIRECTORS**

Amanda Eaken, Chair  
Stephanie Cajina, Vice Chair  
Steve Heminger  
Dominica Henderson  
Fiona Hinze  
Lydia So  
Manny Yekutieli

## **DIRECTOR OF TRANSPORTATION**

Jeffrey Tumlin

## **BOARD SECRETARY**

Christine Silva



## **ORDER OF BUSINESS**

### 1. Call to Order

Chair Eaken called the meeting to order at 1:03pm.

Board Secretary Silva announced the 10-minute time limit for remote public comment.

### 2. Roll Call

Present: Steve Heminger  
Dominica Henderson  
Fiona Hinze  
Lydia So  
Stephanie Cajina  
Amanda Eaken

Absent (at Roll Call): Manny Yekutiel

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

Board Secretary Silva made the announcement.

### 4. Approval of Minutes

No public comment.

On motion to approve the minutes of the August 1, 2023, Regular Meeting and August 15, 2023, Special Meeting:

ADOPTED: AYES – Heminger, Henderson, Hinze, So, Cajina, and Eaken  
ABSENT – Yekutiel

### 5. Communications

None.

### 6. Introduction of New or Unfinished Business by Board Members

Chair Eaken welcomed Director Henderson and Director So and asked them to prepare their top three priorities to be shared at an October board meeting.



Director Henderson provided welcoming remarks.

Chair Eaken shared about a recent Vision Zero event and committed to bringing a policy before the Board at the October 3<sup>rd</sup> meeting.

Director Yekutieli joined the meeting.

No public comment.

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

- Special Recognition
- Autonomous Vehicles Update
- Vision Zero Update
- State Legislation Update
- Transit Update
- Ongoing Activities

Director Tumlin shared about autonomous vehicles, improvements to the 4<sup>th</sup> and King Street intersection, a state legislative update, upcoming tunnel inspection work, an Outside Lands update, Transit Month, and provided remarks about the recent passing of Mike Delia ("Mr. Boston").

#### PUBLIC COMMENT:

Jodie Medeiros shared about the recent fatality at 4<sup>th</sup> and King streets, urged the Board for slower speeds at intersections, and looked forward to the Board's response.

Aleta Dupree commented on autonomous vehicles, sharing that they are a discrimination free service.

Mark Gleason expressed concern about autonomous vehicles and their interaction with first responders doing work, double parking, and the financial impact on public transit.

Stacey Randecker expressed concern about autonomous vehicles and asked the agency to change how pedestrian deaths are counted.

Barry Taranto welcomed the new directors, expressed concern about autonomous vehicles and right turn only lights.



8. Citizens' Advisory Council Report

No report.

9. Public Comment

Members of the public may address the SFMTA Board of Directors on matters that are within the Board's jurisdiction and are not on today's calendar.

Richard Becker expressed opposition to extending parking meters.

Jamie Rosers expressed opposition to extending parking meters.

Louie Gutierrez expressed opposition to extended parking meters on 24<sup>th</sup> Street and shared his experience as a bakery owner.

Scott Brown urged the SFMTA to stop parking meter extension, sharing that it would put a burden on and disproportionately impact the working class.

Tom Radulovich commented on the Better Streets Plan and expressed concern about outreach.

Luke Bornheimer commented on no turn on red lights, implementing daylighting at every intersection, infrastructure on Slow Streets, and a protected bikeway on Arguello Boulevard.

Barry Taranto suggested hiring more parking control officers for enforcement and expressed concern about needing more taxi investigators.

Aleta Dupree commented about riding Muni and shared about the need to practice inclusion on the transportation system.

Stacey Randecker asked about a connected bike network and expressed concern about Muni service.

Alana expressed opposition to extending parking meters.

Jonathan expressed opposition to extending parking meters, sharing that people need their cars to go to work.

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 (Explanatory documents include a resolution):

- A. Maryann Minkins v. CCSF, Superior Ct. Case No. CGC-22-600740 filed 07/15/2022 for \$75,000. Lawsuit involving allegations of personal injury from operator negligence (fall on board).
- B. Sergio May Perez v. CCSF, Superior Ct. Case No. CGC-22-599258 filed 04/20/2022 for \$50,500. Lawsuit involving allegations of personal injury from operator negligence (revenue vehicle and Plaintiff vehicle).
- C. David Howard, Unlitigated Claim No. 230988 dated 8/1/2022 for \$37,000. Lawsuit involving employment dispute.
- D. Ivys Morell v. CCSF, Superior Ct. Case No. CGC-21-596800 filed 11/24/2021 for \$16,000. Lawsuit involving allegations of personal injury from defective sidewalk conditions.

RESOLUTION No. 230905-070

10.2. Authorizing Approving various routine parking and traffic modifications and making environmental review findings. (The Planning Department has found that items A-H are exempt from the California Environmental Quality Act [CEQA]. For these parking and traffic modifications that received a categorical exemption, the proposed action is the Approval Action as defined by Chapter 31 of the San Francisco Administrative Code. Explanatory documents include a staff report and resolution.):

- A. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA U – 288-292 9th Street.
- B. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA U – 1040-1042 Howard Street.



- C. ESTABLISH - TWO-HOUR PARKING, 8 AM TO 9 PM MONDAY THROUGH FRIDAY EXCEPT AREA S PERMITS – Storrie Street, both sides, between Market Street and 18th Street.
- D. RESCIND - TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, DAILY – McAllister Street, north side, from 4 feet to 77 feet east of Gough Street.
- E. RESCIND – NO PARKING ANY TIME – Harlan Place, south side, from 115 feet to 162 feet, east of Grant Avenue.
- F. ESTABLISH – TOW-AWAY, NO STOPPING ANY TIME – Golden Gate Avenue, south side, from 140 feet to 195 feet east of Leavenworth Street.
- G. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA C – 434 Leavenworth Street.
- H. ESTABLISH - RESIDENTIAL PERMIT PARKING AREA R – 725-727 Van Ness Avenue.

RESOLUTION No. 230905-071

- 10.3. Appointing SFMTA Chief Strategy Officer Jonathan Rewers as an alternate director to serve on the Transbay Joint Powers Authority Board of Directors, effective September 6, 2023. (Explanatory documents include a staff report and resolution.)

RESOLUTION No. 230905-072

- 10.4. Amending the existing SFMTA Contract Approval Delegation and Requirements Policy to delegate to the Director of Transportation authority to approve and execute grant agreements where the SFMTA, as grant recipient, provides unilateral indemnity to granting public agencies within certain limits. (Explanatory documents include a staff report and resolution.)

RESOLUTION No. 230905-073

No public comment.

ADOPTED: AYES – Heminger, Henderson, Hinze, So, Yekutieli, Cajina, and Eaken

## **REGULAR CALENDAR**

- 11. Presentation and discussion regarding a Next Generation Clipper Program update. (Explanatory documents include a slide presentation.)

Diana Hammons, Senior Manager of Revenue Collection and Sales, presented the item.

PUBLIC COMMENT:



Aleta Dupree shared about using Clipper service and looked forward to expanding service and future possibilities.

Stacey Randecker expressed support for using any card and it being accepted on the transit system.

Director Heminger left the meeting.

12. 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.

No public comment.

On motion to go into Closed Session:

ADOPTED:       AYES – Henderson, Hinze, So, Yekutiel, Cajina, and Eaken  
                  ABSENT – Heminger

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION – Chair Eaken recessed the meeting at 3:35pm.

## **CLOSED SESSION**

1. Call to Order

Director Eaken called the meeting to order at 3:43pm.

2. Roll Call

Present:   Dominica Henderson  
              Fiona Hinze  
              Lydia So  
              Manny Yekutiel  
              Stephanie Cajina  
              Amanda Eaken

Absent (at Roll Call):     Steve Heminger

Also present:     Jeff Tumlin, Director of Transportation  
                  Tom Maguire, Director of Streets  
                  Aidin Sarabi, Director of Capital Programs and Construction



Peter Gabancho, Project Manager - Capital Programs and Construction  
Lance Jackson, Project Manager - Capital Programs and Construction  
Bree Mawhorter, Chief Financial Officer  
Susan Cleveland-Knowles, Deputy City Attorney  
Ari Baruth, Deputy City Attorney  
David Innis, Deputy City Attorney  
Christine Silva, Board Secretary

3. Pursuant to Government Code Section 54956.9(d)(1) and (d)(2) and the Administrative Code Section 67.8 (a)(3) and 67.10(d)(1) and (2), the SFMTA Board of Directors will meet in Closed Session to discuss and take action on attorney client matters on the following:

Director Heminger joined the Closed Session.

#### CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

- A. Walsh Construction Co. II, LLC. Matter involving unlitigated construction contract claims presented 11/19/20 (City Attorney Matter No. 230237) under SFMTA Contract No. 1289, related to the Van Ness Improvement Project with the SFMTA to pay \$17,535,525.68 (with contribution from the San Francisco Public Utilities Commission of \$6,488,144.49) and SFMTA to release \$6,464,474.32 of retention to contractor.
- B. Ranger Pipelines, Inc. Matter involving unlitigated construction claims presented 11/19/20 (City Attorney Matter No. 230237) under SFMTA Contract No. 1289, related to the Van Ness Improvement Project with SFMTA to pay \$1,016,000 to Ranger Pipelines, Inc. (Explanatory documents include a resolution.)

On motion to approve:

ADOPTED: AYES – Heminger, Henderson, Hinze, So, Yekutieli, Cajina, and Eaken

RESOLUTION No. 230905-074

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION – Chair Eaken reconvened the meeting at 4:45pm.

13. Announcement of Closed Session

Board Secretary Silva announced that the Board of Directors met in closed session and voted to settle both items.





14. Motion to disclose or not disclose the information discussed in Closed Session

On motion to not disclose:

ADOPTED: AYES – Heminger, Henderson, Hinze, So, Yekutieli, Cajina, and Eaken

15. Authorizing the Director to execute Bilateral Contract Modification No. 15 to SFMTA Contract No. 1289, The Van Ness Corridor Improvement Project with Walsh Construction II, LLC, which resolves and releases all outstanding and potential claims except for outstanding subcontractor claims, increases the Contract Amount by \$5,159,578.55 (with contribution from the San Francisco Public Utilities Commission of \$6,488,144.49) for a total Contract Amount of \$227,624,722.12, and extends the Project Final Completion date by 832 days. (Explanatory documents include a staff report and resolution.)

Tom Maguire, Director of Streets, and Peter Gabancho, Project Manager - Capital Programs and Construction, presented the item.

No public comment.

On motion to approve:

ADOPTED: AYES – Heminger, Henderson, Hinze, So, Yekutieli, Cajina, and Eaken

RESOLUTION No. 230905-075

**ADJOURN** – Chair Eaken adjourned the meeting at 4:53pm.

A recording of the meeting is on file in the office of the Secretary to the San Francisco Municipal Transportation Agency Board of Directors.

  
Christine Silva  
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 website: <https://sfethics.org/>.

If you wish to contact the Board regarding an item that is expected to be on an agenda, please email the Board at [MTABoard@sfmta.com](mailto:MTABoard@sfmta.com). Please know that the Board appreciates receiving such communication not later than 5pm the day before the meeting so they have time to review and consider the comments prior to the meeting.

### **KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Administrator, by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415.554.7724; by fax at 415.554.7854; or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org).

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at <https://sfgov.org/sunshine/>.