



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, June 3, 2014
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

**REGULAR MEETING AND CLOSED SESSION
3:30 P.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 3:35 p.m.

2. Roll Call

Present: Cheryl Brinkman
Malcolm Heinicke
Tom Nolan
Cristina Rubke

Absent: Jerry Lee – with notification
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 May 20, 2014 Regular Meeting: unanimously approved (Lee, Ramos - absent).

5. Communications

Board Secretary Boomer stated that Item 10.2H was removed from the agenda at the request of staff and that there would be no discussion of anticipated litigation in closed session.

6. Introduction of New or Unfinished Business by Board Members

Chairman Nolan asked that the meeting be adjourned in memory of Jim Gallagher, Dep. Director of SamTrans.

Chairman Nolan requested an update on the parking of vehicles on 24th St. Jerry Robbins, Director, Sustainable Streets provided an update. Chairman Nolan asked staff to update Mr. Hybels.

7. Director’s Report (For discussion only)

-Special Recognition Award

- Sunshine Labor Agreements
- Ongoing Activities

Special Recognition Awards were presented to Azi Khaliq, Senior Street Inspector and Anthony Lee, Parking Control Officer.

Director Reiskin discussed Muni service and operator “sick-out”; a Bay Area Bike Share award; the arrival of the tunnel boring machines in North Beach and construction on San Jose Ave. and disclosed labor agreements for SEIU, Local 1414, Local 6 and MEA.

Micki Callahan, Director, Human Resources, explained the retirement/pension “swap.”

Director Heinicke asked staff to report back to the Board regarding additional discipline that can be taken against those transit operators who called in sick.

PUBLIC COMMENT:

Herbert Weiner requested a report on transit service including breakdowns and performance and commented that the last two days have been a preview of the Transit Effectiveness Project.

8. Citizens’ Advisory Council Report

No report.

9. Public Comment

Ron Schmidt discussed how the F Line has become a line of intimidation. Fare checkers and the SFPD have removed homeless men and ticketed them for lack of proof of payment. Transit Fare Inspectors swarm people who seem to be emotionally disturbed. He questioned the humaneness of the action.

Herbert Weiner discussed the vacancy on the Board and suggested that any new appointee should be a motorist as motorists aren’t represented. Parking spaces have been “gobbled-up” like crazy.

Patrick Missud asked if the Board was aware of enforcement and citation practices. He has served multiple subpoenas that have been flaunted.

Eric Scott stated that people who used private means got to work but those who took Muni weren’t fortunate. Public transit is essential. He expressed appreciation to drivers who showed up for work, adding that those who didn’t show up should be fired. Mr. Scott suggested the use of jitneys and other transit agencies to pick up riders and that motor coach services should be contracted out to a non-union company.

Kim Armbruster expressed support for funding Muni. He discussed how the SFMTA is expending money to issue tickets to homeless people who can't afford to pay. These tickets prevent homeless people from getting homes. He invited the SFMTA to join them to come up with solutions.

Chairman Nolan asked staff to explore having reciprocal agreements with Sam Trans and Golden Gate in the event that there is a protracted sick-out in the future

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. Jesusa Ramos Lovina vs. CCSF, Superior Ct. #CGC13532063 filed on 6/12/13 for \$6,000
- B. Mohammad Salilm vs. CCSF, Superior Ct. #CGC14537033 filed on 1/29/14 for \$24,000
- C. Cecilia Palmcrantz vs. BART and CCSF, Superior Ct. #CGC12525934 filed on 11/7/12 for \$42,500

RESOLUTION 14-085

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – TRAFFIC SIGNAL – Sunset Boulevard at Wawona Street.
- B. ESTABLISH – 30 MILES PER HOUR SPEED LIMIT – Sunset Boulevard, between Martin Luther King Jr. Drive and Lake Merced Boulevard.
- C. ESTABLISH – NO PARKING ANYTIME – Fulton Street, south side, from 25 feet west of 37th Avenue to east crosswalk crossing Fulton Street at 37th Avenue.
- D. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA S, 2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY – 1200 block of Castro Street, both sides, between 24th Street and Elizabeth Street.
- E. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA Z ELIGIBILITY – 235 Poplar St.
- F. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA X, 2-HOUR PARKING, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY – 1000 block of 23rd Street, south side,

between Indiana Street and Minnesota Street; and 1200 block of Minnesota Street, west side, from 23rd Street to 79 feet southerly.

- G. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA N, 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY – 700 block of 11th Avenue, both sides, between Cabrillo Street and Fulton Street.
- H. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA D, 4-HOUR PARKING, 9 AM TO 5 PM, MONDAY THROUGH FRIDAY – Unit block of Cuvier Street, both sides, between Bosworth Street and San Jose Avenue.
- I. ESTABLISH – RESIDENTIAL PERMIT PARKING EXTENSION – 716 Valencia Street.
- J. EXTEND – PART-TIME BUS ZONE 11 AM TO 3 PM, MONDAY THROUGH FRIDAY (extends bus zone hours to 5 AM – 3 PM) – Battery Street, west side, from Pine Street to 87 feet southerly.
- K. RESCIND – TOW-AWAY NO PARKING, 10 PM TO 6 AM EVERYDAY – ESTABLISH – NO PARKING, 12:01 AM TO 6 AM EVERYDAY, FOR VEHICLES MORE THAN SEVEN FEET TALL OR 22 FEET LONG – Executive Park Boulevard, east side, between Alana Way and Blanken Avenue. (Explanatory documents include a staff report and resolution. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

Item 10.2 H was removed from the agenda at the request of staff

RESOLUTION 14-086

(10.3) Authorizing the Director to execute Amendment Four to Contract No. SFMTA 2009/10-22 with Turnstone Consulting for additional environmental services for the Transit Effectiveness Project, increasing the contract amount by \$235,000, for a total contract amount not to exceed \$2,996,913 with no change to the term of the contract. (Explanatory documents include a staff report, resolution and amendment.)

Item 10.3 was removed from the agenda at the request of a member of the public

PUBLIC COMMENT on Item 10.3:

Herbert Weiner expressed neither support nor opposition.

On motion to approve Item 10.3:

ADOPTED: AYES – Brinkman, Heinicke, Nolan and Rubke

ABSENT – Lee, Ramos

RESOLUTION 14-087

(10.4) Acting as the Parking Authority Commission, approving the formation of the Lower Polk Community Benefit District, and authorizes the Director of Transportation to submit a ballot in favor of its formation. (Explanatory documents include a staff report, resolution and map.)

RESOLUTION 14-088

On motion to approve the Consent Calendar (Item 10.2H removed and 10.3 severed):

ADOPTED: AYES – Brinkman, Heinicke, Nolan and Rubke

ABSENT – Lee, Ramos

REGULAR CALENDAR

11. Presentation and discussion regarding the Controller’s City Services Benchmarking: Public Transportation. (Explanatory documents include a slide presentation.)

Peg Stevenson and Joel Lapka, Controller’s Office, presented the item.

PUBLIC COMMENT:

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

12. 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 (Lee, Ramos - absent).

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 4:50 p.m.

2. Roll Call

Present: Cheryl Brinkman
Malcolm Heinicke
Tom Nolan
Cristina Rubke

Absent: Jerry Lee – with notification
Joél Ramos – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Rob Maerz, Deputy City Attorney
Donald Ellison, Director, Human Resources
Alicia John-Baptiste, Chief of Staff
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:

Amjad Abudiab vs. CCSF, US District Ct. #C0901778JSW filed on 3/27/09 for \$150,000

RESOLUTION 14-089

On motion to approve:

ADOPTED: AYES – Brinkman, Heinicke, Nolan and Rubke

ABSENT – Lee, Ramos

Also present: Jerry Robbins, Director, Sustainable Streets
Camron Samii, Manager, Enforcement

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 removed from the agenda.

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: Donald 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:

- Wages
- Hours
- Benefits
- Working Conditions
- Other

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 5:16 p.m.

13. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Amjad Abudiab vs. CCSF case with the City Attorney. The Board of Directors voted to settle the case (Lee, Ramos-absent). The Board also discussed labor negotiations but took no action. There was no discussion of anticipated litigation.

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

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

ADJOURN - The meeting was adjourned at 5:19 p.m. in memory of Jim Gallagher

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.