

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

MINUTES

Tuesday, February 5, 2013
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

SPECIAL MEETING AND CLOSED SESSION
3 P.M.

BOARD OF DIRECTORS

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

Edward Reiskin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
BOARD SECRETARY

ORDER OF BUSINESS

1. Call to Order

Chairman Nolan called the meeting to order at 3:03 p.m.

2. Roll Call

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

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 January 15, 2013 Regular Meeting and January 29, 2013 Special Meeting: unanimously approved (Heinicke – absent).

5. Communications

Chairman Nolan expressed appreciation to staff for the workshop.

6. Introduction of New or Unfinished Business by Board Members

Director Ramos requested discussion of a funding strategy for bicycling. Director Reiskin stated that he would be asking the task force that Mayor Lee was convening to address it. Tangible results won't be available until later in the year at which time he would report back.

Director Heinicke arrived.

7. Director's Report (For discussion only)

- Special Recognition Award
- Update on Central Subway Extraction Site/Pagoda Palace lease

- Implementation of "Free Muni for Youth" Pilot
- Update on Sunday parking meter enforcement
- Ongoing Activities

Director Reiskin presented Special Recognition Awards to Lauren Mattern, Principle Administrative Analyst, *SFpark*, Finance and Information Technology; James Stuart, Senior Lead Transit Supervisor, Street Operations; James Flores, Transit Supervisor, Street Operations; William McManus, Transit Supervisor, Operations Central Control and Thanh Ngoc Pham, Transit Operator, Woods Division, Transit Services.

Director Reiskin also discussed the Central Subway Project and status of the Pagoda Palace lease negotiations; implementation of "Free Muni for Youth" pilot project; Sunday parking meter enforcement and the competition to name the Central Subway tunnel boring machines.

Director Reiskin stated that he would provide a complete analysis of Sunday meter enforcement in six months.

At the Director's request, Judson True, aide to Board of Supervisors President David Chiu, expressed appreciation for Board's support of the option to remove the machines at the Pagoda Palace and to the city agencies for pulling together on this project. The biggest concern their office is tracking is the impact of construction on nearby merchants.

PUBLIC COMMENT:

Howard Wong expressed appreciation for engaging in a constructive dialogue. Mr. Wong submitted a letter objecting to many issues related to the extraction site including the changed alignment, changed conditional use and other zoning issues. Changing the TBM extraction location requires a supplemental EIR including a soils and geotechnical report. There are issues of dewatering and impacts on fragile buildings.

Tina Moylan expressed support for the Pagoda Palace option on behalf of the Russian Hill Neighborhood Association. This option will have the least impact on merchants.

Joan Wood stated that she never received notice of the meetings. She objects removing the tunnel boring machines at Union Square. She noted that many object to the Pagoda Palace location and that Chinatown Option #2 was never presented and should be explored.

Gregory Gieber stated that the Pagoda Palace is an eyesore and doing anything at that location will improve the economic viability of North Beach. The SFMTA needs to look at other alternatives including backing the machines out. With the Chunnel, tunnels were left in the ground. He questioned spending money to take them to a location which may not be built as a station. There are other uses for that money.

Lance Carnes urged the SFMTA to reschedule the community meeting as neighborhood input is crucial. He stated that he is not in favor of extracting the machines in North Beach nor is he in

support of using the Pagoda Palace location. He supports leaving the machines in Chinatown. The money saved leaving the machines underground could be banked or invested elsewhere. The Central Subway shouldn't make an appearance in North Beach until there is a station there.

Marc Bruno expressed appreciation to the Board and Director Reiskin for negotiations with the Pagoda Palace owners to come to a resolution. 30 businesses have funded a lawsuit that says that the proposed location would cause disruption to their businesses. He urged the City to consider the possibility of leaving the tunnel boring machines underground at the Pagoda Palace.

Gerald Cauthen stated that there are different options that haven't been adequately examined. A common way to remove material is to go back along the same track. Once the tunnel is lined, the heads can't be removed because the tunnel is too small. To avoid doing that, a decision has been made to extend the tunnel to North Beach. The obvious answer is to pull them back through the Southern entrance.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Herbert Weiner discussed the task force that Mayor Lee will be convening. The results shouldn't be a whitewash or a cover up. The task force needs to include critics otherwise things will go on just as before. Sunday meter enforcement is a lousy proposal as is suspending service during the semester break. Suspending services over the holiday inconvenienced a great number of people.

Mark Gruberg stated that the cab drivers, the taxi industry, passengers and regulators are under siege by ride sharing services. Lyft and Sidecar use private vehicles to transport people. The CPUC has given the green light for those companies to perform taxi services. If legalized then anybody in their private car can perform taxi services and skim the cream of the business while the industry is obligated to follow the rules.

Ed Healy discussed how insurance companies will not give personal liability insurance to companies like Lyft and Sidecar. Uber has launched a phony car sharing. Mr. Healy estimated that there will be over 2000 cabs on the street within the next six months. The process to hire investigators has been halted by someone within the SFMTA.

Carl Macmurdo expressed agreement with Mr. Gruberg and Healy. The open ended model used in other cities was a disaster and those cities returned to using an annual survey. Quasi-taxi companies are pretending to be ride sharing companies. Insurance companies won't give coverage to them.

Mary McGuire discussed the lack of insurance for the illegal taxi service providers and the danger to passengers. These companies refuse to provide documentation of insurance and they aren't listed on the charitable organization website.

Barry Korengold discussed the deregulation of the industry, how the SFMTA is taking money out of the industry and is not enforcing any regulation against illegal providers of taxi services. Legitimate taxi drivers and the public will lose if inexperienced drivers get into the business.

Vice Chairman Brinkman requested an update on hiring new inspectors for the Taxi Services division and information regarding what can be done about companies such as Lyft and Sidecar. Chairman Nolan requested information regarding insurance requirements for such companies.

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. Donna Curtis vs. CCSF, Superior Ct. #CGC11513362 filed on 8/15/11 for \$2,000
- B. Jose Lopez vs. CCSF, Superior Ct. #CGC11514830 filed on 10/4/11 for \$2,225
- C. Marilyn Jones vs. CCSF, Superior Ct. #CGC11516232 filed on 11/30/11 for \$2,500
- D. Ahmed Abid vs. CCSF, Superior Ct. #CGC9488049 filed on 5/4/09 for \$20,000

RESOLUTION 13-015

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – NO PARKING VEHICLES MORE THAN 6 FEET HIGH – Baden Avenue, both sides, between Circular Avenue and San Jose Avenue.
- B. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA X – ELIGIBILITY ONLY – 165 and 197 Mississippi Street Residences only.
- C. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA S, 2-HOUR PARKING, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY – Douglass Street, both sides, between 19th and 20th Streets.
- D. ESTABLISH – STOP SIGNS – Stopping Amazon Avenue at Athens Street.
- E. ESTABLISH – STOP SIGN – Stopping Nordhoff Street at Stillings Avenue, northbound.

- F. ESTABLISH – NO PARKING ANYTIME – Quintara Street, north side, between 36th Avenue and Sunset Boulevard; and Quintara Street, south side, from Sunset Boulevard to 20 feet easterly.
- G. ESTABLISH – STOP SIGN – Stopping Munich Street at Naples Street, westbound.
- H. ESTABLISH – STOP SIGNS – Stopping Topeka Avenue at Maddux Avenue.
- I. ESTABLISH – STOP SIGNS – Stopping Welsh Street at 4th Street, eastbound and westbound.
- J. ESTABLISH – RED ZONE – California Street, north side, from 21st Avenue to 21 feet westerly.
- K. ESTABLISH – BIKE LANES – Judah Street, between 7th Avenue and 6th Avenue, westbound direction only; and Judah Street, between 6th Avenue and 5th Avenue, both directions.
- L. ESTABLISH – NO LEFT TURN, 3 PM TO 7 PM, EXCEPT SUNDAY – Divisadero Street, northbound, at Fell Street.
- M. ESTABLISH – NO LEFT TURN – Geary Boulevard, eastbound, at 3rd Avenue.
- N. ESTABLISH – TOW-AWAY, NO PARKING, 1 AM TO 6 AM, EVERYDAY – Alemany Boulevard, north side, from 22 feet south of the driveway for 2726 Alemany Boulevard to Farragut Avenue.
- O. ESTABLISH – TOW-AWAY, NO PARKING ANYTIME – O'Farrell Street, north side, from 163 feet east of Webster Street to four feet south of the driveway entrance for the St. Francis Square Cooperative Apartments.
- P. ESTABLISH – PERPENDICULAR PARKING – O'Farrell Street terminus at Hollis Street, from four feet to 26 feet south of the driveway entrance for the St. Francis Square Cooperative Apartments.
- Q. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA C - ELIGIBILITY ONLY – 507 Bush Street Residences only.
- R. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA N, 2-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY – 12th Avenue, between Anza and Balboa Streets, both sides; and Balboa Street, between 11th and 12th Avenues, both sides.
- S. ESTABLISH – NO PARKING ANYTIME – Grand View Avenue, west side, from Clipper Street to the driveway for 745/747 Grand View Avenue.
- T. ESTABLISH – NO PARKING ANYTIME – High Street, west side, from 15 feet south of Clipper Terrace to 50 feet north of Clipper Terrace.
- U. ESTABLISH – STOP SIGN – Stopping southbound Shotwell Street at Stoneman Street.
- V. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Valencia Street, west side, from McCoppin Street to 90 feet southerly. (Explanatory documents include a staff report and resolution.)

RESOLUTION 13-016

(10.3) Authorizing the Director of Transportation to execute Contract No. SFMTA - 2011/12-25, As- Needed Specialized Engineering Services for SFMTA Rail Vehicle Projects to Parsons Corporation in an amount not to exceed \$5,000,000 and a term not to exceed six years. (Explanatory documents include a staff report, resolution and contract.)

RESOLUTION 13-017

(10.4) Authorizing the Director of Transportation to execute the Second Amendment to Contract No. CS-159, an Intergovernmental Agreement with the Transbay Joint Powers Authority for additional or amended SFMTA staff support services to support the TJPA's Transit Center development including the Temporary Bridges, Utility Relocation, Bus Ramps, Signal Work, and Bus Storage Facility; increase the total compensation by \$2,113,000, for a total compensation amount not to exceed \$5,393,677, and extend the term to December 31, 2017. (Explanatory documents include a staff report, resolution and amendment.)

RESOLUTION 13-018

On motion to approve the Consent Calendar:

ADOPTED: AYES – Bridges, Brinkman, Heinicke, Lee, Nolan, Ramos and Rubke

SPECIAL CALENDAR

11. 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.

RECESS SPECIAL MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 4:07 p.m.

2. Roll Call

Present: Leona Bridges
Cheryl Brinkman
Malcolm Heinicke
Jerry Lee
Tom Nolan
Joél Ramos
Cristina Rubke

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
Sonali Bose, Director, Finance and Information Technology

Bond Yee, Director, Sustainable Streets
Candace Sue, Director, Communications

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:

- A. Coalition for Adequate Review vs. CCSF, Ca. Court of Appeals #A129910 filed on 7/28/05
- B. Marc Bruno and Save North Beach vs. CCSF, Superior Court #CPF12512380 filed on 7/31/12

4. Pursuant to Government Code Section 54956.8 and Administrative Code Sections 67.8 (a) (2) and 67.12 (b) (1), the Municipal Transportation Agency Board of Directors/Parking Authority Commission will meet in closed session to discuss real estate negotiations:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1731-1741 Powell Street, (Assessor's Parcel Number Block 0101, Lot 004)

Persons negotiating: Sonali Bose, Kerstin Magary

Parties negotiating: Joel Campos, Martin Kirkwood

Under negotiation: Price: ___ Terms of Payment: ___ Both: X

Also present: Alicia John-Baptiste, Chief of Staff
Don Ellison, Director, Human Resources
Kerstin Magary, Manager, Real Estate

5. 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

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 5:05 p.m.

12. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Coalition for Adequate Review and Mark Bruno/Save North Beach cases with the City Attorney but took no action. The Board discussed anticipated litigation but took no action. The Board also met with their real property negotiators but took no action.

13. 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 5:06 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.