

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

MINUTES

Tuesday, November 20, 2012
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

REGULAR MEETING AND CLOSED SESSION
1 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 1:02 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

PUBLIC COMMENT:

Peter Witt stated that he wasn't at the last meeting and questioned the endless culture of misrepresentation of facts. The minutes don't accurately reflect what was stated or submitted. The omission of data is a dereliction of duty and burying comments and the PC&N survey is a cover-up. He asked that the minutes be corrected. (Mr. Witt submitted a statement that is attached to the minutes.)

On motion to approve the minutes of the November 6, 2012 Regular Meeting: unanimously approved (Heinicke-absent.)

5. Communications

Director Nolan asked the Secretary to call items 11 and 12 together after the CAC report.

6. Introduction of New or Unfinished Business by Board Members

Director Ramos asked about getting a bicycle counter installed along heavily used bicycle corridors.

Director Heinicke arrived.

Director Ramos asked staff to look into assaults on fare inspectors. Chairman Nolan asked the transit operators be included.

7. Director's Report (For discussion only)

-Ongoing Activities

Director Reiskin discussed recent awards given to the SFMTA, JFK cycle track survey and results, seasonal parking and traffic measures; the Church and Duboce Rail Replacement Project; Church Street Pilot Project; and the Partnership for a Healthier America grant to San Francisco for "Play Streets."

PUBLIC COMMENT:

Peter Witt expressed appreciation for opening Stockton Street during the holiday and suggested that taxis should have peak time rates. He discussed the best way to catch a cab and the need for more buses. (Mr. Witt provided a written statement that is attached to these minutes.)

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Naeem Malik discussed taxi driver issues with credit cards and requested that they be allowed to set a minimum fee for credit card use.

Marcelo Fonseca discussed Uber Cabs illegal operation and urged the SFMTA to go after them.

Javad Mirsaidi discussed the Board's action to approve a unilateral contract amendment at the last meeting. The only recourse he has is to file a lawsuit.

Manuel Arce protested the unilateral amendment to Contract #1250 at the last meeting and asked for the opportunity for both parties to present their sides to a neutral third person. Their only recourse is a lawsuit.

Donovan Gilliland discussed the unpaid inefficiencies with Contract #1250 and the delays they have experienced. He requested an independent review.

Corey Lamb discussed taxicab service to the 49'er ballgame and how many cabs sat in gridlock and how town cars were allowed to use a road that was restricted. He asked that the situation get resolved for future home games.

Herbert Weiner wondered about Muni's high crime rate. The TEP will force physically disabled people to walk a mile to get a crowded bus. The SFMTA doesn't advocate for the community as a whole.

Emil Lawrence talked about how technology is superseding medallions, phone "apps" and London's taxicab systems. Cab drivers can make more by using their own car and not paying any fees. A collapse in the medallion price is in the horizon in a few years.

Barry Taranto stated that they're getting better information and asked that the taxi town hall meetings be better publicized. Taxi staff isn't attending meetings that relate to taxi service such as ISCOTT and TASC.

Peter Witt recalled his first cab ride and his eagerness to see advances in taxi dispatch. Taxi service is broken. In 2006, the bumps in the road were clear and now the SFMTA cliff is clear. (Mr. Witt provided a written statement that is attached to these minutes.)

Tariq Mehmood discussed credit cards and how tips have decreased. He also discussed how they are losing money with Uber and how neither Luxor nor Yellow Cab wants an SFMTA app. The industry needs one app with all the cab companies involved so the public can see where all cabs are.

Mark Gruberg discussed the need for a single taxi app, the lack of money in the taxi driver fund and the need to crack down on rogue taxi services. The CPUC is going after Uber for not having licenses. These services are a threat to the SFMTA regulatory system as well as to every taxi driver.

Paolo Pereira stated that Luxor has a great app and how the "moustache cars" are taking cab driver business.

Mary McGuire discussed how the industry is facing deregulation, why the public hates taxis and how companies such as Uber and Lyft won't serve the disabled community if the taxi industry goes away. Drivers need a universal app and the tools to compete.

David Basada discussed how his son was denied a spot on the medallion wait list.

Bill Mounsey expressed appreciation to Director Rubke for attending the last taxi town hall meeting and suggested that all directors should come to a meeting. He discussed the issuance of permits to cab companies and stated that he would like to have one.

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. Kevin Michael Wong vs. CCSF, Superior Ct. #CGC11514394 filed on 9/19/11 for \$575,000

RESOLUTION 12-140

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – RED ZONE – Taraval Street, north side, from 5 feet to 25 feet east of 27th Avenue; Taraval Street, south side, from 5 feet to 27 feet west of 27th Avenue; and Taraval Street, north side, from 5 feet to 23 feet east of 25th Avenue.
- B. ESTABLISH – RIGHT LANE MUST TURN RIGHT EXCEPT BUSES AND BICYCLES – Northbound Bayshore Boulevard, from Helena Street to Marengo Street.
- C. ESTABLISH – NO PARKING ANYTIME – Gough Street, west side, at Clay Street, between the northern and southern crosswalks.
- D. ESTABLISH – PARKING METER AREA 3 – 22nd Street, south side, between San Jose Avenue and Valencia Street.
- E. ESTABLISH – STOP SIGN – Stopping Walter U. Lum Place, southbound, at Clay Street
- F. ESTABLISH – PERPENDICULAR PARKING – Greenwich Street, both sides, from 170 feet to 250 feet east of Hyde Street.
- G. ESTABLISH – NO PARKING ANYTIME – Harold Avenue, east side, from 281 feet to 305 feet south of Grafton Avenue.
- H. ESTABLISH – PARK AT 90 DEGREES – Harold Avenue, east side, from 305 feet to 358 feet south of Grafton Avenue.

- I. ESTABLISH – NO PARKING VEHICLES OVER 6 FEET TALL – Keith Street, both sides, between Wallace Avenue and Yosemite Avenue.
- J. ESTABLISH – TOW-AWAY NO STOPPING MIDNIGHT TO 5 AM EVERYDAY – Florida Street, both sides, from 16th Street to Treat Street; and Florida Street, east side, from 16th Street to 17th Street.
- K. ESTABLISH – STOP SIGNS – Stopping eastbound and westbound Rivera Street at 40th Ave.
- L. ESTABLISH – RIGHT TURN ONLY – 9th Avenue, northbound and southbound, at California Street.
- M. ESTABLISH – BLUE ZONE – 256 Rose Street, north side, from approximately 0 feet to 26 feet west of the east property line.
- N. ESTABLISH – RED ZONE – Mission Street, west side, at Rolph Street from five feet to 27 feet northerly. (Explanatory documents include a staff report and resolution.)

RESOLUTION 12-141

(10.3) Authorizing the Director to execute the Agreement with the Bay Area Rapid Transit District for Payment of Transfer Trips, for the term from July 1, 2010 to June 30, 2020. (Explanatory documents include a staff report, resolution and agreement.)

RESOLUTION 12-142

(10.4) Authorizing the Director to execute the Special Transit Fare (Fast Pass[®]) Agreement with BART that allows Muni Adult Fast Pass[®] users (using the Clipper[®] Card) to ride BART within San Francisco at no additional cost for a term from January 1, 2010 to June 30, 2014. (Explanatory documents include a staff report, resolution and agreement.)

RESOLUTION 12-143

(10.5) Amending Transportation Code, Division II, Articles 500, Section 501 to update the streets subject to vehicle weight restrictions, 700, Section 702 to designate the streets subject to 30, 35, and 45 miles per hour speed limits, and 800, Section 801 to amend the locations subject to on-street parking permit restrictions. (Explanatory documents include a staff report, resolution and amendments.)

RESOLUTION 12-144

(10.6) Establishing a meeting schedule for 2013 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 12-145

No public comment.

On motion to approve the Consent Calendar:

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

REGULAR CALENDAR

11. Amending Transportation Code Sections 1103 and 1116 to authorize transferring taxi medallions to the first 150 qualified taxi drivers on the taxi medallion waiting list at a discounted medallion price of \$150,000, and to provide that the SFMTA will no longer issue taxi medallions to drivers on the medallion waiting list at the cost of the application fee. (Explanatory documents include a staff report, resolution and amendments.)

(Discussion of and action related to this agenda item may include variations of this proposal, such as selling the medallions at a different price and/or selling a different number of medallions at a discounted price.)

Items 11 and 12 were called together.

PUBLIC COMMENT on Items 11 and 12:

Members of the public expressing opposition: Tara Housman, Saam Aryan, Richard Beal, Naeem Malik, Peter Kirby, Ray Seresht, Ahmad Albowya, Gerard Meehan, Carl Macmurdo, Dean Clark, Emil Lawrence, Barry Taranto, Bill Mounsey, Mark Gruberg, Brad Newsham, Herbert Weiner, Tokunbo Soltarin, Ed Healy, Barry Korengold, Tariq Mehmood and Peter Witt.

On motion to amend the item to increase the number from 150 to 200:

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

RESOLUTION 12-146

On motion to approve the item as amended:

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

12. Authorizing the Director of Transportation to establish a down payment assistance program for medallion transfers. (Explanatory documents include a staff report and resolution.)

RESOLUTION 12-147

On motion to approve:

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

13. Amending Transportation Code Sections 1108, 1109, 1113 and 1114 to extend the deadline for implementation of electronic trip data and back seat passenger information monitors or payment processing devices until February 28, 2013. (Explanatory documents include a staff report, resolution and amendments.)

PUBLIC COMMENT:

Members of the public expressing support: Naeem Malik and Mary McGuire.

Members of the public expressing neither support nor opposition: Barry Taranto, and Bill Mounsey.

RESOLUTION 12-148

On motion to approve:

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

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.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 3:55 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
Mariam Morley, Deputy City Attorney
Tom Folks, Senior Engineer, Sustainable Streets

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. Rebecca and David Charyn vs. CCSF, Superior Ct. #10503351 filed on 9/14/10 for \$312,500

RESOLUTION 12-149

On motion to approve:

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

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

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 4:03 p.m.

15. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss Charyn vs. CCSF with the City Attorney. The Board of Directors voted unanimously to settle the case. There was no discussion of 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.

ADJOURN - The meeting was adjourned at 4:05 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.

To be entered in the MTA minutes of the regular meeting of Oct. 16th 2012

From Peter Witt

Item # 4 (minutes)

I didn't attend the last meeting I'm not in these minutes that your approving hear,
But I was at the Aug 21st. and Sept. 4th meeting. And I was wondering why there is a endless culture here ...of the misrepresentation of.... "certain - verifiable facts".

Both those minutes do not accurately summarize what I stated or submitted so why should THESE.?

The omission of ---relevant data---, that pertains to "taxi services" is a dereliction of duty....

For the Special Assistant XII , Ex-director and parliamentarian -Code # 1372 who suppose to

-Supervises the flow of information.

-Insure preparation and distribution.

-Insure development and proper maintains of .."Data Base and Files"

Doesn't this Board care about... Taxi Dispatch or ... Driver quality.

Or about the confusion over the Top lights of cabs or lack of Taxi Stands.

Or the fact ...that back seat terminals and undersized cabs R driving TAXI CUSTOMERS AWAY!!

Berrying my comments and P. C. & N. survey in the sand can be construed as a cover up.

Will you correct the minutes?

Item #9

Being ... A first, you often get ridiculed or called nuts.

I remember my first cab rideas a burn victim at the age of 6.

My mother called a Yellow Cab.

The untainted "Customer Survey" I've submitted Fully Exposes..." Taxi Service" for what it is.
Broken.

History has prevented a qualified review... of ... "simple math".

Likewise....Political and Financial Interests take presidents over ..Real Customer Service.

Clearly MTA has gone WILD....by USEING unfair business practices !!

I Quote " I am eager to see advances in Taxi dispatch systems. My office and Taxi -staff will be working closely - in researching the concept Centralized Dispatch using GPS" .

That was Gavin Newsom, Feb. 13th 2007.the same day TXC, Hienicke stated in the minutes

"No show an issue" and recommended..... 25 regular (taxis) and 75 peak-time medallions.

In 2006"The Bumps in the ROAD were CLEAR.

Today the MTA , Cliff in the ROAD is VERY CLEAR.

The Bubble has burst.

NOW the Ride-Sharing and Dispatch CATS are out of the BAG. ~~and it is out of the B side.~~