



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

MEETING MINUTES • Meeting Date: Tuesday, May 16, 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 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 or
<https://www.sfmta.com/calendar/board-directors-meeting-may-16-2023>

PUBLIC COMMENT CALL-IN: 415.655.0001 ACCESS CODE: 2599 415 8803

SFMTA BOARD OF DIRECTORS

Amanda Eaken, Chair
Stephanie Cajina
Steve Heminger
Fiona Hinze
Manny Yekutieli

DIRECTOR OF TRANSPORTATION

Jeffrey Tumlin

BOARD SECRETARY

Christine Silva



Board Secretary Silva announced that Chair Eaken would be joining the meeting later in the afternoon and requested that the Board select a board member to preside over the meeting until her arrival.

No public comment.

On motion for Director Heminger to preside over the meeting:

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

ORDER OF BUSINESS

1. Call to Order

Director Heminger called the meeting to order at 1:05pm.

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

2. Roll Call

Present: Stephanie Cajina
Steve Heminger
Fiona Hinze
Manny Yekutiel

Absent (at Roll Call): Amanda Eaken

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 February 7, 2023, Special Meeting and April 18, 2023 Regular Meeting:

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



5. Communications

None.

Item 6 was taken out of order, after Item 11.

6. Introduction of New or Unfinished Business by Board Members

No public comment.

On motion to elect Director Cajina as Vice Chair:

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

7. Director's Report (For discussion only)

- Streets Updates
- Extended Parking Meter Hours Update
- Ongoing Activities

Viktoriya Wise, Chief of Staff, shared about plans regarding Arguello Boulevard, the installation of the 300th bikeshare station in the Outer Sunset, extended parking meter hours, autonomous vehicles, Asian American & Pacific Islander Heritage Month, the Warriors recognizing Operator Angel Carvajal, and the recent passing of SFMTA staff, Margot Reed.

PUBLIC COMMENT:

Nick Levi expressed support for extending parking meter hours.

Speaker urged the SFMTA to stop wasting money.

Barry Taranto expressed confusion about parking meter difficulty with payments and parking meter officer enforcement at night.

Speaker recommended that the agency take money from elsewhere to help with transportation.

Speaker shared that the problem is with Muni management and suggested that it was time for pay cuts.



Speaker requested an agency audit be done to see where the money was going.

8. Citizens' Advisory Council Report

Michael Chen, Chair, Citizen's Advisory Council, presented the report.

PUBLIC COMMENT:

Barry Taranto appreciated the report and asked that larger venues facilitate use of taxi cabs and help with signage.

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.

Speaker expressed support for Slow Streets and shared that transit should be a backbone to the Slow Streets Network.

Josh Kelly shared that neighborways in the Sunset are lacking and encouraged the SFMTA to implement neighborways as soon as possible.

James Wang expressed concern about speeding cars on Santiago Street.

Lucas Lux urged the Board to implement and apply Slow Streets metrics to the neighborways in the Sunset.

Speaker shared that he was tired of hearing from bike advocates about safety when San Francisco is the 2nd safest city in the nation.

Luke Bornheimer expressed support for all Slow Streets including those in the Sunset and urged the SFMTA to make streets safer.

Barry Taranto asked the SFMTA to require that taxi appeal hearings be listed on the website and available for the public to participate.

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. Approving various routine parking and traffic modifications (The Planning Department has found that items A-E 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 C 665 Geary Street.
- B. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA A 920 Montgomery Street.
- C. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA J 1638-1640 Haight Street.
- D. RESCIND – 4-HOUR PARKING, 9 AM TO 8 PM, MONDAY THROUGH FRIDAY EXCEPT AREA Q PERMITS Fell Street, north side, from Divisadero Street to 78 feet west.
- E. ESTABLISH – 4-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY Portola Drive, north side, from 138 feet east of Dorchester Way to Kensington Way.

RESOLUTION No. 230516-038

10.2. Requesting that the Metropolitan Transportation Commission (MTC) apply \$11,534,333 of SFMTA's Fiscal Year 2022-23 Revenue-based State Transit Assistance (STA) to fulfill its obligation to return funds to the MTC to support the implementation of the July 2021 Transit Transformation Action Plan. (Explanatory documents include a staff report and resolution.)

RESOLUTION No. 230516-039

10.3. Adopting a Resolution of Local Support for the programming of \$10,541,132 of Transit Performance Initiative (TPI) funds for the Next Generation Transit Lane and Bus Zone Enforcement Pilot Program, the Third Street Dynamic Traffic Signal Optimization Project, development of the 29 Sunset Phase II Transit Optimization Project, and the Muni Forward Five-Minute Network Corridor Planning Program; and providing assurances that the SFMTA will comply with Metropolitan



Transportation Commission (MTC) policies associated with receipt of these funds. (Explanatory documents include a staff report and resolution.)

RESOLUTION No. 230516-040

PUBLIC COMMENT (Items 10.1-10.3):

Members of the public expressing opposition: Speaker

On motion to approve the Consent Calendar (Items 10.1-10.3):

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

- 10.4. Authorizing the Director to execute as-needed Contract No. SFMTA-2022-69-FHWA with the San Francisco Bicycle Coalition Education Fund to provide as-needed management and implementation of San Francisco Safe Routes to School's (SF-SRTS) Education, Encouragement, and Experiential programming, collectively known as the SF-SRTS Non-Infrastructure Program, for an amount not to exceed \$5,000,000 and an initial term of two years, with an option to extend the term up to a maximum of four years. (Explanatory documents include a staff report and resolution.)

Item 10.4 was severed from the Consent Calendar.

PUBLIC COMMENT:

Members of the public expressing support: Trish Gump

Members of the public expressing opposition: Barry Taranto and Speaker

On motion to approve Item 10.4:

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

RESOLUTION No. 230516-041

- 10.5. Approving the SFMTA's participation in an Interagency Cooperation Agreement (ICA) with the Transbay Joint Powers Authority (TJPA) under which the SFMTA will be reimbursed for effort supporting the Downtown Rail Extension project; and



authorizing the Director to approve the SFMTA’s Annual Scope and Budget for future fiscal years during the term of the ICA. (Explanatory documents include a staff report and resolution.)

Item 10.5 was severed from the Consent Calendar.

No public comment.

On motion to approve Item 10.5:

ADOPTED: AYES – Cajina, Heminger, Hinze, and Yekutieli
 ABSENT – Eaken

RESOLUTION No. 230516-042

Chair Eaken joined the meeting.

REGULAR CALENDAR

11. Approving Chenery Street between Elk Street and Diamond Street, and Lapu-Lapu, Rizal, Tandang Sora, Bonifacio and Mabini streets between Folsom Street and Harrison Street (SoMa Slow Streets) as part of the Slow Streets Program to contribute to the citywide Program of low-stress routes on residential streets in San Francisco that prioritize biking, walking, and other forms of active transportation while ensuring access to all San Franciscans. (The Planning Department has found that the projects are exempt from the California Environmental Quality Act [CEQA]. The SFMTA Board action constitutes the Approval Action for the projects for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h). Explanatory documents include a staff report and resolution. Explanatory documents include a staff report and resolution.)

Jamie Parks, Livable Streets Director, and Shannon Hake, Slow Streets Program Manager, presented the item.

PUBLIC COMMENT (SoMa Slow Streets):

Members of the public expressing support: Wilfred Galila, Sarah Barz, and Speaker

Members of the public expressing neither support nor opposition: Barry Taranto

On motion to duplicate the resolution and remove Chenery Street, approve the SoMa Slow Streets and authorize the Secretary, the City Attorney’s Office, and staff to make



changes to the Resolution to conform and be consistent with the amendment(s) made at the hearing:

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

RESOLUTION No. 230516-043

PUBLIC COMMENT (Chenery Street):

Members of the public expressing support: Chris Bougas, Maggie Berkemeyer, Simon Little, David and Oona Evans, Trish Gump, Leslie Harlson, Shane O’Neil-Hart, Sara Barz, Kevin Berkemeyer, Ian Browne, Parker Day, Speaker, Alison, Brian, Stacy, and Speaker

Members of the public expressing opposition: Naomi Lochner, Jeff Soukup, Jana Paradiso, Jacee McHugh, David Richardson, Kathleen Tracey, R. Lee Scheuermann, Speaker, John Biasatti, Speaker, Joyce Jacobson, Shannon Valentine, Cory M., Speaker, Mary Hannah, Scott Stawicki, Charlie Toohey, Speaker, Michelle Lundy, Speaker, Manny, Barry Taranto, Deborah, and Stephanie

On motion to deny the Resolution designating Chenery as a Slow Street:

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

RESOLUTION No. 230516-044

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 – Cajina, Heminger, Hinze, Yekutieli, and Eaken

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION – Chair Eaken recessed the meeting at 4:44pm.

CLOSED SESSION

1. Call to Order



Chair Eaken called the meeting to order at 4:53pm.

2. Roll Call

Present: Stephanie Cajina
Steve Heminger
Fiona Hinze
Manny Yekutiell
Amanda Eaken

Also present: Tom Maguire, Director of Streets
Viktoriya Wise, Chief of Staff
Bree Mawhorter, Chief Financial Officer
Jonathan Rewers, Chief Strategy Officer
Susan Cleveland-Knowles, Deputy City Attorney
Ari Baruth, Deputy City Attorney
Rob Stone, Deputy City Attorney
Kate Bearman, 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:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation: (1 Case)

X As defendant or X As plaintiff

Existing Litigation:

- A. Tutor Perini Corporation v. SFMTA, Santa Clara Superior Court Case No. 23-CV-414035 filed 9/9/2022 for \$7.7 million. Lawsuit involving construction-related claims related to the Central Subway Project due to alleged impacts from the COVID emergency.
- B. Walsh Construction Co. II, LLC. Matter involving unlitigated construction contract claims under Municipal Transportation Agency Contract 1289, related to the Van Ness Corridor Transit Improvement Project with SFMTA to pay \$17,535,525.68 (with expected contribution from SFPUC) and SFMTA to release \$6,464,474.32 of retention to contractor.



ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION – Chair Eaken reconvened the meeting at 6:15pm.

13. Announcement of Closed Session

Board Secretary Silva announced that the Board of Directors met in closed session and took no action.

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

On motion to not disclose:

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

ADJOURN – Chair Eaken adjourned the meeting at 6:17pm.

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. 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.

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/>.