



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, May 19, 2015
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

**REGULAR MEETING AND CLOSED SESSION
1 P.M.**

SFMTA BOARD OF DIRECTORS

Tom Nolan, Chairman
Cheryl Brinkman, Vice Chairman
Gwyneth Borden
Malcolm Heinicke
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 1:00 p.m.

2. Roll Call

Present: Cheryl Brinkman
Malcolm Heinicke
Tom Nolan
Joél Ramos
Cristina Rubke

Absent: Gwyneth Borden – 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 5, 2015 Regular Meeting: unanimously approved (Borden-absent).

5. Communications

None.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director’s Report (For discussion only)

-Ongoing Activities

Ed Reiskin, Director of Transportation, discussed the upcoming closure of Doyle Drive and the start of double-berthing in the subway.

No public comment.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Patrice Siefers requested reconsideration of the far side bus stop adjacent to Flowercraft. This would put the stop in front of the only parking they have. She is concerned about the change because vendors and customers use the driveway and the space in front to park. Customers often double park. This will affect other businesses and create many safety problems. It will block views of pedestrians. She also expressed concern about the process and the lack of an appeal process.

Jeff Lerner stated that customers like convenience and if a location is not convenient, customers will go elsewhere. There is limited parking in front of Flowercraft and having close access is key for shopping given the weight of purchases from that store. Putting a bus stop in front of his store will create unsafe conditions for cars, muni, passengers and customers. Cars will double park and create hazardous conditions for both cars and pedestrians. This change might slow Muni down and do away with any good by creating more congestion. He urged the Board to reconsider keeping the stop where it is.

Lydia Patubo stated that small businesses are being squeezed out of San Francisco and the city has become a magnet for wealthy investors and high tech. Flowercraft is not a trendy garden center. Ms. Patubo presented a petition with 500 signatures that support Flowercraft. The customers say they'll stop shopping if they can't park in front of the business. The movement of this bus stop flies in the face of VisionZero. Small businesses are struggling and removing convenient parking is suicide.

David Pilpel expressed concern on the impact of capital projects on Muni passengers including the Sunset and Twin Peak tunnel projects. He inquired about the quarterly Capital Projects report and stated that it was an opportunity to understand the status of capital projects. He asked for the report to be restored. He also expressed concerns about the CP&C division and how they're serving the Transit Division.

Herbert Weiner wondered if the "bike to work" project had been mentioned and expressed hope that people obeyed traffic signals and walked their bikes on sidewalks. There is a lot of parking congestion and cars are backing up. He wondered if some of this is due to widening sidewalks, the removal of parking meters or other improvements. If the parking division had remained with DPT, he doubts if these changes would have been made. The reason DPT was incorporated into the SFMTA was to create revenue. That's not good enough because Muni should be one agency focusing on the problem. The motto of the SFMTA is "too big to succeed."

Mary McGuire discussed cab stands at the ballpark and at Caltrain. She wondered why cabs aren't allowed at the ballpark when everyone is leaving the game. The cabstand at Townsend and Brannan is too far back. PCO's do a good job of keeping the Uber's out but PCO vehicles block access to the cabstand. She would like the SFMTA to allow cabs between Townsend and King streets. There are plenty of PCO's who are doing nothing. One should help cab drivers.

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. Patrick Herlihy vs. CCSF, Superior Ct. #CGC13531348 filed on 5/13/13 for \$1,250
- B. 21st Century Ins. vs. CCSF, Superior Ct. #CGC14539559 filed on 5/29/14 for \$1,500
- C. State Farm Ins. vs. CCSF, Superior Ct. #CGC14543169 filed on 12/11/14 for \$2,462.86
- D. Allstate Indemnity vs. CCSF, Superior Ct. #CGC14541464 filed on 9/3/14 for \$6,371.92
- E. Richard Berglund vs. CCSF, Unlitigated Claim #1500532 filed on 9/3/14 for \$40,000

RESOLUTION 15-071

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – STOP SIGN – 33rd Avenue, northbound and southbound, at Quintara Street.
- B. ESTABLISH – RED ZONE – Euclid Avenue, south side, from 228 feet to 263 feet west of Collins Street; and Euclid Avenue, south side, from Heather Avenue to 27 feet westerly.
- C. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME – ESTABLISH – SIDEWALK WIDENING – Van Ness Avenue, east side, from Lombard Street to 20 feet northerly.
- D. ESTABLISH – NO TURN ON RED – Market Street, eastbound, at Castro Street.
- E. ESTABLISH – NO TURN ON RED – Market Street, westbound, at Castro Street.
- F. ESTABLISH – NO U-TURN – Market Street, westbound, at Castro Street.
- G. ESTABLISH – NO LEFT TURN, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY – Fillmore Street, northbound at Fell Street; and Fillmore Street, southbound, at Oak Street.
- H. ESTABLISH – RESIDENTIAL PERMIT PARKING, AREA D, 4-HOUR PARKING, 9 AM TO 5 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA D PERMITS – Saint Mary's Avenue, both sides, between Mission Street and San Jose Avenue.
- I. ESTABLISH – RESIDENTIAL PERMIT PARKING, AREA L, 2-HOUR, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH AREA L PERMITS – 5th Avenue, both sides, between Fulton and Cabrillo streets.

- J. ESTABLISH – STOP SIGN – De Haro Street, southbound, at 26th Street.
- K. ESTABLISH – STOP SIGN – Vermont Street, southbound, 475 feet north of 22nd Street.
- L. ESTABLISH – STOP SIGN – Ledyard Street, northbound, at Silver Avenue.
- M. ESTABLISH – BLUE ZONE – 1400 Grant Avenue, east side, from 0 feet to 18 feet north of Green Street replacing parking meter stall #1402.
- N. ESTABLISH – BLUE ZONE – 597 Hayes Street, south side, from 6 feet to 26 feet east of Laguna Street replacing parking meter stall #539.
- O. REVOKE – BLUE ZONE – 202 1st Street, west side, from 3 feet to 29 feet south of Howard Street. (Explanatory documents include a staff report and resolution. All of the proposed actions listed above are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

Item 10.2 was removed from the agenda at the request of a member of the public.

PUBLIC COMMENT:

Members of the public expression opposition: David Pilpel

RESOLUTION 15-072

On motion to approve Item 10.2:

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

ABSENT: Borden

(10.3) Authorizing the Director to request that MTC program \$11,332,768 in Fiscal Year 2014, 2015 and 2016 Lifeline Transportation Program grant funds for the Expanding Late Night Transit Service to Communities in Need, Potrero Hill Pedestrian Safety and Transit Stop Improvements, and Van Ness BRT projects. (Explanatory documents include a staff report, resolution, descriptions and findings.)

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

PUBLIC COMMENT:

Members of the public expression opposition: David Pilpel

RESOLUTION 15-073

On motion to approve Item 10.3:

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

ABSENT: Borden

(10.4) Authorizing the Director to execute any actions necessary for the purpose of obtaining \$7,070,567 in financial assistance for various projects from the California Transit Security Grant Program. (Explanatory documents include a staff report and resolution.)

Item 10.4 was removed from the agenda at the request of a member of the public.

PUBLIC COMMENT:

Members of the public expression opposition: David Pilpel

RESOLUTION 15-074

On motion to approve Item 10.4:

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

ABSENT: Borden

(10.5) Authorizing the Director to accept and expend up to \$467,443 in FY15/16 Transportation Development Act, Article 3 funds for various Bicycle Facility Projects. (Explanatory documents include a staff report, resolution and application.)

Item 10.5 was removed from the agenda at the request of staff and at the request of a member of the public. Board Secretary Boomer stated that additional funds had been identified. The original calendar item amount was \$467,443 and the new amount shows a \$44,405 increase to \$511,848.

RESOLUTION 15-075

On motion to amend Item 10.5 to increase the amount by \$44,405 for a new total of \$511,848:

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

ABSENT: Borden

PUBLIC COMMENT:

Members of the public expression opposition: David Pilpel

On motion to approve Item 10.5 as amended:

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

ABSENT: Borden

On motion to approve the Consent Calendar (Items 10.2, 10.3, 10.4 and 10.5 severed):

ADOPTED: AYES – Borden, Brinkman, Heinicke, Nolan, Ramos and Rubke

ABSENT: Borden

REGULAR CALENDAR

11. Presentation, discussion and possible action regarding efforts to achieve Vision Zero. (Explanatory documents include a slide presentation)

Tom Maguire, Director, Sustainable Streets, and John Knox White, Project Manager, VisionZero, presented the report.

PUBLIC COMMENT:

Members of the public expressing support: Tyler Frisbee

Members of the public expressing opposition: Herbert Weiner

12. Presentation, discussion and possible action regarding station elevators. (Explanatory documents include a slide presentation.)

John Haley, Director, Transit Services, presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Randall Glock

Members of the public expressing opposition: David Pilpel

13. Discussion and vote pursuant to Administrative Code Section 67.10(d) as to whether to conduct a closed session.

PUBLIC COMMENT:

Members of the public expressing support for settling the T-Loop litigation: David Pilpel

On motion to invoke the attorney-client privilege: unanimously approved (Borden, Heinicke–absent).

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 2:50 p.m.

2. Roll Call

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

Absent: Gwyneth Borden – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Rob Maerz, Deputy City Attorney
John Haley, Director
Tom Maguire, Director
Vince Harris, Director
Melvyn Henry, Director
Sonali Bose, Director
Audrey Pearson, Deputy City Attorney
Karen Kirby, Deputy City Attorney

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. Christa Carlson vs. CCSF, Superior Ct. #CGC13532256 filed on 6/19/13 for \$125,000

RESOLUTION 15-076

On motion to approve:

ADOPTED: AYES – Brinkman, Nolan, Ramos and Rubke

ABSENT: Heinicke and Borden

B. Brynn Stoll vs. CCSF, Superior Ct. #CGC13532478 filed on 6/27/13 for \$10,500,000

RESOLUTION 15-077

On motion to approve:

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

ABSENT: Borden

C. The Committee for Re-Evaluation of the T-Line Loop, Superior Ct. #CPF14513887 filed on 9/25/14

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 3:30 p.m.

14. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Carlson, Stoll and The Committee for Re-Evaluation of the T-Line Loop cases with the City Attorney. The Board of Directors voted to settle the Carlson and Stoll cases and took no action on The Committee for Re-Evaluation of the T-Line case. There was discussion of anticipated litigation but there was no action taken.

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

On motion to not disclose the information discussed: unanimously approved (Borden-absent).

ADJOURN - The meeting was adjourned at 3:31 p.m.

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

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.

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.