



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, February 16, 2016
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

**REGULAR MEETING
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 1:05 p.m.

2. Roll Call

Present: Cheryl Brinkman
Gwyneth Borden
Tom Nolan
Joél Ramos
Cristina Rubke

Absent: Malcolm Heinicke – 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

PUBLIC COMMENT:

Patrick Monette-Shaw stated that the minutes omit Ms. Boomer’s refusal to distribute his handout. They also include his testimony at the end of the minutes in error. The Sunshine Ordinance Task Force has repeatedly ruled that they belong in the agenda item section and not at the end. He has filed complaints on the issue and filed another complaint yesterday regarding the minutes. He filed a second complaint that Ms. Boomer had abridged his public comment rights. (Mr. Monette-Shaw provided a 150-word written statement which is included below.)

Written 150-Word Public Testimony by Patrick Monette-Shaw for Minutes of SFMTA Board of Director’s Meeting February 16, 2016 Meeting: Agenda Item 4, Meeting Minutes February 2, 2016

These minutes omit indicating Ms Boomer’s refusal to distribute my handout to Board members as I requested, even though I could see Board Member Joél Ramos straining to see my handout on the overhead projector on Director Reiskin’s computer screen. As I testified, you can’t have *1.2 million Google bus stop-events annually* in Muni red zones, which SFMTA’s own analysis showed 2.7% of stop events blocked Muni buses, suggesting 32,141 blocked Muni buses annually. Obviously the sheer volume of blocked Muni buses and commercial shuttle buses must have an adverse impact on CEQA safety protections for vulnerable pedestrians. But more troubling, Ms. Boomer wrongly included my written 150-word testimony at the *end* of the meeting minutes, not in the *body* of the

agenda items where the written testimony belongs. The Sunshine Task Force has consistently ruled the testimony belongs in the body of meeting minutes, not at the end.

Chairman Nolan stated that the minutes would be revised to add Mr. Monette-Shaw's testimony to the body of the minutes.

On motion to approve the minutes of the February 2, 2016 Regular Meeting: unanimously approved (Heinicke - absent).

5. Communications

Chairman Nolan asked that Item 11 be called immediately.

Board Secretary Boomer stated that the closed session was cancelled.

6. Introduction of New or Unfinished Business by Board Members

Vice Chairman Brinkman requested an update on technology and innovation and their impact.

7. Director's Report (For discussion only)

- Superbowl 50
- Ongoing Activities

Director Reiskin discussed Superbowl 50 efforts, VisionZero projects completed, an award for the Polk Street Contra Flow Bike Lane and the start construction of the 14 Mission Rapid project.

PUBLIC COMMENT:

Herbert Weiner expressed concern about the money the SFMTA put out for the Superbowl. It contributes to the deficit and the public will have to pay for it, possibly through a fare increase. San Francisco citizens were kicked and passed around. He protests the SFMTA putting out any money and called it an outrage.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Herbert Weiner stated that "Muni Forward" uses the phrase "trade-off". Maybe a more proper term would be "sacrifice". The elimination of bus stops force people to walk further distances. If seniors and people with disabilities are being sacrificed and paratransit has been recommended as an alternative, additional funds need to be allocated in the budget. "Muni Forward" should benefit everyone. Seniors and people with disabilities should have the same benefits as cyclists. He

doesn't think the consolidation of stops has improved transit. Muni is going forward with the same wrong solutions and is spending millions.

Patrick Monette-Shaw suggested that the Board introduce an amendment to the Vehicle Code to prohibit hoverboards from riding on sidewalks. He sees cyclists, segways and hoverboards on sidewalks almost daily. They are prevalent on the 900 block of Sutter St. Hoverboards can only be cited only by police department. They place pedestrians at risk. Lithium batteries are inaudible. Both hoverboards and segways are dangerous especially for people who have difficulty ambulating. (Mr. Monette-Shaw provided a 150-word written statement which is included below.)

Written 150-Word Public Testimony by Patrick Monette-Shaw for Minutes of SFMTA Board of Director's Meeting February 16, 2016 Meeting: Agenda Item 9, Public Comment

This Board should amend San Francisco's vehicle code quickly. San Francisco Vehicle Code §7.2.12 prohibits bicyclists from riding on sidewalks, but I see them on sidewalks in the 900 block of Sutter Street almost daily. San Francisco Vehicle Code §7.2.11 also prohibits riding Segway's on sidewalk but I see them on sidewalks in the 900 block of Sutter Street daily, too. But there's nothing in San Francisco's Vehicle Code prohibiting hoverboards on sidewalks, which I also see on sidewalks in the 900 block of Sutter Street daily. Segways and hoverboards both travel up to 12 m.p.h. Hoverboards *can* be cited under California Vehicle Code §21294(c), but *only* if — in the opinion of an SFPD officer — it is determined a hoverboardist endangers other pedestrians. Lithium ion batteries powering hoverboards are inaudible as they approach, unlike bicycle *dérailleur* gears. Under Vision Zero, please amend our Vehicle Code, prohibiting hoverboards on sidewalks.

Marcelo Fonseca discussed the annual medallion fee. The struggles of the cab industry are far from over. Cab drivers are struggling to make ends meet, mostly due to the unfair competition. He asked the Board to waive the annual medallion fee that is due in June. He also invited the Board to join taxi drivers at a joint hearing of the Senate Energy and Transportation Committees to establish a level playing field for taxicabs and Transportation Network Companies.

Edward Mason recommended that members speak into the microphone and not at the microphone. It is difficult to understand what is being said.

George England stated that the "C" medallion name needs to be changed to "senior drivers". Ms. Toran wants to terminate those medallions. Nobody will benefit from that. These drivers are the oldest and most experienced drivers. The medallions should be given to the driver for life and then returned to the City through natural attrition.

Tom Diesso asked the Board to consider waiving taxi medallion fees for 2016. He showed a photo of all of the medallions that don't go out every day. It represents a loss of income. He is working six days a week. Taxi drivers can't compete with an unregulated industry. Fares should be set for every passenger vehicle for hire so the same rate is charged to all customers.

Tonette Phillips expressed opposition to the implementation of a four hour parking zone near Lobos and Montana streets. The neighbors are opposed. Many neighbors don't speak English and weren't aware of the signs. The Recreation and Parks Department has sold the field to rich Marin residents so neighbors don't have a place to park. The park isn't for the neighbors. Ms. Phillips doesn't have a garage, and has had to park three blocks away. The four hour zone will be operable seven days a week.

Chucks Minster stated that the City wouldn't run without mechanics. He sees the reports of youth not riding Muni but the class bias of the Board can't be overstated. The NFL got carte-blanche as did tech buses. The Board is only thinking about corporate interests and should be more honest when making a decision. Fares should be free and not increased.

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 the following traffic modifications:

- A. ESTABLISH – LEFT LANE MUST TURN LEFT – Masonic Ave, northbound, at Fell St.
- B. ESTABLISH – CROSSWALK CLOSURE – Masonic Avenue, north and south crosswalks, at the McAllister Street intersection.
- C. ESTABLISH – RIGHT TURN ONLY – McAllister Street, westbound, at Masonic Avenue.
- D. ESTABLISH – NO STOPPING ANYTIME – ESTABLISH – SIDEWALK WIDENING – Clementina Street, south side, from 4th Street to 181 feet westerly; and Clementina Street, south side, from 5th Street to 32 feet easterly.
- E. ESTABLISH – NO STOPPING ANYTIME – ESTABLISH – SIDEWALK WIDENING – Howard Street, north side, from 160 feet to 279 feet east of 3rd Street.
- F. RESCIND – 1-HOUR PARKING, 8 AM TO 10 PM, EVERYDAY, EXCEPT VEHICLES WITH AREA U PERMITS – ESTABLISH – NO PARKING ANYTIME – Ringold Street, north side, from 8th Street to 291 feet westerly; and Ringold Street, north side, from 9th Street to 33 feet easterly.
- G. RESCIND – NO PARKING ANYTIME – ESTABLISH – 1-HOUR PARKING, 8 AM TO 10 PM, EVERYDAY, EXCEPT VEHICLES WITH AREA U PERMITS – Ringold Street, south side, from 82 to 219 feet west of 8th Street.
- H. ESTABLISH – NO STOPPING ANYTIME – ESTABLISH – SIDEWALK WIDENING – Fremont Street, east side, from Harrison Street to 33 feet northerly; and Fremont Street, east

side, from 126 feet to 169 feet north of Harrison Street.

- I. RESCIND – TOW-AWAY NO STOPPING ANYTIME – Harrison Street, north side, from 18 feet to 154 feet east of Fremont Street. (Explanatory documents include a staff report, and resolution.)

Item 10.1B was removed from the agenda at the request of a member of the public

PUBLIC COMMENT:

Members of the public expressing opposition: Cathy DeLucca

RESOLUTION 16-020

On motion to approve Item 10.1:

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

ABSENT - Heinicke

(10.2) Amending the Transportation Code Division II Section 302 to add a penalty for fare evasion and passenger conduct violations committed by youth and making other non-substantive revisions. (Explanatory documents include a staff report, resolution and amendments. The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31.)

PUBLIC COMMENT:

Members of the public expressing opposition: John Fitch

RESOLUTION 16-021

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

ABSENT - Heinicke

(10.3) Amending the Transportation Code, Division II, Section 308 to revise the fee to be charged for the SFMTA's Transit and Bike Map from \$7.00 to \$3.00. (Explanatory documents include a staff report, resolution and amendment.)

RESOLUTION 16-022

On motion to approve the Consent Calendar (Item 10.1B and 10.2 severed):

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

ABSENT - Heinicke

REGULAR CALENDAR

11. Supporting revisions to the Commuter Shuttle Pilot Program including: limiting the Program to one year, requiring a six-month program review, capping the number of loading zones at 125, exploring a “hub” or potentially more efficient zone network model, monitoring air quality and significant increases in stop-events at individual locations and a study on the possible impacts of commuter shuttles and other factors on neighborhood displacement. (Explanatory documents include a staff report and resolution.)

Board Secretary Boomer stated that staff requested an amendment to the final resolved clause in the resolution as follows:

RESOLVED, That separate and apart from possible modifications to the Program described above, the SFMTA Board authorizes the Director of Transportation to commission a comprehensive study of the relationship between transportation programs (including commuter shuttles) and housing costs, with an analysis of all other contextual factors influencing housing costs and displacement.

Tom Maguire, Director, Sustainable Streets presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Ozzie Rohm, Kathy Lipscomb, Bob Planthold, John Alex Lowell, Fran Taylor, Edward Mason, Francisco Da Costa, Tom Gilberti, and Ariana Casanova

Members of the public expressing opposition: Tony Robles, Bruce Oka, Jeff Cretin, and Michael Barrett

Members of the public expressing neither support nor opposition: Patrick Monette-Shaw and Doug Bloch (Mr. Monette-Shaw provided a 150-word written statement which is included below)

Written 150-Word Public Testimony by Patrick Monette-Shaw for Minutes of SFMTA Board of Director’s Meeting February 16, 2016 Meeting: Agenda Item 11, Commuter Shuttle Resolution

The Board of Supervisors resolution urging SFMTA’s Board adopt revisions to the Commuter Shuttle Bus program contained 10 specific items. SFMTA’s Resolution only incorporates six of those items, omitting 1) Recovery of costs and funding enforcement resources, 2) Large vehicles should be restricted on smaller streets, 3) Requiring cleaner emission standards, and 4) The Labor Harmony statement. Moreover, the Calendaring Memo’s second to last bullet point attached to SFMTAB’s Resolution indicates Director Reiskin will present a revised Shuttle Program for consideration March 1, but conditions the March 1 date by saying the pending appeal filed on November 17 must have been resolved (“... pending resolution of the CEQA appeal”), which isn’t included in the Supervisor’s resolution. This Board should direct the Sustainable Streets Division to bring a hub-based proposal back to this body in 30 days with a 90-day implementation timeline, which it should’ve recommended and implemented in August 2014.

On motion to approve an amendment as follows: RESOLVED, That separate and apart from possible modifications to the Program described above, the SFMTA Board authorizes the Director of Transportation to commission a comprehensive study of the relationship between transportation programs (including commuter shuttles) and housing costs, with an analysis of all other contextual factors influencing housing costs and displacement:

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

ABSENT - Heinicke

RESOLUTION 16-023

On motion to approve as amended:

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

ABSENT - Heinicke

12. Presentation, discussion and possible action regarding the FY17 and FY18 Capital and Operating budgets. (Explanatory documents include a slide presentation.)

Ed Reiskin, Director of Transportation, presented the item.

Chairman Nolan left.

PUBLIC COMMENT:

Members of the public expressing opposition: Herbert Weiner and Tom Gilberti

Members of the public expressing support: Peter Straus

Chairman Nolan returned.

Director Rubke requested a presentation on the SFMTA's various discount fares at the next meeting.

No public comment.

13. Authorizing the Director to execute Contract No. SFMTA 2014-48, with TEGSCO, dba San Francisco AutoReturn, for the Towing and Storage of Abandoned and Illegally-Parked Vehicles in an amount not-to-exceed \$65.4 million, for a five-year term ending March 31, 2021, with the option to extend for up to five years; authoring the Director to execute the Bayshore License Agreement for a five-year term ending March 31, 2021, with the option to extend for up to five years and amending Transportation Code, Division II, Section 305 to incorporate customer towing, storage, auction and related fees and to extend San Francisco resident waiver provisions to Non-San Francisco residents. (Explanatory documents include a staff report, resolution, amendment and

agreement. The proposed action is the Approval Action as defined by the S.F. Administrative Code Chapter 31.)

Sonali Bose, Director, Finance and Information Technology presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Mark Gleason

RESOLUTION 16-024

On motion to approve:

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

ABSENT - Heinicke

14. Adopting the updated Policy for Placement of Wireless Facilities on SFMTA Owned and/or Managed Real Estate Assets which establishes the application and fees requirements and the review process for the installation of telecommunication antennae and equipment on SFMTA real estate assets; and approving the form Communication Site Lease agreement for the installation of telecommunication antennae and equipment on SFMTA owned and/or managed Parking Garages. (Explanatory documents include a staff report, resolution, policy and agreement. The proposed action is the Approval Action as defined by the S.F. Administrative Code Chapter 31.)

Sonali Bose, Director, Finance and Information Technology presented the item.

Director Borden requested a report back in six months.

PUBLIC COMMENT:

Members of the public expressing opposition: Michael Gualco, Eric Waldspurger, Tedi Vriheas and John Newman

RESOLUTION 16-025

On motion to approve:

ADOPTED: AYES - Brinkman, Nolan, Ramos and Rubke

NAYES - Borden

ABSENT - Heinicke

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

The closed session was cancelled.

ADJOURN - The meeting was adjourned at 4:09 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.