

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

MINUTES

Tuesday, July 16, 2013
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 1:13 p.m.

2. Roll Call

Present: Cheryl Brinkman
Tom Nolan
Joél Ramos
Cristina Rubke

Absent: Malcolm Heinicke – with notification
Jerry Lee – 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 June 18, 2013 Regular Meeting: unanimously approved (Heinicke, Lee-absent).

5. Communications

None.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director’s Report (For discussion only)

- Special Recognition Award
- Ongoing Activities

Ed Reiskin, Director of Transportation presented the Special Recognition Awards to Cheryl Garrison and Justice Ntagbu, Transit Fare Inspectors, Sustainable Streets.

Director Reiskin also discussed the Cable Car Bell Ringing Competition, the quarterly Maintenance award for safety and early July service during the BART strike, Pride Weekend, America's Cup and July 4th holiday.

No public comment.

8. Citizens' Advisory Council Report

Daniel Weaver, Chairman, Citizen's Advisory Council, presented the CAC's recommendations from their recent meetings.

9. Public Comment

Sarah Colborne expressed opposition to the demolition of the Pagoda Palace and bringing the Central Subway project tunnel to North Beach due to the disruption it will cause as well as its' cost. When it is completed, there will be no station in North Beach. She requested that the tunnel not be constructed.

Philippa Colborne stated that the city can't afford the Central Subway tunnel to North Beach and discussed the underfunding of the SFMTA. The subway from CalTrain to Chinatown will be successful without the tunnel.

Lance Carnes discussed Muni's lack of communication with North Beach. Neighbors have received several notices about construction but no construction has started. Construction notices create uncertainty and reduce the credibility of the SFMTA. When Pagoda demolition plans are available, the SFMTA should hold a public meeting.

Herbert Weiner discussed recent transit service on the 28 line. He arrived at his destination an hour and 15 minutes later. He would have arrived earlier if the 29 line hadn't been discontinued due to the TEP. He requested a response to his email about switchbacks.

Nick Kimura discussed the restriction on parking for oversized vehicles. People are being displaced. The outreach has been terrible and creates fear and anxiety for people living in their vehicles. Tickets have already being issued. There has already been one death due to the stress. He anticipates an increase in physical and mental health issues.

Kelley Cutler discussed the ban on parking for oversized vehicles. The Coalition on Homelessness will continue to fight the restriction. The Coalition is concerned that this is a fast track ban on city-wide parking of oversized vehicles. The voices of those directly impacted have not been heard. She reviewed several suggestions for how to help people without homes.

Elsa Burger stated that the Coalition will be able to counter the negative impact of banning parking of oversized vehicles. They will continue to organize the community. She expressed hope that the SFMTA will be open to their suggestions.

Melodie stated that the SFPD began knocking on the doors of oversized vehicles within days of approval. They have been unable to rest or eat well which results in bad health and bad decision making. Residents of oversized vehicles are law abiding citizens who need a lawful place to park.

Charles McGregor stated that finding a place to park an oversized vehicle is very difficult.

Nathan Dwiri discussed the regulation of the taxi industry. The industry doesn't have the capacity to meet the demand. San Francisco is about 1,000 cabs short of providing adequate service. The public and the industry deserves better.

Mary McGuire stated that the cabstand near the ballpark can't be reached because it's filled with illegal limousines and cabs. She also discussed the Uber ad on Muni buses and the SFMTA's comments before the CPUC. The SFMTA has failed to bring electronic dispatch to the industry. Cab companies aren't filling their shifts.

Barry Taranto discussed the Mayor's support for the apps. The SFMTA Board needs to get more involved and react to the CPUC's decision on behalf of the taxis. People shouldn't buy a medallion until the issue of these apps have been resolved. Enforcement has been bad. The City Attorney should help enforcement efforts.

Howard Strassner discussed the history of parking in San Francisco. The Union Square garage was the first public-private partnership in San Francisco. Years later, more garages were built and the funds were used to help maintain the parks.

Chairman Nolan requested a report on the outreach effort and ticketing of oversized vehicles as well as the status of the cabstand at the ballpark.

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. State Farm Ins. vs. CCSF, Superior Ct. #CCGC12522124 filed on 7/5/12 for \$1,500
- B. Muriel Maxwell vs. CCSF, Superior Ct. CCGC10506647 filed on 2/23/10 for \$1,962

- C. State Farm Ins. vs. CCSF, Superior Ct. #CGC12524520 filed on 9/20/12 for \$2,050
- D. Allstate Ins. vs. CCSF, Superior Ct. #CGC13528990 filed on 2/25/13 for \$2,500
- E. Thibault Alix vs. CCSF, Superior Ct. #CGC13528765 filed on 2/15/13 for \$9,000

RESOLUTION 13-175

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – NO RIGHT TURN ON RED – Scott Street, southbound, turning onto Marina Boulevard; and Buchanan Street, southbound, turning onto Marina Boulevard.
- B. RESCIND – RIGHT LANE MUST TURN RIGHT – Powell Street, southbound, approaching Beach Street.
- C. ESTABLISH – RIGHT LANE MUST TURN RIGHT – EXCEPT MUNI – Powell Street, southbound, approaching Beach Street.
- D. ESTABLISH – BUS ZONE – Fowler Avenue, west side, from 75 feet to 160 feet south of Portola Drive.
- E. ESTABLISH – PART-TIME BUS ZONE, 6 PM TO 10 PM EVERYDAY – Arleta Avenue, south side, from Bayshore Boulevard to 78 feet westerly.
- F. ESTABLISH – STOP SIGN – Stopping Cesar Chavez Street, eastbound and westbound, at 501 Cesar Chavez Street parking lot.
- G. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Geary Boulevard, north side, from Palm Avenue to 20 feet westerly. (Explanatory documents include a staff report and resolution.)

RESOLUTION 13-176

(10.3) Approving and making environmental findings for the following traffic modifications:

- H. RESCIND – ANGLE PARKING – North side of Point Lobos avenue, near 902 Point Lobos Avenue, between the parking lot crosswalk and driveway to access road to Sutro Baths.
- I. ESTABLISH – PARALLEL PARKING – North side of Point Lobos avenue, near 902 Point Lobos Avenue, between the parking lot crosswalk and driveway to access road to Sutro Baths.
- J. ESTABLISH – ANGLE PARKING – North side of Point Lobos Avenue, west of access road to Sutro Baths to existing angled parking. (Explanatory documents include a staff report, resolution and environmental findings.)

RESOLUTION 13-177

(10.4) Authorizing the Director of Transportation to accept and expend up to \$11,989,779 in regional funding through the Metropolitan Transportation Commission for programming discretion; and adopting a Resolution of Local Support for the Masonic Avenue Complete Streets and Mansell Corridor Improvement projects. (Explanatory documents include a staff report and resolution.)

RESOLUTION 13-178

(10.5) Recommending that the San Francisco Board of Supervisors approve an ordinance creating offenses for violations of Transportation Code, Division I to codify disabled parking placard and special license plate violations; and amending Transportation Code, Division II to remove the existing penalty for disabled parking placard and special license plate violations from Section 303 and add the penalty to Section 302 which shall become operative only upon the adoption of the Division I ordinance. (Explanatory documents include a staff report, resolution and Code Amendments.)

RESOLUTION 13-179

(10.6) Authorizing the Director to execute Contract No. SFMTA 2013-30, Software and Equipment Maintenance Services Agreement for Automatic Vehicle Location System, with NextBus, for an amount not to exceed \$1,972,555 per year with an initial term of one year and the option for three additional one-year extensions. (Explanatory documents include a staff report, resolution and agreement.)

RESOLUTION 13-180

(10.7) Revising the Municipal Railway's fare schedule to provide a transit pass at no cost to registered transit professionals and other attendees of the 2013 American Public Transportation Association Multimodal Operations Planning Workshop scheduled to be held in San Francisco on July 29-31, 2013, and the 2013 APTA Sustainability and Public Transportation Workshop to be held in San Francisco on July 28-30, 2013. (Explanatory documents include a staff report and resolution.)

RESOLUTION 13-181

(10.8) Delegating to the Director authority to hold hearings required under the California Subletting and Subcontracting Fair Practices Act to consider a contractor's request to replace a listed subcontractor on a construction contract and authorizing the Director to further delegate such authority to the Director of the SFMTA Division responsible for administering the construction contract or such other hearing officer as the Director may designate. (Explanatory documents include a staff report and resolution.)

RESOLUTION 13-182

(10.9) Adopting a three-year goal of 19 percent for Disadvantaged Business Enterprise participation in FTA-assisted contracts for FFY 2014-2016 and authorizing the SFMTA to use exclusively race- and gender-neutral measures to achieve the DBE goal. (Explanatory documents include a staff report, resolution and methodology.)

RESOLUTION 13-183

(10.10) Expressing support for specific pedestrian and bicycle safety projects and transportation projects on corridors on and ancillary to Octavia Boulevard, urging the Board of Supervisors to approve and program funding in the amount of \$7,300,000, and urging the San Francisco County Transportation Authority to select the specified projects as Proposition I Ancillary Projects. (Explanatory documents include a staff report, resolution and recommendation.)

RESOLUTION 13-184

On motion to approve the Consent Calendar:

ADOPTED: AYES – Brinkman, Nolan, Ramos and Rubke

ABSENT – Heinicke and Lee

REGULAR CALENDAR

11. Presentation and Discussion regarding the Van Ness Bus Rapid Transit Project. (Explanatory documents include a presentation.)

Peter Gabancho, project manager, Van Ness Bus Rapid Transit Project presented the item.

PUBLIC COMMENT:

Members of the public expressing opposition: Tim Donnelly

Members of the public expressing support: Howard Strassner

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

12. Approving the Major Service Change Definition and the Disparate Impact and Disproportionate Burden policies. (Explanatory documents include a staff report, summary, presentation and resolution.)

Julie Kirschbaum, Manager, Operations and Planning Service, presented the item.

PUBLIC COMMENT:

Members of the public expressing opposition: Herbert Weiner

On motion to approve:

ADOPTED: AYES – Brinkman, Nolan and Rubke

NAYES - Ramos

ABSENT – Heinicke and Lee

The motion failed adoption.

On motion to rescind the vote and continue the item to next meeting:

ADOPTED: AYES – Brinkman, Nolan, Ramos and Rubke

ABSENT – Heinicke and Lee

The item is continued to the August 20, 2013 meeting.

13. Adopting the Car Share Policy and Pilot Proposal to guide SFMTA's on-street car share permit program and amending Transportation Code, Division II to amend the definition of Car Share Organization and On-Street Car Share Vehicle Parking Permit; extend the car share pilot program to August 31, 2015; modify the fees for the on-street car share vehicle permit program; establish that the applicable car share vehicle parking permit fee be based upon the location of the parking space within one of the three on-street car share vehicle parking permit fee zones; define the boundaries of those three permit fee zones; require that on-street car share vehicles must be available for rental at least seventy-five percent of the time during any given month; require citywide distribution of car share vehicles; and correct the section reference to Press Vehicle Permits. (Explanatory documents include a staff report, resolution, policy, evaluation, slide presentation and Code Amendments.)

Andy Thorney, Senior Analyst, Serco, presented the item.

PUBLIC COMMENT:

Members of the public expressing support: Dory Ellis, Howard Strassner, Alex Clemens, Rick Hutchinson and Dibjot Gill.

RESOLUTION 13-185

On motion to approve:

ADOPTED: AYES – Brinkman, Nolan, Ramos and Rubke

ABSENT – Heinicke and Lee

14. Authorizing the Director to execute an Agreement with Alstom Transportation for vendor managed inventory services to provide rail parts and supplies for an initial term of two years with an option to extend the term for up to three additional years for a total contract amount not to exceed \$39,158,000. (Explanatory documents include a staff report, resolution and agreement.)

No public comment.

RESOLUTION 13-186

On motion to approve:

ADOPTED: AYES – Brinkman, Nolan, Ramos and Rubke

ABSENT – Heinicke and Lee

15. 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 (Heinicke, Lee-absent).

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 4:16 p.m.

2. Roll Call

Present: Cheryl Brinkman
Tom Nolan
Joél Ramos
Cristina Rubke

Absent: Malcolm Heinicke – with notification
Jerry Lee – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Julia Friedlander, Deputy City Attorney
John Haley, Director, Transit Services
Sonali Bose, Director, Finance and Information Technology
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. Theodore Glaza vs. CCSF, Superior Ct. #CGC11511170 filed on 5/23/11 for \$2,000,000

RESOLUTION 13-187

On motion to approve:

ADOPTED: AYES – Brinkman, Nolan, Ramos and Rubke

ABSENT – Heinicke and Lee

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

5. 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

Properties: 933-949 Stockton Street

Persons negotiating: Kerstin Magary, Jason Gallegos and Ken Yee

Parties negotiating: Hogan & Vest

Under negotiation: Price: X Terms of Payment: X

RESOLUTION 13-188

On motion to approve:

ADOPTED: AYES – Brinkman, Nolan, Ramos and Rubke

ABSENT – Heinicke and Lee

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 4:33 p.m.

16. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss Theodore Glaza vs. CCSF with the City Attorney. The Board of Directors voted unanimously to settle the case. The Board met to discuss anticipated litigation but took no action. With regard to real estate negotiations, the Board authorized a payment of \$110,340 to Hogan & Vest as total compensation for the value of the loss of goodwill and the non-moveable fixtures and equipment of Hogan & Vest resulting from the condemnation of the Property at 933-949 Stockton Street.

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

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

ADJOURN - The meeting was adjourned at 4:37 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.