



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

MINUTES

Tuesday, March 17, 2020
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

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

SFMTA BOARD OF DIRECTORS

Malcolm Heinicke, Chair
Gwyneth Borden, Vice Chair
Cheryl Brinkman
Amanda Eaken
Steve Heminger
Cristina Rubke
Art Torres

Jeffrey P. Tumlin
DIRECTOR OF TRANSPORTATION

Roberta Boomer
SECRETARY

NOTE: As a result of the Public Health Recommendations (updated March 11, 2020) issued by the San Francisco Department of Public Health, we understand that some people who would want to come to the meeting will stay home. If you want to ensure your comment on any item on the agenda is received by the Board in advance of the meeting, please send an email to MTABoard@sfmta.com by 5pm on Monday, March 16 or call (415) 646-4470. Consistent with the Recommendations, the Board urges everyone to consider remotely accessing the meeting via SFGTV's streaming service. We have arranged for an overflow room in the North Light Court located on the 2nd floor of City Hall to accommodate distancing of an arm's length between persons in the hearing room and overflow room.

ORDER OF BUSINESS

1. Call to Order

Chair Heinicke called the meeting to order at 1:03 p.m.

2. Roll Call

Present: Gwyneth Borden
Cheryl Brinkman
Amanda Eaken
Malcolm Heinicke
Steve Heminger
Cristina Rubke
Art Torres

Chair Heinicke stated that several members of the Board were participating in the meeting via teleconference due to the “shelter in place” order.

3. Announcement of prohibition of sound producing devices during the meeting.

Acting Board Secretary Caroline Celaya announced that the ringing and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. The Chair may order the removal from the meeting room of any person responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic device.

4. Approval of Minutes

No public comment.

On motion to approve the minutes of the March 3, 2020 Regular Meeting: unanimously approved.

5. Communications

Acting Board Secretary Celaya stated that the Board would not be discussing anticipated litigation in closed session.

6. Introduction of New or Unfinished Business by Board Members

Director Heinicke encouraged the public to use personal vehicles for public safety which would allow others who are dependent on public transportation to maintain a safe distance.

7. Director’s Report (For discussion only)

- Update on the Central Subway Project
- Ongoing Activities

Jeff Tumlin, Director of Transportation discussed the SFMTA’s response to the COVID-19 pandemic and the impact on operations and revenue. He noted that he would provide an update on the Central Subway at the next meeting.

No public comment

8. Citizens’ Advisory Council Report

No report.

9. Public Comment

None.

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. Everest National Ins. vs. CCSF, Superior Ct. #CGC18569866 filed on 9/18/18 for \$6,078.38 (Explanatory documents include a resolution.)

RESOLUTION 200317-027

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – MIDBLOCK CROSSWALK – Minna Street at Shaw Alley.
- B. ESTABLISH – STOP SIGN – Minna Street, eastbound, at Shaw Alley.

- C. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME, ESTABLISH – SIDEWALK EXTENSION – Golden Gate Avenue, south side, from Jones Street to 186 feet easterly.
- D. ESTABLISH – RED ZONE, ESTABLISH – SIDEWALK EXTENSION (6 FEET), Mariposa Street, south side, from Carolina Street to 24 feet easterly, 18th Street, north side, from Arkansas Street to 48 feet westerly, 18th Street, north side, from 221 feet to 280 feet west of Arkansas Street, Arkansas Street, west side, from 18th Street to 81 feet northerly.
- E. ESTABLISH – RED ZONE, ESTABLISH – SIDEWALK EXTENSION (7 FEET), Carolina Street, east side, from 67 feet to 126 feet south of Mariposa Street.
- F. ESTABLISH – RED ZONE — ESTABLISH – SIDEWALK EXTENSION (13 FEET), Carolina Street, east side, from Mariposa Street to 67 feet southerly, and making environmental review findings. (Explanatory documents include a staff report and resolution. For every parking and traffic modification that received a categorical exemption, the proposed action is the Approval Action as defined by Chapter 31 of the San Francisco Administrative Code.)

RESOLUTION 200317-028

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke and Torres.

REGULAR CALENDAR

11. Authorizing the Director to execute Contract Modification No. 7 to SFMTA Contract No. 2013-19, Procurement of New Light Rail Vehicles, with Siemens Mobility, Inc., to enhance the vehicle design with passenger comforts and engineering refinements that improve fleet performance; and to advance Phase 2 production acceleration activities for early fleet replacement, for an amount not to exceed \$43,514,046, with no increase in the total contract price; and no increase in the term of the contract. (Explanatory documents include a staff report, resolution and modification.)

Julie Kirschbaum, Director of Transit, presented the report.

No public comment.

RESOLUTION 200317-029

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke and Torres

12. Amending Transportation Code Division II to establish a transit-only lane on Townsend Street west of Third Street and approving various parking and traffic modifications along Townsend Street between Clarence Place and Lusk Street to accommodate the transit lane as follows:

- A. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME, Townsend Street, south side, from Third Street to 201 feet westerly
- B. ESTABLISH – CLASS II BIKEWAY, Townsend Street, eastbound, from Lusk Street to Third Street.
- C. RESCIND – BLUE ZONE, DISABLED PARKING AT ALL TIMES, Townsend Street, south side, from crosswalk at Lusk Street to 18 feet easterly.
- D. ESTABLISH – BLUE ZONE, DISABLED PARKING AT ALL TIMES, Townsend Street, south side, from 140 feet to 160 feet east of east crosswalk at Lusk Street.
- E. ESTABLISH – BUS ONLY LANE (LEFT-TURNS ONLY), Townsend Street, eastbound, at Third Street.
- F. ESTABLISH – BUS ZONE, Townsend Street, south side, from 72 feet to 117 feet east of Third Street, Townsend Street, south side, from Lusk Street to 125 easterly.
- G. ESTABLISH – METERED YELLOW ZONE, COMMERCIAL LOADING, 1-HOUR TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY, Townsend Street, south side, from 159 feet to 209 feet east of Third Street
- H. ESTABLISH – RED ZONE, Townsend Street, south side, from 125 feet to 140 feet east of east crosswalk at Lusk Street, Townsend Street, south side, from 209 feet to 224 feet east of Third Street. (Explanatory documents include a staff report, amendment and resolution. The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31.)

Steve Boland, Project Manager, Transit Planning, presented the report.

PUBLIC COMMENT:

Members of the public expressing opposition: Hayden Miller

RESOLUTION 200317-030

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke and Torres

13. Approving the issuance and sale of Transportation and Road Improvement General Obligation Bonds, Series 2020B, in the amount of \$134.3 million to fund costs associated with capital projects including Accessibility Improvements, Caltrain Upgrades, Muni Forward Rapid Network, and Pedestrian Safety Improvements; and making environmental review findings. (Explanatory documents include a staff report, resolution and environmental documents.)

Jonathan Rewers, Senior Manager, Budget, Financial Planning and Analysis, presented the item.

No public comment.

RESOLUTION 200317-031

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke and Torres

14. Presentation and discussion on FY 2021 and FY 2022 Operating and Capital Budget, including use of the contingency reserve; proposals on fare policy and pricing; review of new and existing fees and fines; authorizing Sunday and evening parking meter enforcement and service changes. (Explanatory documents include a staff report, fares, fees, fines, rates, indexing plan, capital projects, and analysis)

Leo Levenson, Director, Finance and Information Technology, and Jonathan Rewers, Senior Manager, Budget, Financial Planning and Analysis, presented the report.

PUBLIC COMMENT:

Hayden Miller inquired about the amount of revenue received from the Chase Center since every ticket comes with a day pass. To make Clipper more accessible in outer neighborhoods, he suggested putting Transit Vending Machines in rapid bus stops and on the metro surface streets. Instead of contract security, Proof of Payment officers could be used as security. Riders want to see fares being enforced.

Sarah Greenwald stated that Muni isn't set up for situations such as Covid-19. The SFMTA should fund for emergencies in the future and this is the time to insist on it. Raising the fare for the monthly pass creates a disincentive to using public transit.

PJ Eugenio stated that he opposes a fare increase on all payment options. Public transit that is reliable, safe and affordable is important. Late buses often cause him to be late to work. Ridership decreases when costs increase. He asked the Board to stop the fare increase on all payment options.

Herbert Weiner stated that this item shouldn't have been presented because the public needs to have face-to-face contact with the Board. When the SFMTA increases fares, there will be a decrease in ridership. Bicyclists and scooters should have to pay for licenses because they get the benefit of bike lanes. Muni Forward projects and management salaries should be frozen.

Angelica Cabande stated that equity means things are fair for everyone across the board. She asked the Board to stop shifting costs to different groups of riders and stop pining people's needs against each other. Since 2005, there has been a 100% inflation in Muni fares, which are increasing at a rate of 7% each year. Transit riders have already done their share yet they don't see any increase in service. The people need the Board to hear them.

15. Presentation and discussion regarding the Muni Service Equity Strategy. (Explanatory documents include a slide presentation.)

Julie Kirschbaum, Director of Transit, presented the report.

PUBLIC COMMENT:

Henry Weiner stated that equity means equal service for everybody but there are still neglected areas. For example, the 26 Valencia provided good service but it was deleted. Making people walk further, including the disabled and seniors, isn't equity. Hearing from managers that walking is good for you creates resentment. The Fire and Police departments don't favor certain areas over others.

16. Approving corridors on San Francisco's Vision Zero High-Injury Network on which the SFMTA can install reversible and/or adjustable project installations and parking and traffic modifications, designated as "quick-build projects" and authorizing the City Traffic Engineer to install tow-away zones on the following seven designated corridors, based upon a determination of public convenience and necessity including, but not limited to, the alleviation of traffic congestion and public safety as follows: Bayshore Boulevard between Oakdale Avenue and Industrial Street; Evans Avenue between Cesar Chavez and 3rd Street; Evans Avenue / Hunters Point Boulevard / Innes Avenue between Jennings Avenue and Arelious Walker; Folsom Street between 2nd Street and 5th Street; Leavenworth Street between McAllister Street and Post Street; Valencia Street between 15th Street and 19th Street; and Williams Avenue between Vesta Street and 3rd Street. (Explanatory documents include a staff report and resolution.)

No public comment.

RESOLUTION 200317-032

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke and Torres

17. 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.

On motion to invoke the attorney-client privilege: unanimously approved.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chair Heinicke called the closed session to order at 4:12 p.m.

2. Roll Call

Present: Gwyneth Borden
Cheryl Brinkman

Amanda Eaken
Malcolm Heinicke
Steve Heminger
Cristina Rubke

Also present: Jeffrey Tumlin, Director of Transportation
Roberta Boomer, Board Secretary
Caroline Celaya, acting Board Secretary
Susan Cleveland-Knowles, Deputy City Attorney
Leo Levenson, Director, Finance and Information Technology
Jim Emery, Deputy City Attorney
Jonathan Rolnick, Deputy City Attorney
Kate Toran, Director, Taxis and Accessible Services
Philip Cranna, Enforcement and Legal Affairs Manager, Taxi and Accessible Services

3. Pursuant to Government Code Section 54956.9(d)(1) 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 on the following:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

Kezia Tang vs. CCSF, US District Court #419cv92792DMR filed on 4/18/19 for \$110,000

RESOLUTION 200317-033

On motion to approve:

ADOPTED: AYES – Borden, Brinkman, Eaken, Heinicke, Heminger, Rubke and Torres

Sabrina Suzuki vs. CCSF, Superior Court #CGC18570023, filed on 9/21/18

Also present: Kimberly Ackerman, Director, Human Resources

San Francisco Federal Credit Union vs. CCSF, Superior Ct. # CGC18565325, filed 3/27/18

Also present: Stephanie Stuart, Deputy City Attorney

4. Pursuant to Government Code Sections 54956.9 (d) (2), and Administrative Code Section 67.10 (d) (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 4:38 p.m.

18. Announcement of Closed Session.

Chair Heinicke announced that the SFMTA Board of Directors met in closed session to discuss the Tang, Suzuki, and San Francisco Federal Credit Union cases with the City Attorney. The Board of Directors voted unanimously to settle the Tang case. The Board did not take action on the Suzuki nor Federal Credit Union case and did not discuss anticipated litigation.

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

On motion to not disclose the information discussed: unanimously approved.

On behalf of the Board, Chair Heinicke expressed appreciation to all staff, especially transit operators for their work to keep San Francisco moving.

ADJOURN - The meeting was adjourned at 4:46 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.

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 web site: sfgov.org/ethics.

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 Monday, the day before the meeting so they have time to review and consider the comments prior to the meeting.