



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, October 21, 2014
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
Jerry Lee
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 1:02 p.m.

2. Roll Call

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

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 October 7, 2014 Regular Meeting: unanimously approved (Heinicke-absent).

5. Communications

None.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director’s Report (For discussion only)

- Haight St. Red lane project
- Muni Heritage Weekend
- Outreach for LRV design
- Ongoing Activities

Director Reiskin introduced Tom Maguire, Director of Sustainable Streets and discussed the Haight St. Red lane project; Muni Heritage Weekend, outreach for LRV design, 10 Townsend service and recent awards for the SFMTA.

Director Ramos requested that the LRV survey include a description of the benefits of the two interior spaces.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Director Heinicke arrived.

Hansu Kim stated that the awards are well deserved but the SFMTA has failed the taxi industry. The SFMTA has opened the door for any amateur in their personal car to be in the taxi business which makes a mockery of the industry. The only thing that separates the taxi industry from these amateurs is street hails. Has to reconsider paying for the use of a medallion if the only benefit is street hails. Opening up airport business to amateurs will devastate the taxi industry.

John Alex Lowell spoke about the needs of pedestrians who are seniors or who have disabilities. The timing of pedestrian devices has been recommended to be changed to 2.8 feet per second by a State Advisory Committee. This speed is safer. He asked staff to examine how this recommendation can be implemented as part of Vision Zero.

Kamaljit Singh stated that the taxi industry lost everything with the decision to open airport business to illegal businesses. These businesses work without insurance. Taxis shouldn't be strictly regulated so they can do what the illegal businesses are doing. The taxi industry will sue the city.

Ashwani Aeri wondered why the SFMTA failed to protect the taxi industry. There will be a big loan default when the owners can't afford to make payments. There are many junk regulations and Uber and Lyft aren't following any regulations. The SFMTA should remove all regulations, lower the gate to \$60 and get rid of color schemes.

Eric Williams asked the Board to consider a resolution in honor of operator Jimmy Chu who recently passed away. With the help of SFMTA staff, there are operator restrooms at 3rd and Hudson. This makes a difference for 250-A members and the public. 250-A members don't appreciate the advertisements about Muslims. It makes operators uncomfortable and they don't want to drive the buses with those ads.

Lance Carnes discussed budget and schedule problems with the Central Subway project. The FTA issued a report that indicated there were severe problems. The standard mantra is that the project is on-time and on-budget. An August report noted severe problems with both. In addition, there are approximately 400 capital projects that will have cost over-runs as noted by a recent Transportation Authority Plans and Programs committee meeting. The Prop A bond measure will be used to cover cost overruns and only a fraction will be used to make streets safer.

Alikhani stated that as a 22 year cab driver he's never seen this situation. It's a disaster for him and he can't retire. Color scheme owners are millionaires. He stated that cab drivers don't want color schemes, radio or insurance requirements. The industry needs immediate help.

Ahmad Massdjedi stated that he bought a medallion before Lyft, Sidecar and Uber existed. He wondered how he can pay his medallion mortgage when these entities curtail his interests and now they can go to the airport. He asked the Board to put aside funds for people who purchase their medallion and who want to give it back and not wait for someone to buy it. Cab drivers can't afford to drive.

Tone Lee asked the SFMTA to separate the medallions from cab companies to better serve the public. Now, color schemes punish drivers by making them pay more than \$100 per day. Cab drivers only need an insurance policy to do their job. The Airport Commission doesn't care. Cab drivers are talking about striking or occupying something. The government doesn't see how drivers are struggling. The only way for a medallion owner is to pay less and drive.

Kulwant stated that the TNC's are illegal and are killing the cab industry. They can set their own prices and they need to be stopped. He asked the SFMTA to do something about the TNC's going to the airport. Cab drivers want to cut their costs in order to survive. Frustration is growing and there is talk about a strike, occupying the airport or blocking access. Something needs to be done urgently. SFO is a final blow.

Nicole Schneider stated that Mayor Penalosa, former Mayor of Bogota has tackled pedestrian safety. He made the city safer for all people in Bogota. Yesterday was another deadly day with one killed and three serious injuries on city streets. She encouraged the SFMTA to talk about Vision Zero and the 40 projects which haven't been talked about since the plan was adopted six months ago.

Herbert Weiner stated that Prop A will not prevent switchbacks, bunching or late cars. It will put seniors at risk and will put them at the mercy of paratransit which requires advance booking. Some runs will no longer run to the Hall of Justice or to SF General Hospital. The neighborhoods have been deprived of transit service that once served them. Under Prop B, the guarantee of funding will rob other city agencies. Muni should reexamine their communication, command and control system. There are too many highly paid managers and waste.

Mary McGuire stated that the deregulation of the taxi industry is an attack on any kind of professional licensing such as lawyers, doctors and hairstylists. The transit lanes on Third Street are not bike lanes and it needs to be clear that these lanes are not for cyclists. Cyclists think they are for them and they're acting aggressive and nasty. There is no enforcement for the ballpark cab

stands. Cabdrivers can't get to the cabstand. There are two Uber drivers on the recruitment task force who shouldn't be there.

Alex stated that the SFMTA stole the medallions and destroyed everything when they forced taxi drivers to buy it. It costs him \$5,000 to drive a cab every month and yet he can only drive five days per week. TNC's compete against cabs and give licenses away for free and without regulations. He urged the SFMTA to make it cheaper for taxi drivers to drive.

Mark Gruberg wondered what would happen if an illegal cab company asked the SFMTA to be a color scheme. The SFMTA wouldn't allow it but that's what the Airport Commission did. The Airport Commission's action is the systematic destruction of the taxi industry and the lives of taxi drivers. Cab drivers provide an indispensable service and they aren't going to stand for it. The SFMTA can't let this happen and has to get involved.

Carl Macmurdo stated that it's mindboggling what the Airport Commission has done. Drivers are untrained and unscreened. People are not compliant with CEQA or the ADA. The City will get sued. Every TNC driver is hiding the fact that they are committing insurance fraud. There's a lawsuit in Chicago and something will happen in San Francisco. A few million dollars are needed to advertise the availability of an app.

Joan Wood discussed a letter she received a letter from the SFMTA about a plan for three bulb-outs in North Beach at Vallejo, Grant and Green which will eliminate a driving lane and parking. This will impact people with disabilities who need to drive. There's only been one death but that was nowhere near Columbus and Taylor. There have been a few accidents at Broadway and Grant. It's not fair that the Board represents the interests of the Mayor but not her. These should be denied as they are not in the interest of safety.

Marianna Photiou stated that the SFMTA milked the taxi industry and then deregulated it. The fish smells from the head and this is as bad as it can get. It is unbelievable for a world class city to make these kinds of decisions. Other professions will soon be deregulated and trouble will follow.

Emil Lawrence stated that the SFMTA meetings are a waste of time. The SFMTA hasn't initiated one program to help taxi drivers and is crushing the industry. Cab drivers income has dropped by 50-60%. Cab drivers pay \$26 million per year to the SFMTA and get nothing in return. The SFMTA sits on the side rails with Uber and Lyft as if nothing is happening. There are teenagers driving for these companies while the SFMTA thinks cab drivers are sick and/or crazy because they're complaining. Uber and Lyft have virtually taken over the city.

Dorian Maxwell stated that since 1999, the SFMTA has been a terrorist organization. He discussed meetings he will be having with the Department of Justice and the Federal Transit Commission to investigate the business practices of the SFMTA and employee working conditions. In 2007, Prop A gave the SFMTA the power to float revenue bonds. Prop A will end up costing the homeowners and taxpayers \$1 billion. City voters need to get wise about putting these measures on the ballot until there's a criminal investigation. There's workplace bullying in the divisions by superintendents who are trumping up charges and terminating drivers.

Howard Wong urged a “no” vote on Prop A. Mr. Wong is opposed because the ordinance has no legal binding commitment to any project and only 49% of the funding is dedicated to Muni projects. Former Bogota Mayor Penalosa stressed the importance of bus rapid networks over train and rail projects. The new project management oversight committee for the Central Subway is now honestly assessing the project. Before, they were glossing over the facts. The new report states that there are 11% projected cost overruns and the project contingency is only about 4%.

Chairman Nolan requested a report regarding pedestrian crossing speeds as addressed by Mr. Lowell.

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. Geico Ins. vs. CCSF, Superior Ct. #CGC14540787 filed on 11/11/13 for \$750
- B. Karen Tamayo-Rojas vs. CCSF, Superior Ct. #CGC13530633 filed on 4/4/13 for \$1,000
- C. Phoebe Zhu vs. CCSF, Superior Ct. #CGC13531339 filed on 5/13/13 for \$3,000
- D. Mary Hwu vs. CCSF, Superior Ct. #CGC12524418 filed on 9/19/12 for \$25,000

RESOLUTION 14-149

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – ONE-WAY STREET – Edna Street, northbound, between Flood Avenue and Hearst Avenue.
- B. ESTABLISH – STOP SIGN – Colby Street, southbound, at Mansell Street.
- C. ESTABLISH – RED ZONE – Mansell St., north side, from 8.5 feet to 33.5 feet east of Colby St.
- D. ESTABLISH – STOP Sign – Vasquez Avenue, westbound, at Laguna Honda Boulevard.
- E. ESTABLISH – RED ZONE – Laguna Honda Blvd., east side, from Vasquez Ave. to 30' easterly.
- F. ESTABLISH – STOP sign – Sycamore Street, westbound, at Valencia Street.
- G. RESCIND – FLAG STOP – Valencia Street, west side, 75 feet north of Duncan Street.
- H. RESCIND – BUS ZONE – ESTABLISH – TOW-AWAY NO STOPPING ANYTIME –

- 5th Street, north side, from Harrison Street to 76 feet westerly.
- I. ESTABLISH – BUS ZONE – 6th Street, north side, from Bryant Street to 125 feet westerly.
 - J. ESTABLISH – NO PARKING ANYTIME – Hickory Street, north side, from Octavia Street to Laguna Street; Hickory Street, south side, from Octavia Street to 183 feet westerly; and Hickory Street, south side, from Laguna Street to 185 feet easterly.
 - K. ESTABLISH – STOP SIGN – Hickory Street, westbound, at Laguna Street.
 - L. ESTABLISH – STOP SIGNS – Grafton Ave., eastbound and westbound, at Brighton Ave..
 - M. ESTABLISH – NO PARKING ANYTIME – 16th Street, south side, from 14 feet to 37 feet east of Capp Street.
 - N. ESTABLISH – STOP SIGNS – Marina Boulevard multi-use path, eastbound and westbound, at Yacht Road.
 - O. RESCIND – TOW-AWAY NO STOPPING ANYTIME – ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME, EXCEPT BICYCLES – Market Street, north side, from Noe Street to 108 feet east.
 - P. ESTABLISH – RED ZONE – Larkin St., east side, from 16 feet to 38 feet south of Grove St.
 - Q. ESTABLISH – RED ZONE – McAllister St., north side, from 2 feet to 23 feet east of Larkin St.
 - R. ESTABLISH – RED ZONE – Golden Gate Avenue, south side, from Larkin Street to 25 feet westerly; and Larkin Street, east side, from Golden Gate Avenue to 38 feet southerly.
 - S. ESTABLISH – RED ZONE – Turk St., south side, from 7 feet to 29 feet east of Larkin St.
 - T. ESTABLISH – RED ZONE – Eddy St., north side, from 14 feet to 35 feet east of Larkin St.
 - U. ESTABLISH – RED ZONE – Ellis Street, north side, from 17 feet to 39 feet east of Larkin Street; and Larkin Street, east side, from 10 feet to 34 feet south of Ellis Street.
 - V. ESTABLISH – RED ZONE – Larkin St., west side, from 6 feet to 27 feet south of Olive St.
 - W. ESTABLISH – RED ZONE – Larkin Street, east side, from 10 feet to 33 feet south of Geary Street; and Larkin Street, west side, from 17 feet to 36 feet south of Geary Street.
 - X. ESTABLISH – RED ZONE – Larkin Street, west side, from 4 feet to 27 feet south of Cedar Street; Post Street, north side, from Larkin Street to 21 feet westerly; and Post Street, south side, from 4 feet to 26 feet west of Larkin Street.
 - Y. ESTABLISH – RED ZONE – Larkin Street, east side, from 9 feet to 34 feet south of Sutter Street; and Larkin Street, west side, from Hemlock Street to 25 feet southerly.
 - Z. ESTABLISH – RED ZONE – Hyde Street, east side, from 5 feet to 30 feet north of Bush Street; and Hyde Street, west side, from 5 feet to 33 feet north of Bush Street.
 - AA. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME – Bush Street, south side, from Hyde Street to 58 feet westerly.
 - BB. ESTABLISH – RED ZONE – Hyde Street, west side, from Sutter Street to 35 feet northerly.
 - CC. ESTABLISH – RED ZONE – Hyde Street, east side, from Post Street to 25 feet northerly.
 - DD. ESTABLISH – RED ZONE – Geary St., north side, from 4 feet to 25 feet east of Hyde St.
 - EE. ESTABLISH – RED ZONE – Hyde St., east side, from 5 feet to 27 feet north of Ellis St.
 - FF. ESTABLISH – RED ZONE – Turk St., south side, from 10 feet to 32 feet east of Hyde St.
 - GG. ESTABLISH – RED ZONE – Golden Gate Avenue, north side, from Hyde Street to 21 feet westerly; Hyde Street, west side, from 3 feet to 25 feet north of Golden Gate Avenue; and McAllister Street, north side, from 10 feet to 32 feet east of Hyde Street.
 - HH. ESTABLISH – RED ZONE – Hyde St., west side, from 7 feet to 29 feet north of Grove St.
 - II. ESTABLISH – RED ZONE – Eddy Street, south side, from 7 feet to 29 feet west of Leavenworth Street; and Leavenworth Street, east side, from 12 feet to 34 feet south of Eddy St.
 - JJ. ESTABLISH – RED ZONE – Ellis St., north side, from 9 feet to 30 feet east of Leavenworth St.

- KK. ESTABLISH – RED ZONE – Leavenworth Street, west side, from Sutter Street to 40 feet southerly; and Sutter Street, north side, from 10 feet to 32 feet east of Leavenworth Street.
- LL. ESTABLISH – RED ZONE – Bush St., north side, from Leavenworth St. to 35 feet westerly.
- MM. ESTABLISH – RED ZONE – Leavenworth St., west side, from Pine St. to 40 feet southerly.
- NN. ESTABLISH – RED ZONE – Ellis Street, north side, from 9 feet to 43 feet east of Jones Street; Ellis Street, south side, from 18 feet to 40 feet east of Jones Street; and Jones Street, west side, from 8 feet to 30 feet north of Ellis Street.
- OO. ESTABLISH – RED ZONE – Eddy St., south side, from 10 feet to 28 feet west of Jones St.
- PP. ESTABLISH – TOW-AWAY NO PARKING ANYTIME, EXCEPT MARKED POLICE VEHICLES – Eddy Street, south side, from 140 feet to 185 feet west of Jones Street.
- QQ. ESTABLISH – RED ZONE – Golden Gate Avenue, south side, from 10 feet to 32 feet west of Jones; and Jones Street, west side, from Golden Gate Avenue to 22 feet northerly.
- RR. ESTABLISH – RED ZONE – Jones Street, east side, from 4 feet to 25 feet north of McAllister Street; and Jones Street, west side, from McAllister Street to 22 feet northerly.
- SS. ESTABLISH – RED ZONE – Ellis Street, north side, from 4 feet to 26 feet east of Taylor Street; Ellis Street, south side, from Taylor Street to 23 feet easterly; and Ellis Street, south side, from Taylor Street to 22 feet westerly.
- TT. ESTABLISH – RED ZONE – O’Farrell Street, south side, from 5 feet to 29 feet west of Taylor Street; and Taylor Street, east side, from 14 feet to 30 feet south of O’Farrell St.
- UU. ESTABLISH – RED ZONE – Taylor Street, east side, from 13 feet to 35 feet south of Geary Street; and Taylor Street, west side, from 13 feet to 33 feet south of Geary Street.
- VV. ESTABLISH – RED ZONE – Post Street, north side, from Taylor Street to 40 feet westerly; and Taylor St., west side, from 3 feet to 25 feet south of Isadora Duncan Lane.
- WW. ESTABLISH – RED ZONE – Sutter Street, south side, from Taylor Street to 23 feet easterly.
- XX. ESTABLISH – RED ZONE – Sutter St., north side, from 9 feet to 31 feet east of Mason St.
- YY. ESTABLISH – RED ZONE – Mason Street, east side, from Post Street to 28 feet northerly.
- ZZ. ESTABLISH – RED ZONE – Geary St., north side, from 14 feet to 35 feet east of Mason St.
- AAA. ESTABLISH – RED ZONE – Mason Street, east side, from O’Farrell Street to 27 feet northerly; and Mason Street, west side, from 5 feet to 26 feet north of O’Farrell Street.
- BBB. ESTABLISH – RED ZONE – Ellis Street, south side, from Mason Street to 22 feet westerly.
- CCC. ESTABLISH – BLUE ZONE – Ellis Street, north side, from 9 feet to 31 feet west of Cyril Magnin Street. (Explanatory documents include a staff report and resolution. The proposed action is an Approval Action as defined by S.F. Administrative Code Chapter 31.)

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

PUBLIC COMMENT:

Members of the public expressing support: John Alex Lowell, Kevin Stull, Nicole Schneider, Madeleine Savit, and Chema Hernandez-Gil

RESOLUTION 14-150

On motion to approve Item 10.2:

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

(10.3) Approving the following traffic modifications:

- A. ESTABLISH – TOW-AWAY NO STOPPING ANYTIME - Oakdale Avenue, south side, from 100 to 200 feet east of Loomis Street.
- B. ESTABLISH – RED ZONE - Oakdale Avenue, south side, from Industrial Street to 20 feet westerly
- C. RESCIND – LEFT LANE MUST TURN LEFT - Oakdale Avenue, eastbound, approaching Selby Street. (Explanatory documents include a staff report and resolution. The proposed action is an Approval Action as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-151

(10.4) Approving the following traffic modifications:

- A. ESTABLISH – BIKE LANE - McAllister Street from Fillmore Street to 70 feet easterly (westbound McAllister)
- B. ESTABLISH – NO RIGHT TURN ON RED - McAllister Street, westbound, at Webster Street; and McAllister Street, eastbound, at Webster Street. (Explanatory documents include a staff report, diagrams and resolution.)

RESOLUTION 14-152

(10.5) Approving the following temporary parking modifications in support of the Commuter Shuttle Pilot program:

- A. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 6 AM TO 10 AM, MONDAY THROUGH FRIDAY – Castro Street, west side, from 18th Street to 100 feet northerly
- B. EXTEND – BUS ZONE – Valencia Street, west side, from 60 feet south of 24th Street to 80 feet southerly
- C. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 6 AM-10 AM, MONDAY THROUGH FRIDAY – Church Street, west side, from 15th Street to 100 feet northerly
- D. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 6 AM-10 AM, MONDAY THROUGH FRIDAY – Van Ness Avenue, west side, from Sacramento Street to 89 feet southerly
- E. ESTABLISH – TOW-AWAY NO PARKING, PERMITTED COMMUTER SHUTTLE BUS ZONE, 4PM-8PM, MONDAY THROUGH FRIDAY – Castro Street, east side, from Market Street to 90 feet northerly (Explanatory documents include a staff report and resolution. The proposed action is an Approval Action as defined by S.F. Administrative Code Chapter 31.)

Item 10.5 was removed from the agenda at the request of a member of the public and by Director Rubke who stated that she needed to recuse herself from the item.

On motion to recuse Director Rubke:

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

RECUSED: Rubke

PUBLIC COMMENT:

Members of the public expressing neither support nor opposition: Richard Magary

RESOLUTION 14-153

On motion to approve Item 10.5:

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

RECUSED - Rubke

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

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

REGULAR CALENDAR

11. Approving the issuance of SFMTA Revenue Bonds in an amount not greater than \$89,560,000 to make improvements to pedestrian safety and transit signals, Muni transit system safety, Complete Street capital improvements, facility and Transit Fixed Guideway improvements and procure Light Rail Vehicles; approving the Official Statement, Bond Purchase Contract form and the Continuing Disclosure Certificate and authorizing the expenditure of proceeds from the Bonds (Explanatory documents include a staff report, resolution, supplement, certificates, contract and official statement.)

Sonali Bose, Director, Finance and Information Technology, and Mark Blake, City Attorney's Office, presented the item.

PUBLIC COMMENT:

Members of the public expressing neither support nor opposition: Lance Carnes and Howard Wong

RESOLUTION 14-154

On motion to approve:

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

12. Presentation and discussion regarding the Muni Customer Satisfaction survey. (Explanatory documents include a slide presentation.)

Candace Sue, Director, Communications and John Canapary, Corey, Canapary, and Galanis presented the item.

Director Ramos requested information as to the best practices of other agencies relative to customer satisfaction.

No public comment.

13. 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.

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 2:56 p.m.

2. Roll Call

Present: Cheryl Brinkman
Gwyneth Borden
Malcolm Heinicke
Jerry Lee
Tom Nolan
Joél Ramos
Cristina Rubke

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Rob Maerz, Deputy City Attorney
John Haley, Director, Transit Services

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:

Jesse Johnson vs. CCSF, Superior Ct. #CGC 13532579 filed on 7/3/13 for \$105,000

RESOLUTION 14-155

On motion to approve:

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

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

There was no discussion of anticipated litigation.

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 3:01 p.m.

14. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss the Jesse Johnson vs. CCSF case with the City Attorney. The Board of Directors voted unanimously to settle the case. There was no discussion of anticipated litigation in closed session.

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

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

ADJOURN - The meeting was adjourned at 3:02 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.