



SFMTA
Municipal
Transportation
Agency

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

MINUTES

Tuesday, April 15, 2014
Room 400, City Hall
1 Dr. Carlton B. Goodlett Place

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

SFMTA BOARD OF DIRECTORS

Tom Nolan, Chairman
Cheryl Brinkman, Vice Chairman
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 2:01 p.m.

2. Roll Call

Present: Cheryl Brinkman
Jerry Lee
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

On motion to approve the minutes of the April 1, 2014 Regular Meeting: unanimously approved (Heinicke-absent).

5. Communications

Chairman Nolan discussed the order of business and asked the Secretary to call the Consent Calendar followed by Item 11.

Board Secretary Boomer stated that there would be no discussion of anticipated litigation in closed session.

6. Introduction of New or Unfinished Business by Board Members

None.

7. Director’s Report (For discussion only)

-Ongoing Activities

Director Reiskin discussed delaying the increase of taxicab gate fees.

8. Citizens' Advisory Council Report

Daniel Weaver, Chairman, Citizen's Advisory Council, presented the CAC report as part of Item 11.

9. Public Comment

Barry Taranto discussed FlyWheel. Passengers love it and it's better than Square or Verifone. Cab drivers get paid right away and their communication with drivers is improving. TNC's are operating dangerously. There are many out there, taking cab stands, double parking and parking in bus zones.

Tariq Mehmood discussed the lottery for cabs. Dispatchers give cabs to white people and are ignoring immigrants. Dispatchers say they can do whatever they like.

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. CCSF vs. Scott Austin Mitchell/State Farm, State Farm claim #05B476696 for \$50,000 (City to receive)

RESOLUTION 14-054

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – TRAFFIC SIGNALS – 34th Avenue and Lincoln Way; 22nd Avenue and Geary Boulevard; 26th Avenue and Geary Boulevard; Sunset Boulevard and Yorba Street; O'Farrell Street and Webster Street; and 8th Street and Natoma Street.

- B. ESTABLISH – Red Zone – Anza Vista Avenue, west side, at Terra Vista Avenue between north and south crosswalks.
- C. RESCIND – TOW-AWAY, NO STOPPING ANYTIME – San Jose Avenue, west side, from 30 feet to 100 feet south of Santa Ynez Avenue.
- D. ESTABLISH – TOW-AWAY NO PARKING ANYTIME – Turk Street, north side, from Taylor St. to 384 feet easterly; and Turk St., south side, from Mason Street to Taylor Street.
- E. ESTABLISH – TOW-AWAY, NO STOPPING ANYTIME – Ortega Street, south side, from 39 feet west of 25th Avenue to 109 feet easterly; Ortega Street, north side, from 25th Avenue to 39 feet westerly; Ortega Street, south side, from 39 feet west of 26th Avenue to 109 feet easterly; Ortega Street, north side, from 26th Avenue to 39 feet westerly; Ortega Street, south side, from 39 feet west of 27th Avenue to 109 feet easterly; Ortega Street, north side, from 27th Avenue to 39 feet westerly; Ortega Street, south side, from 15 feet west of 38th Avenue to 105 feet easterly; and Ortega Street, north side, from 41st Avenue to 30 feet easterly.
- F. ESTABLISH – NO PARKING ANYTIME – Ortega Street, south side, at 39th Avenue from east crosswalk to 20 feet westerly; and Ortega Street, south side, from 40th Avenue to 20 feet easterly.
- G. ESTABLISH – MARKED CROSSWALK – 38th Avenue at Ortega Street, west crosswalk; 40th Avenue at Ortega Street, east crosswalk; and 40th Avenue at Ortega Street, west crosswalk.
- H. ESTABLISH – BLUE ZONE – Ortega Street, south side, from 20 feet east of 40th Avenue to 20 feet easterly.
- I. ESTABLISH – NO TURN ON RED – Market Street, westbound, at Buchanan Street.
- J. ESTABLISH – PERPENDICULAR PARKING – Pennsylvania Avenue, east side, from 20 feet to 480 feet south of 22nd Street.
- K. RESCIND – TOW-AWAY NO PARKING ANYTIME – Fulton Street, south side, from 16th Avenue to 125 feet easterly; and Fulton Street, south side, from 25 feet to 125 feet west of 16th Avenue.
- L. ESTABLISH – BLUE ZONES – 1701 Visitacion Avenue, south side, from 7 feet to 29 feet west of crosswalk; and 1701 Visitacion Avenue, south side, from 39 feet to 5 feet west of crosswalk.
- M. RESCIND – 10 TOWNSEND EXTENSION TO 25TH STREET – 10 Townsend route extension from 24th Street and Potrero Avenue to 25th Street and Hampshire Street. The route will continue to use current terminal loop via 23rd Street, 24th Street, Utah Street, and Potrero Avenue. (Explanatory documents include a staff report and resolution. The proposed action is the Approval Action as defined by S.F. Administrative Code Chapter 31.)

RESOLUTION 14-055

(10.3) Awarding SFMTA Contract No. 1271, Job Order Contract to Rodan Builders in an amount not to exceed \$5,000,000, and for a term not to exceed five years. (Explanatory documents include a staff report and resolution.)

RESOLUTION 14-056

(10.4) Authorizing the Director to execute Contract #SFMTA 2013-14 with BackFirst for On-Site Employee Fitness and Wellness Programs for an amount not to exceed \$3,600,000, for a contract term to March 31, 2017. (Explanatory documents include a staff report, resolution and agreement.)

RESOLUTION 14-057

(10.5) Authorizing the Director to execute a Memorandum of Understanding with the Mayor's Office of Housing and Community Development for the jurisdictional transfer of SFMTA's Upper Yard (Assessor's Block 6973, Lot 039) for the development of an affordable housing project. (Explanatory documents include a staff report, resolution and MOU.)

RESOLUTION 14-058

(10.6) Authorizing the Director to execute the Second Amendment to Contract #2008/09-52, Automated Photo Enforcement Program with Xerox State & Local Solutions for operational and administrative support services for the Existing Enforcement System of the Automated Camera Enforcement Program to extend the contract term for an additional two years through April 30, 2016 at no additional cost. (Explanatory documents include a staff report, resolution and amendment.)

RESOLUTION 14-059

(10.7) Authorizing the Director to waive new taxi driver permit application fees until the supply of drivers is adequate to fill available taxi shifts, and to retroactively approve the waiver of new driver permit application fees from April 1, 2014 through April 15, 2014. (Explanatory documents include a staff report and resolution.)

RESOLUTION 14-060

On motion to approve the Consent Calendar:

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

ABSENT – Heinicke

REGULAR CALENDAR

11. Approving the San Francisco Municipal Transportation Agency Fiscal Year 2014-2015 and FY 2015-2016 Operating Budget, in the amount of \$943.2 million and \$962.6 million respectively, and FY 2014-2015 and FY 2015-2016 Capital Budget, in the amount of \$562.9 million and \$669.0 million respectively; certifying that the FY15 and FY16 Operating and Capital Budgets are adequate in making substantial progress towards meeting the performance standards; approving various fares including Cash and Clipper® fares for Municipal Railway adult, senior, youth, disabled and low-income, Paratransit fares, monthly passes and stickers; School Coupon Booklet; Visitor Passports, inter-agency monthly passes, fares and stickers; and Special Event service fares; approving various fines, fees, rates and charges including Project 20 fees; Residential, Contractor, Business, Press, Vanpool, School, Fire Station, Foreign Consulate, Medical and Childcare, Farmer's Market, On-Street Car Sharing Vehicle, SFMTA, and daily temporary/visitor vehicle

parking permit fees; boot removal fee; towing and storage administrative fees; transit fare evasion/passenger conduct, parking citation, Transportation Code, and Vehicle Code fines, late penalties and special collections fees; taxi permit fees and administrative penalties; parking meter use fee; temporary exclusive use of parking meter fee; transit vehicle rental fees; temporary street closure and neighborhood block party fees, special traffic permit fees; temporary no-parking sign posting fees, parklet fees, designated shuttle stop use permit fees, color curb painting fees; and off-street parking fees and acting as both the SFMTA Board of Directors and Parking Authority Commission, approving garage rates; approving various fines, fees, rates and charges including providing free Muni for low and moderate income 18 year olds, seniors and/or disabled customers who use a Clipper® card contingent upon a review and determination of the agency's fiscal health; establishing a Lifeline ID card replacement fee; eliminating Vallejo and CalTrain Muni monthly pass discounts; establishing an interagency single ride adult fare discount for Clipper® card users; and eliminating the in-person Customer Service Center transaction fee; codifying the payment by telephone transaction fee, signs and parking space removal/relocation fee, intellectual property license fee, temporary no-parking sign self-posting fee for special events, SFMTA transit map fee, taxi permit fees, and bus substitution fee; and adding penalties for overtime parking meter violations; amending the Transportation Code to increase parking citation late payment penalties, the special collections fee, boot removal fees, various parking citation, Transportation Code, and Vehicle Code penalties, color curb painting fees, towing and storage administrative fees, payment by telephone and on-line computer transaction fee, motor vehicle for hire fine amounts, request for community service processing fee, parking meter use fee, parklet installation fee, temporary no-parking sign posting fees, special traffic permit fees, temporary exclusive use of parking meter fee, residential area and other parking permit fees, designated shuttle stop use permit fee, temporary street closure and neighborhood block party fees, and bus substitution fee, adding penalties for parking at an inoperable or broken parking meter or pay station in excess of the time permitted, eliminating the in-person customer service center fee; and adding new sections to codify the payment by telephone transaction fee, SFMTA transit map fee, Lifeline ID card replacement fee, signs and parking space removal/relocation fee, taxi permit fees, and intellectual property license fee; approving the Title VI analysis of the impacts of the proposed fare changes on low-income and minority communities; approving continuation of free Muni for low and moderate income youth who use a Clipper card and declaring that the Agency intends to prioritize continuing the program in FY 2017 and thereafter, and, contingent upon a review and determination of the agency's fiscal health in January 2015, allocating funding for a seven percent transit service increase in FY2016, allocating additional funding in the amount of \$0.6 million in FY 2015 and \$1.2 million in FY 2016 for transit vehicle fleet cleaning and appearance, providing free Muni for low and moderate income 18 year olds, seniors and/or disabled customers who use a Clipper® card, and eliminating the telephone and on-line computer transaction fees; eliminating Sunday parking meter enforcement between the hours of 12 pm - 6 pm including the four-hour time limit for parking at a meter on Sundays; approving a waiver of fares on New Year's Eve 2014 and New Year's Eve 2015; authorizing the Director to implement short-term experimental fares; concurring with the Controller's certification that facility security services; paratransit services; parking meter collection and coin counting services; low-level platform maintenance services; vehicle towing, storage and disposal services; and employment related medical examinations can be practically performed by private contractors at a lesser cost than to provide the same services with City employees; approving contracting out services for parking citation processing and collection subject

to the condition subsequent that the Controller certifies that contracting out for these services can be practically performed by private contractors at a lesser cost; authorizing the Director to make necessary technical and clerical corrections to the approved budget and allocate additional revenues provided that the Director shall return to the Board for approval of technical or clerical corrections that, in aggregate, exceed a five percent increase of the SFMTA operating and capital budget respectively. (Explanatory documents include a staff report, resolution, TC amendment, equity analysis, operating and capital budgets and schedule of rates, fares, fees, fines and charges. The proposed actions are Approval Actions as defined by S.F. Administrative Code Chapter 31.)

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

Citizens Advisory Council Chairman Weaver reviewed the CAC's recommendations from their March 6 and 20 meetings.

Chairman Nolan asked the Board to consider a motion that would delay the proposed September 2014 increases to the discount senior, disabled, and youth cash fare and monthly pass until July 1, 2015 and amend the schedule of rates, fares, fees, fines and charges and the Title VI report to reflect that change.

Director Brinkman asked the Board to consider a motion to include low-moderate income 18 year old youth in FY15.

Supervisor Norman Yee encouraged the Board to implement a pilot program for "Free Muni" for seniors and people with disabilities.

Supervisor Eric Mar expressed support for "Free Muni" for youth, seniors and people with disabilities and for transit equity.

Supervisor David Campos expressed support for "Free Muni" for youth, seniors and people with disabilities.

Supervisor John Avalos expressed support for "Free Muni" for youth, seniors and people with disabilities and opposition to ending enforcement of parking meters on Sunday.

PUBLIC COMMENT:

Members of the public expressing support for Free Muni for youth, seniors, transitional students and/or people with disabilities: Bob Planthold, Demian Williams, Heidi Seretan, Christopher Vidales, Bobby Bogan, Charles Minster, Debra Benedict, Paul Hickman, Anakh Sul Rama, Jean Green, Jackkee Bryson, Sunny Angullo, Betty Traynor, Barbara Cesana, Tony Robles, Flor Alvarez, Anna Aureoles, Jessica Lehman, Pei Juan Zheng, Jane Martin, Darnell Boyde, Ana Li Padilla, Jaron Browne, Herbert Weiner, Wing Hoo Leung, Shining Yu, Jia Tan, Rosa Chen, Lisa, Bob Allen, Jesus Perez, Miriam Martin, Lourdes Figueroa, Nicholas Persky, Peter Mendoza, Sophie Edelhart, Eric Wu, Violet Vasquez, Rosie Balberan, Alejandra Mendez, Jimmy Dean, Danielle Winford, Larry Edmond, Tony Li and Ace on the Case

Members of the public expressing support for increased funding for pedestrians: Shirley Tsang, Aaron Dong and Nicole Schneider

Members of the public expressing support for ending enforcement of parking meters on Sunday: Michael Pappas, Bev Phillips, David Salaverry, Keva McNeill, Brenda McNeill, Chris Bowman, Richard Baker, Arnold Townsend and Rufus Abercrombie

Members of the public expressing opposition to ending enforcement of parking meters on Sunday: Mario Tanev, Frank O'Connell, Thea Selby, Tom Radulovich, Justin Fung, Michael Rhodes and Cynthia Crews

Members of the public expressing neither support nor opposition to the budget: Charlie Walker, Howard Strassner, Michael Barrett and Barry Taranto

Members of the public expressing opposition to transit fare increases: John Fitch and Gina Luna.

Members of the public expressing support for a day pass for senior centers: Randall Glock

Due to public notice issues, Director Brinkman withdrew her motion to include low-moderate 18 year olds in FY15. Director Reiskin stated that given the concurrence of the Board, he would use his delegation authority to include 18 year old students in FY15.

On motion to approve delaying both the proposed September 2014 increases to the senior discount, disabled, and youth cash fare and monthly pass until July 1, 2015 and amend the schedule of rates, fares, fees, fines and charges and the Title VI report to reflect that change:

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

ABSENT – Heinicke

Director Reiskin requested that the phrase “as a pilot program” be stricken from the resolution.

On motion to strike “as a pilot program” with regard to the “Free Muni for Youth” program:

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

ABSENT – Heinicke

RESOLUTION 14-061

On motion to approve the item as amended:

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

ABSENT – Heinicke

12. 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-absent).

RECESS REGULAR MEETING AND CONVENE CLOSED SESSION

CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 5:26 p.m.

2. Roll Call

Present: Cheryl Brinkman
Jerry Lee
Tom Nolan
Joél Ramos
Cristina Rubke

Absent: Malcolm Heinicke – with notification

Also present: Ed Reiskin, Director of Transportation
Roberta Boomer, Board Secretary
Rob Maerz, Deputy City Attorney
Donald Ellison, Director, Human Resources
Sonali Bose, Director, Finance and Information Technology
Alicia John-Baptiste, Chief of Staff

3. 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

This item was removed from the agenda and was not discussed.

4. Pursuant to Government Code Section 54957.6(a) and Administrative Code Section 67.8, the Municipal Transportation Agency Board of Directors shall meet in closed session for:

CONFERENCE WITH LABOR NEGOTIATOR

CCSF Representative and/or his designee: Donald Ellison

Employee Organizations:

- TWU Local 250-A (9163)
- TWU Local 250-A (9132)
- TWU Local 200
- SEIU Local 1021
- Electricians Local 6
- Automotive Mechanics Local 1414
- Municipal Executives Association

To discuss:

- Wages
- Hours
- Benefits
- Working Conditions
- Other

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 5:36 p.m.

13. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss labor negotiations but took no action. There was no discussion of anticipated litigation.

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

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

ADJOURN - The meeting was adjourned at 5:38 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

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.

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.