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[SFMTA Board](#) > Feb. 1, 2011, minutes

ORDER OF BUSINESS

1. Call to Order

Chairman Nolan called the meeting to order at 1:02 p.m.

2. Roll Call

Present: Cameron Beach

Cheryl Brinkman

Leona Bridges

Malcolm Heinicke

Jerry Lee

Tom Nolan

Bruce Oka

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 January 11, 2011 Special Closed Session: unanimously approved.

On motion to approve the minutes of the January 18, 2011 Regular Meeting: unanimously approved.

On motion to approve the minutes of the January 25, 2011 Special Closed Session: unanimously approved.

5. Communications

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

Chairman Nolan asked the Board members to inform him and the Board Secretary regarding any issue about which they would like an in depth discussion.

Chairman Nolan requested that the Board receive the documents provided by Caltrain and MTC at the recent Caltrain summit.

7. Executive Director's Report (For discussion only)

- Special Recognition Award

- Update on the Central Subway project

- Ongoing Activities

Exec. Director/CEO Ford presented special recognition awards to Rod Alatorre and Martina Sanchez, Field Training Team, Adult School Crossing, Sustainable Streets.

Mr. Ford also discussed the Central Subway project; SF *park*; the recent Caltrain Summit; Sunday Streets events; and the January 27th delay due to the failure of the 4th St. Bridge.

John Funghi, senior program manager, Central Subway Project discussed recent highlights of the project including Union Square utilities relocation, funding, award of design contracts, local business participation, job training for economically disadvantaged people, small business assistance program and a "Prime/Small business" conference.

PUBLIC COMMENT:

Barry Taranto stated that a member of the Taxi Services division has not been honored for a long time and suggested that Jarvis Murray be recognized.

8. Citizens' Advisory Council Report

No report.

9. Public Comment

Bob Planthold talked about a power point regarding bus stop consolidation that is distorted and gives misinformation. There are five lines cited for the pilot but certain statistics such as the total percent of stops that would be eliminated are missing. When stops are removed, other lines that intersect at that stop have to be examined, including the number of people who will be effected. Enforcement has to be addressed.

Barry Taranto stated that Jane, at the front desk, was very helpful and cooperative. Previously it didn't take 4 ½ hours to renew an A-card. Drivers are being treated like idiots and are being yelled at to stand in line and fill out the forms. He urged the Board to allow another two weeks to let people renew their A cards without penalty. The medallion issuance process was streamlined by eliminating some hearings. There is no notice by e-mail instead people are told to look on the website but the website is large and not transparent.

Tone Lee mentioned that the intersections of Bush and Sansome, 1st and Mission and Market and 3rd are always blocked by cross traffic. The City should put a blinking red light across the street to let people

know not to cross.

Peter Witt stated that the first accurate Public Convenience and Necessity data to provide a fair and objective account of taxi services was done by himself in 1998. Mr. Witt read the taxi survey questions that he asks his customers to respond to. Over 12,000 customers have been surveyed. A PC&N hearing is supposed to be held annually unless it's been amended. He provided a copy of his comments for the record.

Ed Healy stated that the city is committed to dealing with illegal limousines. At Symphony Hall, people have to walk across the street to get a cab. The cab stand was moved from the front on Grove to around the corner on Hayes and Van Ness. 90% of the people have to walk a block to catch a cab. This should be looked into.

Christopher Fulkerson protested the structure of the review process for the taxi industry and the way it has been included into the SFMTA. There is no forum for the industry to discuss issues. The TAC mandate is for taxi medallions so it's clearly meant to be a mouthpiece for the transformation of the taxi industry. There's no union representative on the TAC because the union didn't agree. This is against policy and makes the TAC incredible. Designer medallions are not part of the medallion sales program.

Herbert Weiner discussed the 2 Clement line. It hasn't worked to the benefit of people. People who are frail or ill have to walk a block. This is not in the public interest and the public wants that line restored. The SFMTA Board doesn't represent the public. Other neighborhoods got their lines restored.

Hansu Kim commented about the taxi medallion pilot program. The sale of taxi medallions is not only a long time in coming but it addresses the issue of accessibility of medallions and a way for people to leave the industry. Other cities want to know how they can raise revenue for their city. He stated that this program has been a tremendous benefit to the industry and expressed hope that it can be expanded. During the busiest times, there aren't enough taxis servicing the public. The industry can embrace having peak time medallions but the industry won't support replacing the medallion holder as the one to receive the income.

THE FOLLOWING MATTERS BEFORE THE SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS ARE RECOMMENDED FOR ACTION AS STATED BY THE SFMTA EXECUTIVE DIRECTOR/CEO 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. Coast National Ins. vs. CCSF, Superior Ct. #505080 filed on 9/17/10 for \$3,096.75
- B. Rodney Stone vs. CCSF, Superior Ct. #CGC9493963 filed on 10/30/09 for \$13,000

RESOLUTION 11-013

(10.2) Approving the following traffic modifications:

- A. ESTABLISH – BIKE LANES – Cesar Chavez Street, eastbound, Guerrero Street to 120' east of Hampshire Street and Cesar Chavez Street, westbound, Hampshire Street to Guerrero Street.
- B. RESCIND – TOW AWAY NO STOPPING, 7AM-9AM, EXCEPT SAT AND SUN – Cesar Chavez Street, south side, Valencia Street to 240' east of Mission Street.
- C. RESCIND – TOW AWAY NO STOPPING. 7AM-6PM, MON-FRI, 9AM-6PM SAT AND SUN – Cesar Chavez Street, south side, York Street to Hampshire Street.
- D. ESTABLISH – NO LEFT TURN – Cesar Chavez Street, both directions, at Shotwell, Harrison, and Florida Streets; eastbound at Alabama.
- E. RESCIND – TWO LEFT LANES MUST TURN LEFT – Cesar Chavez Street at Guerrero Street, westbound.
- F. ESTABLISH – LEFT LANE MUST TURN LEFT – Cesar Chavez Street at Guerrero Street, westbound.
- G. ESTABLISH – TOW AWAY NO STOPPING ANYTIME, M-F, 7-9AM AND 4-7PM – Cesar Chavez, north side, from Guerrero to 120' east.
- H. ESTABLISH – NO PARKING ANYTIME (to create new exit from Capp St) – Cesar Chavez, north side, Mission to 50' east.
- I. ESTABLISH – RIGHT TURN ONLY – Florida Street, both directions at Cesar Chavez.
- J. ESTABLISH – BUS ZONE – Cesar Chavez Street, north side, between Mission and Bartlett Streets.
- K. ESTABLISH (FOR BULB OUTS) – NO PARKING ANYTIME
1. Cesar Chavez/Guerrero, north side, from Guerrero to 80' west and south side, from Guerrero to San Jose Avenue;
 2. Cesar Chavez/Valencia, north side, from Valencia to 50' west and 50' east, south side, from Valencia to 50' west and 100' east (bus bulb), west side, from CC to 40' south and east side, from CC to 50' north and 50' south;
 3. Cesar Chavez/Mission, north side, from Mission to 120' west and south side, from Mission to 60' west and 200' east, west side, from CC to 50' south and east side, from CC to 50' north and 50' south;
 4. Cesar Chavez and South Van Ness, north side, from SVN to 50' west and 80' east, south side, from SVN between 50' west and 50' east and east side, from CC to 50' north;
 5. Cesar Chavez and Folsom, north side, from Folsom to 100' west and 60' east, south side, from Folsom to 50' west and 60' east, west side, from CC to 50' north and 100' south and east side, from CC to 30' north and 100' south;
 6. Cesar Chavez and Harrison, north side, from Harrison to 50' west and 80' east, south side, from Harrison to 40' west and 40' east, west side, from CC to 80' north and 80' south and east side, from CC to 60' north and 60' south;
 7. Cesar Chavez and Alabama, north side, from Alabama to 100' east;
 8. Cesar Chavez at Florida, north side, from Florida to 50' east and south side, from Florida to 50' west; and
 9. Cesar Chavez at Bryant, north side, from Bryant to 50' west and 80' east, south side, from Bryant to 80' west, west side, from CC to 100' north and east side, from Bryant to 50' north and to Precita.
- L. ESTABLISH – UNMETERED MOTORCYCLE PARKING – Duncan Street, north side, from west of property line of 318 Duncan Street to approximately 7 feet westerly.

M. RE-OPEN – CROSSWALK – South Crosswalk at the intersection of Columbus Avenue and Leavenworth Street.

N. RE-OPEN – CROSSWALK – West Crosswalk at the Bay and Leavenworth Streets intersection.

O. RE-OPEN – CROSSWALK – West Crosswalk at the Intersection of Pine Street and Stockton Street.

P. ESTABLISH – STOP SIGNS – Stopping eastbound Kirkham Street, at 4th Avenue.

Q. RESCIND – MUNI POLE STOPS AND ESTABLISH – BUS ZONE – Herbst Road, north side, from midblock crosswalk to 80 feet west of crosswalk.

R. RESCIND – 35 MILES PER HOUR SPEED LIMIT AND ESTABLISH – 30 MILES PER HOUR SPEED LIMIT – The Embarcadero between Bay Street and King Street and King Street between 5th Street and The Embarcadero.

S. REVOKE – METERED GENERAL PARKING, 1-HOUR LIMIT, 9AM-6PM, MONDAY TO SATURDAY – 6th Street, west side, from 18' to 40' south of Minna Street and ESTABLISH – BLUE ZONE – 6th Street, west side, from 18' to 40' south of Minna Street.

T. ESTABLISH – UNMETERED MOTORCYCLE PARKING – Hayes Street, south side, from 95 to 109 feet east of Broderick Street.

U. RESCIND – RESIDENTIAL PERMIT PARKING AREA T, 4-HOUR LIMIT, 8 AM TO 3 PM, MONDAY THROUGH FRIDAY – Laguna Honda Boulevard, west side, from Merced Avenue to 110' northerly; ESTABLISH – TOW AWAY NO STOPPING ANYTIME – Laguna Honda Boulevard, west side, Merced Avenue to 110' northerly; and ESTABLISH – BICYCLE LANE – Laguna Honda Boulevard, southbound, from Dewey Boulevard to Merced Avenue.

V. RESCIND – TOW-AWAY, NO STOPPING AND TRANSIT LANE ONLY, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY – Harrison Street, north side, from Embarcadero to Main Street and Harrison Street, north side, from Fremont Street to First Street.

W. ESTABLISH – NO PARKING VEHICLES OVER 6 FEET HIGH – San Bruno Avenue, both sides, between Sweeny Street and 100 feet north of Rickard Street; and ESTABLISH – TOW-AWAY NO PARKING ANYTIME – San Bruno Avenue, both sides, between 100 feet north of Rickard Street and Alemany Boulevard; San Bruno Avenue, west side, from Hale Street to 17 feet northerly; and San Bruno Avenue, west side, from Sweeny Street to 23 feet northerly. (Explanatory documents include a staff report and resolution.) (Bond Yee)

Items 10.2 A-K were removed from the Consent Calendar at the request of staff.

Mike Sallaberry, senior engineer, Sustainable Streets presented the staff report.

PUBLIC COMMENT on Item 10.2 A-K:

Quincy Wolfensperger expressed support for fixing the street but noted that streets to the west of Guerro have been forgotten. There are problems on those streets such as collapsed sidewalks and speeding cars. He urged the SFMTA to pay attention to the entire street.

Bob Planthold stated that this issue has been around for a long time. The Senior Action Network supports the item. There are schools and vulnerable populations in that area.

Fran Taylor stated that the ongoing opposition is from drivers who will have to sit at a traffic light for a longer period of time. She expressed support for the project but requests increased east-west Muni service.

Peter Heinecke stated that there are many flaws in the current proposal and there needs to be a redesign. This degrades the level of service at many intersections which is a significant impact on a large number of people. Negative impacts were never revealed to the public during the planning process. The community wasn't presented with real alternatives. He expressed support for the aesthetic and safety changes and making the corridor more accessible to cyclists. There will be extreme traffic congestion that will be bad everyone.

Daniel Sherman expressed support for the project. The community has been working on these changes for years and it would be tragic to lose the opportunity to improve Cesar Chavez when PUC breaks ground for work on the sewer. This may slow down traffic but it will clarify where people should walk, bicycle or turn.

Cindy Burkowski stated that bicycling on Cesar Chavez is hazardous. She would gladly add a minute or two to a motorist to ensure safety for cyclists.

Anneke Swinehart stated that this project was thoughtfully designed and will improve the health safety and welfare of neighborhood residents. Cesar Chavez is a city street that should serve the public. She urged approval.

John Rinaldi stated that it's impossible to cross the street. It's a dangerous place where accidents occur all the time. Resident's cars have been side-swiped so they have to put their wheels on the curb to avoid the traffic. It's a great project and it should go forward.

Marc Caswell, SF Bike Coalition, stated that SFBC is happy that this is the final step of a great project that has been in the works for years. This will improve livability for residents. Bike lanes will connect people who live in various neighborhoods. Bike lanes are a safe way to get to work.

Jake Barlow expressed support for the project. Cesar Chavez is abysmal and unsafe and has been in decline for decades. These improvements will be a welcome addition to the bicycle network.

Barry Taranto stated that he wasn't criticizing the project or benefits but wants to make people aware of two issues that need to be mitigated. He expressed concern about eliminating a commute lane and dropping Guerrero Street from two lanes to one. The number of people who live in expensive homes and go to jobs outside the city is growing and they need to use Cesar Chavez to get to work. They need to have better commute opportunities. He expressed concern about traffic backups that will occur due to elimination of a left turn lane. Lengthening the light at Mission and Cesar Chavez needs to be examined as it will cause tremendous backups, and increased pollution..

Scott Klemmer stated that the changes will be tremendously valuable. He takes Caltrain or he bicycles whenever possible. The left hand turn improvements are really important. While much of San Francisco is green, the south eastern part has been neglected. This will bring a more pedestrian and bike friendly feel to the street.

Tone Lee stated that the most important thing is a human being. The faster you drive, the narrower your eyesight. Pedestrians are being hit and killed every day. People need time to cross the street. The SFMTA has to spend money to educate the old people. There are not many bike people on the streets but there are more and more bike lanes in the city. This leaves only one lane of traffic and buses will block those lanes.

Frank Fahey stated that this looks like Octavia Street. He has never seen a bike on Octavia St. He recommended that bike lanes be separated with concrete barriers.

RESOLUTION 11-014

On motion to approve Items 10.2 A-K:

ADOPTED: AYES – Beach, Bridges, Brinkman, Heinicke, Lee, Nolan and Oka

(10.3) Authorizing the Executive Director/CEO to execute the Memorandum of Understanding between the SFMTA and DPH that sets forth the understanding of the two agencies as to payment for certain medical care costs that result from incidents that may involve the SFMTA. (Explanatory documents include a staff report, resolution and MOU.) (Sonali Bose)

RESOLUTION 11-015

On motion to approve the Consent Calendar (Item 10.2 A-K severed):

ADOPTED: AYES – Beach, Bridges, Brinkman, Heinicke, Lee, Nolan and Oka

REGULAR CALENDAR

11. Approving amendments to Division II of the Transportation Code to authorize the issuance of a Residential Parking Permit to residents for use by childcare providers and set the permit fee amount, and clarify that Health Care Worker permits issued to residents for such use count towards the four RPP permits that may be issued to a single address. (Explanatory documents include a staff report, resolution and amendments.) (Bond Yee)

PUBLIC COMMENT:

Bob Planthold expressed opposition. This shows preference for privilege and it doesn't honor the "Transit First" policy. He raised two children on Muni. People should let their nanny use their garage or driveway or let the nanny use their car or take Muni. The need for this hasn't been established and there are do-able alternatives.

Roxanne Stachon expressed support for allowing families to forfeit one of their permits for a childcare provider. Many families couldn't be here but support the item. Shifting vehicles many times a day is unsafe and it is not practical to bring children along to move the car. Childcare is an essential for working parents. The RPP program was established to protect neighborhood living. She expressed support for "Transit First", but added that the city is interested in increasing and maintaining families with children.

Christine Hinton expressed support to allow one of the four allotted permits for a childcare provider. The current situation is unbalanced and is against working families. This is an excellent opportunity to show support for working families. She emphasized that this isn't a proposal to expand the current RPP program and urged support.

Amy Lincoln expressed appreciation for the city's efforts to improve walk-ability and public transportation. The risk that this creates a precedent for other groups has been mitigated through careful drafting. This does not create an exemption to the RPP program but builds it into the program by making the permit one of the four permits allowed. This eliminates safety concerns and makes the policy narrowly applicable to services provided in the home.

Sarah Choi stated that this is a fair and reasonable proposal. It's not just people with luxury cars that need a nanny. Most are working families that don't have a parking spot to offer. Some don't live in an area where there's a wealth of public transit options. The principle of "Transit First" is to ensure the safe and efficient movement of goods. This includes children. She has tried to use bicycles but shuttling two kids is difficult.

Mardi Lucich, Department of Children Youth and Families, expressed support for the exemption for child care providers and for strategies that promote the retention of families with children. 55% of families who need licensed care are not able to find it. More than 1 in 10 San Francisco residents are working parents with kids under 13. In-home child care is an essential service. This policy change is important.

Leslie Doughty stated that she has seen parking problems grow more and more difficult. This encourages cars to park for a long time and encourages less flexibility in areas that are already limited. Residents should be treated equally. She urged the Board to consider a lower age limit than 12 as a child that age can be left alone for a few minutes. She expressed concern about the time of day and transferability of the permits. We want to maintain "Transit First" so other ways should be found.

Caterine Stefane, Legislative Aide to Supervisor Mark Farrell, stated that Supervisor Farrell supports the proposal. Childcare providers need their car. There needs to be policies in place that support working families. Working families have tried "transit first" alternatives but it's extremely difficult. Allowing the use of one of the four household permits is a good compromise. This will help generate additional revenue and will serve unique needs.

Tone Lee stated that he is strongly against this proposal. A lot of residents don't want to feed the meter. Cab drivers pick up nannies. Residents have to turn over parking spaces and will abuse the system.

Director Lee moved that the resolution be amended to require a resident survey and establishing a pilot project with the understanding that before the pilot project commences, staff would return to the Board to discuss the appropriate age and penalty for violation:

Exec. Director/CEO Ford stated that staff would bring back the item to further discuss the resident survey, pilot project and the age and penalty prior to implementation so the Board could modify the program if they desired.

Director Lee withdrew his amendment.

RESOLUTION 11-016

On motion to approve:

ADOPTED: AYES – Bridges, Heinicke, Lee and Nolan

NAYES - Beach, Brinkman and Oka

12. Adopting amendments to Transportation Code, Division II, Article 1100 to define "gas and gates" operation of a taxi, to require medallion purchasers who make a down payment of less than 20 percent of the purchase price of a medallion to operate the medallion as "gas and gates" until the seller's down payment subsidy is paid in full, to amend administrative hearing procedures, revise taxi vehicle equipment standards, require implementation of electronic waybills, change the reporting deadline for the Taxi Advisory Council to submit its recommendations regarding the Taxi Medallion Sales Pilot Program to March 31, 2011, and amend the eligibility requirements to become a San Francisco taxi driver. (Explanatory documents include a staff report, resolution and amendments.) (Sonali Bose)

Board Secretary Boomer stated that staff requested an amendment to the resolution that would delete the change to the minimum age and keep it at 24 years of age.

PUBLIC COMMENT:

Christopher Fulkerson stated that due to the sheer number of items, there's too much to say and the items merit more discussion than allowed in two minutes. The "gas and gates" at the beginning of the borrowing period makes sense. Bankers are offering balloon payment loans. Balloon loans for homes are illegal but bankers have found a new culprit. March 31st is too soon for a recommendation.

Richard Hybels stated that a 2008 taxicab with 300,000 miles is not as good as a 2005 cab with 150,000 miles. It doesn't make sense to throw away a car because of its age. No insurance company will insure a 21 year old.

Charles Rathbone stated that several of their suggestions were incorporated but he would like to have additional changes such as weekly reporting. These changes have been discussed for months and he urged adoption.

Saam Aryan stated that electronic waybills are good because all of the information can be accessed. Using a GPS-based system is flawed. There will be nothing in writing and no record of what happened.

Barry Taranto expressed concern about the process and inquired if all board members had read all of the pages. If not, approving the item would be uncompassionate. Items related to safety and procedure need to be approved but others need additional review especially if they affect peoples' income, safety and privacy. He urged staff to hold more town hall meetings and to provide information as to when there were public hearings on these items. Most of the stuff doesn't have a fiscal impact to the SFMTA but it does have an impact on the industry.

Tariq Mehmood asked if other companies would make available their contracts and how much money they make from each client. Something will go wrong someday with e-waybills. This will slaughter the industry. E-waybills are not good for the driver's future. Cab companies will benefit but not the driver.

Tone Lee stated that medallion sales are good and many drivers regret not signing up. E waybills are not good. Drivers are afraid of them and worry that it will impact flexibility. This puts a camera in their offices. The industry is not ready for electronics.

Ed Healy stated that these details have been discussed and it's time to do something. Changing the age requirement is silly because no insurance company will insure a 21 year old.

Jim Gillespie stated that e-waybills and new cars could put a lot of demand on the industry that could cost a lot of money. The industry funds the staff of the Taxi division through renewal fees and now revenue from medallion sales is going to the SFMTA with nothing going to taxis. Some percent should go to taxis. Fees have tripled in last few years. The legislation could be good for the industry but it places a financial burden on them.

Frank Fahy stated that implementation of e-waybills is a significant paradigm change that will take time to understand and adapt. He requested additional time to test the equipment before they are required to have it and suggested a September start date. Information gathered through electronic waybills should be for the benefit of the driver and not for the company. Regarding the "Gas and Gates" issue, there should be a set amount of time for payment in full. Losses to the company from the sale and transfer of the medallion from long term lease should also be addressed.

Athan Rebelos expressed support for the item. There's a lot of misunderstanding of the technology. It is used around the country. His company has been using it for over a year. This will bring results that will be noticed by the public.

Hansu Kim stated that the SFMTA has provided strong leadership on taxi issues, including handling difficult taxi issues. Taxi Services has provided a forum for drivers and companies to discuss issues at town hall meetings. This item has been vetted over and over with the industry. Those who are opposed don't want accountability. This provides tools for accountability and will create a fair and even playing field.

On motion to delete language that increases the minimum age qualification from 21 to 24:

ADOPTED: AYES – Beach, Bridges, Brinkman, Heinicke, Lee, Nolan and Oka

In response to a concern raised by Director Oka, Exec. Director/CEO Ford stated that he would address how the use of credit cards in taxicabs is being administered at the next regular meeting.

RESOLUTION 11-017

On motion to approve the item as amended:

ADOPTED: AYES – Beach, Bridges, Brinkman, Heinicke, Lee, Nolan and Oka

13. Approving amendments to Transportation Code, Division II by adding Section 1009 to prohibit any non-SFMTA vehicle from parking on designated SFMTA property unless such vehicle displays valid proof of payment, and modifying Section 302 to establish a citation penalty amount for violation of Section 1009 and Section 308 to authorize the Director of Transportation to designate the SFMTA Customer Service Center locations which are subject to an In-Person Customer Service Center transaction fee. (Explanatory documents include a report and amendments.) (Sonali Bose)

PUBLIC COMMENT:

Bob Planthold expressed concern because not all of the details have been made clear. There may be 30% of the operators and other employees who either start or end their shift before or after transit ends so the only way they can get to work is by driving. It's unfair to charge those employees when they don't have an alternative. He questioned what would happen if a special pass is given to someone who has a special shift and then that person changes shifts.

Rafael Cabrera, TWU Local 250-A, stated that this is a continuation from the January 18 meeting and questioned why a bulletin was issued that initiates a parking prohibition on February 1, before the SFMTA Board has approved it and without meeting and conferring with 250-A. Some employees come in at 3:30 in the morning or get off late at night. The process has been violated and he demanded that a stop be put to it.

Art Gonzalez stated that workers who repair vehicles must come in at all hours of the night. Their contract has parking language in it. This isn't a meet and confer issue. It ignores the fact that employees can't afford to live in San Francisco and have to drive in at all hours of the night. The fact that they work on different shifts and in different areas needs to be respected.

Christopher Fulkerson stated that he understands that parking comes with a union contract and to not honor a contract is wrong. The wording of this item is boilerplate and is not clear about the fact that parking is being taken away. He stated that he was disappointed to see this.

Kevin Hughes, IBEW Local 6, expressed opposition. Public transit employees should be treated differently because they don't have a choice. The public is encouraged to use public transit but workers may not have those same options. Other city departments aren't required to pay but public transit employees are being held to a public standard rather than those of other city departments. He suggested getting an opinion from counsel and asking for a cost-benefit analysis.

On motion to amend the resolution to add a proviso that, under no circumstance, will implementation of this item violate the terms of any collective bargaining agreement:

ADOPTED: AYES – Beach, Bridges, Brinkman, Heinicke, Lee, Nolan and Oka

RESOLUTION 11-018

On motion to approve as amended:

ADOPTED: AYES – Beach, Bridges, Brinkman, Heinicke, Lee, Nolan and Oka

14. Recommending that the Board of Supervisors approve amendments to the Transportation Code, Division I, by amending Section 7.2.30 to establish a two-hour maximum time limit for parking at inoperable or broken parking meters for on-street parking, and adding Section 7.2.65 to establish a two

hour maximum time limit for parking at inoperable or broken parking meters for off-street parking. (Explanatory documents include a staff report, resolution and amendments.) (Sonali Bose)

PUBLIC COMMENT:

Barry Taranto stated that this was a fair resolution and addresses the concerns of the public and the Board. The SFPD should be charged for parking on their property.

RESOLUTION 11-019

On motion to approve:

ADOPTED: AYES – Beach, Bridges, Brinkman, Heinicke, Lee, Nolan and Oka

15. Authorizing the Executive Director/CEO to execute Contract No. 1239, Church and Duboce Track Improvement Project, with NTK Construction, in an amount not to exceed \$16,741,793.50 and for a term not to exceed 710 calendar days. (Explanatory documents include a staff report, resolution and financial plan.) (Fariba Mahmoudi)

Director Beach requested information regarding the impact of construction on the public.

Director Brinkman requested a study regarding the signalization of trains at intersections throughout the city.

No public comment.

RESOLUTION 11-020

On motion to approve:

ADOPTED: AYES – Beach, Bridges Brinkman, Heinicke, Lee, Nolan and Oka

16. Discussion and vote pursuant to Administrative Code Section 67.10(d) as to whether to conduct a closed session and invoke the attorney-client privilege.

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 4:22 p.m.

2. Roll Call

Present: Cameron Beach

Cheryl Brinkman

Leona Bridges

Malcolm Heinicke

Jerry Lee

Tom Nolan

Bruce Oka

Also present: Nathaniel Ford, executive director/CEO

Roberta Boomer, board secretary

Julia Friedlander, deputy city attorney

Carter Rohan, deputy executive director

Debra Johnson, director, Administration, Taxi and Accessible Services

Sonali Bose, director, Finance and Information Technology

John Haley, director, Transit Services

Milton Henry, senior manager, Safety, Security, Enforcement and Training

Gina Rocanova, deputy city attorney

Rumi Ueno, manager, Labor Relations

Carole Stevens, attorney

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. Rodney Romwall vs. CCSF, Superior Ct. #CGC9491471 filed on 8/14/09 for \$100,000

RESOLUTION 11-021

On motion to approve:

ADOPTED: AYES – Beach, Bridges Brinkman, Heinicke, Lee, Nolan and Oka

4. Pursuant to Government Code Sections 54956.9, and Administrative Code Section 67.8 (a) (3) the Municipal Transportation Agency Board of Directors will meet in closed session to discuss attorney-client matters in the following case:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

 X As defendant or X As plaintiff

5. 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: Debra Johnson and/or her designees

Employee Organizations:

TWU, Local 250-A and TWU, Local 200

To discuss:

Wages

Hours

Benefits

Working Conditions

Other

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 5:08 p.m.

17. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss Romwall vs. CCSF with the City Attorney. The Board of Directors voted unanimously to settle the case. The Board also discussed labor negotiations but took no action. There was no discussion of anticipated litigation.

18. 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 5:09 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.

STATEMENT SUPPLIED BY PETER WITT FOR INCLUSION IN THE SFMTA's MINUTES OF February 1, 2011. To ensure that the comments are accessible on-line, Mr. Witt's statement is reproduced exactly as written below. A PDF of the actual statement provided will be added to the printed meeting minutes.

Feb. 1st 2011

Peter Witt

For the record ,

The First Longest and Most Accurate , P.C.& N. Taxi-data generated was submitted “annually” .. by myself in 1998,

....to provide A fair and objective accounting of taxi service.

Data that includes...

2009 San Francisco Taxi Customer Survey (XII)

1.) Yes, in San Francisco I (check one or more, as applies) ___ Play ___ Work ___ Live ___ Vote.

NO __, I do not live in “San Francisco” but in _____(city, state or country)

2.) When in S. F. I TRAVEL MOSTLY BY; ___ Taxi (company?) _____ ___ Muni ___ Both ___ Other

3.) In my opinion San Francisco TAXI SERVICE IS: _____ / _____ / _____

UNSATISFACTORY GOOD

EXCELLENT

Because (?) ___ All the time

___ Sometimes _____ (?) day

and/ or night.

4.) I think San Francisco, CAB DRIVERS ARE GENERALLY; _____ / _____ / _____

UNSATISFACTORY GOOD

EXCELLENT

Because (?) _____

5.) To San Francisco’s Taxi Fleet, I would add; _____ More cabs ___ Not Sure ___ No more

(population 819,077) (1,500 cabs)

(number of cabs)

___ MALE/ FEMALE ___

Because (?)

Name _____ Address _____ Date _____

(or initials)
country)

(neighborhood, zip code, city, state or

Age group: ___ age 18-26 ___ 27-35 ___ 36-55 ___ 56-70 ___ -older (for use by U.T.D.)

2) Irrefutable S.F. Taxi service data.

1) unpressdented

311 Free language assistance / 免費語言協助 / Ayuda gratuita con el idioma / Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuite / 無料の言語支援 / 무료 언어 지원 / Libreng tulong para sa wikang Tagalog / ความช่วยเหลือทางภาษา “ฟรี” โดยไม่เสียค่าใช้จ่าย

This document is hosted on [Xtreet Open Data](#)

Archived on January 12, 2017

Original URL: <http://archives.sfmta.com/cms/cmta/SFMTABoardFeb.12011minutes.htm>