

## ORDER OF BUSINESS

### 1. Call to Order

Chairman Nolan called the meeting to order at 1:05 p.m.

### 2. Roll Call

Present: Leona Bridges  
Cheryl Brinkman  
Malcolm Heinicke  
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 June 5, 2012 Regular Meeting: unanimously approved.

### 5. Communications

None.

### 6. Introduction of New or Unfinished Business by Board Members

Chairman Nolan stated that the meeting would be adjourned in memory of Chris Heinicke.

Director Ramos requested an update regarding creating a “bike culture” in San Francisco.

### 7. Director’s Report (For discussion only)

- Special Recognition Awards
- Central Subway project update
- Ongoing Activities

Chairman Nolan recognized former Director, Bruce Oka for his service. Bruce Oka expressed appreciation to the Board.

Director Reiskin and Chairman Nolan presented a plaque to Debra Johnson, Director, Administration, Safety and Training.

Director Reiskin presented a special recognition award to Ernestine Mims, transit operator; Green Division, Transit Services.

Director Reiskin discussed the Central Subway Project, the Church and Duboce project, taxi service for the US Open; the SFMTA's new logo; use of part time operators and introduced Vince Harris as the new Director of Capital Projects and Construction.

#### PUBLIC COMMENT:

Francisco DaCosta stated that Bruce Oka did a great service and that nothing negative can be said about him. He also discussed the Central Subway Project and the need to ensure that small businesses aren't hurt. He also expressed appreciation for the bus shelters at Third and Palou.

Barry Taranto welcomed Director Rubke and suggested that she get a paratransit debit card. He also discussed the use of spare cabs.

Tariq Mehmood discussed other special events held in San Francisco and said that there isn't a need for more taxicabs. Cab drivers don't want more cabs and those who say more cabs are needed have a financial interest in having more cabs.

Hansu Kim expressed appreciation for being allowed to use the spare cabs in order to meet demand. He expressed appreciation to Ms. Johnson and welcomed Director Rubke.

Tone Lee stated that the SFMTA has done much for the public but needs to have better public relations. Safety isn't only a problem for Muni drivers. Sound could be used to alert people.

#### 8. Citizens' Advisory Council Report

No report.

#### 9. Public Comment

Herbert Weiner discussed a memo he sent regarding his concerns. There are some bus stops that don't announce vehicles. Buses don't arrive on time. He stated that he would like to see a public disclosure of the SFMTA's internal operations on an annual basis. The TEP should be halted and re-examined. There hasn't been an improvement in service delivery.

Dorian Maxwell discussed an article about the conditions of Muni equipment. There's a hostile working environment. He asked the Board to rectify the retaliation against him. He stated that he is an advocate for health and safety and nothing has been done. He would like to resolve the matter and his next move will be a legal one.

Francisco Da Costa asked the Board to work with university students on a general management plan with a focused emphasis on transportation. Board members need to go to the southeast sector to see how seniors are served. The spacing of bus stops are far away on Van Ness which adversely impacts seniors. Seniors should be respected.

Jane Martin, POWER, provided an update on the "Free Muni for Youth" program. The Transportation Authority has allocated funds and POWER is now working with MTC. MTC has recommended \$4 million in funding. This pilot is a perfect fit for the MTC funds. She asked the Board to reach out to MTC Commissioners. They are also working on the evaluation, education and implementation components.

Charles DuBois expressed support for Dorian Maxwell who was fired for being a whistleblower. The police are responsible for the death of Kenneth Harding, Jr. His mother called for a shutdown of Muni on the day he was shot. He wants justice for fired workers.

Neal Patel, SFBC, provided an update on bicycle safety and education. In July they are offering free cycling workshops including specialty courses. He expressed appreciation to the Board for approving parking relocation changes on 17<sup>th</sup> Street between Harrison and Potrero.

Nathan Dwiri discussed his experience in the taxi industry and taxi regulations. More regulations aren't a step forward. The question that the Board needs to ask about any regulation is whether it results in a better, more efficient and responsive industry that serves the public.

Barry Taranto discussed peak time taxis and when demand is high and low. He urged the Board to make a decision about Ubercab. The CPUC is ignoring the issue and they need to be regulated. He also discussed staffing changes and representation at key meetings.

Tariq Mehmood discussed taxi regulations and e-waybills. The drivers don't want them and they invade the privacy of taxi driver and passengers. The Board doesn't understand the industry and is incapable.

Hansu Kim expressed his faith in the agency to move the industry forward. He expressed concern about changes to the credit card fee and called it an unfunded mandate that will have consequences. Companies are investing in services but are put into a position of non-competitiveness with no enforcement and no standards. They can't compete against companies who aren't meeting the standards. The SFMTA should create high standards and apply them evenly.

Tone Lee expressed support for the SFMTA but it has wasted a lot of money. The T-line is losing money. Out of town cabs come to San Francisco on the weekend to make money.

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. 7<sup>th</sup> 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. Paul Stefas vs. CCSF, Superior Ct. #11515943 filed on 11/16/11 for \$3,500
- B. Francesca Marquez vs. CCSF, Superior Ct. #11509682 filed on 3/29/11 for \$30,000
- C. The Paymon Ghafouri Family vs. CCSF, Superior Ct. CGC10501101 filed on 6/25/11 for \$45,000

#### RESOLUTION 12-083

(10.2) Approving the following traffic modifications:

- A. RESCIND – 2-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY – Mississippi Street, east side, from Cesar Chavez Street to northern terminus.
- B. ESTABLISH – 1-HOUR PARKING TIME LIMIT, 7:00 AM TO 2:00 PM, EXCEPT SUNDAY – Mississippi Street, east side, from Cesar Chavez Street to northern terminus.
- C. ESTABLISH – STOP SIGNS – Cargo Way and Jennings Street, stopping eastbound Cargo Way, making this T-intersection an All-Way STOP.
- D. ESTABLISH – STOP SIGNS – Cargo Way cycletrack and mid-block USPS driveway, stopping east and westbound Cargo Way cycletrack.
- E. ESTABLISH – TOW-AWAY, NO PARKING, 10 PM TO 6 AM, DAILY – Quint Street, both sides, between Oakdale and Jerrold avenues; and Newcomb Street,

- both sides, between Rankin and Quint streets.
- F. ESTABLISH – NO PARKING VEHICLES MORE THAN 6 FEET TALL – Galvez Street, south side, from 3<sup>rd</sup> Street to Newhall Street.
  - G. ESTABLISH – TOW-AWAY, NO PARKING, 10 PM TO 6 AM – Galvez Street, north side, from 3<sup>rd</sup> to Newhall streets.
  - H. ESTABLISH – RESIDENTIAL PERMIT PARKING AREA Z, 2-HOUR PARKING, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY – Dolores Street, 1000 Block, both sides, between 23<sup>rd</sup> and 24<sup>th</sup> streets.
  - I. ESTABLISH – TOW-AWAY, NO PARKING, 10 PM TO 6 AM, DAILY – Carolina Street, both sides, between 15<sup>th</sup> and 16<sup>th</sup> streets; and Irwin Street, both sides, between 7<sup>th</sup> and 8<sup>th</sup> streets.
  - J. ESTABLISH – TOW-AWAY, NO PARKING, 10 PM TO 6 AM, DAILY – Hubbell Street, both sides, between 7<sup>th</sup> and 16<sup>th</sup> streets.
  - K. ESTABLISH – NO PARKING ANYTIME – Gough Street, west side, from 50 feet to 70 feet south of Turk Street, to accommodate a 6-foot bulb.
  - L. ESTABLISH – PART TIME BUS ZONE, 7 AM TO 8 PM, MONDAY THROUGH FRIDAY – 9<sup>th</sup> Street, east side, from Market Street to 95 feet southerly.
  - M. ESTABLISH – FARMER'S MARKET PERMIT PARKING, 6 AM TO 9:30 AM, WEDNESDAYS – Leavenworth Street, 50-100 Block, east side, between Golden Gate Avenue and McAllister Street, at seven general meter parking spaces.
  - N. ESTABLISH – CROSSWALK CLOSURE – Closing of the western crosswalk at the intersection of Fulton Street and Funston Avenue, and close the eastern crosswalk at the intersection of Fulton Street and 14<sup>th</sup> Avenue.
  - O. ESTABLISH – 30 MILES PER HOUR SPEED LIMIT – Winston Drive between Buckingham Way and Lake Merced Boulevard.
  - P. ESTABLISH – NO PARKING ANYTIME and ESTABLISH – SIDEWALK WIDENING – 16th Avenue, west side, from Balboa Street to 24 feet southerly; Balboa Street, south side, from 8 feet to 24 feet west of 16th Avenue; Balboa Street, north side, from 12 feet to 24 feet west of 16th Avenue; Balboa Street, north side, from 21st Avenue to 19 feet easterly; 22nd Avenue, west side from 12 feet to 24 feet north of Balboa Street; Balboa Street, north side, from 22nd Avenue to 19 feet westerly; 22nd Avenue, west side, from 11 feet to 24 feet south of Balboa Street; 24th Avenue, east side, from 11 feet to 24 feet north of Balboa Street; 24th Avenue, east side, from 10 feet to 24 feet south of Balboa Street; Balboa Street, south side, from 24th Avenue to 18 feet easterly; 26th Avenue, east side, from Balboa Street to 14 feet northerly; Balboa Street, north side, from 14 feet to 20 feet east of 26th Avenue; 40th Avenue, west side, from Balboa Street to 24 feet southerly; Balboa Street, south side, from 40th Avenue to 34 feet westerly; 41st Avenue, west side, from Balboa Street to 20 feet southerly; Balboa Street, south side, from 5 feet to 24 feet west of 41st Avenue; 42nd Avenue, west side, from Balboa Street to 24 feet southerly; and Balboa Street, south side, from 12 feet to 24 feet west of 42nd Avenue.
  - Q. ESTABLISH – 25 MILE PER HOUR SPEED LIMIT – 8<sup>th</sup> Street, between Market Street

and Townsend Street.

- R. ESTABLISH – RED ZONE – 8<sup>th</sup> Street, west side, from Natoma Street to 26 feet northerly; and 8<sup>th</sup> Street, east side, from Natoma Street to 30 feet northerly.
- S. REVOKE – BUS ZONE – 8<sup>th</sup> Street, west side, between Natoma Street and Howard Street.
- T. ESTABLISH – PARKING METERS, 1-HOUR TIME LIMIT, AREA 2, 7 AM – 6 PM, MONDAY THROUGH SATURDAY – 8<sup>th</sup> Street, west side, from 58 feet north of Howard Street to 14 feet north of Howard Street.
- U. ESTABLISH – BUS ZONE – 8<sup>th</sup> Street, west side, from Howard Street to 100 feet southerly.
- V. ESTABLISH – RIGHT LANE MUST TURN RIGHT EXCEPT MUNI – 8<sup>th</sup> Street at Mission Street; and 8<sup>th</sup> Street at Howard Street. (Explanatory documents include a staff report and resolution.)

#### RESOLUTION 12-084

(10.3) Authorizing the extension of the existing agreement with Serco for services in support of the SFpark Program and associated pilot projects and amending the San Francisco Transportation Code, Division II, Section 412, to extend the expiration date for Parking Meter Zone Five to June 30, 2014. (Explanatory documents include a staff report, resolution, amendment and agreement.)

#### RESOLUTION 12-085

(10.4) Authorizing the Director to execute the First Amendment to Cooperative Agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District (BART) to set forth SFMTA responsibilities relating to construction of the Central Subway Project and its impact on BART's Powell Street Station. (Explanatory documents include a staff report, resolution, financial plan and agreements.)

#### RESOLUTION 12-086

(10.5) Authorizing the Director to request the Board of Supervisors to consider adoption of Resolutions of Necessity for the acquisition of the Temporary Construction Licenses required for the Central Subway Project along the tunnel alignment and adjacent to the Chinatown, Union Square/Market Street and Moscone stations for their fair market value; and if the Board of Supervisors adopts such Resolutions of Necessity, further authorizes the Director of Transportation to take such actions that are consistent with the City's Charter and all applicable law, to proceed to acquire the Temporary Construction Licenses. (Explanatory documents include a staff report, resolution and financial plan.)

#### RESOLUTION 12-087

(10.6) Appointing Don Ellison, Manager, Human Resources to the Board of Trustees for the Transport Workers Union-San Francisco Municipal Railway Trust Fund, effective immediately and Mike Helms, effective July 6, 2012. (Explanatory documents include a staff report and resolution.)

RESOLUTION 12-088

(10.7) Approving successor Collective Bargaining Agreements between the SFMTA and service critical employees represented by SEIU, Local 1021, TWU 250-A (for Automotive Service Workers), IBEW Local 6, IAM Local 1414, and the Municipal Executives Association to be effective July 1, 2012. (Explanatory documents include a staff report, resolution and agreements.)

Director Reiskin noted that minor clerical changes had been made to some of the Collective Bargaining Agreements.

RESOLUTION 12-089

On motion to approve the Consent Calendar:

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

REGULAR CALENDAR

11. Presentation and discussion regarding the status of the FY13 and FY14 Operating Budget. (Explanatory documents include a slide presentation.)

Ed Reiskin, Director of Transportation, presented the item.

PUBLIC COMMENT:

Barry Taranto discussed the SFPD work order, taxi enforcement and how the industry is not getting information about proposed changes or the budget.

12. Amending Transportation Code, Division II Section 905 to permit the purchase of Residential Parking Permit visitor permits on a daily or weekly basis and limit the number of one day visitor permits that may be purchased by a residential address in a single year to twenty during any permit year; and amending Section 906 to prohibit the use of Contractor parking permits at parking meters within 1,500 feet or three blocks, whichever is greater, of the Contractor's registered business address or any satellite office unless actively loading and unloading, and restrict the use of the permit to only when a Contractor is engaged in business related activity. (Explanatory documents include a staff report, resolution and amendments.)

Sonali Bose, Director, Finance and Information Technology, and Susan Reynolds, Director of Real Estate, Port of San Francisco; and David Rosales, Port of San Francisco presented the item.

**PUBLIC COMMENT:**

Members of the public expressing opposition: Sean Stout and James Pettigrew.

Members of the public expressing support: Leonard Lynch

**RESOLUTION 12-090**

On motion to approve:

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

13. Presentation and discussion regarding the Better Market St. Project. (Explanatory documents include a slide presentation.)

Kris Opbroek, Project Manager, Department of Public Works, presented the item.

No public comment.

14. Declining to renew excess transit liability personal injury and property damage insurance coverage, return the SFMTA to completely self-insuring personal injury and property damage claims by third parties and place on reserve the amount of the premiums for any such coverage to help cover future potential claims. (Explanatory documents include a staff report and resolution.)

No public comment.

**RESOLUTION 12-091**

On motion to approve:

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

NAYES – Heinicke

15. Discussion and vote pursuant to Administrative Code Section 67.10(d) as to whether to conduct a closed session.

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

**RECESS REGULAR MEETING AND CONVENE CLOSED SESSION**



CLOSED SESSION

1. Call to Order

Chairman Nolan called the closed session to order at 3:48 p.m.

2. Roll Call

Present: Leona Bridges  
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  
Julia Friedlander, Deputy City Attorney  
Debra A. Johnson, Director, Administration  
Don Ellison, Deputy Director, Human Resources

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. TWU Local 250, TWU Local 200, SEIU, Local 1021, IAM, Local 1414, IBEW, Local 6 v. CCSF, Public Employee Relations Board, Charge No. SF-CE-827-M, filed on 3/1/2011

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

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION - The closed session was adjourned at 4:03 p.m.

16. Announcement of Closed Session.

Chairman Nolan announced that the SFMTA Board of Directors met in closed session to discuss TWU Local 250, TWU Local 200, SEIU, Local 1021, IAM, Local 1414, IBEW, Local 6 vs. CCSF with the City Attorney. The Board of Directors took no action. The Board did not discuss anticipated litigation.

17. 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 4:05 p.m. in memory of Chris Heinicke.

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](http://sfgov.org/ethics).

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