



# DRAFT MINUTES

## SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY

Tuesday, October 16, 2018

### 1. Roll Call

Chair Peskin called the meeting to order at 10:03 a.m.

**Present at Roll Call:** Commissioners Brown, Fewer, Mandelman, Peskin, Ronen, Stefani and Tang (7)

**Absent at Roll Call:** Commissioners Cohen (entered during Item 4), Kim (entered during Item 4), Safai (entered during Item 5), and Yee (entered during Item 5) (4)

### 2. Citizens Advisory Committee Report – INFORMATION

John Larson, Chair of the Citizens Advisory Committee (CAC), reported the CAC recommended approval of the Prop K allocation requests, but noted the CAC's concern about the Transit Corridor Study and the Streets and Freeway Study. In particular, he commented on the CAC's concerns about the impacts projects recommended in those two studies would have on housing availability, affordability, and gentrification. He said the CAC encouraged the usage of a displacement metric to be included in the studies as part of project evaluation. He reported the CAC requested a wide enough lane separation for bike pathways designed for Yerba Buena Hillcrest Road and the Treasure Island Road bike path, due to the anticipated increase of traffic. Mr. Larson commented on the CAC's concern on the non-competitive bid processes for bike share company contracts, such as the Ford GoBike program. He said the CAC recommended approval of the TFCA program and projects. Mr. Larson said the CAC supported the efforts of the Transportation Authority to recognize late designer Michael Robert Painter's contributions to the Presidio Parkway designs and also rallying State legislation approval of renaming the Doyle Drive tunnels in honor of Mr. Painter.

There was no public comment.

### 3. Approve the Minutes of the September 25, 2018 Meeting – ACTION

Chair Peskin asked the Clerk of the Board to clarify the revision to the minutes of the previous board meeting, noting that the minutes had already been corrected and reposted on the agency's website. The Clerk stated that the title for Item 4 needed to be revised from November 17 to September 11, 2018.

There was no public comment.

Commissioner Brown moved to amend the minutes as stated, seconded by Commissioner Mandelman.

Commissioner Stefani moved to approve the amended minutes, seconded by Commissioner Brown.

The minutes were approved without objection by the following vote:

Ayes: Commissioners Brown, Fewer, Mandelman, Peskin, Ronen, Stefani and Tang (7)

Absent: Commissioners Cohen, Kim, Safai and Yee (4)

**4. State and Federal Legislation Update – INFORMATION**

Mark Watts, State Legislative Advocate, presented the item.

Commissioner Yee asked what coordination with city agencies and lobbying firms had occurred around AB 2989 (Flora), which dealt with the regulation of electric scooters, and how the effort was prioritized.

Mr. Watts stated that he used the Transportation Authority's letter regarding the bill to develop talking points for his conversations with state legislators and that he coordinated with the city's lobbying firm to circulate the letter in the Legislature. He noted that when he spoke with the Committee Chair's office, staff confirmed they would make changes but did not provide specifics. He said he was not able to stop the measure from moving forward.

Commissioner Yee asked whether additional effort could have helped address the time constraints.

Mr. Watts responded that time constraints were less of an issue than the need for timely coordination with committee staff on the bill's specifics.

There was no public comment.

**5. Allocate \$1,470,529 in Prop K Sales Tax Funds for Eight Requests, with Conditions, and Appropriate \$490,000 in Prop K Sales Tax Funds for Three Requests – ACTION**

Oscar Quintanilla, Transportation Planner, presented the item per the staff memorandum.

Commissioner Yee asked staff to elaborate on the youth bicycle education request, in particular how schools were chosen and how the program was sustainable.

Miriam Sorrell, Project Manager at San Francisco Municipal Transportation Agency (SFMTA), clarified that there was limited funding and the SFMTA was still learning about how to approach the implementation of this program. She gave the example of the elementary school component, in which SFMTA had implemented classes at three elementary schools from a variety of locations and demographics trying to understand how best to implement this program. She said the SFMTA chose schools in close coordination with the school district, considering factors like availability within the school's physical education department to provide these classes, as well as other factors to make sure they were reaching a diversity of schools.

Commissioner Yee expressed concern for the sustainability of funding for each school and asked if the expectation was that schools would raise funding to sustain these classes, considering that not all schools were able to raise money for these types of programs.

Ms. Sorrell stated that this funding request was just for the spring semester of the 2018/19 school year, and that fall funding would come from sources like One Bay Area Grant and the Active Transportation Program for the following two years. She acknowledged that SFMTA was still working on a long-term strategy, and recognized Commissioner Yee's concerns that these programs were offered equitably among schools.

Commissioner Yee requested that the SFMTA present to the Board on the long-term strategy once it was developed.

Commissioner Cohen asked if the list of schools was already compiled and how schools were selected. She hoped that at least two District 10 schools would be on the list.

Ms. Sorrell stated that schools had not yet been selected for the spring program. She said the program could only fund a total of nine schools and was not sure if two District 10 schools would be funded for the spring. Ms. Sorrell added that the program was ongoing and the SFMTA would keep working on building the list of school locations.

Commissioner Cohen stated that she hoped SFMTA could be persuaded to favor District 10, due to lack of transportation resources in the district. She further expressed her wish that program resources would be focused on where they would be needed and not where it was most convenient. She SFMTA to include Thurgood Marshall High and Carver Elementary schools in the program.

Commissioners Fewer requested that Presidio Middle School be included in the program, as well as other schools in District 1.

Commissioner Safai requested incorporating James Denman Middle School, the only middle school in District 11, into the program as well.

During public comment Christopher White, Program Coordinator at San Francisco Bicycle Coalition, provided support for the bicycle safety education request. He said that in the past 20 months this program provided bicycle safety education to 1,655 children and adults and reached well over 15,000 through community outreach. He shared the positive experience of one of the participants of the adult education component.

Commissioner Brown moved to approve the item, seconded by Commissioner Mandelman.

The item was approved without objection by the following vote:

Ayes: Commissioners Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee (11)

Absent: none (0)

**6. Adopt Ten 2019 Prop K 5-Year Prioritization Programs (5YPPs) and Amendment of Eight 2014 5YPPs – ACTION**

Anna LaForte, Deputy Director for Policy & Programming presented the item per the staff memorandum.

There was no public comment.

Commissioner Tang moved to approve the item, seconded by Commissioner Yee.

The item was approved without objection by the following vote:

Ayes: Commissioners Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee (11)

Absent: none (0)

**7. Approve Part 2 of the Fiscal Year 2018/19 Transportation Fund for Clean Air (TFCA) Program of Projects, with Conditions – ACTION**

Mike Pickford, Senior Transportation Planner, presented the item per the staff memorandum.

Commissioner Yee said there was a lot of public interest in publicly and privately owned electric vehicle charging stations. He asked for a future agenda item on the city's policies around chargers.

He said he supported electric vehicles but observed that private companies sometimes took space away from the public when installing chargers. Commissioner Yee said he wanted to better understand the cost to the city and what private companies were paying to use the public infrastructure.

Zac Thompson, Zero Emission Vehicle Analyst at SF Environment, explained that the grant would fund charging stations for Maven, but the public could access the electric vehicles with a free carsharing membership.

Commissioner Yee compared the proposal to having the city provide a building for a fitness club that offered free memberships. He asked what the city was getting out of the investment since the private company would benefit financially from the project.

Mr. Thompson said the owner of the site where the charging stations were installed would benefit as well as the carsharing company and its users who not need to own private vehicles as a result of the service. He also said the vehicles would be emission-free.

Commissioner Yee asked if the city had a policy around investments in charging stations, noting that electric autonomous vehicles were currently applying to operate in San Francisco and would want access to charging stations.

Mr. Thompson said he did not know what the city's policy was on charging infrastructure for private autonomous vehicles.

Commissioner Yee noted that many charging stations were being installed for private companies and asked why the city was allowing these companies to take over public streets. He said the city should have a policy for these issues, to allow city officials to evaluate and decide whether to support these types of projects.

Mr. Thompson responded that SF Environment agreed and would be interested in participating in future discussions and policy development.

Commissioner Yee asked if the Transportation Authority could lead the policy discussion.

Director Chang proposed she could work with Deborah Raphael, SF Environment's Director, who was leading a citywide electric vehicle strategy initiative, and then return to the Board with an update.

Chair Peskin thanked Commissioner Yee for his initiation of the policy discussion and said he supported a future update on the topic.

Commissioner Cohen asked for confirmation that TFCA funding was recommended for the San Francisco State bike share program for low income students, including 400 that were eligible for Pell Grants and were the most vulnerable members of the student population.

Mr. Pickford replied in the affirmative.

Commissioner Fewer concurred with Commissioner Yee's comments and his request for a discussion about the consequences for private corporations' use of charging stations, making them unavailable to residents with electric vehicles.

During public comment, Bishop Jackson expressed his support for the installation of the electric vehicle charging stations at his house of faith, and noted that while many chargers were available downtown, these would be in District 10 in the southeast sector of the city. He said the chargers would be available to the community for public use.

Leore Milgram-Gardner of California Interfaith Power & Light said she also supported the recommendation which would result in the installation of electric charging stations at ten congregations and provide more equitable access to chargers across the city.

Commissioner Yee moved to approve the item, seconded by Commissioner Brown.

The item was approved without objection by the following vote:

Ayes: Commissioners Brown, Cohen, Fewer, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee (10)

Absent: Commissioner Kim (1)

**8. Approve an 18-month Professional Services Contract with Golden State Bridge/Obayashi Joint Venture in an Amount Not to Exceed \$675,000 for Construction Manager/General Contractor Services for the Yerba Buena Island Westside Bridges Seismic Retrofit Project and Increase the Amount of the Professional Services Contract with WMH Corporation by \$5,500,000, to a Total Amount Not to Exceed \$18,800,000, to Complete Preliminary Engineering, Environmental Analysis, and Design Services for the Yerba Buena Island Bridge Structures Project – ACTION**

Eric Cordoba, Deputy Director for Capital Projects, presented the item per the staff memorandum.

There was no public comment.

Commissioner Tang moved to approve the item, seconded by Commissioner Cohen.

The item was approved without objection by the following vote:

Ayes: Commissioners Brown, Cohen, Fewer, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee (10)

Absent: Commissioner Kim (1)

**9. Update on the Effects of Transportation Network Companies (TNCs) on Roadway Congestion and Reliability – INFORMATION**

Joe Castiglione, Deputy Director for Technology, Data, and Analysis, presented the item.

Chair Peskin asked Mr. Castiglione to address the assertions of TNCs like Uber and Lyft that claimed the study did not consider critical factors, such as the growth in tourism and freight deliveries.

Mr. Castiglione stated that studies needed to be data-driven and that the Transportation Authority had used the most comprehensive information and data available. He noted that there was little data for changes in deliveries, but that the analysis assumed an increase in commercial vehicle travel associated with growth in population and employment, which was included in background growth used in the report.

Mr. Castiglione further noted that while visitor travel increased by 50% between 2010 and 2016, visitor travel was included in the background growth, and that TNC travel by visitors only accounted for a small percentage of TNC travel. He reported that public transit and walking were still the primary modes of travel by visitors.

Chair Peskin commented on the irony on TNCs challenging the results of the study, but at the same time, refusing to provide data to agencies to make the assessments. He asked if the study

encouraged participation by TNCs in sharing their data.

Mr. Castiglione said the Transportation Authority would welcome additional data from TNCs to help refine agency's findings. He said the Transportation Authority sought to be transparent in its reporting to the public and would be open to any collaboration with TNCs on the data reporting. He also noted that the data used for the analysis was posted on-line and available for anyone to download.

Chair Peskin asked if there was a way to measure the induced demand associated with TNCs.

Mr. Castiglione said the analysis by the Transportation Authority did not account for induced demand, but that other research had revealed an induced demand effect of about 6%-8%. He said the Transportation Authority and the Metropolitan Transportation Commission (MTC) were partnering on a data collection project to study overall travel behaviors in the region and would soon have some data on induced travel.

Chair Peskin commented that the project would be very interesting to learn about.

Commissioner Ronen thanked staff for presenting this informative study to the Board and inquired about the ability of the agency or the Board of Supervisors to lobby the state legislature to regulate the amount of TNCs allowed in the city. She further commented on the current state of affairs in San Francisco and noted she and other members of the Board had recently travelled to Los Angeles to learn about their approach to congestion management. She also echoed Chair Peskin's comments about the irony of TNCs criticizing the study after refusing to share data with the Transportation Authority. Commissioner Ronen suggested that Transportation Authority staff consider drafting a formal resolution to send to state legislature requesting local authority to regulate TNCs.

Mr. Castiglione clarified that the report indicated that the report estimates that TNCs were responsible for 50% of the increase in congestion, not that they were responsible for 50% of total congestion. He also noted that the report was meant for informational purposes for the Board to offer guidance and did not make any specific policy recommendations.

Chair Peskin supported Commissioner Ronen's comments on the desire for lobbying the state legislature. He echoed Mr. Castiglione's comments about the city not having much jurisdictional power at this time over TNCs, and said he had requested this series of studies to share information with the public. He observed that there was not much support currently at the state level for local municipality regulation of TNCs and that passing a local per ride TNC tax, with the help of Assemblymember Ting, was a huge breakthrough for the city, but one that was passed with the slimmest of margins. He said it was an evolving field with information continually pouring in and thanked Mr. Castiglione and staff for their transparent reporting.

Commissioner Brown asked if the report provided information on TNC pooling services and asked if it was possible for the Transportation Authority to analyze that data and report back on its findings. She also asked if staff felt that shared ride data was relevant in understanding how the TNC services were used and if it would be a factor in considering future legislation on TNCs.

Mr. Castiglione answered that the Transportation Authority did not have data on pooling versus single-passenger trips but would be getting some of that information in the aforementioned data collection effort with MTC. He said the Transportation Authority did incorporate assumptions about the passenger occupancy rates of shared TNC rides from other recently published reports.

Commissioner Brown echoed Commissioner Ronen's comments about the Transportation

Authority not being able to obtain the actual data from the TNCs. Commissioner Brown asked about data on truck deliveries and asked staff to comment about why District 10 was reported to have a higher drop-off rate.

Commissioner Cohen interjected that District 10 lacked an appropriate amount of quality transportation options in the evenings and on the weekends, specifically referencing the lack of service on the Muni T-line light rail route and infrequent availability of buses on Potrero and Bayview hills, as well as Hunter's Point shipyard. She said people could take transit to get where they are going, but not to get back home again. She said the city's transportation infrastructure had not caught up to the need and demand in the district.

Mr. Castiglione commented that Commissioner Cohen's explanation seemed entirely plausible and said Transportation Authority staff could do more research on District 10 but was not prepared to comment on the issue.

Director Chang commented that the information on the shared rides would be essential in implementing the city's TNC per ride tax which has different rates proposed for solo trips (3.25%) and for shared trips (1.5%). She said the Transportation Authority was hoping to have the cooperation of TNCs to help estimate those percentages accurately.

Chair Peskin added that as the city drafts the TNC tax measure in 2019, the TNCs participation would be needed. He noted that some information was shared with his office to quickly peruse before being taken back, which helped determine the 3.25% rate. He opined that number in the subject study were quite conservative in regard to TNC travel data.

Commissioner Fewer thanked staff for the study and commented that it was remarkable to be able to conduct this kind of analysis, despite the lack of information provided. She referred to page 9 of the presentation, noting the statement that the data did not account for effects of TNCs on safety, transit ridership, and other potential long-term effects. She said that this sort of analysis was important in the overall safety of the city and the alignment with the city's Vision Zero goals. Commissioner Fewer further asserted that if the TNCs were pushing back on the findings, their statements did not have credibility, unless they were willing to share their information with the Transportation Authority. She also echoed Commissioner Cohen's comments about District 10. Commissioner Fewer then stated that the locations of the largest transit investments were also the locations with the most congestion and TNCs, particularly bus corridors, so effect on transit ridership was really important to look at.

Commissioner Cohen wanted to clarify that the California Public Utilities Commission (CPUC) was the regulatory authority over TNCs and that the Transportation Authority needed to convince the future governor of California of the need for more local regulation. She expressed to gubernatorial candidate Lieutenant Governor Newsom (former mayor of San Francisco) her concerns about being thoughtful in the selection of the future CPUC commissioners and commented that perhaps the Board could weigh in on the issue or draft a resolution to develop criteria that could be used to evaluate the ideal candidates for CPUC commissioners. Commissioner Cohen also credited Director Reiskin and the SFMTA staff for trying to coordinate with CPUC members on better regulation of TNCs and the collection of their data. She further emphasized the need for more data-driven analysis to accurately create policy that helps the city manage the influx of vehicles in San Francisco, while also serving the city's constituents that may depend on the TNCs for income and may have more difficulty obtaining other jobs. Commissioner Cohen closed by thanking Transportation Authority staff for presenting the study.

Commissioner Safai asked for more elaboration on the TNC per ride tax and if additional data

would be provided by the TNCs themselves, or how the tax would be assessed otherwise.

Chair Peskin said the issue was complicated in that tax information was confidential and could only be used for tax audit purposes, not policy legislation, so only the Tax Collector's office would have access to the information.

Director Chang concurred with the Chair's answer and stated that the agency would be complying with tax privacy laws.

Commissioner Safai requested more elaboration, stating there was no need for private information, only need for raw numbers, and asked how that violates privacy.

Ms. Chang concurred and clarified that the data aggregation should not violate compliance with the tax privacy laws and that the agency would seek a way to do that, together with the TNCs in future meetings, as information logistics are discussed and later presented for informing legislation.

Commissioner Safai commented that the answer expressed was slightly different than way the Chair expressed it and asked the Chair if he wished to elaborate further on the matter.

Chair Peskin suggested that the Board would need to discuss with City Attorney and amongst themselves, noting that the City Attorney had been actively litigating against TNCs Uber and Lyft in regard to data sharing, and that the Transportation Authority Board and Board of Supervisors has for the past couple years been consistently voicing the need for the data to be made publicly available. He said concerns about privacy would not be an issue that prevents data sharing and perhaps with the new Assembly Bill that the TNCs would be encouraged to cooperate more with the Transportation Authority. The Chair also noted that the data from the study showed that most of the congestion occurs within Districts 6 and 3, due to various factors. He called for a renewal of discussion on congestion pricing and asked staff to put the item on the next Board meeting agenda. Chair Peskin closed by thanking Mr. Castiglione and his staff for their work.

There was no public comment.

## **Other Items**

### **10. Introduction of New Items – INFORMATION**

Chair Peskin said he wanted to start a conversation about how to get Phase 2 (the Caltrain Downtown Extension) of the transbay transit center project done right. He commented on the lack of oversight on the Phase 1 project development leading to, among other things, a final cost that far exceeded the original budget and that funds meant for Phase 2 were taken to cover Phase 1 cost overruns. He observed that we now have an expensive bus terminal, but no train service and expressed his desire to get Caltrain to the transit center in the near-term and eventually High-Speed Rail. Chair Peskin said he recently met with the agency counsel to discuss potential governance structures to help oversee infrastructure development from 4<sup>th</sup> and King streets to downtown terminal. He said he was glad to see Fremont Street opening soon.

### **11. Public Comment**

There was no public comment.

### **12. Adjournment**

The meeting was adjourned at 11:56 a.m.