



DRAFT MINUTES

SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY

Tuesday, March 12, 2019

1. Roll Call

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

Present at Roll Call: Commissioners Haney, Mar, Mandelman, Peskin, Ronen, Stefani and Walton (7)

Absent at Roll Call: Commissioners Brown (entered during Item 2), Yee (entered during Item 2), Safai (entered during Item 4) and Fewer, (entered during Item 11) (4)

Commissioner Stefani moved to excuse Commissioner Fewer, seconded by Commissioner Ronen. Commissioner Fewer was excused without objection.

2. Citizens Advisory Committee Report – INFORMATION

Peter Tannen, member of the Citizens Advisory Committee (CAC), reported that the CAC unanimously approved a recommendation of support for Items 6, allocate \$560,000 Prop K in sales tax funds for the 20th Avenue Neighborway Project, and Item 7, amend the Prop AA Strategic Plan. He said in regard to the Prop AA amendment, the CAC asked if Transportation Network Companies (TNCs) were required to register scooters and newer motorized vehicles and if all TNC vehicles providing service in San Francisco could be charged the Prop AA \$10 registration fee, whether or not they were registered in San Francisco. He also said the CAC asked if there a particular strategy for outreach to communities of concern. Mr. Tannen reported that the CAC did not approve Item 8 in the Board agenda to authorize the executive director to execute various documents regarding Treasure Island projects and said there were three ayes and three abstentions. He said one member abstained because they had ethical concerns and questions about the working environment of Caltrans and another person abstained to avoid a potential work-related conflict of interest.

Mr. Tannen noted that the CAC had a standing request for monthly progress reports for the Van Ness Bus Rapid Transit (BRT) Project. He stated that Peter Gabancho, Project Manager for the Van Ness BRT project at the San Francisco Municipal Transportation Agency (SFMTA) reported that construction was approximately 27% complete, which was a 1% increase since the previous month. He said the CAC had a lengthy discussion of the project, including Van Ness Avenue business closures and potential impacts of the project on property values. He added that the CAC also discussed the impact on the new California Pacific Medical Center, over time payments due two to increasing staff work to six days a week, special traffic permits and Caltrans permission for weekend closures, the dispute review board, slip lining versus replacing old water lines, and sequencing of work for new water lines.

Chair Peskin asked if staff provided a response in regard to the questions about Prop AA and whether or not it was possible to charge all TNC vehicles who work in San Francisco.

Mr. Tannen said that the \$10 vehicle registration fee only applies to vehicles that are registered within the city and county of San Francisco.

Chair Peskin asked if that would require a change in law.

Mr. Tannen replied in the affirmative.

Chair Peskin asked if Mr. Gabancho's answers to the CAC's questions were satisfactory in regard to the Van Ness BRT project.

Mr. Tannen said they were fairly satisfactory. He noted that the project was taking a long time, but he understood the project team uncovered underground utilities that they did not expect. He said overall, he was surprised that the progress had been so slow.

Chair Peskin asked if the SFMTA had resolved their disputes with Walsh Construction.

Mr. Tannen said that the CAC did not talk about those questions, but that the project team mentioned there was a dispute review board and they described the membership of that board.

Chair Peskin said that it was time for staff to provide an update to the Board regarding the Van Ness BRT project. He encouraged the CAC members to participate as much as they desired in that update, and he noted that the project affected a number of different districts. He also stated that the Board was concerned about the impacts to businesses up and down the Van Ness corridor.

There was no public comment.

3. Approve the Minutes of the February 26, 2019 Meeting – ACTION

There was no public comment.

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

The minutes were approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Mandelman, Peskin, Ronen, Stefani, Walton and Yee (9)

Absent: Commissioners Fewer and Safai (2)

4. Appointment of Up to Three Members to the Citizens Advisory Committee – ACTION

April Smithe, Senior Transportation Planner, presented the item per the staff memorandum.

Raynee Chiang spoke to her interest and qualification in being appointed to the CAC.

Sophia Tupuola spoke to her interest and qualification in being appointed to the CAC.

There was no public comment.

Commissioner Walton stated that he was happy and excited to make a motion to appoint Ms. Tupuola to the CAC.

Commissioner Walton moved to appoint Sophia Tupuola to the CAC, seconded by Commissioner Mandelman.

The motion to appoint Sophia Tupuola was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Mandelman, Peskin, Ronen, Safai, Stefani,

Walton and Yee (10)

Absent: Commissioner Fewer (1)

Commissioner Mar thanked all of the applicants who expressed strong interests on serving on the CAC and made a motion to appoint Ms. Chiang to the CAC.

Commissioner Mar moved to appoint Raynee Chiang to the CAC, seconded by Commissioner Yee.

The motion to appoint Raynee Chiang was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee (10)

Absent: Commissioner Fewer (1)

Commissioner Brown made a motion in support of Ms. Ablog and noted her five and a half years of service on the CAC and knowledge of issues currently being considered by the Transportation Authority. She said Ms. Ablog was engaged in the community and regularly attended Japantown taskforce meetings. Commissioner Brown also highlighted Ms. Ablog's focus on environmental social justice when considering projects at the CAC and her efforts pushing through traffic calming projects on Webster and O'Farrell streets.

Commissioner Brown moved to reappoint Myla Ablog to the CAC, seconded by Commissioner Walton.

The motion to reappoint Myla Ablog was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee (10)

Absent: Commissioner Fewer (1)

5. State and Federal Legislation Update – ACTION

Michele Beaulieu, Senior Transportation, presented the item per the staff memorandum, noting that staff was proposed to modify its recommendation for Assembly Bill (AB) 147 (Burke) to change if from a watch to a support position.

Chair Peskin requested an amendment to the resolution that was before the Board to include AB 147 (Burke). He thanked his former colleague and current Treasurer of the State of California, Fiona Ma, for leveraging the *Wayfair vs. South Dakota* decision and getting legislation as an emergency bill at the State Assembly.

There was no public comment.

Commissioner Yee moved to amend the staff recommendation to add adoption of a support position on AB 147 (Burke), seconded by Commissioner Brown.

The amendment to the item was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee (10)

Absent: Commissioner Fewer (1)

The amended item was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee (10)

Absent: Commissioner Fewer (1)

6. Allocate \$560,000 in Prop K Sales Tax Funds, with Conditions, for the 20th Avenue Neighborway Project – ACTION

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

Commissioner Mar thanked Transportation Authority and SFMTA staff for their efforts and emphasized the need to invest in safe bike infrastructure. He noted that the project would help redirect cycling traffic from 19th Avenue, which is a high-injury corridor. He said the addition of the traffic circles addressed a common problem for drivers unable to make left-hand turns on 19th Avenue, and does so in a safe manner. He recognized constituent concerns about parking loss and said of the 34 spaces lost, most were spread out along 20th Avenue, which helped to mitigate the impact. Commissioner Mar acknowledged that were a handful of spaces lost near Irving Street, an important merchant corridor, and wanted to make sure the project team was conducting robust outreach to address the concerns merchants had for potential lost business. He added that the project would return 20th Avenue to its historical roots as a public transit road and that he fully supported the project and wanted to work towards a designated and ideally protected bike way from Golden Gate Park to San Francisco State University. Commissioner Mar asked how 20th Avenue was selected for a neighborway project.

Matt Lasky, Project Manager at the SFMTA, said 20th Avenue was an existing bike route on the bike lane network and the neighborway improvements would make the 20th Avenue bike route more inviting and safer. He added that 20th Avenue was an important connection to Golden Gate Park, Irving and Taraval streets, and south to Stern Grove.

Commissioner Mar asked for an overview of the neighborhood outreach that happened around the planning for this project.

Mr. Lasky said the SFMTA did two tabling events in 2018, where staff went out to Irving Street and notified neighbors that they were going to be answering questions and collecting feedback. He said they also had two evening open houses on the corridor, with about 40 members of the public at each of those meetings. Mr. Lasky said the project team also did door-to-door outreach at businesses closer to Irving Street and the 20th Avenue intersection, adding that they spoke to about half of the businesses within a one-block radius. He said there was some concern about the parking loss but based on the planning work and outreach there was a takeaway that there was adequate parking in the area. Lastly, he said the project team believed that improving the bicycle and pedestrian safety on 20th Avenue was important and that he looked forward to moving ahead with the project.

During public comment Kristen Leckie, Community Organizer at the San Francisco Bicycle Coalition, said she was in strong support for the 20th Avenue project and that it would bring necessary traffic calming measures to an important north-south connection to and from parks in the Sunset. She stated she was impressed with the project team and their collaboration with the community over the last two years to make sure the project reflected their needs and concerns, which we could be seen in the final designs. She added improvements like the addition of the uphill bike lanes, rectangular flashing beacons, and the bike signal at Lincoln Way would provide more comfortable bicycle access on the streets and for pedestrians walking to and from the parks.

Peter Tannen spoke in support of the project and said it was the closest street connecting Golden

Gate Park and San Francisco State University. He said he was in favor of the uphill bike lanes and liked the idea of traffic circles to deter drivers from making U-turns.

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

The item was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee (10)

Absent: Commissioner Fewer (1)

7. Amend the Prop AA Strategic Plan – ACTION

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

Commissioner Yee asked if it was true that projects that were not implemented in the year that the funding was allocated could reapply or be rolled over.

Mr. Quintanilla said that if a project did not request allocation the year it was programmed, the Board had the discretion to make those funds available to other projects through a call for projects or could choose to delay the programming.

Commissioner Yee stated that he wanted to make sure that if projects were not ready, that the funding would be used for other projects. He noted that there were many projects that needed funding and he did not want funds programmed to a project to be carried over several years.

Mr. Quintanilla added that the Transportation Authority worked with the SFMTA and San Francisco Public Works to make sure that the projects that were recommended for delayed programming were ready to be implemented.

Chair Peskin asked if funds for the Geary Boulevard pavement renovation project were in the Richmond district.

Mr. Quintanilla said the project limits were between Van Ness and Masonic avenues, so just outside the limits of District 1.

There was no public comment.

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

The item was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee (9)

Absent: Commissioners Fewer and Mandelman (2)

8. Authorize the Executive Director to Execute Certain Agreements and Documents for the Yerba Buena Island Southgate Road Realignment Improvements Project, Consisting of a Cooperative Agreement with the California Department of Transportation; License Agreements with the United States Coast Guard; Utility Relocation Agreement and Amendments to the Memorandums of Agreement (MOAs) for the Construction Phase with the Treasure Island Development Authority (TIDA); an Amendment Increasing the Right-of-Way MOA with TIDA by \$1,334,760, to a Total Amount Not to Exceed \$5,534,760; the Right of Way Certification; and a National Environmental Policy Act / California Environmental Quality Act Revalidation and Authorizing the Executive Director to Negotiate and Modify Agreement Payment Terms and Non-Material Agreement Terms

and Conditions – ACTION

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

Commissioner Haney said he was in support of the project and sought the support of the whole Board.

There was no public comment.

Commissioner Haney moved to approve the item, seconded by Commissioner Ronen.

The item was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee
(9)

Absent: Commissioners Fewer and Mandelman (2)

9. Acceptance of the Audit Report for the Fiscal Year Ended June 30, 2018 – ACTION

Cynthia Fong, Deputy Director for Finance and Administration, introduced the item per the staff memorandum.

Ahmed Gharaibeh, Vavrinek, Trine, Day & Co. LLP (VTD), presented the item.

Commissioner Walton asked how long the Transportation Authority had been working with VTD.

Ms. Fong said it was the fifth year and that the Transportation Authority would be issuing a request for proposals in the near future. She noted that the Transportation Authority was hosting a Disadvantaged Business Enterprises (DBEs) and Local Business Enterprises (LBEs) outreach event on March 13, 2019 and anyone who attended would be hearing more information about the procurement, along with others.

Chair Peskin thanked the auditor and Transportation Authority staff and said reviewing the Comprehensive Annual Report was one of the most important tasks of the Board. He said the fact that the annual report was totally clean without any weaknesses or deficiencies was music to the Board's ears.

There was no public comment.

Commissioner Walton moved to approve the item, seconded by Commissioner Ronen.

The item was approved without objection by the following vote:

Ayes: Commissioners Brown, Haney, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee
(9)

Absent: Commissioners Fewer and Mandelman (2)

10. Update on the Caltrain Modernization Program and Business Plan – INFORMATION

Jim Hartnett, Caltrain Executive Director and General Manager at the San Mateo County Transit District, John Funghi, Caltrain Modernization Chief, Michelle Bouchard, Chief Operating Officer at Caltrain, and Sebastian Petty, Caltrain Senior Advisor presented the item.

Chair Peskin asked if the Caltrain Modernization Program was on budget.

Mr. Funghi replied in the affirmative

Chair Peskin asked what the dark columns on the 2040 Demand slide represented.

Mr. Petty said the lighter blue columns were census data that represented jobs and housing within a half-mile of Caltrain stations and the darker blue represented the Plan Bay Area projections for future growth.

Chair Peskin asked if the slide showed station by station data for all 21 stations.

Mr. Petty replied in the affirmative.

Chair Peskin asked if Caltrain's organizational dynamics and issue of governance could be further elaborated upon.

Mr. Petty said Caltrain had partnered with Stanford University and Howard Permut, former President Of Metro-North [the largest commuter railroad in the United States]. He said as part of Mr. Permut's work, he had undertaken an initial assessment of interviewing staff at the current Caltrain organization as well as staff and board members from our partner agencies. Mr. Petty added that Mr. Permut had worked with the Stanford local project center to conduct a comparative review of other commuter railroads in the U.S., as well as international rail properties. Mr. Permut was also working to develop an initial set of recommendations that would focus on a number of areas including service delivery options, how the services contracted and delivered, and how Caltrain delivered capital projects. Mr. Permut further recommended near-term governance options, which would include things like board processes and procedures and long-term governance options which would look at big macro picture governance changes, and organizational issues, looking at capacity and skills and scaling. Mr. Petty said that Mr. Permut was working to develop those memos and would like to move forward in the late spring.

Chair Peskin expressed how important getting the railway project done right was to multiple counties and to San Francisco's downtown extension (DTX) project and how the failure to open the Transbay Transit Center has become the source of national embarrassment. He further emphasized the necessity of establishing an appropriate entity of governance – perhaps Caltrain rather than Transbay Joint Powers Authority (TJPA) – to deliver the multibillion dollar DTX.

Executive Director Chang expressed appreciation for Chair Peskin commenting on the importance of Caltrain and for Caltrain Director Hartnett for keeping these megaprojects on track. She also commented that the business plan funding protocol enacted by the participating counties was working very well and high-speed rail investment in the DTX was understood to be still secure in the near term and that efforts would be made for future funding of high speed rail. Ms. Chang also noted that Prop K funds used to fulfill San Francisco's annual local contribution to Caltrain capital improvements would run out in the next five year period, but that a potential 1/8-cent sales tax authorized by Senator Jerry Hill could dedicate more funding to Caltrain for the long term. Ms. Chang noted that Caltrain was looking toward a potential 2020 ballot measure.

Chair Peskin expressed that there was a real partnership between the three counties with every county official throughout the corridor pushing to get electrification federally funded. He emphasized the necessity of getting a strong governance and management structure established to make it the best railroad it can be and to get the downtown extension, a process that will require open and candid conversation.

Mr. Hartnett thanked the Board, Director Chang, and staff for the support in getting federal funding for Caltrain electrification, and quoted Chair Peskin's saying, "when the plan is done, we have to socialize it," agreeing to the need for open and candid conversation.

Chair Peskin noted that Commissioner Walton would soon be serving on the Caltrain Board.

Mr. Hartnett expressed appreciation in having met and spoken with Commissioner Walton and his upcoming membership on the Peninsula Corridor Joint Powers Board and looked forward to working with the commissioner.

During public comment Roland Lebrun addressed the Board, commenting that the bidder chosen through the contracting process for Caltrain Positive Train Control project was insufficient and said he would make an appeal at the Caltrain CAC to resubmit a previous proposal from 2015.

Christopher Peterson addressed the Board and asked for Caltrain to consider a second rail crossing under the Bay.

After public comment, Chair Peskin explained that Mr. Peterson was the long-time general counsel of the California Coastal Commission and was now enjoying his retirement and transportation activism and congratulated him on his retirement.

11. Update on the Transbay Transit Center Girder Fractures and the Study of Governance, Management, Oversight and Delivery of the Downtown Extension – INFORMATION

Dennis Turchon, Senior Construction Manager at the Transbay Joint Powers Authority, and Eric Cordoba, Deputy Director for Capital Projects, presented the item.

Chair Peskin asked if the welding access hole was the source of the fabrication problem.

Mr. Turchon answered that they were waiting for the final results from the lab, LPI Inc. to determine the answer.

Chair Peskin expressed the working theory was that the welding access hole caused the problem.

Mr. Turchon reiterated that the conclusion from the final lab report would be needed to confirm the cause.

Chair Peskin asked how the Transbay Joint Powers Authority (TJPA) was doing in paying back the quarter of a billion dollar loan that the San Francisco Board of Supervisors approved.

Mr. Turchon expressed that he could take that question back to the TJPA executive director to provide the information, as he only possessed construction information on hand.

Chair Peskin asked for a future report of the repayment information.

During public comment Jim Patrick urged the Board to resume design for the DTX and to no longer delay the project citing cost escalation and stating that the suspension of funds was a mistake.

Chair Peskin commented that if the agency repeated the mistakes made in Phase 1 by giving TJPA more money, it would be the definition of insanity.

Jim Hass, member of Friends of DTX, urged the agency to move forward soon on projects related to the DTX such as Pennsylvania Avenue and the 22nd Street Station Study, and urged timely completion of the governance study.

Roland Lebrun commented that he had suggested structural health monitoring five months prior and nothing had been done, which he felt was irresponsible if bus operations were to resume. He then commented on the Request for Proposals process.

After public comment, Executive Director Chang addressed the comments made by Mr. Lebrun, Mr. Hass, and Mr. Patrick, clarifying that the agency did comply with its procurement policy and

that the 30 percent design, though important work, was not the critical path for delivering DTX, and that the six month pause was necessary to establish confidence from existing and future funders. She also talked about the different funding programs the DTX was expecting to receive funding from.

Commissioner Haney asked Director Chang about whether the DTX report might leave uncertainty about next steps and how to continue to move forward with the project.

Executive Director Chang answered that any recommendation the agency would make would need a consensus of all the stakeholders involved. She stated that, working in conjunction with the City and County, Caltrain, and the California High Speed Rail Authority, the agency was working to address the Fourth and King northern Caltrain terminus functions issue and that none of that work was being held back by the suspension of 30 percent design.

Other Items

12. Introduction of New Items – INFORMATION

There were no new items introduced.

13. Public Comment

During public comment Roland Lebrun discussed the Governor's State of the State speech regarding capacity issues related to high speed rail and the future Transbay tunnel.

14. Adjournment

The meeting was adjourned at 11:52 a.m.