



# DRAFT MINUTES

## SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY

Tuesday, April 23, 2019

### 1. Roll Call

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

**Present at Roll Call:** Commissioners Fewer, Haney, Mandelman, Peskin, Ronen, Safai, Walton and Yee (8)

**Absent at Roll Call:** Commissioners Brown (entered during Item 3), Mar (entered during Item 10) and Stefani (entered during Item 10) (3)

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

### 2. Chair's Report – INFORMATION

Chair Peskin thanked the Board for participating in Walk to Work Day, and Walk, Bike and Roll to School Days. He said all Commissioners were committed to making walking and bicycling safer citywide especially for the city's most vulnerable residents. He added that he had a great time with the communities at Jean Parker, Gordon J Lau and Spring Valley Elementary Schools in District 3 and especially appreciated San Francisco Police Department (SFPD) Central officer Courtney for helping to identify Vision Zero safety projects at each school.

Chair Peskin reported that the Polk Street Improvement Project finished completion in early April and thanked San Francisco Public Works for leading the project, with the San Francisco Municipal Transportation Agency and Transportation Authority. He added that Prop K funded over a dozen signal upgrades along Polk Street and pedestrian safety, transit, bicycle, and streetscape improvements for the Upper Polk corridor between Union and McAllister streets, a 20 block stretch of 1.3 miles on the Vision Zero High Injury Network.

Chair Peskin reported that Transportation Authority staff presented at the California High-Speed Rail Authority (CHSRA) on continued investments in the "Valley-to-Valley" segment stretching from the Central Valley to Silicon Valley and the city's corridor that was currently being electrified with the help of High Speed Rail (HSR) funds. He said the Board appreciated that environmental studies were underway and would eventually lead to Blended Caltrain/High Speed Rail investments in the region, including the downtown rail extension, to which the CHSRA had pledged \$550 million. He noted that funding was not yet secured.

Chair Peskin stated that together with CHSRA and other partner agencies, Transportation Authority staff was doing the work of reviewing DTX plans and organizational structures, and preparing for the next stages of project development, following the Board's review. He asked the CHSRA to re-consider its plans to prioritize available funds mainly for building further segments

of the Central Valley Line and encouraged them to analyze the options for funding critical project development efforts in the region. He said the Board was confident that they would find that an investment of HSR dollars, combined with other sources, would yield significant ridership, congestion and air quality benefits from the South Bay and Peninsula up to San Francisco, in comparison with alternative investments. He added that staff was ready and eager to support such an analysis and consideration by the CHSRA and its team.

Chair Peskin acknowledged Commissioner Walton's efforts towards governance at Caltrain, as a member of the Peninsula Corridor Joint Powers Board.

There was no public comment.

### **3. Executive Director's Report – INFORMATION**

Tilly Chang, Executive Director, and Eric Young, Senior Communications Officer, presented the Executive Director's Report.

Commissioner Brown asked what efforts were being done to make it easier for members of the public to find online traffic-calming information to submit requests for traffic studies on their streets or neighborhoods.

Director Chang clarified that the neighborhood-based traffic calming program was administered by the San Francisco Municipal Transportation Agency (SFMTA).

Commissioner Brown said that members of the public were going to the Transportation Authority website in search for the traffic calming program.

Director Chang said Transportation Authority staff would look for ways to easily redirect users to the SFMTA page.

Chair Peskin encouraged members of the public to take Mr. Young up on his offer and submit any questions or comments on the new website to make it the best it can be.

There was no public comment.

### **Consent Agenda**

- 4. Approve the Minutes of the April 9, 2019 Meeting – ACTION**
- 5. [Final Approval] State and Federal Legislation Update – ACTION**
- 6. [Final Approval] Allocate \$1,384,671 in Prop K Sales Tax Funds, with Conditions, for Five Requests – ACTION**
- 7. [Final Approval] Approve the San Francisco Lifeline Transportation Program Cycle 1 Program of Projects – ACTION**
- 8. [Final Approval] Exercise Contract Option for On-call Project Management Oversight and General Engineering Services in an Amount Not to Exceed \$4,000,000, for a Combined Total Contract Amount Not to Exceed \$10,000,000 – ACTION**
- 9. [Final Approval] Approve the Proposed Fiscal Year 2018/19 Budget Amendment – ACTION**

There was no public comment.

Commissioner Fewer moved to approve the Consent Agenda, seconded by Commissioner Walton.

The Consent Agenda was approved without objection by the following vote:

Ayes: Commissioners Brown, Fewer, Haney, Mandelman, Peskin, Ronen, Safai, Walton and Yee (9)

Absent: Commissioners Mar and Stefani (2)

### **End of Consent Agenda**

**10. [Final Approval] Allocate \$62,767,634 in Prop K Sales Tax Funds, with Conditions, for Light Rail Vehicle Procurement – INFORMATION/ACTION**

Chair Peskin introduced the item by saying that action items received two readings from the Board, which generally approved them on the second reading. He said part of the value of a second reading was that it allowed introduction of new information, and in the case of the subject request new information had indeed come to the attention of the Board, including the failure of the shear pins in the couplers on two of the Siemens light rail vehicles (LRVs). He also noted the widely publicized incident in which a failure of the obstruction sensor in a door on one of the Siemens LRVs had resulted in the serious injury of a woman when her hand was caught in the door and she was dragged by the vehicle. Chair Peskin said he had received other troubling information that he wished to discuss, but asked Transportation Authority and SFMTA staff to first present their staff reports.

Anna LaForte, Deputy Director for Policy and Programming, and Julie Kirshbaum, Acting Director of Transit at San Francisco Municipal Transportation Agency (SFMTA), presented the item per the staff memorandum.

Chair Peskin asked when SFMTA received the first of the Siemens LRVs, when it went into service, and how many of the planned procurement of 219 LRVs were in use.

Ms. LaForte answered that according to progress reports, SFMTA had received 58 of the LRVs, of which 50 were in revenue service.

Chair Peskin asked what it meant for a vehicle to be in revenue service.

Ms. LaForte answered that testing was complete for those vehicles and they were actually serving the public.

Chair Peskin said he had learned that no more than 15 to 20 of the \$3.5 million vehicles were on the tracks at any one time due to the problem of wheel flattening, and asked staff to explain.

Ms. Kirshbaum said SFMTA could provide the Transportation Authority with the daily count of the number of the Siemens vehicles in revenue service. She said it currently varied from 20 to 50. She explained that the 50 Siemens LRVs that SFMTA had “placed in service” had passed SFMTA and state-mandated inspections and been certified by the California Public Utilities Commission (CPUC). She said the testing process was robust and included submittal of documentation, first to SFMTA's safety division, then to the CPUC for a three-week review before the vehicle was placed into service. Ms. Kirshbaum said that of the 50 new LRVs that had been certified for revenue service, SFMTA reserved a small number for operator training, and others were sometimes pulled from service for retrofits based on lessons learned from real world experience. Finally, she said some LRVs were typically out of service for maintenance. Ms. Kirshbaum said that in the previous several weeks, SFMTA had removed a number of new LRVs from service because of flat wheels. She explained that the Siemens braking system differed from that on the Breda vehicles, and was designed to minimize falls on board when the operator uses the emergency brake or when the automatic train control system brings the vehicle to an emergency stop. When we first introduced these vehicles into service, the SFMTA saw instances

of flattened wheels primarily from issues they were working through in the subway, such as when a train received a message from the automatic train control system that it didn't understand and then the automatic train control system would bring the vehicle to an emergency as the most prudent course of action, flattening the wheel.

However, in the fall when the SFMTA started training the full cadre of operators using the new LRVs, Ms. Kirschbaum said that is when they started seeing the number of vehicles in service she described earlier and began to see instances of flattened wheels for other reasons. She said heavy use of the emergency braking system caused wheel flattening, requiring LRVs to go into the maintenance shop for "wheel truing," to machine the flattened wheels back into round. Ms. Kirschbaum said San Francisco's dynamic operating environment meant that sudden stops were often necessary, and the Breda LRVs could negotiate a sudden stop safely only by operator use of the emergency brake. She explained that the Siemens vehicles have multiple ways to achieve an immediate stop including pulling back on the T-stick as well as hitting the emergency brake, but because SFMTA operators are trained to rely on the emergency brake, the SFMTA is seeing more flat wheels than they had expected. Ms. Kirshbaum said SFMTA was working with Siemens to redesign the braking system to better mirror how the Breda is designed. She emphasized that the braking system redesign was not a safety issue, as the Siemens system was at least as effective as the Breda system, but it is designed to absorb the force of the emergency stopping differently. She said the 18 vehicles that were currently out of service for wheel truing were too many.

Chair Peskin asked when the SFMTA took title on the first of the Siemens LRVs.

Ms. Kirshbaum answered that the first vehicle arrived in January of 2017 and went into service in November of 2017 after about nine months of testing. Until late fall 2018, the majority of the new vehicles were driven by expert operators who had been involved in the testing and had a lot of experience on the equipment. By November 2018, SFMTA had trained all LRV operators on the new vehicles.

Chair Peskin asked how many times LRV wheels could be trued before they would have to be replaced.

Ms. Kirshbaum answered that it varied but that the wheels could be trued multiple times. She said five vehicles were on hold because the wheels could no longer be trued and said additional wheels were expected to arrive in early summer.

Chair Peskin asked if the truck assemblies on which the wheels were mounted would need to be replaced along with the wheels.

Emmanuel Rodriguez, SFMTA Lead Mechanic, answered that the trucks and axles would have to be removed and overhauled to replace the wheels, but not replaced themselves. He said SFMTA had spare trucks that they overhauled on an ongoing basis.

Chair Peskin asked if Siemens was making all necessary parts available on a timely basis.

Mr. Rodriguez replied in the affirmative.

Chair Peskin asked if there were any back orders or delays.

Mr. Rodriguez answered that some parts were back ordered because the materials were from Germany, meaning a six-month wait for replacement tires from when they were ordered several months previously.

Chair Peskin asked how many vehicles were not in service by virtue of the fact that it took six

months to get new wheels from Germany.

Mr. Rodriguez said he believed that three vehicles were currently out of service due to the parts back order.

Chair Peskin asked Mr. Rodriguez how many of the 50 new LRVs certified for service were actually on the tracks during revenue hours.

Mr. Rodriguez said the number varied between 20 and 40 cars. He explained that SFMTA standards required a margin of 20% of the fleet to be in scheduled maintenance at any one time. He said this was based on a strict maximum of 3,750 miles between maintenance calls.

Chair Peskin requested that SFMTA provide the Board with the number of miles on each of the new LRVs, and the date each vehicle entered revenue service. He asked Mr. Rodriguez for an estimate of the average mileage on the new vehicles.

Mr. Rodriguez answered that some of the vehicles had as much as 20,000 miles of use.

Chair Peskin asked how long it might take a Breda LRV to accrue 20,000 miles.

Mr. Rodriguez said he estimated that the Bredas travelled 20,000 miles in six to eight months on average. He reminded the Board that the Siemens vehicles were also being used for training SFMTA's 300 plus operators.

Chair Peskin suggested that since the first Siemens LRV went into revenue service in November 2017, it would have close to 100,000 miles to date, including the nine months testing and additional training mileage.

Mr. Rodriguez answered that the first three cars had been used extensively for testing and the first and third cars were currently being retrofitted with updates included on later cars.

Chair Peskin asked if SFMTA had learned during testing of the first few cars that the braking system was subpar and causing wheel flattening.

Mr. Rodriguez responded that the Siemens braking system was not subpar but was a very good highly reactive braking system. He explained that SFMTA used the system differently than other transit agencies, with greater emphasis on the "mushroom" control for engaging the emergency braking system in an effort to reduce collisions. He said that control was very similar on both the Breda and Siemens LRVs, allowing operators to react instinctively and quickly in an emergency regardless of the vehicle they were driving. He said the "T-stick" control on the Siemens LRVs, which engaged a "spin/ slide" emergency braking system, actually produced better results in emergency stops without flattening the wheels.

Chair Peskin asked how much of the cost of the safety related redesigns would be covered by the Siemens warranty. He also asked about the maintenance and replacement costs related to the wheel flattening problem, and if any of those costs were covered by warranty.

Ms. Kirshbaum answered that issues related to vehicle design or manufacture were covered by the warranty, but redesign and retrofit of the brakes to replicate the Breda braking system would not be.

Chair Peskin asked if the vehicles procured with the requested funds would have a braking system that would lead to the wheel flattening and reduced service hours.

Ms. Kirshbaum replied that the modified brake design would be built into the Phase 2 vehicles that were the subject of the request. She said SFMTA was planning to begin retrofitting the

existing vehicles in about six months, which was the amount of time it would take to secure parts.

Chair Peskin asked about the procurement process, competing vendors that were considered, and why Siemens was ultimately selected.

Ms. Kirshbaum said before issuing a request for proposals by vendors SFMTA worked with stakeholders and staff to identify the strengths and weaknesses of the current fleet. She pointed out that continued operation of the Bredas entailed a large number of risks, particularly on issues related to doors, stairs and propulsion. She said the old fleet was crowded and too small to handle the needs of the growing city. Ms. Kirshbaum said vendor proposals were rigorously evaluated based on SFMTA's performance and cost specifications. She said designing a vehicle for San Francisco posed unusual challenges because of the need to operate both in mixed traffic and in a subway with automatic train control. She said the hilly terrain also posed design challenges. She said the long test period was necessary and valuable, allowed feedback from mechanics and operators, and resulted in design changes that had to be retrofitted into the first three vehicles.

Chair Peskin asked if the wheel-flattening issue was identified during testing of the first three vehicles.

Ms. Kirshbaum said it had been identified as a minor problem related to emergency braking in the subway. She said the expert operators employed during testing were comfortable with using the primary emergency brake rather than the "mushroom" control.

Commissioner Brown asked how the door specifications compared to those for trains operated elsewhere around the world.

Michael Cahill, President, Rolling Stock, Siemens Mobility Inc., said that in North America the door specifications were largely governed by the American Public Transportation Association (APTA) standards. He said there were some differences in the standards from those elsewhere, but all of them largely took a similar approach to try to minimize the risk to passengers, both in terms of doors closing and operation of the vehicle subsequent to door closing. He said there was an explicit recognition by all of the standards boards that there was almost no hope of a completely fail-safe system that could eliminate all risks. He said the APTA standards attempted a very clear and objective approach to minimizing the most likely scenarios, with standardized tests to eliminate subjective judgments. He said European standards were less prescriptive.

Commissioner Brown commented that the Breda LRVs had obstruction sensors in the door mechanisms and asked if the Siemens cars had them.

Mr. Cahill answered that they did but said no one technological system could guarantee safety. He said safe operation depended on three elements: technology, operations staff and the operators, and passenger behavior.

Commissioner Brown asked if the sensors were all the way down or staggered.

Mr. Cahill explained that there were two levels of sensors: a sensitive edge on the doorway and an over-current protection circuit whereby if the doors sense an obstruction, it will cause the door to re-open.

Commissioner Brown said she had heard anecdotal stories about doors on the Siemens LRVs closing on people and belongings and asked how those incidents could happen.

Mr. Cahill said the APTA standards for vehicle doors were designed to address the most likely scenarios and defined obstructions as objects with a minimum width and thickness because it is

very difficult to reliably and repeatedly sense something that is too narrow or too small. Mr. Cahill said the standard required that the sensors recognize an object at least three inches wide and a quarter inch thick, or a bar that is three-eighths-of-an-inch wide. He said the APTA standards set procedures for how the testing must be done, and the Siemens doors were in full compliance with the standards. Mr. Cahill pointed out that the standards meant that a backpack strap, for example, would not be detected.

Commissioner Brown asked if a child's hand was too small.

Mr. Cahill said a child's hand would be detected if it were thicker than the quarter inch and wider than the three inches.

Commissioner Peskin asked if Siemens manufactured the LRV doors or sourced them from another manufacturer.

Mr. Cahill answered that the doors were supplied by a third-party company called Ultimate headquartered in Australia and with a facility in Hayward, California among other locations around the world.

Commissioner Peskin asked if other transit operators used Ultimate doors on their transit vehicles.

Mr. Cahill answered that Ultimate supplied doors to a long list of major transit authorities around the world.

Chair Peskin asked whether the CPUC conducted independent testing and verification or if they relied on the testing and verification provided by the SFMTA.

Ms. Kirshbaum answered that CPUC engineers were actively involved as observers and reviewers during the testing and certification process, which was conducted by SFMTA.

Commissioner Haney said it was absolutely shocking and unacceptable that passengers were placed in this situation. He said he didn't remember a similar situation with the Bredas. He asked if SFMTA would take the Siemens vehicles out of service until improvements could be implemented to address the safety issues.

Ms. Kirshbaum agreed that a number of questions had been raised in the previous two weeks that SFMTA, the Transportation Authority Board and the public needed to better understand. She asked that the Board continue the agenda item to a future meeting to allow SFMTA to follow through on finding answers. She said SFMTA took the safety of every customer extremely seriously. She said SFMTA's initial focus would be an enhancement, already being tested, involving installation of a second sensitive edge for the doors. Ms. Kirshbaum said that, although the vehicles were passing the CPUC standards, they weren't meeting the spirit of the standard. She said she was able to replicate the door sensor problem when her own hand got stuck in a door. She said that on the day before the Transportation Authority Board meeting SFMTA staff had determined to take immediate action. She said SFMTA operations managers had instructed operators to lock the back door of the Siemens cars to allow them to focus on ensuring that the front door was clear before proceeding. She said SFMTA had also increased the presence of ambassadors and other staff on light rail platforms, encouraging customers to stand behind the yellow line and making announcements.

Commissioner Haney expressed concern that LRVs were still in operation that had doors with a single sensitive edge.

Ms. Kirshbaum clarified that during testing SFMTA found that doors with two sensor strips could

also fail to react properly to an obstruction. She said SFMTA had considered the tradeoff between risks posed by the doors and the 15% reduction in the capacity that would result from removing all the Siemens LRVs from service, which would mean a significant increase in crowding. She said CPUC staff had agreed that SFMTA's proposed interim measures were a reasonable and measured approach.

Commissioner Haney acknowledged that passengers shared responsibility for their own safety but said accidents would happen as long as a door could close on somebody and drag them. He said it had not been a problem for the Bredas. He asked if Ms. Kirschbaum was aware of concerns raised by operators about the Siemens trains.

Ms. Kirshbaum said SFMTA had proactively solicited feedback from operators, supervising staff and mechanics, and had made dozens of changes to the trains based on their feedback. As an example, she said one of the concerns that operators raised was that the monitors for the cameras were too small. She said SFMTA adjusted the specifications to include larger monitors.

Chair Peskin asked Ms. Kirschbaum how many other incidents she was aware of related to the doors closing on people.

Ms. Kirshbaum said she was aware of four incidents. In one instance a good Samaritan was trying to hold the door for another passenger. In that case the operator observed what had happened and immediately stopped the train and opened the doors. She said there had been a second incident in which where a customer was dragged by a train when his plastic bag of doughnuts was caught in a door and he didn't let go of it. In a third incident that took place in the subway a passenger's hand got stuck in a door. She repeated that SFMTA staff had recently been able to replicate the issue.

Chair Peskin asked when the first incident occurred.

Ms. Kirshbaum said she thought it occurred in the Fall 2018.

Chair Peskin said he thought it was October 2018 and asked if all four of those incidents had been reported to the CPUC.

Ms. Kirshbaum said she wasn't sure if all of them were reportable and said she would get back to the Board with an answer.

Chair Peskin asked if she meant to say "reportable" or "reported."

Ms. Kirshbaum said she meant both but didn't want to speculate on the answer.

Chair Peskin asked Ms. Kirschbaum to provide the Transportation Authority with information on safety-related incidents, including thresholds and timeliness requirements for reporting, parameters for reportable versus non-reportable incidents, whether all reportable incidents were actually reported, and details about those incidents and incident reports.

Commissioner Mar stated that the number of incidents of doors improperly closing and causing serious safety concerns to riders was more than the four mentioned. He shared that his wife recently had an incident with an LRV door rapidly closing on her as she entered the Siemens vehicle. He said he understood the importance of updating the fleet to improve reliability of the public transit system, but that reliability needed to start and end with public safety. Commissioner Mar said that the elderly woman who fell under the Muni train was reportedly a Sunset resident and that it was his responsibility as a member of the Board to protect his constituents. He stated that he was not in support of allocating additional funds for the vehicles until concrete answers



were provided to address the existing issues.

Chair Peskin asked why issues pertaining to wheel flattening, couplers and doors were not identified earlier after three years of ownership and nine months of testing and shared his disappointment that it took six months since the first incident before the SFMTA took measures to address the existing issues. He asked if the issues were under warranty and who would be paying for additional costs, like ambassadors and needing to run single car trains.

Ms. Kirschbaum said the SFMTA's immediate focus was answering the critical and complicated design questions. She said those answers would be used to identify what could be covered under warranty and the expectations of Siemens and the city.

Chair Peskin asked if SFMTA had any response as to why it took a half a year between the first incident and the most recent incident to inform the public and close the back doors.

Ms. Kirschbaum said the changes made were based on the information and facts that were in front of the SFMTA on Monday. She said SFMTA had been working to enhance the doors over the last several months, including the second sensitive edge. She added that while the second sensitive edge was not the only solution, the SFMTA needed to understand why the vehicles were passing the APTA standard but still having very concerning and practical problems.

Commissioner Walton asked if there was an update on the woman whose hand got stuck in the train door.

Ms. Kirschbaum said SFMTA did not have any information nor would be able to share an update for privacy reasons.

Commissioner Walton said the Board would not move forward with approving the allocation and asked what kind of contractual obligations the city had with Siemens.

Ms. Kirschbaum said she was hopeful that the key questions related to the shear pins and the doors would have a path forward in the next several months. She said the SFMTA was bringing in an outside expert to review those assumptions and ensure someone was asking tough questions from the outside.

Commissioner Walton said outside experts were not always needed and said it was important to identify what happens and what would the city would be liable for if the Board decided to not move forward with the procurement of new LRVs. He asked what SFMTA's alternate plans were to ensure the right fleet was selected to deliver service and keep constituents safe.

Ms. Kirschbaum said the most prudent course of action was to focus on the vehicle on hand and noted that in many ways it was exceeding the expectations of the current fleet. She said starting over would be an extreme solution, maybe as long as six years, with no guarantee that we wouldn't be facing similar challenges. In addition, she noted that an extensive process would mean relying longer on the Breda fleet, which had a limited lifespan.

Commissioner Walton said he was informed that Siemens doors may not be able to detect the hand of small children and said it was very troubling. He asked how the Siemens door sensors compared to the Breda fleet.

Ms. Kirschbaum stated that she takes the issue very seriously and SFMTA was making sure it understood how the Siemens vehicle would perform for all users. She said the APTA standard existed in part to add consistency to the testing process and that it required testing at multiple heights for costumers entering the vehicle. She said SFMTA's focus was to identify why the doors

were passing the APTA test but then not performing as expected.

Commissioner Fewer said the Board could not take a vote on the item without being informed about all existing issues. She noted that the SFMTA had not informed the Board of four documented incidents where riders were physically harmed. She asked if Siemens' safety track record was known and if the SFMTA looked at other jurisdictions that had purchased vehicles from Siemens, and the track records on those vehicles. She said it was important to also know where Siemens was acquiring the doors. She asked if it was correct that a passenger was once dragged and died under the wheels of a Breda LRV.

Ms. Kirschbaum said she did not want to speculate on the specific incident raised by Commissioner Fewer. She said the Breda fleet had not been immune to safety issues, and gave an example of a door problem that was opposite that of the Siemens doors, in which the doors would not reliably close. She added that the SFMTA was able to identify an electrical modification to the vehicle which coincidentally the Siemens car also had built into its design that would prevent the vehicle from moving if its door was improperly closed.

Commissioner Fewer requested a financial analysis on how much truing the wheels added to the cost of vehicles, as well as a separate line item that showed the cost of training and retraining operators. She said the Board was responsible for the people's money and needed to know all the facts before making a vote. Commissioner Fewer said that a higher level of transparency was necessary when voting on projects that cost tens of millions of dollars.

Commissioner Stefani said she was also shocked that she was not made aware of the safety incidents and said they erode people's faith in the transportation system and the Board. She asked if there was an update on the health status of the gentleman whose hand got stuck while holding onto a plastic bag that got trapped in the door.

Ms. Kirschbaum said she did not have that information but knew that he was transported to a hospital as a result of the incident.

Commissioner Stefani asked when the incident occurred.

Ms. Kirschbaum said she did not want to give misinformation but would follow up.

Commissioner Stefani asked if it happened before the video of the elderly woman being dragged under the Muni vehicle.

Ms. Kirschbaum replied in the affirmative.

Commissioner Stefani asked what the protocol was for reporting those types of incidents and which transportation oversight bodies received the reports.

Ms. Kirschbaum said the two primary bodies that rail collisions and rule violations were reported to included the CPUC and the National Transit Database (NTD). She added that the NTD was part of the federal Department of Transportation. She requested if she could provide a detailed response in writing to ensure an accurate response. She stated that every incident was reported to the SFMTA control center and the safety department determined which incidents to report, based on the regulations.

Commissioner Stefani asked if the incidents were reported to the SFMTA Board.

Ms. Kirschbaum said to her knowledge SFMTA staff did not report them to the SFMTA Board.

Commissioner Stefani requested information on what incidents were reportable.

Commissioner Yee emphasized the importance of operators learning how to use the other emergency braking mechanism without flattening the wheels and made a motion to continue the item.

Chair Peskin asked about the failure of two shear pins and the fact that SFMTA was not coupling trains.

Ms. Kirschbaum shared that a shear pin recently broke in service and was one of several redundant mechanisms that connected two parts of the coupler heads. She said the broken shear pin was immediately investigated and an additional broken shear pin was identified. As a result, out of an abundance of caution, the SFMTA was running one-car trains and looking at two potential causes: the metal composition of the pins as well as the lateral forces on the trains. She stated that there were no customers on board during the incident and two trains were not separated at any time.

Chair Peskin said the failing coupling and the need to close the back door of trains was disappointing in the face of being asked for \$63 million. He was also disappointed in Transportation Authority staff for failing to ask questions that could have identified the issues. Chair Peskin mentioned that he had raised issues regarding coupling at the April 9<sup>th</sup> Board meeting because he had been provided information from within SFMTA about a problem. Chair Peskin said that he knew people on the procurement team who recommended against the Siemens LRVs and people in the maintenance division who had let him know that the trains had been plagued with problems from day one.

Director Chang expressed the Transportation Authority staff's disappointment and expectation that any important issue be shared with them. She said it would have been difficult to ask questions regarding the LRV issues without having an indication that there was a problem. She stated that it was part of the Transportation Authority's job to ensure that quality assurance and quality control procedures were being performed by sponsor agencies and said she would be reviewing internal procedures with staff. Director Chang said Transportation Authority staff had only heard positive things about the vehicles and had been working hard to accelerate the funding of vehicles. She acknowledged the Board's message and shared disappointment. She proposed that an independent consultant be hired to help perform oversight and identify what happened in each case, effective fixes, and who would be responsible for subsequent costs.

Chair Peskin replied that the suggestions made by Director Chang would probably be the direction from the Board. He asked for clarification on the \$96,661 that was requested in the allocation for the warranty phase of the additional 68 LRVs to expand Muni's light-rail fleet.

Ms. LaForte said the \$96,661 requested was related to the 24 expansion vehicles that were part of the central subway project, and was essentially 'loose change' that had been identified during the Strategic Plan update rather than funding for a new scope of work.

Chair Peskin asked for confirmation that it was not being used to extend an existing warranty.

Ms. LaForte replied in the affirmative.

Chair Peskin asked how long the warranty period was for each one of the vehicles.

Janet Gallegos, SFMTA Project Manager, said the warranty was five years per vehicle.

Chair Peskin asked when the warranty for each vehicle began.

Ms. Gallegos said the warranty on a vehicle began when SFMTA conditionally accepted it upon placing the vehicle into service, after testing.

Chair Peskin asked how many of the 68 LRVs had been obtained by SFMTA.

Ms. Gallegos said 60 were on property and 50 had been conditionally accepted.

Chair Peskin asked if the 50 vehicles were conditionally accepted over time.

Ms. Gallegos replied in the affirmative.

Chair Peskin asked if the warranties start at different times and last for five years.

Ms. Gallegos replied in the affirmative.

Chair Peskin asked if SFMTA had made any claims pursuant to the warranty.

Ms. Gallegos replied in the affirmative and said SFMTA logged all issues. She added that there was a monthly failure review board that determined if warranty claims needed to be filed.

Chair Peskin asked if Siemens repaired warranty issues on site.

Ms. Gallegos replied in the affirmative and said Siemens had workers on site that addressed warranty issues.

Chair Peskin asked if the work was done timely.

Ms. Gallegos replied in the affirmative and said SFMTA and Siemens staff worked together to prioritize vehicles that needed to get back into service.

Chair Peskin asked if warranty issues lead to a savings clause and/or an extension of the warranty for that particular vehicle needing repairs.

Ms. Gallegos said there would be an extension of warranty if the part that failed needed to be replaced.

Chair Peskin requested that Transportation Authority staff or a consultant independently verify his line of questioning regarding warranty issues.

Commissioner Safai shared his frustration regarding SFMTA's failure to listen to areas of concerns that were brought to the Board's attention either through Commissioners or constituents. He also shared his frustration regarding drivers not being trained in the right manner when utilizing the LRV braking system and questioned why the Board should continue to approve the purchasing of vehicles. He spoke against staff's suggestion to hire consultants to make an independent analysis. Commissioner Safai stated that vehicle funding should not be approved until the Board received answers.

Chair Peskin suggested that the SFMTA Board of Directors request a monthly report from SFMTA staff that provided statistics about collisions of all its vehicles.

During public comment Michael Wright stated that door sensors were placed in the wrong location and suggested that an electromagnetic strip be installed on all LRV doors to ensure they automatically open when obstructed. He said wheel flattening was due to the use of low-quality cast iron steel, which was causing tires to get flat without providing significant mileage or service. He lastly stated that running one-car trains would make it difficult to keep riders behind the yellow safety lines during rush-hour traffic.

Robin Kropp, reported feedback she received from a Muni LRV operator. She said the Muni operator suggested installing sensors on all LRV doors similar to the Bredas noting that only the central doors have them on the Siemens vehicles; bringing back rear view mirrors because the cameras on the new vehicles could not always provide visibility due to glare; and installing a

feathering break in the front, middle and back of the LRVs rather than just in the front of the Siemens LRVs as it allows the vehicles to slow gradually. She said she was informed that the machine that fixed flattened wheels was broken and shared the operator's request for more driver training and an independent hotline that allowed drivers to provide information and tips.

Herbert Weiner stated that the public was not provided the opportunity to provide feedback before the Siemens LRVs were put in operation. He asked that the Board not approve the allocation of funds.

A member of the public requested that the SFMTA install additional blue seating in the LRVs for riders with special needs and pull cords to make stop requests. She said the SFMTA was only doing the minimum requirements to comply with ADA regulations.

Bob Feinbaum stated that he sent a letter to the SFMTA on March 26<sup>th</sup> that identified many of the defects discussed by the Board but did not receive a response. He also mentioned that a public records request to the SFMTA yielded an inadequate response and suggested that the Board not approve the allocation request. He suggested that the SFMTA use in-line coupling which would allow for four-car trains in the subway.

Edward Mason asked for clarification regarding the 20 operation enhancements and 22 maintenance enhancements that were highlighted by the SFMTA at the April 9, 2019 Transportation Authority Board meeting. He asked for a full accounting of the enhancements listed in their presentation.

After public comment Chair Peskin asked the SFMTA if they could answer the question that a member of the public brought up relative to a broken machine that fixed flattened wheels.

Ms. Kirschbaum said there was a period of 10 days when the wheel truing machine had been broken, but it had since been repaired.

Commissioner Yee moved to continue Item 10 to the call of the Chair, seconded by Commissioner Mandelman.

The item was continued without objection by the following vote:

Ayes: Commissioners Brown, Fewer, Haney, Mar, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee (11)

**Chair Peskin called Item 11 and 12 together.**

- 11. Central Subway Project - Construction Progress and Mitigation Program Update – INFORMATION**
- 12. Van Ness Avenue Bus Rapid Transit Project - Construction Progress and Mitigation Program Update – INFORMATION**

Jonathan Rewers, SFMTA Senior Manager of Budget, Financial Planning and Analysis & Building Progress Program Manager; Deanna Desedas, SFMTA Manager of Public Outreach and Engagement; Jorge Rivas, Interim Deputy Director of Neighborhood Development at the Office of Economic and Workforce Development (OEWD); and Phillip Pierce, SFMTA Public Affairs Lead, presented the item.

Chair Peskin thanked SFMTA staff for the presentation and their work done on the projects. He also expressed his concern that very few people impacted by the Van Ness project had been using the services provided through Office of Economic Work Development (OEWD), partially due

to the lack of outreach in advance. Chair Peskin asked SFMTA staff to give an update on the schedules for Van Ness and Central Subway projects.

Mr. Rivas presented his portion of the item. Mr. Rewers completed the presentation.

Chair Peskin asked SFMTA staff to provide an update on the Central Subway and Van Ness BRT projects.

Peter Gabancho, Van Ness BRT Project Manager (SFMTA), reported that since the last presentation report of 564 days of delay, there had been no additional delay to date. He further expounded that staff was working on recovering some of the delay and preparing for the next phase, attempting to get ahead of future challenges.

Chair Peskin asked for the schedule of final completion.

Mr. Gabancho answered June of 2021, which would put the BRT in revenue service later that summer.

Chair Peskin asked for an update on the Central Subway project.

Mr. Pierce addressed the Board on behalf of Albert Hoe for Central Subway project, answering that December of this year was still the targeted time for revenue service, and that the project team was working with the contractor to mitigate risks associated with the timeline.

Chair Peskin interjected on the project details, clarifying that Mr. Ho stated last time that the project would be completed, but not in revenue service by the December timeline. He wanted verification that at least project construction would be completed by the end of the year. Mr. Pierce confirmed.

During public comment, Michael Wright spoke on the lack of affordable housing development along Van Ness.

Vas Kiniris, executive director of West Portal Merchants and member of SFMTA's small business advisory group, expressed that merchants had positive experiences with SFMTA and OEWD staff during outreach efforts at West Portal.

Maryo Mogannam, President of the San Francisco Council of District Merchants Association, commended SFMTA staff efforts on outreach to merchants and encouraged staff to keep up with the merchant assistance programs.

Pedro Galleti, resident and business owner in West Portal, commented that the West Portal project was well-managed and ahead of schedule, with project managers communicating for several months ahead with business owners on the status of the project.

Carl Aguilar, resident and business owner in West Portal, thanked staff and expressed how important the outreach was, and that the West Portal project went better than many other projects. He also commented that more outreach and funding would be beneficial.

Herbert Weiner commented that the ambassadors did not really listen, and community meetings seemed like dog-and-pony shows. He asked that the Board to continue its diligence.

Maureen Stoss, resident and business owner in West Portal, commented that she had never seen the previous speaker at the community meetings, so was confused by his comments. Ms. Stoss expressed appreciation for the outreach efforts of SFMTA staff, including being on site the first day of construction and ensuring that barriers, etc. were moved. She said it was a big disruption to business, but that SFMTA's reaching out to help businesses prepare ahead of time for the

project impacts, allowed for smoother business flow despite disruptions, and the project was done safely and quickly.

Chair Peskin expressed his appreciation for the comments of West Portal business owners, but also commented that there was a magnitude of difference between West Portal and projects like Central Subway, which had been delayed over half a decade, and Van Ness which was slated for completion in June 2021. He also noted that the Board had many questions about the allocation of Educational Revenue Augmentation Funds (ERAF). He noted that the amount of revenue set aside was very little according to merchant needs, but it showed that the City cared about merchants' welfare.

Commissioner Haney commented that it was exciting to see real money put forth to help businesses. However, there were still businesses like one on 4th and Bryant street that was not being given enough advanced notice and expressed to him that they might not survive through the next several months. Commissioner Haney asked what was being done to offer real assistance to a business in that type of situation, rather than just outreach.

Mr. Rewers said that rather than emails going directly to Commissioner offices, ideally SFMTA staff would be able to address those types of issues beforehand, stating that the specific situation would be addressed and followed up with Commissioner Haney's office. Mr. Rewers explained that the reason the West Portal project had been presented was to demonstrate how effective good outreach in advance of the project could be, noting that since staff did not previously have the small business support toolkit in place, they were now playing catch-up on projects like Van Ness BRT and the Central Subway. He also stated that staff was attempting to figure out the triggers that would initiate small business assistance to direct them to OEWD services.

Commissioner Haney clarified that it seemed the specific business had been contacting city staff regularly after outreach, attempting to get assistance, but not getting the help they needed.

Mr. Rewers expressed concern over the lack of cleanliness and follow up, and that it was unacceptable on any project. He further stated that SFMTA staff would resolve the issue as quickly as possible.

Commissioner Fewer asked for clarification about the intended usage of ERAF funds being directly distributed for small business revenue mitigation, as opposed to outreach. She requested a list of businesses that were directly given funding to offset loss of revenue, as well how the \$5 million was disbursed.

Mr. Rewers answered that staff could give a report on Central Subway for which \$400,000 was slated for direct financial assistance. He asked the Board for clarification of whether the \$5 million was intended to be allocated to all projects across the city or made into a program, like the 2012 revolving loan fund approved by the Board of Supervisors at the time. Mr. Rewers further commented that with the current program, monetary assistance was offered only on high impact projects.

Commissioner Fewer responded that the businesses had been subjected to extended revenue loss of five years due to the delays of Central Subway project and were blocked from public access and may not even be able to open for operation. She repeated her request for the list of small businesses being given assistance using the \$5 million ERAF allocation.

Mr. Rewers agreed to follow up with the request.

Commissioner Mar expressed his appreciation for the presentation and ongoing dialogue about

small business mitigation. He asked about the preparation for the Taraval corridor and if staff had started cataloging businesses and their current economic health, as explained in the presentation.

Ms. Desedas answered that both SFMTA and OEWD staff would go door-to-door before construction to assess businesses' needs and help them prepare. First SFMTA staff would do a pre-construction survey, which would give OEWD the needed information to provide services to the small businesses.

Commissioner Mar asked for confirmation that staff would work with Taraval businesses and when construction would begin.

Ms. Desedas confirmed that the communication process had already begun but that the actual survey assessment would not begin for another month or two.

Mr. Pierce also commented that a lot of data had already been gathered on Taraval and construction was scheduled to start in July.

Commissioner Mar asked whether the mitigation goal of outreach to merchants at 65 percent design had been met.

Mr. Pierce explained some of the challenges in regard to coordinating timing construction activities with business activities were that actual construction may not follow plans on paper, but that a lot of previous outreach had been done as well to prepare for the changes.

Ms. Desedas added that with the Twin Peaks tunnel, last minute changes had to be made, but staff worked to mitigate them right away, and confirmed that 65 percent design was where staff would start.

Commissioner Mar asked which program tier the Taraval project would fall under, because it looked to be 24 months or longer.

Mr. Rewers explained that the metric was used to include the total amount of time a business would be disrupted, whether it was for a week or for the duration of the project. He added that the appropriate mitigation tool would be implemented based on the specific situation.

Commissioner Mar thanked SFMTA staff and looked forward to the follow-up on Taraval.

Commissioner Brown echoed Commissioner Fewer's comments about the \$5 million going directly to the businesses and stated District 5 currently had three construction projects that were affecting merchants. She said she was concerned with construction along Haight Ashbury and noted that merchants asked for a construction moratorium during the summer months since that is when they make the most money. She also asked for the percentage rate of loans and how long merchants had to pay them off.

Mr. Rivas said the funds for non- 'invest in neighborhood' areas was between seven to eight percent and businesses had ten years to pay off the loan.

Commissioner Brown said she had asked businesses in her district to provide proof of revenue loss, and reiterated that they needed monetary support as it's really about paying the rent, taxes, utilities, etc.

Commissioner Walton also echoed Commissioners Brown and Fewer comments on the resources going directly to the businesses, not consultants and administrative fees, stating that it should be a universal program for small businesses across that city to get financial mitigation support during



City construction. He asked for clarification on the type of monetary support being a loan.

Mr. Rewers confirmed it was true, if the business required that kind of cash flow.

Commissioner Safai also echoed Commissioners Fewer and Walton comments that the intention of the \$5 million funding was to mitigate businesses' loss of revenue. He noted that the revolving loan program has value and seems more relevant for stabilizing existing businesses against other forces in the city. He said he'd like to see the \$5 million in ERAF be used entirely for business revenue loss mitigation.

Commissioner Peskin concurred with Board Members' comments saying he thought the Board was unanimous on this and observed heads nodding in agreement; therefore he asked Transportation Authority staff to work with other city agencies to follow up on the Board's direction for the use of the ERAF funds.

Mr. Wright commented on the ethics of City funding management and the lack of housing for vulnerable communities.

Chair Peskin thanked OEWD and SFMTA staff and looked forward to resolving the issue.

### **Other Items**

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

Commissioner Brown spoke on behalf of Commissioner Yee asking Transportation Authority staff to draft a resolution that expedited Vision Zero projects and a report back on strategies on streamlining implementation.

#### **14. Public Comment**

Michael Wright commented on the LRV wheel mechanical issues and homeless housing assistance.

#### **15. Adjournment**

The meeting was adjourned at 1:09 p.m.