



AGENDA

San Francisco County Transportation Authority Meeting Notice

Date: Tuesday, October 20, 2020; 10:00 a.m.

Location: Watch SF Cable Channel 26

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PUBLIC COMMENT CALL-IN: 1 (415) 655-0001; Access Code: 146 253 1573 # #

To make public comment on an item, when the item is called, dial '*3' to be added to the queue to speak. When your line is unmuted, the operator will advise that you will be allowed 2 minutes to speak. When your 2 minutes are up, we will move on to the next caller. Calls will be taken in the order in which they are received.

Commissioners: Peskin (Chair), Mandelman (Vice Chair), Fewer, Haney, Mar, Preston, Ronen, Safai, Stefani, Walton, and Yee

Clerk: Britney Milton

Remote Access to Information and Participation:

In accordance with Governor Gavin Newsom’s statewide order for all residents to “Stay at Home” - and the numerous local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 disease. Pursuant to the lifted restrictions on video conferencing and teleconferencing, the Transportation Authority Board and Committee meetings will be convened remotely and allow for remote public comment. Members of the public are encouraged to watch SF Cable Channel 26 or visit the SFGovTV website (www.sfgovtv.org) to stream the live meetings or watch them on demand. If you want to ensure your comment on any item on the agenda is received by the Board in advance of the meeting, please send an email to clerk@sfcta.org by 8 a.m. on Tuesday, October 20, or call (415) 522-4800.

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Projects: (SFMTA) Replace 28 Paratransit Vans (\$1,156,151), Upper Market Street Safety Improvements (\$2,833,813), Vision Zero Quick-Build Program FY21 (\$936,314 Prop K, \$2,505,686 TNC Tax), 5 th Street Quick-Build Improvements (\$378,372); (SFPW) Mansell Street Curb Ramps (\$971,025) | 77 |
| 8. | Authorize the Executive Director to Execute the Utility Relocation Agreement, the Right of Way Certification, Amendments to the Memorandums of Agreement (MOAs) with Treasure Island Development Authority (TIDA) for Both Right of Way and Construction Phases, and All Other Related Project Agreements for the Yerba Buena Island (YBI) Westside Bridges Seismic Retrofit Project - ACTION* | 89 |
| 9. | Update on the San Francisco Municipal Transportation Agency's Red Light Camera Program - INFORMATION*

At the October 20 Transportation Authority Board meeting, Ricardo Olea, City Traffic Engineer, will provide an update on the San Francisco Municipal Transportation Agency's efforts to reduce red light running and the Red Light Camera Program. The update will include current program performance and recommendations for future expansion for the program. | 99 |
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| 12. | Introduction of New Items - INFORMATION

During this segment of the meeting, Commissioners may make comments on items not specifically listed above or introduce or request items for future consideration. | |
| 13. | Public Comment | |
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*Additional Materials

Items considered for final approval by the Board shall be noticed as such with **[Final Approval]** preceding the item title.

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DRAFT MINUTES

Citizens Advisory Committee

Wednesday, September 23, 2020

1. Call to Order

Chair Larson called the meeting to order at 6:00 p.m.

Present at Roll Call: Nancy Buffum, Robert Gower, David Klein, John Larson, Jerry Levine, Stephanie Liu, Kevin Ortiz, Peter Tannen, Sophia Tupuola, and Rachel Zack (10)

Absent at Roll Call: Danielle Thoe (1)

2. Chair's Report - INFORMATION

During the Chair's Report, Mr. Larson welcomed new District 4 CAC representative Ms. Nancy Buffum, and asked her to say a few words of introduction. Chair Larson also reported Bike to Workday has been re-envisioned as Bike to Wherever Day and will be held on September 24th. He added that the San Francisco Bicycle Coalition will be setting up stations at bike shops and businesses around the city where participants can pick up a traditional Bike to Workday tote bag.

Chair Larson reported on the Octavia Improvements Study, which is identifying potential safety and circulation improvements to Octavia Boulevard and the surrounding areas. He announced that a public survey which will allow participants to identify where they face challenges traveling through the study area by transit, bicycle, foot, or car, will be posted on the Transportation Authority's website at sfcta.org/octavia.

Chair Larson updated the CAC on recent CAC project update requests. He mentioned that since the last CAC meeting, staff has sent an email update to CAC members on the SFMTA's 16th Street Improvements project, requested by member Kevin Ortiz. He said that the Better Market Street project update requested by member Danielle Thoe, will be agendized for a presentation at the October 27 Transportation Authority Board and October 28 CAC meetings, and that the Downtown Extension update will be agendized before the end of the calendar year.

Chair Larson reported that at the September 15 Transportation Authority Board Meeting, there was a lengthy presentation and discussion on SFMTA Rail Service, which included a discussion on the incidents with splicers failing,



resulting in abruptly ending the planned resumption of rail service in late August. He said that staff encourages CAC members to listen to the recording or review the Board meeting minutes to hear discussion of key policy issues such as benefits and tradeoffs of possibly extending the subway shutdown to allow more transformative state of good repair improvements to be made to the subway versus a quicker fix that is more limited in scope. He added that the item will come back to the Board at a date to be determined and also will be agendized at the CAC meeting.

Lastly, per member Peter Tannen's suggestion, Chair Larson announced that the meeting will be adjourned in memory of Ernestine Weiss. He added, Peter will make a few remarks about Ernestine who was among other roles a tireless advocate for open space, affordable housing, and public transportation.

There was no public comment on the Chair's Report.

Consent Agenda

3. **Approve the Minutes of the September 2, 2020 Meeting - ACTION**
4. **Citizen Advisory Committee Appointments - INFORMATION**

There was no public comment on the minutes.

Kevin Ortiz moved to approve the minutes, seconded by Sophia Tupuola.

The minutes were approved by the following vote:

Ayes: CAC Members Buffum, Gower, Klein, Larson, Levine, Liu, Ortiz, Tannen, Tupuola, Zack (10)

Absent: Thoe (1)

End of Consent Agenda

5. **Adopt a Motion of Support to Adopt Traffic Congestion Mitigation Tax (TNC Tax) Program Guidelines and Program \$7,505,686 in TNC Tax Funds to Two Projects - ACTION**

Kaley Lyons, Transportation Planner, Policy and Programming, presented the item.

Rachel Zack asked why revenue projections were off, particularly in January and February before the COVID-19 pandemic.

Ms. Lyons responded that the initial revenue projections were \$30 million annually and the chart reflected a straight average across 12 months; however, travel is cyclical with January and February typically slower travel months, and an uptick had been expected through the summer and fall.

With respect to projects that are "ready to go" and priorities, David Klein asked if there should be a new way to prioritize, and how to evaluate projects that



may be slower but more cost effective. He also asked if the proposed approach is introducing bias because of the limited funds available.

Ms. Lyons responded that there are two aspects of "ready to go" projects. In terms of allocation, funds are not allocated until projects are ready to use the funds. For prioritization, readiness is considered, but is not the top priority.

Sophia Tupuola asked if there would be preference for hiring in Communities of Concern for quick-builds. Anna LaForte responded that one aspect of quick-builds is that most work is done by city crews.

Chair Larson commented that he understood three of the categories, but was unsure of the signals, being that Prop K seems to fund a lot of signal projects. He added, he is curious how these signal projects fit in with those projects.

Ms. Lyons responded that Prop K will continue to fund signal projects, and that TNC Tax funds could also be used for signal retiming. She added, signals came up several times when seeking feedback from stakeholders, such as Audible Pedestrian Signals. Additionally, Ms. Lyons said demand for signals is higher than what the funds available through Prop K alone can support.

Jerry Levine asked what kind of oversight there might be to ensure projects are on time and on budget and at what point funds possibly get reallocated.

Ms. Lyons responded that there will be quarterly reporting, and within the guidelines it states that if sponsors do not come in for funds in the year of programming, the Board may consider reprogramming the funds.

Kevin Ortiz asked if there was a list or map of quick-builds projects in the pipeline.

Ms. Lyons said there is a list for the current request of \$2.5 million in the next agenda item, but said she was unsure about the broader pipeline.

Ms. LaForte explained that she is anticipating the \$5 million allocation request to come next spring to fund FY21/22 quick-builds. She said that staff could ask for a lookahead from SFMTA of the next tranche when it is available.

Kevin Ortiz said he would like a comparison on how those are being prioritized in Communities of Concern.

Jennifer Wong, SFMTA, said that there is a list of quick-builds available at [SFMTA.com/quickbuild](https://www.sfmta.com/quickbuild).

Chair Larson asked for clarification around the nomenclature of quick-builds and vision zero projects.

Ms. LaForte explained that quick-builds are planned for the Vision Zero High Injury Network, typically in advance of a permanent project. They provide low



cost improvements in advance of a larger capital project and there will be additional information in the next agenda item regarding the allocation request. The nexus to Vision Zero is that quick-builds are on the Vision Zero High Injury Network at locations with high rates of collisions and injuries.

There was no public comment.

Jerry Levine moved to approve the item, seconded by Rachel Zack.

The item was approved by the following vote:

Ayes: CAC Members Buffum, Gower, Klein, Larson, Levine, Liu, Ortiz, Tannen, Tupuola, Zack (10)

Absent: Thoe (1)

6. Adopt a Motion of Support to Allocate \$5,897,303 in Prop K Sales Tax Funds, \$378,372 in Prop AA Vehicle Registration Fee Funds, and \$2,505,686 in Traffic Congestion Mitigation Tax (TNC Tax) Funds, with Conditions, for Five Requests - ACTION

Anna LaForte, Deputy Director for Policy and Programming, presented the item.

Sophia Tupuola asked how SFMTA would dispose of the paratransit minivans upon retirement and commented that the vehicles might have value for low income San Francisco residents who don't have other options to get around safely.

Anna LaForte replied that the vehicles had exceeded their useful life and therefore had little remaining value.

Gary Chang, SFMTA Fleet Manager, said the agency's standard practice was to auction the vehicles, and reinforced Ms. LaForte's comment that the subject vehicles were far beyond their useful lives.

Ms. LaForte said Transportation Authority staff would work with SFMTA staff to see what options exist for re-use of these or other vehicles to benefit Communities of Concern, noting that sometimes there are restrictions depending on how purchase of the vehicles was funded.

Peter Tannen asked for clarification of the symbols in the diagram of the improvements proposed for the Upper Market project.

Casey Hildreth, with SFMTA, said there was a much more comprehensive version of the diagram on SFMTA's website for the project:

<https://www.sfmta.com/projects/upper-market-street-safety-project>.

Mr. Tannen asked about the Bike Leaning Rails included in the scope of the Upper Market project and asked what do the labels reading "optional" mean.



Mr. Hildreth answered that if implemented as part of the Upper Market project, it would be the first time SFMTA had installed Bike Leaning Rails, and it would be valuable to know how they would go over with the public. He said they were an optional scope item that would be implemented if bids showed that they could be included within the project budget.

With respect to the 5th Street Quick-Build Improvements project, Mr. Tannen asked if the bus lines currently re-routed to accommodate construction of the Central Subway project, would be returned to their original routes.

Thalia Leng with SFMTA replied that the new boarding island is intended to benefit the 37-Corbett. She said the overhead wires for the re-routed trolley coaches would remain in place to provide system flexibility, but regular trolley coach service was not planned for 5th Street.

Kevin Ortiz asked which routes were served by paratransit vans, and if COVID-related service reductions had differentially affected paratransit users along routes in Communities of Concern.

Jerry Levine asked staff to invite SFMTA to provide a presentation to the CAC explaining how paratransit services were delivered, how SFMTA qualified passengers to use the services, and how services were distributed demographically and geographically.

David Klein asked if the new paratransit vans would have low-emission power systems.

Gary Chang said SFMTA is looking into a pilot to test an electric paratransit vehicle, but that they could not use battery-electric vehicles until it had a facility for charging and maintaining them.

Mr. Klein asked if the Transportation Authority had information or analysis on the geographic equitability of Prop K investments.

Ms. LaForte responded that staff could produce geographic equity analysis, but warned that these kind of reports could be misleading since major capital projects in one district may have citywide benefits, but that staff could try to find a way to approximate.

Mr. Klein said he appreciated that geographic equity was only one perspective, but that it would still be nice to have.

Jerry Levine suggested that the distribution analysis could divide Prop K investments into categories.

Chair Larson noted that there is a map on the Transportation Authority's website where one can see projects by district and he agreed it may be interesting to see some graphic that divides up projects by district. He also cited the Central Subway as an example of a project located in one district that



benefits a much broader section of the city and acknowledged the challenges of trying to divvy up the benefits of projects by district.

Robert Gower expressed appreciation for the Mansell Curb Ramps project and said that it would nicely complement and build on previous improvements along Mansell.

During public comment Chair Larson read a message from Jackie Sachs expressing support for the purchase of new paratransit vans.

Mr. Ortiz said he wasn't comfortable voting on paratransit vans without knowing what routes they would be allocated to and said he would be interested in making a motion to vote on the other items, but to defer action on the paratransit vans.

Cody Hicks, SFMTA, clarified that for this particular fleet of 28 vehicles, the paratransit program was not route-based, that it was a reservation-based system that provided curb-to-curb service for passengers who were unable to use route-based transit service. He said he could provide data on the types of populations served, if that was of interest.

Chair Larson said this tallied with his recollection of how the program was run. He asked if this is replacing vehicles with higher occupancy vehicles or increasing the number overall.

Mr. Hicks said that they are replacing vehicles 1 for 1 but the new cutaways vans are larger vehicles with capacity for 14 passengers and 4 wheelchair users compared to the minivans that have capacity for 1 wheelchair and 3 or 4 other passengers.

Chair Larson asked if one passenger makes a request and then another, how is the route assembled or do they use different vans until they run out of vans, asking if the approach used was like Super Shuttle or another approach.

Mr. Hicks said unfortunately vehicle engineers are in attendance and not the folks who are familiar with paratransit service, but said he could report back to the CAC on this topic.

Chair Larson observed that the ask before the CAC was to support the procurement of paratransit vehicles to replace 1 for 1 vehicles that have reached the end of their useful life, noting these vehicles need to be replaced one way or another. He added that the discussion revealed that it might benefit the CAC to agendize a presentation on how paratransit service was delivered. He asked Mr. Ortiz with the explanation provided if he would still like to move forward with his proposed motion to amend.

Mr. Ortiz said given the explanation he would withdraw his motion to amend the staff recommendation, but during new business would ask for an overview



of paratransit service and would be especially interested in how service is delivered with a focus on communities of concern.

Kevin Ortiz moved to approve the item, seconded by David Klein.

The item was approved by the following vote:

Ayes: CAC Members Buffum, Gower, Klein, Larson, Levine, Liu, Ortiz, Tannen, Tupuola, Zack (10)

Absent: Thoe (1)

7. **Adopt a Motion of Support to Authorize the Executive Director to Execute the Utility Relocation Agreement, the Right of Way Certification, Amendments to the Memorandums of Agreement (MOAs) with Treasure Island Development Authority (TIDA) for Both Right of Way and Construction Phases, and All Other Related Project Agreements for the Yerba Buena Island (YBI) Westside Bridges Seismic Retrofit Project - ACTION**

Dale Dennis, consultant project manager with the Transportation Authority, presented the item.

Jerry Levine asked if any consideration was given to tunneling, and if not was it due to costs.

Mr. Dennis replied, the tunneling was never considered based on the funding received from the Highway Bridge Program which was geared for retrofitting the existing bridges that were built back in the 30's. He added that tunneling would have been a more costly approach.

Chair Larson asked about the bidding process and more clarification about how the construction manager/general contractor (CM/GC) process works.

Mr. Dennis replied that the CMGC selection process starts with a Request for Qualifications (RFQ) process when selecting a contractor. He shared in summer of 2018, the Transportation Authority issued a RFQ and received 5 different proposals from very good general contractors with their teams. He explained that it's a process where you can select a contractor based on their qualifications, experience and records as opposed to a low bid process. He said the general contractor enters into a pre-construction contract and they become a part of the design team looking at means, methods and schedules as ways to save money. Then during costs estimates there are three different teams independently developing bottoms up estimates. Mr. Dennis continued to explain that the general contractor performs 30% of the work, but not more than 70%, and said the remainder of the work has to go through the general contractor's own bid process for sub-contractors. The general contractor also has to meet the Disadvantage Business Enterprise (DBE) goals for the project, which is 11%.



There was no public comment.

Peter Tannen moved to approve the item, seconded by Robert Gower.

The item was approved by the following vote:

Ayes: CAC Members Buffum, Gower, Klein, Larson, Levine, Liu, Ortiz, Tannen, Tupuola, Zack (10)

Absent: Thoe (1)

8. Progress Report for Van Ness Avenue Bus Rapid Transit Project - INFORMATION

Peter Gabancho, SFMTA Project Manager, presented the item.

Chair Larson commented that it was great that all the sewer and other utility work is done and that he has been on the corridor and it was interesting to see all the work happening in the center of the street now. Chair Larson asked where will cars be able to make a left turn on Van Ness Avenue.

Mr. Gabancho replied at northbound Lombard Street and southbound Broadway.

David Klein mentioned that the lack of underground knowledge led to much of the project delay and asked how that has changed with all the improvements, such as whether there was mapping of the street now available for the future work.

Mr. Gabancho replied that the contractor provides as-built drawings which are viewed by City staff and put on file, which should reflect what the project team found and that future organizations doing work will have access to those files. He added, there is a notice of intent process that all city agencies and utilities in the city participate in wherein you describe a project that you are planning, and the agencies and utilities will share their drawings.

Mr. Klein asked about statistics of businesses affected by construction including money spent and effectiveness of any business program. He remarked that the presentation shows no statistics.

Mr. Gabancho responded that some businesses have closed since start of construction. He said that OEWD collects business statistics on how businesses have been helped and that he would follow up with OEWD to get statistics.

Eric Cordoba, Deputy Director for Capital Projects, thanked Mr. Gabancho for the presentation to the CAC and the one to the Board yesterday, and congratulated him on finishing the underground work. He also commented that the Transportation Authority Board was very interested in business statistics and that staff would work with SFMTA and OEWD to get more details.

There was no public comment.



Other Items

9. Introduction of New Business - INFORMATION

Jerry Levine shared that months ago a presentation on coordination, collaboration, and integration on various Transportation Agencies was presented to the CAC. He asked if staff could provide an update/follow up – whether in writing or at a future meeting about where the process is saying he recalled it touch on state legislation to advance “seamless” transit and the potential regional funding measure last year.

Stephanie Liu said she joined today’s Metropolitan Transportation Commission meeting and said there was some controversy about a strategy in Plan Bay Area 2050 that would mandate 60% of employees at large employers work from home (on any given day). She said she understood this to be related to the need to meet GHG reduction goals and said it would be great to get a presentation on this topic and to see what the plans are for the region as a whole.

Chair Larson agreed and added he would also like to see where we are in terms of climate change and resilience ideas and asked how much bolder we will need to be from a transportation perspective.

Chair Larson also suggested agendaizing the paratransit service delivery item per the CACs earlier discussion (see item #6 above).

Kevin Ortiz echoed Mr. Larson’s suggestion and also requested a presentation on how the system works for Communities of Concern, in particular.

There was no public comment.

10. Public Comment

During public comment, Chair Larson read a comment from Jackie Sachs where she asked for SFMTA to pay more attention to ensure that seniors, people with disabilities, and people walking to and from transit are safe in the Mission Bay Area, particularly with the increasing number of medical services locating there and the increase in people coming to the area and traffic. She said SFMTA should prioritize pedestrian safety first.

Peter Tannen said a few words about Ernestine Weiss, noting that while she didn’t attend CAC meetings, she was a regular fixture at the Department of Parking and Traffic and other city meetings and often focused her advocacy efforts on public transportation, open space, affordable housing, and curbing redevelopment. He said she tended to advocate for people who were powerless such as the elderly, homeless persons, and marginalized communities, and that she also served as a positive check on city government. For these reasons, Mr. Tannen said he had requested to adjourn tonight’s meeting in Ernestine Weiss’ honor.



Chair Larson commented that it was important, especially in our current times, to recognize people who are invested in and demonstrate a sincere commitment to their communities and who work long and hard to bring about change.

11. Adjournment

The meeting was adjourned in honor of Ernestine Weiss at 7:59 p.m.



DRAFT MINUTES

San Francisco County Transportation Authority

Tuesday, September 22, 2020

1. Roll Call

Chair Peskin called the meeting to order at 10:02 a.m.

Present at Roll Call: Commissioners Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton (10)

Absent at Roll Call: Commissioner Yee (entered at item 2) (1)

2. Chair's Report - INFORMATION

Chair Peskin congratulated the Bay Area Rapid Transit (BART) on winning a \$1.2 billion federal grant for its Transbay Corridor Core Capacity Program. He added that this grant is the largest the agency has ever received and will fund the purchase of 252 additional rail cars, a new communications-based train control system, a new rail car storage yard and enhanced traction power substations in San Francisco and the East Bay. He added, together the investments will grow train frequencies and system capacity by 45 percent, improving service for millions of riders. He thanked two San Francisco BART representatives for personally travelling to Washington, DC to advocate for these funds alongside staff. He recognized Chair Lateefah Simon and Director Bevan Dufty, and General Manager Bob Powers and his team, and the federal delegation.

Chair Peskin also recognized the next phase of the San Francisco economy re-opening with the resumption of 'low risk indoor and outdoor activities'. He added that he hopes everyone continues to travel with care and follows public health orders along with San Francisco Municipal Transportation Agency (SFMTA) protocols to maintain distancing and wearing facial coverings.

Chair Peskin also made an announcement about the San Francisco Bicycle Coalition's (SFBC) Bike to Work Day, which the Transportation Authority has sponsored for many years. He added that the day was originally scheduled for May but is now being re-envisioned as Bike to Wherever Day and has been rescheduled to take place on Thursday, September 24th. He added that SFBC will set up stations at bike shops and other businesses around the city where participants can pick up traditional Bike to Work Day items and said more event information could be found at sfbike.org.

Lastly, Chair reported that the Board will be sponsoring the San Francisco Transit Riders' Transit Week 2020 event on October 5th - 9th. He added that the theme for this year's celebration is "Transit is Essential" and the activities of the week will highlight how transit is helping move essential trips during the pandemic and the critical importance of enabling transit's recovery moving forward. He also shared that the SF Transit Riders are



accepting nominations for transit heroes in preparation for the Rider First Awards on Friday, October 9th, and directed people to visit sftransitriders.org to submit nominations.

3. Executive Director's Report - INFORMATION

Tilly Chang, Executive Director, presented the item.

During public comment, David Pilpel commented on the Better Market Street project, stating that he believed the federal Finding of No Significant Impact (FONSI) was recently issued, marking a major milestone for the project. Mr. Pilpel also inquired about the Federal and State Legislation update that was deferred at the September 15th Board meeting due to time constraints. He asked if there was any important legislation that the Board and public should be aware of particularly in Sacramento given that the Governor has until the end of the month to sign or veto bills from this session.

During public comment, Roland Lebrun requested to have the Executive Director's Report added to the website.

Executive Director Tilly Chang responded that the report is posted on the website (www.sfcta.org) every month.

Consent Agenda

- 4. Approve the Minutes of the September 15, 2020 Meeting - ACTION**
- 5. [Final Approval] Appoint Nancy Buffum to the Citizens Advisory Committee - ACTION**
- 6. [Final Approval] Program \$4,308,164 in Prop AA Vehicle Registration Fee Funds to Three Projects and Amend the 2017 Prop AA Strategic Plan - ACTION**
- 7. [Final Approval] Allocate \$10,645,271 and Appropriate \$60,000 in Prop K Sales Tax Funds, with Conditions, and Allocate \$3,664,159 in Prop AA Vehicle Registration Fee Funds, with Conditions, for Nine Requests - ACTION**
- 8. [Final Approval] Adopt the Alemany Corridor Safety Project Final Report [NTIP Planning] - ACTION**
- 9. [Final Approval] Adopt the Proposed Fiscal Year 2020/21 Budget and Work Program - ACTION**
- 10. [Final Approval] Execute Contract Renewals and Options for Various Annual Professional Services in an Amount Not to Exceed \$7,075,000 - ACTION**
- 11. [Final Approval] Approve the Revised Procurement Policy and Travel, Conference, Training and Business Expense Reimbursement Policy - ACTION**

During public comment, David Pilpel suggested changes to the draft minutes as follows: on page 9 in the last paragraph "in additional" should be changed to "in addition", "... on the first day of the restart" additional space to be removed, "overheads lights" should be changed to "overhead lights", and on page 11, Mr. Jamie Parks should be consistently referred to as "Mr. Parks" versus "Jamie".



Chair Peskin motioned to amend the minutes with the following changes: "in additional" to be changed to "in addition", and "... on the first day of the restart" additional space to be removed, seconded by Commissioner Mandelman.

The motion to amend the minutes was approved without objection by the following vote:

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

Absent: (0)

Chair Peskin motioned to move the Consent Agenda with the minutes as amended, seconded by Commissioner Mandelman.

The Consent Agenda, with the minutes as amended, was approved without objection by the following vote:

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

Absent: (0)

End of Consent Agenda

12. Van Ness Bus Rapid Transit Update - INFORMATION

Peter Gabancho, SFMTA project manager, presented the item.

Chair Peskin asked about an early claim about \$20 million in size related to sewer work.

Mr. Gabancho replied that claims 1 and 2 in combination totaled \$20 million in value and that the final settlement was for \$4.8 million (slide 11 in the presentation). He said the claim 3 was for additional potholing work and was settled for \$1.7 million, and he explained that claim 4 is for additional pedestrian monitoring to help control the volume of pedestrians around the construction site and keep people from wandering into the construction site.

Chair Peskin asked if claim 4 is for \$2.6 million.

Mr. Gabancho replied in the affirmative, noting the claim status is pending as SFMTA has not written and signed the final contract modification, but that the amount is settled.

Chair Peskin asked why there was not a line item for pedestrian monitoring in the original scope after the city's experiences with the Third Street Light Rail Project, Central Subway and other projects.

Mr. Gabancho replied when the contractor (Walsh) was first brought on board, pedestrian monitors were discussed in negotiations, however, the various parties involved felt that the work could be done with just the flaggers that were required. He said they realized in the end that they were mistaken and it was agreed that they needed to put in additional support for the flaggers.

Chair Peskin asked if SFMTA is aware of any potential future claims.



Mr. Gabancho said no, but noted that the SFMTA does have a change order request from the contractor that covers the balance of days in delay of the project. Mr. Gabancho said that SFMTA already agreed to extend the contract by 279 days with no liquidated damages; that the City has agreed to the overhead, which is part of the \$4.8 million (claims 1 and 2); and that the contractor has agreed to extended time with no extended overhead. He continued to explain that the contractor has put in a change-order request for the balance of the days. With the 279-day extension, the project should have finished the construction in July of this year, so the change order request covers from July to when the project reaches substantial completion. Mr. Gabancho said the parties are now negotiating what they think a fair settlement is for that.

Mr. Gabancho continued with his presentation.

With respect to the business support program, Chair Peskin asked if any of the direct financial compensation grants have been distributed by the Office of Economic and Workforce Development (OEWD), noting that there are a lot of very frustrated people hanging on by a thread and that his understanding is that not a single dollar of relief funds have actually been forthcoming from OEWD.

Mr. Gabancho responded that he would talk to OEWD staff to answer the Chair's questions, as well as talk to the outreach team, about what businesses have contacted the city to participate in this program.

Chair Peskin shared that he knows of several businesses that applied many, many months ago and have not seen any response from OEWD, SFMTA or the City and County of San Francisco. He said that he would suggest at the end of this item that the discussion be continued to enable OEWD to attend the next Board meeting to present on this topic. Chair Peskin noted that the Board of Supervisors previously appropriated the funds for this purpose, but not a penny of it has been distributed to the Van Ness BRT-eligible businesses.

Nehama Rogozen, SFMTA Public Relations Officer, shared that the agencies only just opened the application process for the Van Ness direct business support program. She said the team is doing serious outreach to businesses now to let them know they can apply, but the project needed to be delayed enough and they needed to set up the application process in order for businesses to be able to apply. She noted that the agencies were still wrapping things up with the Central Subway project, and with COVID-19 it took additional time to make it happen. Ms. Rogozen said businesses now have until the end of October to apply. She explained that the agencies made it a relatively short application period based on what was learned from Central Subway, namely that it needs to be enough time for folks to make it happen, but not so long that applications drop off because people forget about it.

Chair Peskin asked how a business can apply between now and the end of October.

Ms. Rogozen replied there is information on the OEWD website and today SFMTA will have information on the SFMTA website to direct folks to the OEWD website (www.oewd.org/vanness).

Chair Peskin asked if Van Ness project update emails that describe what to expect in the next week or two could also include the forecast final substantial completion date, estimated to be the fall of 2021.



Mr. Gabancho said he would take that into account in the upcoming announcements.

Chair Peskin asked about site cleanliness, saying he has heard a number of complaints about this topic.

Mr. Gabancho acknowledged this has been a challenge with the long corridor, but it's been getting better. He said that the construction management staff, specifically the new construction manager Lance Jackson and engineer Hubert Wong are walking the corridor regularly and have been working closely with the contractor. He said the project team needs to keep working at it, but they are making improvements.

During public comment, Mr. Pilpel commented that AWSS is the auxiliary water supply system, not the alternate water service system. On slide 11, based on the discussion with Chair Peskin, Mr. Pilpel suggested including the initial claim amounts on the slide in the future. With respect to slides 12 and 13, Mr. Pilpel said if the business support programs and services described represent models that other large SFMTA or City projects could use, then it would be great to document those efforts for future use.

Commissioner Fewer expressed her disappointment and frustration about the direct financial relief funds not getting out to the stores and small businesses along the corridor, saying the Transportation Authority Board had a discussion on this topic over a year ago and the lack of disbursements is very frustrating considering the economic crisis that the businesses are also facing. She commented that this is something that the commission has really taken to heart and that she believed it had been a unanimous vote of the Board of Supervisors to allocate these funds for small businesses.

Commissioner Haney said that he hoped that we can learn from this experience, because when we do these larger projects, which obviously are needed and required, we want to be able to say confidently we're going to be able to support the small businesses and residents impacted. He added that if we've failed to do that here, even when money has been allocated, it's incredibly concerning and it puts into question whether we can honestly tell folks in the future that we're going to be able to ensure their protection and their support as required considering the impact. Commissioner Haney said he would like to know, who is getting the grants and also if there have been surveys done of businesses and residents in terms of their needs, what the impacts are, etc.

Other Items

13. Introduction of New Items - INFORMATION

No new items were introduced and there was no general public comment.

14. Public Comment

During public comment Francisco Da Costa shared his disappointment with the Third Street Project, Central Subway delayed opening, the Van Ness Bus Rapid Transit project, and the businesses that have not yet been helped. He added, it doesn't seem like the public is being listened to when they are making public comment.

During public comment Roland Lebrun thanked staff for improving public comment opportunities for the Downtown Extension Executive Steering Committee meetings. He noted that the Transbay Joint Power Authority (TJPA) is proceeding with awarding a



general engineering services contract, potentially at their October meeting assuming the current alignment. On a parallel track, Caltrain and High-Speed Rail are conducting an operational analysis. Mr. Lebrun opined that there is a high probability that this operational analysis will make it impossible for Caltrain to vacate the Fourth and King yard, potentially forever. Thus, Mr. Lebrun suggested urging TJPA to delay award of the general engineering services contract in case the operational analysis reveals problems with capacity so the contractor can study a different alignment.

15. Adjournment

The meeting was adjourned at 11:07 a.m.



RESOLUTION APPOINTING TWO MEMBERS TO THE CITIZENS ADVISORY
COMMITTEE OF THE SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY

WHEREAS, Section 131265(d) of the California Public Utilities Code, as implemented by Section 5.2(a) of the Administrative Code of the San Francisco County Transportation Authority, requires the appointment of a Citizens Advisory Committee (CAC) consisting of eleven members; and

WHEREAS, There are two open seats on the CAC resulting from two members' term expirations; and

WHEREAS, At its October 20, 2020 meeting, the Board will review and consider all applicants' qualifications and experience and will consider appointing two members to serve on the CAC for a period of two years, with final approval to be considered at the October 27, 2020 Board meeting; now therefore, be it

RESOLVED, That the Board hereby appoints two members to serve on the CAC of the San Francisco County Transportation Authority for a two-year term; and be it further

RESOLVED, That the Executive Director is authorized to communicate this information to all interested parties.



Memorandum

AGENDA ITEM 4

DATE: September 24, 2020
TO: Transportation Authority Board
FROM: Maria Lombardo - Chief Deputy Director
SUBJECT: 10/20/20 Board Meeting: Appoint Two Members to the Citizens Advisory Committee

<p>RECOMMENDATION <input type="checkbox"/> Information <input checked="" type="checkbox"/> Action</p> <p>Neither staff nor CAC members make recommendations regarding CAC appointments.</p> <p>SUMMARY</p> <p>There are two open seats on the CAC requiring Board action. The vacancies are a result of the term expirations of David Klein (District 1 representative) and Robert Gower (District 11 representative), both of whom are seeking reappointment. There are currently 33 applicants to consider for the open seats (Attachment 2).</p>	<p><input type="checkbox"/> Fund Allocation</p> <p><input type="checkbox"/> Fund Programming</p> <p><input type="checkbox"/> Policy/Legislation</p> <p><input type="checkbox"/> Plan/Study</p> <p><input type="checkbox"/> Capital Project Oversight/Delivery</p> <p><input type="checkbox"/> Budget/Finance</p> <p><input type="checkbox"/> Contract/Agreement</p> <p><input checked="" type="checkbox"/> Other: CAC Appointment</p>
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BACKGROUND

The Transportation Authority has an eleven-member CAC and members serve two-year terms. Per the Transportation Authority's Administrative Code, the Board appoints individuals to fill open CAC seats. Neither staff nor the CAC make recommendations on CAC appointments, but we maintain a database of applications for CAC membership. Attachment 1 is a tabular summary of the current CAC composition, showing ethnicity, gender, neighborhood of residence, and affiliation. Attachment 2 provides similar information on current applicants, sorted by last name.

DISCUSSION

The selection of each member is approved at-large by the Board; however traditionally the Board has had a practice of ensuring that there is one resident of each supervisorial district on the CAC. Per Section 5.2(a) of the Administrative Code, the CAC:



“...shall include representatives from various segments of the community, such as public policy organizations, labor, business, senior citizens, the disabled, environmentalists, and the neighborhoods; and reflect broad transportation interests.”

An applicant must be a San Francisco resident to be considered eligible for appointment. Applicants are asked to provide residential location and areas of interest but provide ethnicity and gender information on a voluntary basis. CAC applications are distributed and accepted on a continuous basis. CAC applications were solicited through the Transportation Authority’s website, Commissioners’ offices, and email blasts to community-based organizations, advocacy groups, business organizations, as well as at public meetings attended by Transportation Authority staff or hosted by the Transportation Authority. Applications can be submitted through the Transportation Authority’s website at www.sfcta.org/cac.

All applicants have been advised that they need to appear in person before the Board in order to be appointed, unless they have previously appeared. If a candidate is unable to appear before the Board on the first appearance, they may appear at the following Board meeting in order to be eligible for appointment. An asterisk following the candidate’s name in Attachment 2 indicates that the applicant has not previously appeared before the Committee.

FINANCIAL IMPACT

The requested action would not have an impact on the adopted Fiscal Year 2020/21 budget.

CAC POSITION

None. The CAC does not make recommendations on the appointment of CAC members.

SUPPLEMENTAL MATERIALS

- Attachment 1 - Matrix of CAC Members
- Attachment 2 - Matrix of CAC Applicants
- Attachment 3 - CAC Applications

CITIZENS ADVISORY COMMITTEE MEMBERS ¹

Name	Gender	Ethnicity	District	Neighborhood	Affiliation	First Appointed	Term Expiration
Robert Gower	M	C	11	Mission Terrace	Disabled, Environment, Neighborhood, Public Policy, Senior Citizen	Sept 18	Sept 20
David Klein, Vice-Chair	M	C	1	Outer Richmond	Environment, Labor, Neighborhood, Public Policy, Senior Citizens	Sept 18	Sept 20
Jerry Levine	M	C	2	Cow Hollow	Business, Neighborhood, Public Policy	Nov 18	Nov 20
Sophia Tupuola	F	NH	10	Bayview Hunters Point	Business, Disabled, Environment, Labor, Neighborhood, Public Policy, Senior Citizen	Mar 19	Mar 21
Danielle Thoe	F	C	6	Tenderloin	Disabled, Environment, Neighborhood, Public Policy, Senior Citizen	Oct 19	Oct 21
Kevin Ortiz	M	H/L	9	Mission	Neighborhood, Public Policy	Dec 19	Dec 21
Stephanie Liu	F	A	5	Western Addition	Environment, Neighborhood, Public Policy	Dec 19	Dec 21
Peter Tannen	M	C	8	Inner Mission	Environmental, Neighborhood, Public Policy	Feb 08	Feb 22
John Larson, Chair	M	NP	7	Miraloma Park	Environment, Neighborhood, Public Policy	Mar 14	Mar 22
Rachel Zack	F	C	3	Union Square/Nob Hill	Environmental, Labor, Neighborhood, Public Policy	June 18	June 22
Nancy Buffum	F	C	4	Sunset	Business, Disabled, Environment, Labor, Neighborhood, Public Policy, Senior Citizen	Sept 20	Sept 22

*Applicant has not appeared before the Board
 A - Asian | AA - African American | AI - American Indian or Alaska Native | C - Caucasian | H/L - Hispanic or Latino | NH - Native Hawaiian or Other Pacific Islander | NP - Not Provided (Voluntary Information) | Page 1 of 1

CITIZENS ADVISORY COMMITTEE APPLICANTS ¹

Name	Gender	Ethnicity	District	Neighborhood	Affiliation/Interest
1 Nancy Arms Simon*	NP	NP	10	Bayview	Disabled, Environmental, Labor, Neighborhood, Public Policy, Senior Citizen
2 Philip Bailey*	M	C	5	Cole Valley	Business, Disabled, Environment, Labor, Neighborhood, Public Policy, Senior Citizen
3 Sam Fielding*	M	NP	11	Merced Heights	Business, Environment, Neighborhood, Public Policy, Senior Citizen
4 Harold Flowers*	NP	NP	9	Sunset District	Business, Disabled, Environment, Labor, Neighborhood, Public Policy, Senior Citizen
5 Jane Ginsburg*	F	C	5	Lower Haight/Duboce Park	Environment, Neighborhood, Public Policy, Senior Citizen
6 Robert Gower	M	C	11	Mission Terrace	Disabled, Environment, Neighborhood, Public Policy, Senior Citizen
7 Jack Harman*	NP	NP	6	Rincon Hill	Environment, Neighborhood, Public Policy
8 Calvin Ho*	M	A	4	Outer Sunset/Parkside	Business, Disabled, Environment, Labor, Neighborhood, Public Policy, Senior Citizen
9 Amanda Jimenez*	F	H/L	4	Outer Sunset	Disabled, Environment, Neighborhood, Public Policy
10 David Klein	M	C	1	Outer Richmond	Environment, Labor, Neighborhood, Public Policy, Senior Citizens
11 Robin Kutner*	F	NP	8	Buena Vista	Environment, Neighborhood
12 Matthew Laroche*	M	C	4	Outer Sunset	NP
13 John Lisovsky*	M	C	5	Panhandle	Environment, Labor, Neighborhood, Public Policy
14 Trey Matkin*	M	C	5	Hayes Valley	Business, Disabled, Environment, Labor, Neighborhood, Public Policy
15 Kary McElroy*	F	C	5	Alamo Square	Business, Disabled, Environment, Neighborhood, Public Policy, Senior Citizen
16 Marlo McGriff*	M	AA	8	Mission/Dolores	Environment, Labor, Neighborhood, Public Policy, Senior Citizen
17 Meaghan Mitchell*	F	AA	10	Bayview	Business, Labor, Neighborhood, Public Policy

*Applicant has not appeared before the Board
Hispanic or Latino | NH - Native Hawaiian or Other Pacific Islander | NP - Not Provided (Voluntary Information)

Attachment 2 (Updated 10.07.20)

Name	Gender	Ethnicity	District	Neighborhood	Affiliation/Interest
18 Antoinette Mobley*	NP	AA	10	Bayview	Business, Environment, Neighborhood
19 Tyler Morris*	M	C	9	Bernal Heights	Business, Disabled, Environment, Neighborhood, Public Policy
20 Wayne Norton*	M	AA	10	Bayview/Hunter's Point	Business, Environment, Neighborhood, Public Policy
21 Edward Parillon*	M	AA	8	Mission	Business, Environment, Labor, Neighborhood, Public Policy
22 Ian Poirier*	M	NP	10	Dogpatch	Business, Disabled, Environment, Labor, Neighborhood, Public Policy, Senior Citizen
23 John Powell*	M	H/L	1	Outer Richmond	Disabled, Environment, Labor, Neighborhood, Public Policy, Senior Citizen
24 Sarah Rogers*	F	C	9	Bernal Heights	Environment, Neighborhood, Public Policy
25 Ramy Shweiky*	M	NP	10	Bayview	Business, Environment, Labor, Neighborhood, Public Policy
26 Adrienne Steichen*	F	C	5	Lower Haight	Environment, Neighborhood, Public Policy
27 Emily Sun*	F	NP	5	Hayes Valley	Environment, Neighborhood, Public Policy
28 Eric Tucker*	M	C	10	Visitacion Valley	Business, Environment, Neighborhood, Public Policy
29 Peter Wilson*	M	C	5	Alamo Square	Environment, Labor, Neighborhood
30 Brian Wong*	NP	NP	5	Divisadero/NOPA	Business, Environment, Neighborhood, Public Policy
31 Stephen Woods*	M	C	4	Sunset	Environment, Labor, Neighborhood, Public Policy
32 David Young*	NP	NP	6	SOMA	Business, Environment, Neighborhood, Public Policy
33 Bozhao Yu	M	A	1	Lone Mountain	Business, Environment, Neighborhood, Public Policy

Attachment 3
Citizens Advisory Committee
APPLICANTS for District 1 and 11
Updated 10.07.20

*Applicant has not appeared before the Board.

No.	Name	District	Neighborhood	Affiliation/Interest	Page
1	Bozhao Yu*	1	Lone Mountain	Business, Environment, Neighborhood, Public Policy	2
2	John Powell*	1	Outer Richmond	Disabled, Environment, Labor, Neighborhood, Public Policy, Senior Citizen	3
3	David Klein	1	Outer Richmond	Environment, Labor, Neighborhood, Public Policy, Senior Citizen	4
4	Robert Gower	11	Mission Terrace	Disabled, Environment, Neighborhood, Public Policy, Senior Citizen	6
5	Sam Fielding*	11	Merced Heights	Business, Environment, Neighborhood, Public Policy, Senior Citizen	7



San Francisco County Transportation Authority Application for Membership on the Citizens Advisory Committee

Bozhao	Yu	Male	Asian
FIRST NAME	LAST NAME	GENDER (OPTIONAL)	ETHNICITY (OPTIONAL)
1	Lone Mountain	REDACTED	REDACTED
HOME SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF RESIDENCE	HOME PHONE	HOME EMAIL
REDACTED	San Francisco	CA	94117
STREET ADDRESS OF HOME	CITY	STATE	ZIP
6	SOMA		
WORK SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF WORKPLACE	WORK PHONE	WORK EMAIL
201 Spear st	San Francisco	CA	94110
STREET ADDRESS OF WORKPLACE	CITY	STATE	ZIP

Statement of qualifications:

I work as a software engineer for the past ten years and commute to SOMA for the last five years, providing a different angle and view into our community's needs and want.

I regularly organize meetups and dinners for the first generation immigrants in tech. I want to provide a voice for those who are not familiar with our government's process and communicate to them with our city's plans and actions, increasing transparency and gain trust from them.

Statement of objectives:

My objectives if I am appointed to TA CAC are:

1. Be the bridge between my neighborhood/community and our city government on topics around transportation. Communicate plans/actions to my community and provide voices/comments from my community.
2. Provide expertise on topics involving technology.
3. Communicate findings and plans from the meeting back to my community and neighborhood

Please select all categories of affiliation or interest that apply to you:

<input checked="" type="checkbox"/>	Business
<input type="checkbox"/>	Disabled
<input checked="" type="checkbox"/>	Environment
<input type="checkbox"/>	Labor
<input checked="" type="checkbox"/>	Neighborhood
<input checked="" type="checkbox"/>	Public Policy
<input type="checkbox"/>	Senior Citizen

Can you commit to attending regular meetings (about once a month for the Transportation Authority CAC, or once every two to three months for project CACs):

By entering your name and date below, and submitting this form, you certify that all the information on this application is true and correct.

Bozhao Yu
NAME OF APPLICANT

2/21/2019
DATE



San Francisco County Transportation Authority Application for Membership on the Citizens Advisory Committee

John	Powell	Male	Hispanic or Latino
FIRST NAME	LAST NAME	GENDER (OPTIONAL)	ETHNICITY (OPTIONAL)
1	Outer Richmond	REDACTED	REDACTED
HOME SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF RESIDENCE	HOME PHONE	HOME EMAIL
REDACTED	San Francisco	CA	94121
STREET ADDRESS OF HOME	CITY	STATE	ZIP
2	Presideo		
WORK SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF WORKPLACE	WORK PHONE	WORK EMAIL
988 presided ave	San Francisco	CA	94115
STREET ADDRESS OF WORKPLACE	CITY	STATE	ZIP

Statement of qualifications:

I am a 9163 transit operator. Many people from the public tell me how upset they are that our transit system is not working properly. I have a few ideals that may help fix it and would love to see our transit system become the best in the world. For one one time performance needs to be watched better. Also the drivers staffing issue needs to be fixed. This could be done by putting them on a low income housing list like teachers and cops get while reviewing disciplin procedures.

Statement of objectives:

I want to fix MUNI to work for the public.

Please select all categories of affiliation or interest that apply to you:

<input type="checkbox"/>	Business
<input checked="" type="checkbox"/>	Disabled
<input checked="" type="checkbox"/>	Environment
<input checked="" type="checkbox"/>	Labor
<input checked="" type="checkbox"/>	Neighborhood
<input checked="" type="checkbox"/>	Public Policy
<input checked="" type="checkbox"/>	Senior Citizen

Can you commit to attending regular meetings (about once a month for the Transportation Authority CAC, or once every two to three months for project CACs):

By entering your name and date below, and submitting this form, you certify that all the information on this application is true and correct.

John Powell
 NAME OF APPLICANT

2/21/2019
 DATE



San Francisco County Transportation Authority Application for Membership on the Citizens Advisory Committee

David	Klein	Male	Caucasian
FIRST NAME	LAST NAME	GENDER (OPTIONAL)	ETHNICITY (OPTIONAL)
1	Outer Richmond	REDACTED	REDACTED
HOME SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF RESIDENCE	HOME PHONE	HOME EMAIL
REDACTED	San Francisco	CA	94121
STREET ADDRESS OF HOME	CITY	STATE	ZIP
		REDACTED	REDACTED
WORK SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF WORKPLACE	WORK PHONE	WORK EMAIL
REDACTED	San Francisco	CA	94121
STREET ADDRESS OF WORKPLACE	CITY	STATE	ZIP

Statement of qualifications:

Having spent over a decade within the technology sector I'm most proud of the past two years with Moovit the world's #1 public transit app. The relationships I formed with public and private transit, infrastructure conglomerates, and technology partners across North America opened my eyes to the potential of public transit today and into the future. Subsequently, I'd love to invest this knowledge into public policy and action by joining the the SFCTA CAC.

Especially, as I have 4 years of experience as a Chairman and Committee Member for Oakland Fund for Children and Youth in my prior Oakland, CA residence. Like the SFCTA CAC role, my time with the OFCY was a Board of Supervisors Appointment focused on analyzing and implementing public policy such as:

- \$9 - \$14 million annual budgets twice prepared for 3-year strategic plans
- 250 applications from nonprofit agencies reviewed and recommend funding for
- 138 agencies selected and managed while Chair of Evaluation Sub-Committee,
- Led quarterly evaluations, ensuring funded agencies adhered to terms of service
- Chaired public meetings using Robert's Rules of Order; set meeting agendas

With that I thank you for considering my qualifications.

Statement of objectives:

As a potential appointee, my objective is to best serve the residents of District 1 by obtaining timely and safe travel from our outlying neighborhood. Specifically, more efficient connections to downtown/SOMA and regional transportation, while ensuring the safety of travelers and the environment from all modes of transit. Furthermore, creating policies around disruptive transit providers that maximize carpooling and equity, and empowers SF Muni to right size their transit fleet, so both private companies and SF Muni may better meet the approaching fleets of Autonomous Vehicles.

Please select all categories of affiliation or interest that apply to you:

<input type="checkbox"/>	Business
<input type="checkbox"/>	Disabled
<input checked="" type="checkbox"/>	Environment
<input checked="" type="checkbox"/>	Labor
<input checked="" type="checkbox"/>	Neighborhood
<input checked="" type="checkbox"/>	Public Policy
<input checked="" type="checkbox"/>	Senior Citizen

Can you commit to attending regular meetings (about once a month for the Transportation Authority CAC, or once every two to three months for project CACs): Yes

By entering your name and date below, and submitting this form, you certify that all the information on this application is true and correct.

David Klein

6/21/2018

NAME OF APPLICANT

DATE



San Francisco County Transportation Authority Application for Membership on the Citizens Advisory Committee

Robert	Gower	Male	Not Provided
FIRST NAME	LAST NAME	GENDER (OPTIONAL)	ETHNICITY (OPTIONAL)
11	Mission Terrace	REDACTED	REDACTED
HOME SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF RESIDENCE	HOME PHONE	HOME EMAIL
REDCATED	San Francisco	CA	94112
STREET ADDRESS OF HOME	CITY	STATE	ZIP
3	Embarcadero	REDACTED	REDACTED
WORK SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF WORKPLACE	WORK PHONE	WORK EMAIL
REDACTED	San Francisco	CA	94111
STREET ADDRESS OF WORKPLACE	CITY	STATE	ZIP

Statement of qualifications:

I am an eager community volunteer that is passionate about public transportation and pedestrian safety. I have been an active member of the Haight-Ashbury Improvement Association (2009-2012) and the New Mission Terrace Improvement Association (2012 - present).

I am an attorney licensed with the California State Bar, and familiar with local government structure, law, and policy. My career in employee benefits has exposed me to complex contract review, budget design, and fiduciary obligations. I regularly speak to large and diverse groups, relaying complicated information in a clear and concise manner.

Statement of objectives:

I am interested in long-term strategic planning to help improve infrastructure and public transportation for all San Franciscans. I hope to be able to use a position on the Advisory Committee to be an advocate for District 11, which has unique transportation concerns, and a population heavily reliant on public transportation. I am also happy to engage with the community on projects that are under the umbrella of the SFCTA.

Please select all categories of affiliation or interest that apply to you:

<input type="checkbox"/>	Business
<input checked="" type="checkbox"/>	Disabled
<input checked="" type="checkbox"/>	Environment
<input type="checkbox"/>	Labor
<input checked="" type="checkbox"/>	Neighborhood
<input checked="" type="checkbox"/>	Public Policy
<input checked="" type="checkbox"/>	Senior Citizen

Can you commit to attending regular meetings (about once a month for the Transportation Authority CAC, or once every two to three months for project CACs): Yes

By entering your name and date below, and submitting this form, you certify that all the information on this application is true and correct.

Robert Gower
 NAME OF APPLICANT

8/10/2018
 DATE



San Francisco County Transportation Authority Application for Membership on the Citizens Advisory Committee

Sam	Fielding	Male	Not Provided
FIRST NAME	LAST NAME	GENDER (OPTIONAL)	ETHNICITY (OPTIONAL)
11	Merced Heights	REDACTED	REDACTED
HOME SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF RESIDENCE	HOME PHONE	HOME EMAIL
REDACTED	San Francisco	California	94132
STREET ADDRESS OF HOME	CITY	STATE	ZIP
WORK SUPERVISORIAL DISTRICT	NEIGHBORHOOD OF WORKPLACE	WORK PHONE	WORK EMAIL
STREET ADDRESS OF WORKPLACE	CITY	STATE	ZIP

Statement of qualifications:

I am a City Planner with over 16 years of CEQA/NEPA environmental and transportation planning experience implementing innovative environmental, multi-modal transportation planning projects including: residential and commercial project review, General Plan and Priority Development Area Specific Plan development, community outreach, urban planning, research, analysis and coordination of pedestrian safety, traffic calming, transit, bicycle, and climate action planning projects. He has managed CEQA/NEPA environmental analysis, review and document preparation for both urban and transportation planning projects in the San Francisco Bay Area. I am currently an Urban Planner with the City of Millbrae, Community Development Department, Planning Division (4 years, 7 months). I have extensive transportation planning experience working for SFMTA, Caltrans and SF Planning Department Office of Environmental Review. Please see the following link for employment experience details: <https://www.linkedin.com/in/sam-c-fielding-0267666/>

Statement of objectives:

My objective and goal if appointed to the TA CAC will be to provide input to SFCTA on future countywide transportation planning projects as a resident of Supervisor District 11, with particular attention to how proposed projects would impact single-family dwelling property owners in the District and to objectively evaluate the community benefits and trade-offs associated with the proposed transportation projects. In particular, I will focus on how transportation integrates with affordable housing in District 11 and San Francisco and ensure that proposed transportation projects and plans do not further increase the cost of living in San Francisco for middle-class families.

Please select all categories of affiliation or interest that apply to you:

<input checked="" type="checkbox"/>	Business
<input type="checkbox"/>	Disabled
<input checked="" type="checkbox"/>	Environment
<input type="checkbox"/>	Labor
<input checked="" type="checkbox"/>	Neighborhood
<input checked="" type="checkbox"/>	Public Policy
<input checked="" type="checkbox"/>	Senior Citizen

Can you commit to attending regular meetings (about once a month for the Transportation Authority CAC, or once every two to three months for project CACs):

By entering your name and date below, and submitting this form, you certify that all the information on this application is true and correct.

Sam Fielding

NAME OF APPLICANT

3/11/2020

DATE

San Francisco County Transportation Authority

State Legislation - October 2020

(Updated October 15, 2020)

To view documents associated with the bill, click the bill number link.

The State Legislature concluded the current session on August 31 after advancing a small number of priority bills due to the COVID-19 pandemic. Governor Newsom had until September 30, 2020 to sign or veto legislation, so the bill status below represents the final outcome of the second year of the 2019-2020 legislative session. The 2021-2022 legislative session will convene in December.

Table 1 shows the final status of bills on which the Board has already taken a position. **Table 2** shows the final status of bills that were on our watch list.

Table 1. Final Bill Status for Positions Taken in the 2019-2020 Session

Updates to bills since the Board last reviewed this table are italicized.

Adopted Positions	Bill # Author	Bill Title	Final Bill Status ¹
Support	AB 40 Ting D	Air Quality Improvement Program: Clean Vehicle Rebate Project. Declares it is the policy of the state to place at least 5,000,000 zero-emission vehicles on state roads by 2030 and 10,000,000 by 2035. Also limits eligibility for the Clean Vehicle Rebate Project to only those manufactured by companies that have agreed to meet California's cleaner fleet standards than the national standards.	Dead
	AB 659 Mullin D	Transportation: emerging transportation technologies: California Smart City Challenge Grant Program. Establishes the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs.	Dead
	AB 1286 Muratsuchi D	Shared mobility devices: agreements. Requires that a shared mobility device company, such as scooter-share or bike-share companies, enters into an agreement with a jurisdiction before distributing shared-mobility devices within the jurisdiction.	<i>Chaptered</i>
	AB 2828 Friedman D	Traffic Safety. Beginning June 1, 2022, and every six months thereafter, the department shall convene a committee of external design experts to advise on revisions to the Highway Design Manual.	Dead
	SB 1291 Senate Committee on Transportation	Federal Statewide Transportation Improvement Program: submissions Eliminates requirement for regional transportation agencies to submit a Federal Transportation Improvement Program to the US Department of Transportation for 2020.	Chaptered

San Francisco County Transportation Authority

Conditional Support with Amendments	AB 2824 Bonta D	Bay Bridge Fast Forward Program. Requires the identification, planning, and delivery of a comprehensive set of operational, transit, and infrastructure investments for the San Francisco-Oakland Bay Bridge corridor. If specified travel speed reliability performance target for the corridor isn't met, requires a year-long pilot program of a bus- and HOV-only lane on the Bay Bridge.	Dead
Oppose Unless Amended	AB 326 Muratsuchi D	Electric mobility manufacturers. When position was adopted, bill would have allowed automated motorized carrying devices to operate on sidewalks. As amended, would authorize an electric mobility manufacturer to authorize a month to month subscription service for its vehicles.	Dead
	AB 1112 Friedman D	Shared mobility devices: local regulation. Prohibits removal of an unattended micro mobility device other than to relocate it to a properly parked location a short distance away.	Dead
	AB 1964 Frazier D	Autonomous vehicles. Effectively authorizes the testing of remote-controlled vehicles on public roads, similar to what autonomous vehicles have today.	Dead
	SB 50 Wiener D	Planning and zoning: housing development: streamlined approval: incentives. Among other things, establishes by-right housing height and density standards near high-quality transit.	Dead
Oppose	AB 553 Melendez R	High-speed rail bonds: housing. Prevents further sale of high-speed rail bonds except as specifically provided with respect to early implementation projects in the High-Speed Rail Phase 1 blended system. Makes unspent proceeds available to the Department of Housing and Community Development's Multifamily Housing Program.	Dead
	AB 1167 Mathis R	Greenhouse Gas Reduction Fund: high-speed rail: forestry and fire protection. Redirects 25% of cap and trade funds from the High-Speed Rail program to the Department of Forestry and Fire Protection.	Dead
	AB 1848 Lackey R	High-speed rail: Metrolink commuter rail system. Appropriates \$4 billion of High-Speed Rail bonds to the Southern California Regional Rail Authority for improvements to the Metrolink commuter rail system.	Dead

San Francisco County Transportation Authority

¹Under this column, "Chaptered" means the bill is now law, "Dead" means the bill is no longer viable this session, "Enrolled" means it has passed both Houses of the Legislature and has been forwarded to the Governor's desk, and "Failed" means it failed to receive the necessary votes for approval.

Table 2. Final Bill Status for Watch Positions Taken in the 2019-2020 Session

Adopted Positions	Bill # Author	Bill Title	Final Bill Status ¹
Watch	AB 11 Chiu D	Community Redevelopment Law of 2019. Allows cities and counties to create new redevelopment agencies to fund affordable housing and infrastructure projects.	Dead
	AB 380 Frazier D	Office of the Transportation Inspector General. Creates the Independent Office of the Transportation Inspector General to ensure that specified state agencies and all external entities that receive state and federal transportation funds are operating efficiently, effectively, and in compliance with federal and state laws.	Dead
	AB 1277 Oberholte R	Transportation projects: oversight committees. Requires public agencies administering a transportation project that costs more than \$1 billion to establish a comprehensive risk management plan, establish a project oversight committee, and provide reports to the California Transportation Commission.	Dead
	AB 1350 Gonzalez R	Free youth transit passes: eligibility for state funding [prior to amendment]. Requires transit agencies to offer free transit passes to persons under 18 years of age in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program.	Amended to non-transportation bill
	AB 1568 McCarty D	Housing law compliance: prohibition on applying for state grants. Prohibits a local jurisdiction from applying for state grants after January 1, 2025, other than certain fuel taxes and fees protected by the California Constitution, if it is determined to be out of compliance with the state's Housing Element Law.	Dead
	AB 2012 Chu D	Free senior transit passes: eligibility for state funding. Requires transit agencies to offer free transit passes to persons over 65 years of age in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon	Dead

San Francisco County Transportation Authority

		Transit Operations Program.	
AB 2057 Chiu D		San Francisco Bay area: public transportation. Establishes the Bay Area Seamless Transit Task Force to recommend to the Legislature the structure, governance, and funding of the transportation network manager and the organizational structure, governance, and funding for San Francisco Bay Area transportation agencies to maximize the effectiveness of the region's transit system and submit a report to the Legislature on or before January 1, 2023. Includes several other requirements such as that MTC develop a standardized regional mapping system, standardized fare discount categories, and open data standards for routes, schedules, and fares.	Dead
AB 2121 Friedman D		Traffic safety. Requires that Caltrans convene regular meetings of external design experts to provide input to the state Highway Design Manual, requires that the state track bicycle and pedestrian related crashes, and provides a pathway for a 5-year extension of the establishment of speed limits, if a registered engineer finds an increase in crashes along a section of highway.	Dead
AB 2176 Holden D		Free student transit passes: eligibility for state funding. Requires transit agencies offer free student transit passes to persons attending the California Community Colleges, the California State University, or the University of California in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program.	Dead
AB 2305 Ting D		Vehicles: local regulation of traffic: private roads. The was a spot bill which we were working with the author and Supervisor Stefani's office to amend to authorize a pilot no-fee reservation system for the Lombard Crooked Street.	Dead
AB 3213 Friedman D		High-Speed Rail Authority: high-speed rail service: priorities. Requires the High-Speed Rail Authority to prioritize projects for the development and implementation of high-speed rail based on three criteria: overall benefit to the state; increased passenger rail ridership; and automobile trip replacement.	Dead
AB 3278 Patterson R		High-Speed Rail Authority: passenger train service. Adds to an existing requirement in the Streets and Highways Code, that the operation of high-speed train service be provided with no operating subsidy whether the service is provided by the High-Speed Rail Authority (HSRA) directly or is provided by a third party.	Dead

San Francisco County Transportation Authority

	ACA 1 Aguiar-Curry D	Local government financing: affordable housing and public infrastructure: voter approval. Lowers the voter-approval threshold on local taxes to 55% if the revenues would be used to fund the construction, rehabilitation, or replacement of public infrastructure or affordable housing.	Failed
	SB 278 Beall D	Metropolitan Transportation Commission. This was a placeholder bill for a potential regional transportation revenue measure for the Bay Area.	Dead
	SB 288 Wiener D	California Environmental Quality Act: exemptions: transportation-related projects. Exempts from the California Environmental Quality Act (CEQA), until 2023, various transit-related projects such as pedestrian and bicycle facilities projects, transit prioritization projects, and projects for the institution or increase of new bus rapid transit, bus, or light rail service on existing public rights-of-way or existing highway rights-of-way.	<i>Chaptered</i>

¹Under this column, "Chaptered" means the bill is now law, "Dead" means the bill is no longer viable this session, "Enrolled" means it has passed both Houses of the Legislature and has been forwarded to the Governor's desk, and "Failed" means it failed to receive the necessary votes for approval.

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RESOLUTION ADOPTING TRAFFIC CONGESTION MITIGATION TAX (TNC TAX)
PROGRAM GUIDELINES AND PROGRAMMING \$7,505,686 IN TNC TAX FUNDS TO
TWO PROJECTS

WHEREAS, In November 2019, San Francisco voters approved the Proposition D Traffic Congestion Mitigation Tax to impose a surcharge on Transportation Network Company (TNC) trips that originate in San Francisco, for the portion of the trip within the City; and

WHEREAS, Beginning on January 1, 2020, single occupant TNC trips are taxed at 3.25%, shared trips are taxed at 1.5%, and trips provided in electric vehicles are taxed at 1.5% through 2024; and

WHEREAS, After 2% of revenue goes to the City and County of San Francisco (CCSF) for administration, 50% of revenue goes to the San Francisco Municipal Transportation Agency (SFMTA) for transit operations and improvements and 50% comes to the Transportation Authority for bicycle and pedestrian safety improvements, traffic calming, signals, and maintenance; and

WHEREAS, In order to inform development of the TNC Tax Program Guidelines, staff undertook a listening tour from December 2019 through March 2020 and sought input from agencies and stakeholders such as SFMTA, Department of Public Health, Vision Zero Task Force, Bicycle Advisory Committee, Pedestrian Safety Advisory Committee, San Francisco Bicycle Coalition, Walk San Francisco and Youth Commission's Housing and Transportation Land Use Committee, in addition to seeking input from the Transportation Authority's Technical Working Group; and

WHEREAS, The attached Program Guidelines establish four programmatic categories (Quick-Builds, Safe Streets, Signals, and Maintenance), provide revenue projections, and establish policies to guide program administration, including programming and allocation of funds; and



WHEREAS, Revenue projections published in July 2019 by CCSF's Office of the Controller and Office of Economic Analysis indicated approximately \$30 million annually from the TNC Tax, and after the 2% administration fee to CCSF, and subsequent 50/50 split between the Transportation Authority and the SFMTA, approximately \$14.7 million annually was projected to come to the Transportation Authority; and

WHEREAS, Actual total revenue collection for January 2020 to June 2020 was severely impacted by the COVID-19 pandemic and shelter-in-place orders and totaled \$5,271,588, with \$2,583,181 coming to the Transportation Authority; and

WHEREAS, For Fiscal Year 2020/21, the Transportation Authority's adopted budget aligns with the CCSF Controller's Office estimate of \$15 million in revenue from the TNC Tax, with \$7.35 million coming to the Transportation Authority; and

WHEREAS, Given the current uncertainty about this new revenue source staff is recommending taking a conservative approach to programming, and only programming \$7.5 million of the total \$9.9 million forecast to be available by the end of FY 2020/21, an amount which includes revenues collected in FY 2019/20; and

WHEREAS, Similarly, staff is recommending taking a conservative approach to allocations, and is recommending only allocating funds once they have been collected; and

WHEREAS, Staff is recommending programming only \$7.5 million of the total \$9.9 million in TNC Tax revenues forecast to be available in FY 2020/21 to SFMTA's FY21 Vision Zero Quick-Build Program (\$2,505,686) and its FY22 Vision Zero Quick-Build Program (\$5,000,000) in order to provide high priority safety improvements in the near-term, balanced with the uncertainty about revenue levels; and

WHEREAS, Staff will continue to closely monitor program revenues and if they come in as projected or higher, may issue a call for project to program additional



funds later this year; and

WHEREAS, At its September 23, 2020 meeting, the Citizens Advisory Committee was briefed on the draft TNC Tax Program Guidelines and recommended programming and unanimously adopted a motion of support for the staff recommendation; now, therefore, be it

RESOLVED, That the Transportation Authority hereby adopts the attached TNC Tax Program Guidelines; and be it further

RESOLVED, That the Transportation Authority hereby programs a total of \$7,505,686 to the SFMTA's FY21 Vision Zero Quick-Build Program (\$2,505,686) and its FY22 Vision Zero Quick-Build Program (\$5,000,000).

Attachment:

- Attachment 1 - TNC Tax Program Guidelines



Traffic Congestion Mitigation Tax

Draft Program Guidelines



San Francisco
County Transportation
Authority

Draft

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1. Introduction

The Proposition D Traffic Congestion Mitigation Tax was passed by San Francisco voters in November 2019. The measure, also referred to as the Transportation Network Company (TNC) Tax, is a surcharge on commercial ride-hail trips that originate in San Francisco, for the portion of the trip within the City. The intent of the TNC Tax program is to deliver improvements to transit reliability and safety on San Francisco's roadways, mitigating the effects of increased congestion due to TNC vehicles. Beginning January 1, 2020, a 1.5% tax is charged on shared rides or rides taken in a zero-emission vehicle, and 3.25% is charged on rides with a single occupant. The measure also takes into account rides provided by autonomous vehicles in the future which would be taxed in this same manner and rides provided by private transit companies if a company were to enter the market. The tax is in effect until November 2045.

Revenue projections published by the City and County of San Francisco (CCSF) Office of the Controller and Office of Economic Analysis released in July 2019 indicated approximately \$30 million in annual revenue. After a 2% set aside for administration by CCSF, 50% of the revenues are directed to the San Francisco Municipal Transportation Agency (SFMTA) for transit operations and improvements, and 50% comes to the Transportation Authority for bicycle and pedestrian safety improvements. The ordinance outlines the eligible uses for the Transportation Authority's share of revenues which are specified as pedestrian and bicycle safety improvements, traffic calming, traffic signals, and maintenance. Eligible phases include planning, design, and construction and sponsors can be any public agency that implements eligible projects.

2. Special Circumstances for Fiscal Year 2020/21

Given the nature of this new revenue source, and that it is the first of its kind in California, there is uncertainty around how revenues will perform. In addition to that uncertainty, only two months after revenue collection began on January 1, a shelter-in-place order was issued on March 16 for San Francisco due to the COVID-19 pandemic. The pandemic has drastically reduced travel to and within San Francisco, including demand for trips provided by TNCs. This reduction in travel has severely impacted TNC Tax revenue.

These Program Guidelines reflect the extraordinary circumstances we are in. The policies herein provide guidance to Transportation Authority staff and project sponsors on administration of the TNC Tax program for Fiscal Year (FY) 2020/21. We are establishing four programmatic categories for eligible projects. However, in light of uncertainty about revenue levels brought on by the COVID-19 pandemic, we are recommending programming only \$7.5 million of the total \$9.9 million forecast to be available by the end of FY 2020/21 to the SFMTA's Vision Zero Quick-Build Program (from the Quick-Builds category). This approach responds to the need to provide high priority safety improvements in the near-term, balanced with the uncertainty about revenue levels. During the year, we will closely monitor revenues, and if they are coming in as projected or higher, we may issue a call for projects to program additional funds later this year. As revenue trends emerge and the economy recovers from the COVID-19 pandemic, we will revise these Program Guidelines to establish the process for programming funds in each of the programmatic categories.

3. Programming

3.1 | FUNDS AVAILABLE

The initial revenue projections for the TNC Tax were based on pre-pandemic conditions during which San Francisco was experiencing significant levels of traffic congestion. Revenue collections began January 1, 2020 and then in mid-March health authorities issued shelter-in-place orders in San Francisco and much of the Bay Area. In the first six months of collection, revenues were 65% lower than projected, generating a total of \$2,583,181 for the Transportation Authority's share of the program. Table 1 below compares the projections against actual collections from program inception through June 2020.

Table 1 Projected and Actual TNC Tax Revenues, January to June 2020.

MONTH 2020	ORIGINAL TOTAL REVENUE PROJECTIONS	ACTUAL TOTAL REVENUE COLLECTIONS	TRANSPORTATION AUTHORITY 50% SHARE*
January	\$2,500,000	\$1,842,117	\$902,637
February	\$2,500,000	\$1,863,898	\$913,310
March	\$2,500,000	\$825,459	\$404,475
April	\$2,500,000	\$164,791	\$80,748
May	\$2,500,000	\$101,212	\$49,594
June	\$2,500,000	\$466,525	\$228,597
Total	\$15,000,000	\$5,271,588**	\$2,583,181**

*Transportation Authority share is 50% of collections, less 2% to CCSF for administration.

**Total revenue collections include \$7,641 in interest earned, with the Transportation Authority receiving 50%, or \$3,820.

For FY 2020/21, the CCSF Controller's Office is estimating \$15 million in revenue from the TNC Tax, with approximately \$7.35 million coming to the Transportation Authority. This estimate is based on \$500,000 per month from July to September 2020 and \$1.5 million per month from October 2020 to June 2021, assuming the economy starts to recover from the pandemic-induced recession.

Table 2 Projected TNC Tax Revenues, July 2020 to June 2021.

REVENUE COLLECTION PERIOD	TOTAL PROJECTED TNC TAX REVENUES	TRANSPORTATION AUTHORITY 50% SHARE*
July 2020 – June 2021	\$15,000,000	\$7,350,000

*Transportation Authority share is 50% of collections, less 2% to CCSF for administration.

There is continued uncertainty about how this new revenue source will perform this fiscal year due the pandemic and other policy-related decisions about TNC operations in California. As a

result, we are taking a conservative approach to both programming and allocations (e.g. we will only allocate funds that have already been collected). Based on funds received through June 2020, we anticipate allocating \$2.5 million for the SFMTA's FY21 Vision Zero Quick-Build Program in October 2020. Based on current projections for FY 2020/21 collections, we are programming the first \$5 million for the SFMTA's FY22 Vision Zero Quick-Build Program. We will monitor revenues closely and may return to the Board for additional programming and potentially allocation actions this fiscal year, if revenues increase significantly and there is an urgent need for funds.

3.2 | PROGRAMMATIC CATEGORIES

Prior to the COVID-19 pandemic, we developed four programmatic categories to guide the allocation of funds. These categories are based on the eligibility language in the TNC Tax ordinance, stakeholder feedback, and our experience with other fund programs. While we are prioritizing Quick-Builds for the inaugural allocation, we are establishing the four programmatic categories as part of the Program Guidelines and will program and allocate to the additional categories as revenue trends emerge. Descriptions of each programmatic category are below.

QUICK-BUILDS

Quick-Build projects include reversible or adjustable traffic control, such as roadway and curb paint, signs, traffic signal timing updates, transit boarding islands, and parking and loading changes. These projects are focused on safety improvements to the High Injury Network, the 13% of city streets that account for 75% of severe and fatal injuries. Quick-Builds allow near-term implementation of safety improvements while longer-term infrastructure improvements are designed. While the materials and methods used to install improvements makes reversal possible, it is not necessarily the intent that treatments will be reversed. The SFMTA is the project sponsor for this category.

SAFE STREETS

Safe Streets projects include permanent safety improvements, such as protected bike lanes, midblock crossings, traffic calming measures, and safety improvements that may be part of larger projects such as complete streets or corridor-length projects. This category is expected to leverage other funding sources. The Transportation Authority will issue periodic competitive calls for projects for this category. Any public agency may apply for funds from this category.

SIGNALS

Signals projects include new signals, upgraded signals, and signal retiming to improve safety. The SFMTA is the project sponsor for this category.

MAINTENANCE

Maintenance of existing safety infrastructure for pedestrians and cyclists. Projects may include paint, safe hit posts, signal, and other low-cost maintenance needs. The SFMTA is the project sponsor for this category.

3.3 | PRIORITIES FOR FY 2020/21

Programming priorities for FY 2020/21 respond to the need to provide high priority safety improvements in the near-term, balanced with the uncertainty brought on by the COVID-19 pandemic. Programming details are provided below.

- Consistent with the CCSF, 2% of the Transportation Authority’s share of revenues will be used for program administration and oversight.
- Building off data collection and analysis efforts that led to development of the TNC Tax as well as feedback received from listening sessions about the proposed TNC Tax guidelines, we will set aside 1% of revenues for systematic data collection and analysis of TNC trips in San Francisco.
- For FY 2020/21, we will not set aside a capital reserve in order to maximize funds available for projects, and because we are only allocating funds after they have been collected. In the future when we are able to project revenues with more confidence, we may begin to allocate funds based on projections (rather than what has been collected) and would then establish a capital reserve of 10%, in line with Transportation Authority fiscal policy.

Based upon the above programming approach, Table 3 shows the funds available for programming and potential allocation in FY 2020/21.

Table 3 Funds Available for Programming and Potential Allocation for FY 2020/21.

REVENUE COLLECTION PERIOD	STATUS	TRANSPORTATION AUTHORITY 50% SHARE*	ADMINISTRATION / OVERSIGHT (2%)	DATA COLLECTION / ANALYSIS (1%)	AVAILABLE FOR PROGRAMMING / ALLOCATION
January 2020 – June 2020	Actual	\$2,583,181	\$51,664	\$25,832	\$2,505,686
July 2020 – June 2021	Estimate	\$7,350,000	\$147,000	\$73,500	\$7,129,500

*Transportation Authority share is 50% of collections, less 2% to CCSF for administration.

- The proposed inaugural allocation based on funds received through June 2020 will provide \$2,505,686 for the SFMTA’s FY 2020/21 Vision Zero Quick-Build Program, which will leverage an anticipated \$936,314 in Prop K funds and \$810,000 in Prop B General Funds, for a total of \$4,252,000.

In addition to the inaugural allocation of \$2.5 million, we will program an additional \$5 million in anticipated TNC Tax revenues from FY 2020/21 for the Vision Zero Quick-Build Program.

- We may issue a call for projects to program additional funds for any revenue collected during FY 2020/21 beyond the \$5 million prioritized for the SFMTA’s Vision Zero Quick-Build Program.

We will closely monitor revenue collection in the coming months and anticipate amending these Program Guidelines in the future to establish the process for programming funds in each of the four programmatic categories: Quick-Builds, Safe Streets, Signals, and Maintenance.

4. Policies

Policies provide guidance to both Transportation Authority staff and project sponsors on the various aspects of managing the TNC Tax program. The policies highlighted here address the allocation and administration of funds and clarify the Transportation Authority's expectations of sponsors to deliver their projects. We anticipate revising these policies in the future as revenue trends emerge and we can more confidently forecast anticipated revenues.

4.1 | ALLOCATION

- Prior to allocation of any TNC Tax funds, projects must be programmed by the Transportation Authority Board. To become programmed, projects must be submitted by project sponsors for Transportation Authority review and approval.
- Allocations of TNC Tax funds will be based on an application package prepared and submitted by the lead agency for the project. The package will be in accordance with application guidelines and formats as outlined in the Transportation Authority's allocation request procedures, with the final application submittal to include sufficient detail and supporting documentation to facilitate a determination that the applicable conditions of these policies have been satisfied.
- Fiscal Year Cash Flow Distribution Schedules will be adopted as part of the allocation approval. The Transportation Authority will not guarantee reimbursement levels higher than those adopted in the original allocation or as amended.
- Funds will be allocated to phases of a project based on demonstrated readiness to begin the work and ability to complete the product. Any impediments to completing the project phase will be taken into consideration, including, but not limited to, lack of a full funding plan for the requested phase(s), failure to provide evidence of necessary inter- and/or intra-agency coordination, evidence of a lack of community support or consensus, or any pending or threatened litigation.
- The project sponsor will provide certification at the time of an allocation request that all complementary fund sources are committed to the project. Funding is considered committed if it is included specifically in a programming document adopted by the governing board or entity with the authority to program (or commit) the funds and recognized by the Transportation Authority as available for the phase at the time the funds are needed.
- In establishing priorities, the Transportation Authority will take into consideration the need for TNC Tax funds to be available for matching federal, state, or regional fund sources for the project or program requesting the allocation.
- Projects with complementary funds from other sources will be given priority for allocation if there are timely use of funds requirements outside of the Transportation Authority's jurisdiction applied to the other fund sources.

- To support cost-effective project delivery, transparency, and prudent management of this pay-as-you-go-program, TNC Tax funds will be allocated to one project phase at a time. The Transportation Authority may consider exceptions to approve multi-phase allocations.
- Allocations of TNC Tax funds for specific project phases will be contingent on the prerequisite milestones shown in Table 4. Exceptions will be considered on a case-by-case basis. Allocation requests will be made prior to advertising for services or initiating procurements for projects funded with TNC Tax funds.

Table 4 Prerequisite Milestones for Allocation.

PHASE	PREREQUISITE MILESTONE(S) FOR ALLOCATION
Planning	<ul style="list-style-type: none"> ● Funds programmed by the Board
Design Studies (PS&E)	<ul style="list-style-type: none"> ● Funds programmed by the Board ● Approved environmental document ● Capital construction phase included in programming document, such as Capital Improvement Program
Construction	<ul style="list-style-type: none"> ● Funds programmed by the Board ● Approved environmental document ● Right of way certification (if appropriate) ● 95% PS&E or substantial completion of design ● All applicable permits

- Project phases for which TNC Tax funds will be allocated will be expected to result in a complete work product or deliverable. Table 5 demonstrates the products expected to accompany allocations. Requests for allocations that are expected to result in a work product/deliverable other than that shown in Table 5 for a specific phase shall include a description of the expected work product/deliverable, and are subject to approval by the Transportation Authority.

Table 5 Expected Work Product/Deliverable.

PHASE	EXPECTED WORK PRODUCT/DELIVERABLE
Planning	<ul style="list-style-type: none"> ● Final report or memorandum including set of recommendations identified through the planning process
Design Studies (PS&E)	<ul style="list-style-type: none"> ● Evidence of completion of design (e.g. copy of design certifications page and/or work authorization)
Construction	<ul style="list-style-type: none"> ● Constructed improvement

-
- It is imperative to the success of the TNC Tax program that project sponsors of TNC Tax-funded projects work with Transportation Authority representatives in a cooperative process. It is the project sponsor's responsibility to keep the Transportation Authority apprised of significant issues affecting project delivery and costs. Ongoing communication resolves issues, facilitates compliance with Transportation Authority policies and contributes greatly toward ensuring that adequate funds will be available when they are needed.
 - At the time of allocation, priority will be given to projects that:
 - » **Benefit Communities of Concern.** Projects that directly benefit disadvantaged communities, whether the project is directly located in a Community of Concern or can demonstrate benefits to disadvantaged communities.
 - » **Located on the High Injury Network.** Projects that improve safety on the Vision Zero High Injury Network.
 - » **Improve safety for vulnerable populations.** Projects that improve safety for vulnerable populations, including but not limited to projects near schools, senior centers, community centers that improve safety for pedestrians, people on bicycles, children and seniors.
 - » **Demonstrate community engagement and support.** Projects with clear and diverse community support and/or developed out of a community-based planning process (e.g., community-based transportation plan, the Neighborhood Transportation Improvement Program, corridor improvement study, campus master plan, station area plans, etc.).
 - » **Time sensitive.** Projects that are trying to take advantage of time sensitive construction coordination opportunities and whether the project would leverage other funding sources with timely use of funds requirements.
 - » **Leverage other funding.** Projects that can demonstrate leveraging of TNC Tax funds, or that can justify why they are ineligible, have very limited eligibility, or compete poorly to receive Prop K or other discretionary funds.
 - » **High priority for project sponsor.** For project sponsors that submit multiple TNC Tax programming requests, the Transportation Authority will consider the project sponsor's relative priority for its requests.
 - » **Consider project delivery track record.** The Transportation Authority will consider the project sponsors' past project delivery track record of prior Transportation Authority-programmed funds when prioritizing potential TNC Tax-funded projects. For sponsors that have not previously received Transportation Authority funds, the Transportation Authority will consider the sponsors' project delivery track record for capital projects funded by other means.
 - » **Demonstrate geographic equity.** TNC Tax programming will reflect fair geographic distribution that takes into account the various needs of San Francisco's neighborhoods. This factor will be applied program-wide and to individual projects, as appropriate.
-

4.2 | TIMELY USE OF FUNDS REQUIREMENTS

- Timely-use-of-funds requirements will be applied to all TNC Tax allocations to help avoid situations where funds sit unused for prolonged periods of time. Any programmed project that does not request allocation of funds in the year of programming may, at the discretion of the Transportation Authority Board, have its funding deobligated and reprogrammed to other projects.
- The intent of the TNC Tax program is to expedite delivery of safety improvements. Therefore, implementation of the project phase must commence within 6 months of the date of allocation. Implementation includes issuance of a purchase order to secure project components, award of a contract, or encumbrance of staff labor charges by project sponsor. Any project that does not begin implementation within 6 months of the date of allocation may have its sponsor request a new timely-use-of-funds deadline with a new project schedule, subject to the approval of the Transportation Authority.
- TNC Tax final reimbursement requests and project closeout requests shall be submitted within 12 months of project completion.

4.3 | ADMINISTRATION

- This is a reimbursement-based program.
- TNC Tax funds will be spent down at a rate proportional to the TNC Tax share of the total funds programmed to that project phase or program. The Transportation Authority will consider exceptions on a case-by-case basis (e.g. another fund source is not immediately available or cannot be used to cover certain expenses). Project sponsors should notify the Transportation Authority of the desire for an exception to this policy when requesting allocation of funds.
- Unexpended portions of allocated amounts remaining after final reimbursement for that phase will be returned to the project's programmed balance if the project is not yet completed and has future funds programmed. If there are no future phases for that project, remaining funds will be returned to the TNC Tax program for reprogramming in any category.
- Retroactive expenses are ineligible. No expenses will be reimbursed that are incurred prior to Board approval of the allocation for a particular project. The Transportation Authority will not reimburse expenses incurred prior to fully executing a Standard Grant Agreement. Exceptions to this policy may be made, including:
 - » Where the Transportation Authority has previously approved the scope of a project and that scope has incurred increased costs.
 - » Capital costs of a multi-year project to which the Transportation Authority has made a formal commitment in a resolution for out-year costs, although the funds have not been allocated.

While these costs shall be eligible for reimbursement in the situations cited above, the timing and amount of reimbursement will be subject to a Transportation Authority allocation.

- Indirect expenses are ineligible. Reimbursable expenses will include only those expenses directly attributable to the delivery of the products for that phase of the project receiving a TNC Tax allocation.

Appendix I: TNC Tax Ordinance



City and County of San Francisco

Certified Copy

Motion

SAN FRANCISCO City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

2019 JUL 26 AM 10:21
DEPARTMENT OF ELECTIONS

190584

[Initiative Ordinance - Business and Tax Regulations, Administrative Codes - Tax on Net Rider Fares of Commercial Ride-Share Companies, Autonomous Vehicles, and Private Transit Services Vehicles]

Sponsors: Mayor; Peskin, Yee, Ronen, Mandelman, Brown, Fewer, Haney, Walton, Stefani, Safai and Mar

Motion ordering submitted to the voters at an election to be held on November 5, 2019, an Ordinance amending the Business and Tax Regulations Code and Administrative Code to impose an excise tax on the net rider fares for rides facilitated by commercial ride-share companies and rides provided by autonomous vehicles and private transit services vehicles, to fund transportation operations and infrastructure for traffic congestion mitigation in the City; and to increase the City's appropriations limit by the amount collected under the tax for four years from November 5, 2019.

7/23/2019 Board of Supervisors - APPROVED

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

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO


CLERK'S CERTIFICATE

I do hereby certify that the foregoing Motion is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

July 25, 2019

Date


Angela Calvillo

Clerk of the Board

1 [Initiative Ordinance - Business and Tax Regulations, Administrative Codes - Tax on Net
2 Rider Fares of Commercial Ride-Share Companies, Autonomous Vehicles, and Private
3 Transit Services Vehicles]

4 **Motion ordering submitted to the voters at an election to be held on November 5, 2019,**
5 **an Ordinance amending the Business and Tax Regulations Code and Administrative**
6 **Code to impose an excise tax on the net rider fares for rides facilitated by commercial**
7 **ride-share companies and rides provided by autonomous vehicles and private transit**
8 **services vehicles, to fund transportation operations and infrastructure for traffic**
9 **congestion mitigation in the City; and to increase the City's appropriations limit by the**
10 **amount collected under the tax for four years from November 5, 2019.**

11
12 MOVED, That the Board of Supervisors hereby submits the following ordinance to the
13 voters of the City and County of San Francisco, at an election to be held on November 5,
14 2019.

15
16 **Ordinance amending the Business and Tax Regulations Code and Administrative Code**
17 **to impose an excise tax on the net rider fares for rides facilitated by commercial ride-**
18 **share companies and rides provided by autonomous vehicles and private transit**
19 **services vehicles, to fund transportation operations and infrastructure for traffic**
20 **congestion mitigation in the City; and to increase the City's appropriations limit by the**
21 **amount collected under the tax for four years from November 5, 2019.**

22 NOTE: **Unchanged Code text and uncodified text** are in plain font.
23 **Additions to Codes** are in *single-underline italics Times New Roman font*.
24 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
25 **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or parts of tables.

1 Be it ordained by the People of the City and County of San Francisco:

2
3 Section 1. Pursuant to Articles XIII A and XIII C of the Constitution of the State of
4 California, this ordinance shall be submitted to the qualified electors of the City and County of
5 San Francisco at the November 5, 2019, municipal election.

6
7 Section 2. The Business and Tax Regulations Code is hereby amended by adding
8 Article 32, consisting of Sections 3201 to 3213, to read as follows:

9
10 **ARTICLE 32: TRAFFIC CONGESTION MITIGATION TAX**

11
12 **SEC. 3201. SHORT TITLE.**

13 *This Article 32 shall be known as the "Traffic Congestion Mitigation Tax Ordinance," and the*
14 *tax it imposes shall be known as the "Traffic Congestion Mitigation Tax."*

15
16 **SEC. 3202. FINDINGS AND PURPOSE.**

17 *(a) Strategies for managing traffic congestion are key to ensuring that San Francisco's*
18 *transportation system remains efficient, affordable, and safe as the number of jobs and the population*
19 *in San Francisco grows. These strategies include improving transit, improving access to bicycling and*
20 *walking, supporting walkable and transit-oriented neighborhoods, and managing vehicle use, parking,*
21 *and traffic signals.*

22 *(b) Over the years, traffic congestion has increased in San Francisco, with San Francisco*
23 *ranking among the top five most congested cities in the world, according to the 2018 INRIX Global*
24 *Traffic Scorecard, which analyzes traffic congestion in more than 200 cities across 38 countries. As*
25

1 congestion increases, it is vital that San Francisco continue to make its transit system faster and more
2 reliable while ensuring that the City invests in streets to create a safer environment.

3 (c) Emerging technologies, including autonomous vehicles, are expected to further increase
4 traffic congestion in San Francisco, with the San Francisco County Transportation Authority's 2017
5 Report "TNCs Today" documenting that transportation network companies accounted for
6 approximately 50% of San Francisco's congestion increase from 2010-2016. As these technologies
7 expand, it is critical that they complement existing transit infrastructure and improve first-mile-last-
8 mile accessibility, while mitigating congestion.

9 (d) In 2014, San Francisco adopted Vision Zero, a plan committed to eliminating all traffic
10 deaths in San Francisco. The Vision Zero High Injury Network guides the City's investments in
11 infrastructure and ensures prioritization of critical Transit First, pedestrian safety, and bicycle safety
12 projects. In San Francisco, 13% of streets account for 75% of the City's severe traffic injuries and
13 fatalities. To further the goal of Vision Zero, San Francisco must increase capital investments in street
14 safety.

15 (e) In 2017, the San Francisco Transportation 2045 Task Force identified a projected \$22
16 billion funding gap for San Francisco's transportation system through 2045 and possible revenue
17 sources to close that gap, including a tax on rides facilitated by transportation network companies.

18 (f) In 2018, the Legislature enacted Assembly Bill 1184, which confirmed the City's authority to
19 impose a tax on net rider fares for rides originating in San Francisco, including rides facilitated by
20 transportation network companies and rides provided by autonomous vehicles.

21
22 **SEC. 3203. DEFINITIONS.**

23 Unless otherwise defined in this Article 32, the terms used in this Article shall have the
24 meanings given to them in Article 6 of the Business and Tax Regulations Code, as amended from time
25 to time.

1 For purposes of this Article 32, the following definitions apply.

2 "Autonomous Vehicle" means a vehicle, other than a Taxicab or Limousine, with or without a
3 driver, equipped with and into which has been integrated technology that has the capability to drive the
4 vehicle without the active physical control by a natural person, regardless of whether the vehicle is in
5 driverless operation. An Autonomous Vehicle includes any vehicle capable of being driven remotely by
6 a natural person.

7 "Commercial Ride-Share Company" means a person that provides prearranged transportation
8 services for compensation using an online-enabled application or platform or any offline method to
9 connect passengers with drivers using a Personal Vehicle, including but not limited to a transportation
10 network company as that term is defined in Section 5431(c) of the California Public Utilities Code as of
11 June 30, 2019.

12 "Limousine" means a limousine as that term is used in Section 5431 of the California Public
13 Utilities Code as of June 30, 2019.

14 "Mobility Provider" means any person conducting or controlling a business that provides rides
15 to fare-paying passengers using an Autonomous Vehicle or a Private Transit Services Vehicle, or both,
16 including but not limited to the owner or proprietor of such business.

17 "Net Rider Fare" means all charges for a ride, including but not limited to charges based on
18 time or distance, or both, and excluding any taxes, fees, and other charges where such taxes, fees, and
19 other charges are imposed by governmental entities on that ride. The Net Rider Fare for a ride
20 includes subscription fees and other indirect charges that are attributable to that ride. The entire
21 amount of subscription fees and other indirect charges that are charged in connection with passenger
22 rides shall be presumed, subject to rebuttal, to be attributable to passenger rides.

23 "Personal Vehicle" means a vehicle that (1) has a passenger capacity of eight persons or less,
24 including the driver, (2) is owned, leased, rented, or otherwise authorized for use by the driver,

25

1 (3) meets any applicable inspection and other safety requirements imposed by the California Public
2 Utilities Commission, and (4) is not a Taxicab or Limousine.

3 “Private Transit Services Vehicle” means a private transit vehicle as defined in Section 1202 of
4 the Transportation Code as of June 30, 2019.

5 “Shared Ride” means a ride in which, prior to the commencement of the ride, a passenger
6 requests to share the ride with one or more passengers and each passenger is charged a fare that is
7 calculated, in whole or in part, based on the passenger’s request to share all or part of the ride with
8 one or more passengers, regardless of whether the passenger actually shares all or part of the ride. A
9 ride provided by a Private Transit Services Vehicle shall be deemed to be a Shared Ride if that vehicle
10 is designed to carry and regularly carries more than one passenger at a time.

11 “Taxicab” means a taxicab as that term is used in Section 5431 of the California Public
12 Utilities Code as of June 30, 2019.

13 “Zero-Emission Vehicle” means a vehicle of a year, make, and model that the California Air
14 Resources Board has certified as a zero-emission vehicle under Section 1962.2 of Title 13 of the
15 California Code of Regulations, as may be amended or replaced by a similar regulation, for 2018 and
16 subsequent model years; under Section 1962.1 of Title 13 of the California Code of Regulations for
17 2009 through 2017 model years; or under Section 1962 of Title 13 of the California Code of
18 Regulations or predecessor regulation, for 2008 and prior model years. For purposes of this
19 Article 32, a vehicle shall be considered a Zero-Emission Vehicle on and after the date the California
20 Air Resources Board has certified that vehicle’s year, make, and model as a zero-emission vehicle
21 under the aforementioned regulations.

1 **SEC. 3204. IMPOSITION OF TAX.**

2 (a) Except as otherwise provided in this Article 32, for the privilege of engaging in business in
 3 the City and to raise revenue for the purposes set forth in Section 3208, the City imposes a Traffic
 4 Congestion Mitigation Tax, which shall be a special excise tax, as follows:

5 (1) Except as provided in Section 3204(a)(3), for each ride originating in the City
 6 facilitated by a Commercial Ride-Share Company, the tax shall be imposed on the Commercial Ride-
 7 Share Company and shall be calculated by applying the following percentages to the Net Rider Fare
 8 attributable to the City.

9 (A) 1.5% for a Shared Ride;

10 (B) 3.25% for a ride other than a Shared Ride.

11 (2) Except as provided in Section 3204(a)(3), for each ride originating in the City
 12 provided by an Autonomous Vehicle or a Private Transit Services Vehicle, and not facilitated by a
 13 Commercial Ride-Share Company, the tax shall be imposed on the Mobility Provider of the
 14 Autonomous Vehicle or the Private Transit Services Vehicle and shall be calculated by applying the
 15 following percentages to the Net Rider Fare attributable to the City.

16 (A) 1.5% for a Shared Ride;

17 (B) 3.25% for a ride other than a Shared Ride.

18 (3) From January 1, 2020 through December 31, 2024, for each ride described in
 19 Section 3204(a)(1) or Section 3204(a)(2) that is provided in a Zero-Emission Vehicle, the tax shall be
 20 calculated by multiplying the Net Rider Fare attributable to the City for that ride by 1.5%.

21 (b) For purposes of this Article 32, a passenger's ride originates in the City if the vehicle picks
 22 up that passenger in the City. The Net Rider Fare attributable to the City for each ride shall be the Net
 23 Rider Fare for that ride multiplied by a fraction, the numerator of which is the distance traveled within
 24 the City for that ride and the denominator of which is the total distance traveled for that ride. In lieu of
 25 calculating the distance traveled within the City for each ride a portion of which occurs outside the

1 City, a person subject to tax under this Article 32 may presume that the Net Rider Fare for each such
2 ride is 50% attributable to the City; provided, however, that such presumption must be applied to all
3 rides for which a portion occurs outside the City during the reporting period. If it is impracticable or
4 unreasonable to attribute a Net Rider Fare to the City based on distance traveled, the Net Rider Fare
5 attributable to the City shall be determined on the basis of all relevant facts and circumstances of the
6 particular case, in accordance with any rulings or regulations issued or promulgated by the Tax
7 Collector.

8 (c) The tax imposed under this Section 3204 shall apply only to persons that are engaging in
9 business within the City within the meaning of Section 6.2-12 of Article 6 of the Business and Tax
10 Regulations Code.

11 (d) The Traffic Congestion Mitigation Tax shall be operative on January 1, 2020 and shall
12 expire on November 5, 2045.

13
14 **SEC. 3205. EXEMPTIONS AND EXCLUSIONS.**

15 (a) Rides that originate in the City and carry passengers across the California state line shall
16 be exempt from the Traffic Congestion Mitigation Tax for only so long as and to the extent that the City
17 is prohibited from taxing such rides under Section 14505 of Title 49 of the United States Code.

18 (b) Net Rider Fare as defined in Section 3203 shall not include charges for a ride or a portion
19 of a ride if, and only so long as and to the extent that, the City is prohibited from taxing such ride or
20 portion of a ride under the Constitution or laws of the United States or under the Constitution or laws
21 of the State of California.

22 (c) Any person upon whom the City is prohibited under the Constitution or laws of the United
23 States or under the Constitution or laws of the State of California from imposing the Traffic Congestion
24 Mitigation Tax shall be exempt from the Traffic Congestion Mitigation Tax.

1 **SEC. 3206. CONSTRUCTION AND SCOPE OF THE TRAFFIC CONGESTION MITIGATION**
2 **TAX ORDINANCE.**

3 (a) This Article 32 is intended to authorize application of the Traffic Congestion Mitigation Tax
4 in the broadest manner consistent with its provisions and with the California Constitution, the United
5 States Constitution, and any other applicable provision of federal or state law.

6 (b) The Traffic Congestion Mitigation Tax imposed by this Article 32 is in addition to all other
7 City taxes, including without limitation the gross receipts tax imposed by Article 12-A-1 of the Business
8 and Tax Regulations Code, as amended from time to time. Accordingly, by way of example and not
9 limitation, persons subject to both the Traffic Congestion Mitigation Tax and the gross receipts tax
10 shall pay both taxes. Similarly, persons exempt from either the gross receipts tax or the Traffic
11 Congestion Mitigation Tax, but not both, shall pay the tax from which they are not exempt.

12
13 **SEC. 3207. ADMINISTRATION OF THE TRAFFIC CONGESTION MITIGATION TAX**
14 **ORDINANCE.**

15 Except as otherwise provided under this Article 32, the Traffic Congestion Mitigation Tax shall
16 be administered pursuant to Article 6 of the Business and Tax Regulations Code, as amended from time
17 to time, including all penalties and other charges imposed by that Article.

18
19 **SEC. 3208. DEPOSIT OF PROCEEDS; EXPENDITURE OF PROCEEDS.**

20 (a) All monies collected under the Traffic Congestion Mitigation Tax Ordinance shall be
21 deposited to the credit of the Traffic Congestion Mitigation Fund, established in Administrative Code
22 Section 10.100-345. The Fund shall be maintained separate and apart from all other City funds and
23 shall be subject to appropriation. Any balance remaining in the Fund at the close of any fiscal year
24 shall be deemed to have been provided for a special purpose within the meaning of Charter
25

1 Section 9.113(a) and shall be carried forward and accumulated in the Fund for the purposes described
2 in Section 3208(b)(3), below.

3 (b) Subject to the budgetary and fiscal provisions of the Charter, monies in the Traffic
4 Congestion Mitigation Fund shall be appropriated on an annual or supplemental basis and used
5 exclusively for the following purposes:

6 (1) Up to 2% of the proceeds of the Traffic Congestion Mitigation Tax distributed in
7 any proportion to the Tax Collector and other City departments, for administration of the Traffic
8 Congestion Mitigation Tax and administration of the Traffic Congestion Mitigation Fund.

9 (2) Refunds of any overpayments of the Traffic Congestion Mitigation Tax, including
10 any related penalties, interests, and fees.

11 (3) All remaining amounts for the following purposes, in the following percentages,
12 which amounts shall include the costs of administering the programs described.

13 (A) 50% to the Municipal Transportation Agency, or any successor agency, for
14 Muni transit service and affordability, system reliability and capacity, and keeping transit
15 infrastructure in a state of good repair, to be used exclusively for the following purposes:

16 (i) Improving bus and rail service frequency and reliability.

17 (ii) Maintaining and expanding Muni fleet and facilities.

18 (iii) Improving access, including stations, escalators, and elevators.

19 (iv) Improving reliability through fixing and/or replacing rails, overhead
20 wires, associated fixed guideway infrastructure, and traffic signals.

21 (B) 50% to the San Francisco County Transportation Authority, or any
22 successor body, for planning, design studies, and/or capital improvements that promote users' safety in
23 the public right-of-way, to be used exclusively for the following purposes:

24 (i) Pedestrian and bicycle safety infrastructure, including civil and
25 signal improvements, mid-block crossings, and bike boxes.

1 (ii) Physical protection of bicycle facilities from motorized traffic,
 2 including bicycle lanes within street rights-of-way.

3 (iii) Traffic calming.

4 (iv) Traffic signal and traffic signal timing improvements.

5 (v) Maintenance of existing safety infrastructure.

6 (c) All amounts allocated to the Municipal Transportation Agency under Section 3208(b)(3)(A)
 7 shall be credited to the Municipal Transportation Fund as described in Section 8A.105 of Article VIII A
 8 of the Charter.

9 (d) Commencing with a report filed no later than February 15, 2022, covering the fiscal year
 10 ending on June 30, 2021, the Controller shall file annually with the Board of Supervisors, by
 11 February 15 of each year, a report containing the amount of monies collected in and expended from the
 12 Traffic Congestion Mitigation Fund during the prior fiscal year, the status of any project authorized to
 13 be funded by this Section 3208, and such other information as the Controller, in the Controller's sole
 14 discretion, deems relevant to the operation of this Article 32.

15
 16 **SEC. 3209. AUTHORIZATION AND LIMITATION ON ISSUANCE OF BONDS.**

17 The City is hereby authorized to issue from time to time limited tax bonds to finance the costs of
 18 the capital projects described in Section 3208. The City shall be authorized to pledge revenues
 19 generated by the Traffic Congestion Mitigation Tax to the repayment of limited tax bonds authorized
 20 under this Section 3209. The amount of limited tax bonds authorized hereby shall not exceed
 21 \$300,000,000 in aggregate principal amount. The Board of Supervisors shall by ordinance or
 22 resolution, as applicable, establish the terms of any limited tax bonds authorized hereby, including but
 23 not limited to, the amount of the issue, date, covenants, denominations, interest rate or rates, maturity
 24 or maturities, redemption rights, tax status, manner of sale, and such other particulars as are necessary
 25 or desirable.

1 **SEC. 3210. AMENDMENT OF ORDINANCE.**

2 The Board of Supervisors may amend or repeal this Article 32 by ordinance by a two-thirds
3 vote and without a vote of the people except as limited by Articles XIII A and XIII C of the California
4 Constitution.

5
6 **SEC. 3211. EFFECT OF STATE AND FEDERAL AUTHORIZATION.**

7 To the extent that the City's authorization to impose or to collect any tax imposed under this
8 Article 32 is expanded or limited as a result of changes in state or federal statutes, regulations, or other
9 laws, or judicial interpretations of those laws, no amendment or modification of this Article shall be
10 required to conform the taxes to those changes, and the taxes are hereby imposed in conformity with
11 those changes, and the Tax Collector shall collect them to the full extent of the City's authorization up
12 to the full amount and rate of the taxes imposed under this Article.

13
14 **SEC. 3212. SEVERABILITY.**

15 (a) Except as provided in Section 3212(b), if any section, subsection, sentence, clause, phrase,
16 or word of this Article 32, or any application thereof to any person or circumstance, is held to be
17 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not
18 affect the validity of the remaining portions or applications of this Article. The People of the City and
19 County of San Francisco hereby declare that, except as provided in Section 3212(b), they would have
20 adopted this Article 32 and each and every section, subsection, sentence, clause, phrase, and word not
21 declared invalid or unconstitutional without regard to whether any other portion of this Article or
22 application thereof would be subsequently declared invalid or unconstitutional.

23 (b) If the imposition of the Traffic Congestion Mitigation Tax in Section 3204 is held in its
24 entirety to be facially invalid or unconstitutional in a final court determination, the remainder of this
25 Article 32 shall be void and of no force and effect, and the City Attorney shall cause it to be removed

1 from the Business and Tax Regulations Code, and likewise cause Section 10.100-345 to be removed
 2 from the Administrative Code.

3
 4 **SEC. 3213. SAVINGS CLAUSE.**

5 No section, clause, part, or provision of this Article 32 shall be construed as requiring the
 6 payment of any tax that would be in violation of the Constitution or laws of the United States or of the
 7 Constitution or laws of the State of California.

8
 9 Section 3. Chapter 10 of the Administrative Code is hereby amended by adding
 10 Section 10.100-345 to Article XIII, to read as follows:

11
 12 **SEC. 10.100-345. TRAFFIC CONGESTION MITIGATION FUND.**

13 (a) Establishment of Fund. The Traffic Congestion Mitigation Fund ("Fund") is established as
 14 a category four fund as defined in Section 10.100-1 of the Administrative Code, and shall receive all
 15 taxes, penalties, interest, and fees collected from the Traffic Congestion Mitigation Tax imposed under
 16 Article 32 of the Business and Tax Regulations Code.

17 (b) Use of Fund. Subject to the budgetary and fiscal provisions of the Charter, monies in the
 18 Fund shall be used exclusively for the purposes described in Section 3208(b) of Article 32 of the
 19 Business and Tax Regulations Code.


20 (c) Administration of Fund. As stated in Section 3208(d) of Article 32 of the Business and Tax
 21 Regulations Code, commencing with a report filed no later than February 15, 2022, covering the fiscal
 22 year ending June 30, 2021, the Controller shall file annually with the Board of Supervisors, by
 23 February 15 of each year, a report containing the amount of monies collected in and expended from the
 24 Fund during the prior fiscal year, the status of any project authorized to be funded by Section 3208,
 25

1 and such other information as the Controller, in the Controller's sole discretion, deems relevant to the
2 operation of Article 32.

3
4 Section 4. Appropriations Limit Increase. Pursuant to California Constitution
5 Article XIII B and applicable laws, for four years from November 5, 2019, the appropriations
6 limit for the City shall be increased by the aggregate sum collected by the levy of the tax
7 imposed under this ordinance.

8
9 Section 5. Effective and Operative Dates. The effective date of this ordinance shall be
10 ten days after the date the official vote count is declared by the Board of Supervisors. This
11 ordinance shall become operative on January 1, 2020.

12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: 
16 KERNE H. O. MATSUBARA
Deputy City Attorney

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City and County of San Francisco

Tails

Motion: M19-116

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190584

Date Passed: July 23, 2019

Motion ordering submitted to the voters at an election to be held on November 5, 2019, an Ordinance amending the Business and Tax Regulations Code and Administrative Code to impose an excise tax on the net rider fares for rides facilitated by commercial ride-share companies and rides provided by autonomous vehicles and private transit services vehicles, to fund transportation operations and infrastructure for traffic congestion mitigation in the City; and to increase the City's appropriations limit by the amount collected under the tax for four years from November 5, 2019.

July 10, 2019 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 10, 2019 Budget and Finance Sub-Committee - CONTINUED AS AMENDED

July 17, 2019 Budget and Finance Sub-Committee - RECOMMENDED

July 23, 2019 Board of Supervisors - APPROVED

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

File No. 190584

I hereby certify that the foregoing Motion was APPROVED on 7/23/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board



Memorandum

AGENDA ITEM 6

DATE: September 24, 2020
TO: Transportation Authority Board
FROM: Anna LaForte - Deputy Director for Policy and Programming
SUBJECT: 10/20/20 Board Meeting: Adopt Traffic Congestion Mitigation Tax (TNC Tax) Program Guidelines and Program \$7,505,686 in TNC Tax Funds to Two Projects

<p>RECOMMENDATION <input type="checkbox"/> Information <input checked="" type="checkbox"/> Action</p> <p>Adopt the TNC Tax Program Guidelines Program \$7,505,686 in TNC Tax Funds to Two Projects:</p> <ul style="list-style-type: none"> • San Francisco Municipal Transportation Agency's (SFMTA's) FY21 Vision Zero Quick-Build Program (\$2,505,686) • SFMTA's FY22 Vision Zero Quick-Build Program (\$5,000,000) <p>SUMMARY The TNC Tax passed by San Francisco voters in November 2019, imposes a per-ride fee on transportation network companies (TNCs) (e.g., Uber and Lyft) trips originating in San Francisco. Revenues must be used to improve transportation and are split evenly between the San Francisco Municipal Transportation Agency (SFMTA) and Transportation Authority, with our 50% share designated for pedestrian and bicycle safety improvements. The Program Guidelines provide guidance on administration of the TNC Tax program for Fiscal Year (FY) 2020/21. We are establishing four programmatic categories for eligible projects. However, in light of uncertainty about revenue levels brought on by the COVID-19 pandemic, we are recommending programming only \$7.5 million right now of the total \$9.9 million forecast to be available in FY 2020/21 to the SFMTA's Vision Zero Quick-Build Program. This approach responds to the need to provide high priority safety improvements in the near-term, balanced with the uncertainty about revenue levels. We will closely monitor revenues, and if they are coming in as projected or higher, we may issue a call for projects to program additional funds later this year.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Fund Allocation <input checked="" type="checkbox"/> Fund Programming <input type="checkbox"/> Policy/Legislation <input type="checkbox"/> Plan/Study <input type="checkbox"/> Capital Project Oversight/Delivery <input type="checkbox"/> Budget/Finance <input type="checkbox"/> Contract/Agreement <input type="checkbox"/> Other:
--	--



BACKGROUND

In 2017, San Francisco's Transportation Task Force 2045 published a final report recommending a tax on ride-hail trips as one mechanism to help close the identified \$22 billion funding gap for San Francisco's transportation systems from 2019-2045. That same year, the Transportation Authority published *TNCs Today*, a report finding that 50% of the increase in traffic congestion in San Francisco from 2010 to 2016 was attributable to TNC trips.

With this data and recommendation, Assemblymember Phil Ting authored Assembly Bill 1184 (2018), which authorized the City and County of San Francisco (CCSF) to tax ride-hail trips originating in San Francisco. Transportation Authority Board Chair Aaron Peskin worked with Mayor London Breed and TNC companies to develop the Traffic Congestion Mitigation Tax (also referred to as the TNC Tax), which was approved by voters last November.

The TNC Tax imposes a surcharge on TNC trips that originate in San Francisco, for the portion of the trip within the city. The tax also applies to private transit companies and rides given by autonomous vehicles commercially. Single occupant trips are taxed at 3.25%, with electric vehicle trips receiving a discount to 1.5% through 2024. Shared trips are taxed at 1.5%. The tax went into effect on January 1, 2020, and sunsets in November 2045. After a 2% set aside for administration by CCSF, 50% of the revenues go to SFMTA for transit operations and improvements, and 50% comes to the Transportation Authority for bicycle and pedestrian safety improvements, traffic calming, signals, and maintenance.

DISCUSSION

The TNC Tax Program Guidelines establish policies for the programming and allocation of TNC Tax revenue for FY 2020/21. The policies include guidance on revenue projections, eligibility, programmatic categories, programming, and administration of projects to be funded by the TNC Tax. The Program Guidelines are based on language in the adopted ordinance, stakeholder feedback, and our experience with administering other fund programs such as the Prop K sales tax and Prop AA vehicle registration fee.

Revenues. Revenue projections published in July 2019 by CCSF's Office of the Controller and Office of Economic Analysis indicated approximately \$30 million annually from the TNC Tax. After the 2% administration fee to CCSF, and subsequent 50/50 split between the Transportation Authority and the SFMTA, approximately \$14.7 million annually was projected to come to the Transportation Authority. However, the COVID-19 pandemic and shelter-in-place orders have severely impacted actual revenue collection, as shown in Table 1.



Table 1. Projected and Actual TNC Tax Revenues, January to June 2020

Months	Original Total Revenue Projections	Actual Total Revenue Collections	Transportation Authority 50% Share*
January - June 2020	\$15,000,000	\$5,271,588	\$2,583,181**

*Transportation Authority share is 50% of collections, less 2% to CCSF for administration.

**Total revenue collections include \$7,641 in interest earned, with the Transportation Authority receiving 50%, or \$3,820.

For FY 2020/21, we are aligning with the CCSF Controller's Office estimate of \$15 million in revenue from the TNC Tax, with \$7.35 million coming to the Transportation Authority. Consistent with the CCSF, we are recommending 2% of the Transportation Authority's share of revenues be used for program administration and oversight. Building off data collection and analysis efforts that led to development of the TNC Tax as well as feedback received from listening sessions about the proposed TNC Tax guidelines, we recommend setting aside 1% of revenues for systematic data collection and analysis of TNC trips in San Francisco. See Table 2 below for details.

Table 2. Funds Available for Programming and Potential Allocation for FY 2020/21

Revenue Collection Period	Status	Transportation Authority 50% Share*	Administration / Oversight (2%)	Data Collection / Analysis (1%)	Available for Programming / Allocation
January 2020 - June 2020	Actual	\$2,583,181	\$51,664	\$25,832	\$2,505,686
July 2020 - June 2021	Estimate	\$7,350,000	\$147,000	\$73,500	\$7,129,500
January 2020 - June 2021	Actual / Estimate	\$9,933,181	\$198,664	\$99,332	\$9,635,368

*Transportation Authority share is 50% of TNC Tax collections, less 2% to CCSF for administration.

There is continued uncertainty about how this new revenue source will perform this fiscal year due the pandemic and other policy-related decisions about TNC operations in California. As a result, we are taking a conservative approach to programming and allocations, e.g. this year we will only recommend allocating funds that have already been collected.

Programmatic Categories. Based on the eligibility language in the TNC Tax ordinance, stakeholder feedback, and our experience with Prop K and other fund programs, this program will include four programmatic categories to guide the allocation of funds:



1. **Quick-Build** projects include reversible or adjustable traffic control, such as roadway and curb paint, signs, traffic signal timing updates, transit boarding islands, and parking and loading changes. These projects allow for quick implementation and evaluation of safety improvements while longer-term improvements are designed. While the materials and methods used to install improvements makes reversal possible, it is not necessarily the intent that treatments will be reversed. The SFMTA will be the project sponsor for this category.
2. **Safe Streets** projects include permanent safety improvements, such as protected bike lanes, midblock crossings, traffic calming measures, and safety improvements that may be part of larger projects such as complete streets or corridor-length projects. This category is expected to leverage other funding sources. The Transportation Authority will issue periodic competitive calls for projects for this category. Any public agency may apply for funds from this category.
3. **Signals** projects include new signals, upgraded signals, and signal retiming. The SFMTA will be the project sponsor for this category.
4. **Maintenance** of existing safety infrastructure for pedestrians and cyclists. Projects may include paint, safe hit posts, signal, and other low-cost maintenance needs. The SFMTA is the project sponsor for this category.

Quick-Build Project Priority for FY 2020/21. In light of uncertainty about revenue levels brought on by the COVID-19 pandemic, we are recommending programming only \$7.5 million of the total \$9.9 million forecast to be available by the end of FY 2020/21 to the SFMTA's Vision Zero Quick-Build Program, as shown in Table 3. This approach responds to the need to provide high priority safety improvements in the near-term, balanced with the uncertainty about revenue levels.

Table 3. TNC Tax Programming for FY 2020/21

Programmatic Category	Project Sponsor	Programming Amount	Year of Programming
Quick-Builds	SFMTA	\$7,505,686*	FY 2020/21
To Be Determined (TBD)	TBD	\$2,129,682	FY 2021/22

*\$2,505,686 will be allocated as part of a separate item on this agenda.

For the inaugural allocation of TNC Tax funds (the subject of the following agenda item at the October 20 Board meeting), based on funds received through June 2020, we are recommending allocating \$2.5 million for the SFMTA's FY21 Vision Zero Quick-Build Program. Based on current projections for FY 2020/21 collections, we recommend programming the first \$5 million for the SFMTA's FY22 Vision Zero Quick-Build Program. During the year, we will closely monitor revenues, and if they are coming in as projected or higher, we may issue a call for projects to program additional funds later this year.



Program Policies. The TNC Tax fund source will be administered in a similar manner as Prop K and Prop AA, with allocation requests presented to the Board when projects are ready to go. TNC Tax funds will be allocated to one project phase at a time, except for less complex projects such as Quick-Builds. We do not anticipate borrowing or financing to fund projects, and plan to administer this as a “pay as you go” program. We will work with project sponsors to identify performance measures to ensure progress is made in meeting the goals of the fund program.

FINANCIAL IMPACT

There are no impacts to the Transportation Authority’s proposed FY 2020/21 budget associated with the recommended actions. Allocation of \$2,505,686 in TNC Tax funds to the FY21 Vision Zero Quick-Build Program is the subject of a separate item on this meeting’s agenda. Funds for program administration and oversight, as well as data collection and analysis, are included in the adopted FY 2020/21 budget.

CAC POSITION

The CAC considered this item at its September 23, 2020 meeting and unanimously adopted a motion of support for the staff recommendation.

SUPPLEMENTAL MATERIALS

- Attachment 1 - TNC Tax Program Guidelines



RESOLUTION ALLOCATING \$5,897,303 IN PROP K SALES TAX FUNDS, \$378,372 IN PROP AA VEHICLE REGISTRATION FEE FUNDS, AND \$2,505,686 IN TRAFFIC CONGESTION MITIGATION TAX FUNDS, WITH CONDITIONS, FOR FIVE REQUESTS

WHEREAS, The Transportation Authority received five requests for a total of \$5,897,303 in Prop K local transportation sales tax funds, \$378,372 in Prop AA vehicle registration fee funds and \$2,505,686 in Traffic Congestion Mitigation Tax or TNC Tax funds, as summarized in Attachments 1 and 2 and detailed in the enclosed allocation request forms; and

WHEREAS, The requests seek funds from the following Prop K Expenditure Plan categories: Vehicles - Muni, Traffic Calming, Bicycle Circulation/ Safety, Pedestrian Circulation/ Safety, and Curb Ramps; from the Pedestrian Safety category of the Prop AA Expenditure Plan; and from the Quick-Builds category of the TNC Tax Program Guidelines; and

WHEREAS, As required by the voter-approved Expenditure Plans, the Transportation Authority Board has adopted a 5-Year Prioritization Program (5YPP) for each of the aforementioned Prop K or Prop AA Expenditure Plan programmatic categories; and

WHEREAS, Two of the five requests are consistent with the relevant 5YPPs for their respective categories; and

WHEREAS, The SFMTA's requests for Replace 28 Paratransit Vans and Upper Market Street Safety Improvements require 5YPP amendments as summarized in Attachment 3 and detailed in the enclosed allocation request forms; and

WHEREAS, The Transportation Authority has approved programming of \$2,505,686 in TNC Tax funds for the Vision Zero Quick-Build Program FY21; and

WHEREAS, After reviewing the requests, Transportation Authority staff recommended allocating a total of \$5,897,303 in Prop K funds, \$378,372 in Prop AA funds, and \$2,505,686 in TNC Tax funds, with conditions, for five projects, as described in Attachment 3 and detailed in the enclosed allocation request forms, which include staff recommendations for Prop K, Prop AA and TNC Tax allocation amounts, required deliverables, timely use of funds



requirements, special conditions, and Fiscal Year Cash Flow Distribution Schedules; and

WHEREAS, There are sufficient funds in the Capital Expenditures line item of the Transportation Authority's approved Fiscal Year 2020/21 budget to cover the proposed actions; and

WHEREAS, At its September 23, 2020 meeting, the Citizens Advisory Committee was briefed on the subject request and unanimously adopted a motion of support for the staff recommendation; now therefore, be it

RESOLVED, That the Transportation Authority hereby amends the Prop K Vehicles–Muni, Traffic Calming, Bicycle Circulation/Safety and Pedestrian Circulation/Safety 5YPPs, as detailed in the enclosed allocation request forms; and be it further

RESOLVED, That the Transportation Authority hereby allocates \$5,897,303 in Prop K funds, \$378,372 in Prop AA funds, and \$2,505,686 in TNC Tax funds, with conditions, for five projects, as summarized in Attachment 3 and detailed in the enclosed allocation request forms; and be it further

RESOLVED, That the Transportation Authority finds the allocation of these funds to be in conformance with the priorities, policies, funding levels, and prioritization methodologies established in the Prop K and Prop AA Expenditure Plans, Prop K and Prop AA Strategic Plans, TNC Tax Program Guidelines, and the relevant 5YPPs; and be it further

RESOLVED, That the Transportation Authority hereby authorizes the actual expenditure (cash reimbursement) of funds for these activities to take place subject to the Fiscal Year Cash Flow Distribution Schedules detailed in the enclosed allocation request forms; and be it further

RESOLVED, That the Capital Expenditures line item for subsequent fiscal year annual budgets shall reflect the maximum reimbursement schedule amounts adopted and the Transportation Authority does not guarantee reimbursement levels higher than those adopted; and be it further

RESOLVED, That as a condition of this authorization for expenditure, the Executive Director shall impose such terms and conditions as are necessary for the project sponsors to



comply with applicable law and adopted Transportation Authority policies and execute Standard Grant Agreements to that effect; and be it further

RESOLVED, That as a condition of this authorization for expenditure, the project sponsors shall provide the Transportation Authority with any other information it may request regarding the use of the funds hereby authorized; and be it further

RESOLVED, That the Capital Improvement Program of the Congestion Management Program, the Prop K Strategic Plan, Prop AA Strategic Plan and the relevant 5YPPs are hereby amended, as appropriate.

Attachments:

1. Summary of Requests Received
2. Brief Project Descriptions
3. Staff Recommendations
4. Prop K/AA/TNC Tax Allocation Summaries - FY 2020/21

Enclosure:

Prop K/Prop AA/TNC Tax Allocation Request Forms (5)

Attachment 1: Summary of Requests Received

Source	EP Line No./Category ¹	Project Sponsor ²	Project Name	Current Prop K Request	Current Prop AA Request	Current TNC Tax Request	Total Cost for Requested Phase(s)	Leveraging		Phase(s) Requested	District(s)	
								Expected Leveraging by EP Line ³	Actual Leveraging by Project Phase(s) ⁴			
Prop K	17M	SEMTA	Replace 28 Paratransit Vans	\$ 1,156,151			\$ 2,660,000	84%	57%	Construction	Citywide	
Prop K	38, 39, 40	SEMTA	Upper Market Street Safety Improvements [NTP Capital]	\$ 2,833,813			\$ 9,627,868	38%	71%	Construction	5, 8	
Prop K, TNC Tax	40 Quick-Build	SEMTA	Vision Zero Quick-Build Program FY21	\$ 936,314		\$ 2,505,686	\$ 4,555,000	25%	79%	Design, Construction	3, 6, 8, 9, 10; Spot Improvements TBD	
Prop K	41	SFPW	Mansell Street Curb Ramps	\$ 971,025			\$ 971,025	45%	19% (incl. design phase)	Construction	9, 10	
Prop AA	Ped	SEMTA	5th Street Quick-Build Improvements		\$ 378,372		\$ 1,427,407	N/A	73%	Construction	6	
TOTAL							\$ 5,897,303	\$ 378,372	\$ 2,505,686	\$ 19,241,300	39%	68%

Footnotes

¹ "EP Line No./Category" is either the Prop K Expenditure Plan line number referenced in the 2019 Prop K Strategic Plan or the Prop AA Expenditure Plan category referenced in the 2017 Prop AA Strategic Plan, including: Street Repair and Reconstruction (Street), Pedestrian Safety (Ped), and Transit Reliability and Mobility Improvements (Transit) or the Traffic Congestion Mitigation Tax (TNC Tax) category referenced in the Program Guidelines.

² Acronyms: SEMTA (San Francisco Municipal Transportation Agency); SFPW (San Francisco Public Works)

³ "Expected Leveraging By EP Line" is calculated by dividing the total non-Prop K funds expected to be available for a given Prop K Expenditure Plan line item (e.g. Pedestrian Circulation and Safety) by the total expected funding for that Prop K Expenditure Plan line item over the 30-year Expenditure Plan period. For example, expected leveraging of 90% indicates that on average non-Prop K funds should cover 90% of the total costs for all projects in that category, and Prop K should cover only 10%.

⁴ "Actual Leveraging by Project Phase" is calculated by dividing the total non-Prop K or non-Prop AA funds in the funding plan by the total cost for the requested phase or phases. If the percentage in the "Actual Leveraging" column is lower than in the "Expected Leveraging" column, the request (indicated by yellow highlighting) is leveraging fewer non-Prop K dollars than assumed in the Expenditure Plan. A project that is well leveraged overall may have lower-than-expected leveraging for an individual or partial phase.

Attachment 2: Brief Project Descriptions ¹

EP Line No./ Category	Project Sponsor	Project Name	Prop K Funds Requested	Prop AA Funds Requested	TNC Tax Funds Requested	Project Description
17M	SFMTA	Replace 28 Paratransit Vans	\$ 1,156,151	\$ -	\$ -	Funds will be used to procure 28 paratransit cutaway vans that are replacing 28 paratransit minivans that have reached the end of their useful lives. Each new vehicle will have a maximum capacity of 14 passengers including four wheelchair users, whereas the minivans carry three total passengers including one wheelchair user. Thus, the new vehicles will allow for more flexibility in use and an increase in overall capacity. The vans will be operated as part of SFMTA's SF Access prescheduled, shared-ride door-to-door paratransit service which is provided in city-owned vehicles operated under contract. This project will improve passenger comfort, service reliability and reduce maintenance costs. SFMTA expects to place all new vehicles into service by June 2021.
38, 39, 40	SFMTA	Upper Market Street Safety Improvements [NTIP Capital]	\$ 2,833,813	\$ -	\$ -	Requested funds will leverage impact fees from the Market-Octavia plan area, General Funds, and state grant funds to fund the construction phase of sidewalk and roadway improvements on Market Street from Octavia Boulevard/Central Freeway ramp to Castro Street, a one-mile segment of the city's Vision Zero High Injury Network. Improvements include pedestrian safety and accessibility upgrades at seven intersections; traffic signal upgrades; bikeway and bicycle access upgrades; transit access improvements including an expanded boarding platform at Laguna Street; and streetscape enhancements including landscaping and other decorative elements. District 8 Neighborhood Transportation Improvement Program (NTIP) funds are intended to support the ADA curb ramp improvements near Castro Street/Pink Triangle Park and signal modifications to the Castro/Market intersection that were requested by the community. Project will be open for use by December 2022.
40 Quick-Build	SFMTA	Vision Zero Quick-Build Program FY21	\$ 936,314	\$ -	\$ 2,505,686	Requested funds would help expedite delivery of safer streets on the High Injury Network. A quick-build project is defined to only include reversible or adjustable traffic controls to facilitate transportation safety, such as roadway and curb paint, traffic signs, traffic delineators, traffic signal changes, transit boarding islands, and parking and loading changes. Safety improvements implemented using these traffic control measures can include painted safety zones, bike lanes, adjustments to parking regulations, changes to the configuration of traffic lanes, and other changes. While quick-build projects are limited in scope, they offer the opportunity to implement safety improvements more quickly than a typical design-bid-build process. Quick-build projects are primarily implemented entirely by City crews, rather than with contractors. The scope of this project includes corridor projects on Valencia (15th to 19th Street), Bayshore Boulevard (Industrial Street to Jerrold Avenue), Evans Avenue (Cesar Chavez to 3rd Street), South Van Ness Avenue (13th Street to Cesar Chavez), Sansome/Battery Street (Market Street to Broadway), and Tenderloin Quick-Build (potential locations may include Hyde Street, Jones Street, and the programmatic implementation of safety treatments neighborhood-wide). The scope also includes spot improvements at to-be-determined high crash locations on the High Injury Network. The SFMTA anticipates that all work will be completed by June 2022.

Attachment 2: Brief Project Descriptions ¹

EP Line No./ Category	Project Sponsor	Project Name	Prop K Funds Requested	Prop AA Funds Requested	TNC Tax Funds Requested	Project Description
41	SFPW	Mansell Street Curb Ramps	\$ 971,025	\$ -	\$ -	Requested funds will be used for the construction of 30 curb ramps at the four intersections along Mansell Street at Bowdoin, Hamilton, Somerset, and Goettingen Streets. The proposed curb ramp locations are on concrete streets, which is a higher cost material than asphalt and contributes to the increased average cost per ramp when compared to 2017 estimates from a prior Prop K allocation for SFPW's Curb Ramp Program (\$18,652 vs. \$40,148). In addition, Mansell Street curb ramps require eight water meter relocations and nine survey monuments which have added about \$4,000 to the average cost per ramp. Also, SFPW acknowledges that construction support costs are trending higher due to structural work complexities that require increased construction oversight. This project meets the City's obligations under federal and state accessibility statutes to provide curb ramps to improve accessibility for people with disabilities.
Ped	SFMTA	5th Street Quick-Build Improvements	\$ -	\$ 378,372	\$ -	This request will improve safety along the 5th Street corridor by constructing pedestrian, bicycle, transit and loading/parking improvements between Market and Townsend Streets in the South of Market (SoMa) neighborhood. Funds will be used to expand the scope of the quick-build project to fund additional capital/hardscape improvements along the corridor including a raised crosswalk at Minna Street, four transit boarding islands, and roadway striping. City crews will perform the work. SFMTA expect the project will be open for use by June 2021.
TOTAL			\$5,897,303	\$378,372	\$2,505,686	

¹ See Attachment 1 for footnotes.

Attachment 3: Staff Recommendations ¹

EP Line No./ Category	Project Sponsor	Project Name	Prop K Funds Recommended	Prop AA Funds Recommended	TNC Tax Funds Recommended	Recommendations
17M	SFMTA	Replace 28 Paratransit Vans	\$ 1,156,151	\$ -	\$ -	Prop K 5-Year Prioritization Program (5YPP) Amendment: The recommended allocation is contingent upon amendment of the Prop K Vehicles-Muni 5YPP to add the subject project and reprogram \$1,156,151 from the Replace 85 40-Foot Trolley Coaches project to the subject project. See enclosed allocation request form for 5YPP amendment for details.
38, 39, 40	SFMTA	Upper Market Street Safety Improvements [NTIP Capital]	\$ 2,833,813	\$ -	\$ -	Prop K 5YPP Amendments: The recommended allocation is contingent upon amendments of the Traffic Calming, Bicycle Circulation/Safety and Pedestrian Circulation/Safety 5YPPs. See the enclosed allocation request form for 5YPP amendments for details.
40 Quick-Build	SFMTA	Vision Zero Quick-Build Program FY21	\$ 936,314	\$ -	\$ 2,505,686	Special Condition: Recommendation is contingent upon Board adoption of the TNC Tax Program Guidelines and fund programming item. See separate agenda item on this meeting's agenda.
41	SFPW	Mansell Street Curb Ramps	\$ 971,025	\$ -	\$ -	
Ped	SFMTA	5th Street Quick-Build Improvements	\$ -	\$ 378,372	\$ -	
TOTAL			\$5,897,303	\$378,372	\$2,505,686	

¹ See Attachment 1 for footnotes.

Attachment 4.

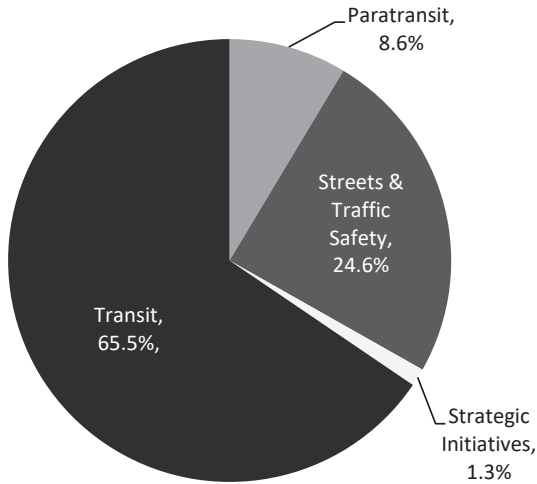
Prop K Allocation Summary - FY2020/21
 Prop AA Allocation Summary - FY2020/21
 TNC Tax Allocation Summary - FY2020/21

PROP K SALES TAX

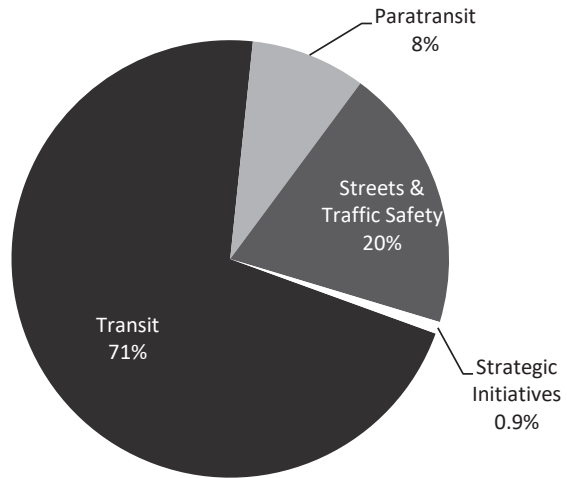
FY2020/21	Total	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
Prior Allocations	\$ 25,859,950	\$ 13,300,789	\$ 7,659,423	\$ 3,722,326	\$ 1,177,412	\$ -	\$ -
Current Request(s)	\$ 5,897,303	\$ 1,470,832	\$ 3,403,073	\$ 1,023,398	\$ -	\$ -	\$ -
New Total Allocations	\$ 31,757,253	\$ 14,771,621	\$ 11,062,496	\$ 4,745,724	\$ 1,177,412	\$ -	\$ -

The above table shows maximum annual cash flow for all FY 2020/21 allocations and appropriations approved to date, along with the current recommended allocation(s).

Investment Commitments, per Prop K Expenditure Plan



Prop K Investments To Date

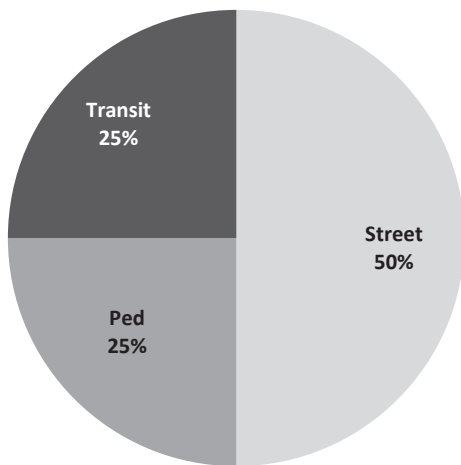


PROP AA VEHICLE REGISTRATION FEE

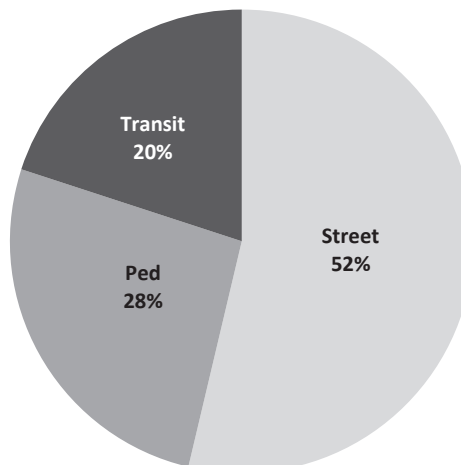
FY2020/21	Total	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Prior Allocations	\$ 4,708,057	\$ 2,354,029	\$ 2,354,029	\$ -	\$ -	\$ -
Current Request(s)	\$ 378,372	\$ 378,372	\$ -	\$ -	\$ -	\$ -
New Total Allocations	\$ 5,086,429	\$ 2,732,401	\$ 2,354,029	\$ -	\$ -	\$ -

The above table shows total cash flow for all FY 2020/21 allocations approved to date, along with the current recommended allocation(s).

Investment Commitments, per Prop AA Expenditure Plan



Prop AA Investments To Date



Attachment 4.
 Prop K Allocation Summary - FY2020/21
 Prop AA Allocation Summary - FY2020/21
 TNC Tax Allocation Summary - FY2020/21

TRAFFIC CONGESTION MITIGATION TAX (TNC Tax)

FY2020/21	Total	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Prior Allocations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Current Request(s)	\$ 2,505,686	\$ 1,376,800	\$ 1,128,886	\$ -	\$ -	\$ -
New Total Allocations	\$ 2,505,686	\$ 1,376,800	\$ 1,128,886	\$ -	\$ -	\$ -

The above table shows total cash flow for all FY 2020/21 allocations approved to date, along with the current recommended allocation(s).



Memorandum

AGENDA ITEM 7

DATE: October 13, 2020
TO: Transportation Authority Board
FROM: Anna LaForte - Deputy Director for Policy and Programming
SUBJECT: 10/20/2020 Board Meeting: Allocate \$5,897,303 in Prop K Sales Tax Funds, \$378,372 in Prop AA Vehicle Registration Fee Funds, and \$2,505,686 in Traffic Congestion Mitigation Tax (TNC Tax) Funds, with Conditions, for Five Requests

<p>RECOMMENDATION <input type="checkbox"/> Information <input checked="" type="checkbox"/> Action</p> <p>Allocate \$4,926,278 in Prop K funds and \$2,505,686 in TNC Tax funds to the San Francisco Municipal Transportation Agency (SFMTA) for:</p> <ol style="list-style-type: none"> 1. Replace 28 Paratransit Vans (\$1,156,151) 2. Upper Market Street Safety Improvements [NTIP Capital] (\$2,833,813) 3. Vision Zero Quick-Build Program FY21 (\$936,314 Prop K, \$2,505,686 TNC Tax) <p>Allocate \$971,025 in Prop K funds to San Francisco Public Works (SFPW) for:</p> <ol style="list-style-type: none"> 4. Mansell Street Curb Ramps <p>Allocate \$378,372 in Prop AA funds to SFMTA for:</p> <ol style="list-style-type: none"> 5. 5th Street Quick-Build Improvements <p>SUMMARY</p> <p>Attachment 1 lists the requests, including phase(s) of work and supervisorial district(s) for the projects. Attachment 2 provides a brief description of the projects. Attachment 3 contains the staff recommendations.</p>	<p><input checked="" type="checkbox"/> Fund Allocation</p> <p><input checked="" type="checkbox"/> Fund Programming</p> <p><input type="checkbox"/> Policy/Legislation</p> <p><input type="checkbox"/> Plan/Study</p> <p><input type="checkbox"/> Capital Project Oversight/Delivery</p> <p><input type="checkbox"/> Budget/Finance</p> <p><input type="checkbox"/> Contract/Agreement</p> <p><input type="checkbox"/> Other: _____</p>
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DISCUSSION

Attachment 1 summarizes the subject allocation requests, including information on proposed leveraging (i.e. stretching Prop K sales tax dollars further by matching them with other fund sources) compared with the leveraging assumptions in the Prop K Expenditure Plan. Attachment 2 includes brief project descriptions. Attachment 3 summarizes the staff recommendations for each request, highlighting special conditions and other items of interest. An Allocation Request Form for each project is enclosed, with more detailed information on scope, schedule, budget, funding, deliverables and special conditions.



The recommended allocation for the **SFMTA's FY21 Vision Zero Quick-Build Program** is contingent upon Board adoption of the TNC Tax Program Guidelines and programming funds to the subject project, which is a separate item on the October 20 Transportation Authority Board agenda.

FINANCIAL IMPACT

The recommended action would allocate \$5,897,303 in Prop K funds, \$378,372 in Prop AA funds, and \$2,505,686 in TNC Tax funds. The allocations would be subject to the Fiscal Year Cash Flow Distribution Schedules contained in the enclosed Allocation Request Forms.

Attachment 4 shows the approved Prop K, Prop AA and TNC Tax Fiscal Year 2020/21 allocations to date, with associated annual cash flow commitments as well as the recommended allocation and cash flow amounts that are the subject of this memorandum.

Sufficient funds are included in the adopted Fiscal Year 2020/21 annual budget. Furthermore, sufficient funds will be included in future budgets to cover the recommended cash flow distributions for those respective fiscal years.

CAC POSITION

The CAC considered this item at its September 23, 2020 meeting and unanimously adopted a motion of support for adoption of the final report.

SUPPLEMENTAL MATERIALS

- Attachment 1 - Summary of Requests
- Attachment 2 - Project Descriptions
- Attachment 3 - Staff Recommendations
- Attachment 4 - Prop K/AA/TNC Tax Allocation Summaries - FY 2020/21
- Enclosure - Allocation Request Forms (5)

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RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE UTILITY RELOCATION AGREEMENT, THE RIGHT OF WAY CERTIFICATION, AMENDMENTS TO THE MEMORANDUMS OF AGREEMENT WITH TREASURE ISLAND DEVELOPMENT AUTHORITY FOR BOTH RIGHT OF WAY AND CONSTRUCTION PHASES, AND ALL OTHER RELATED PROJECT AGREEMENTS FOR THE YERBA BUENA ISLAND WESTSIDE BRIDGES SEISMIC RETROFIT PROJECT AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND MODIFY AGREEMENT PAYMENT TERMS AND NON-MATERIAL AGREEMENT TERMS AND CONDITIONS

WHEREAS, The Transportation Authority is working jointly with the Treasure Island Development Authority (TIDA) and the Office of Economic and Workforce Development on the development of the I-80/Yerba Buena Island (YBI) Interchange Improvement Project, including one of the elements of the overall project known as the YBI Westside Bridges Seismic Retrofit Project (Project); and

WHEREAS, The Project will demolish eight bridge structures; reconstruct a realigned roadway; construct six retaining walls and a new undercrossing structure; and seismically retrofit an additional bridge structure including relocation of a column; and

WHEREAS, The Project will be delivered using the Construction Manager/General Contractor Project Delivery Method, approved through Resolution 18-42; and

WHEREAS, The Transportation Authority must execute a number of agreements and documents to prepare the Project for construction; and

WHEREAS, The TIDA utility relocation agreement confirms TIDA's approval of the relocation of the TIDA waterline required for the Project and identifies estimated costs and associated cost liability for the waterline relocation; and



WHEREAS, The right-of-way certification confirms that the Transportation Authority has made all necessary arrangements to secure the right-of-way for construction of the Project; and

WHEREAS, The TIDA Memorandums of Agreement (MOAs) for right-of-way and construction phases were entered into in 2013 for the YBI Ramps Improvement Project and establish each party's role and responsibilities, as well as the terms and conditions of TIDA repayments to the Transportation Authority for all costs incurred on the YBI Ramps Improvement Project; and

WHEREAS, In 2019, through Resolution 19-49, TIDA and the Transportation Authority amended the MOAs for right-of-way and construction phases to add the YBI Southgate Road Realignment Improvements Project scope of work to the respective MOAs, and extended the terms for the right-of-way phase MOA to June 30, 2022 and the construction phase MOA to December 31, 2022; and

WHEREAS, The proposed amendments to the TIDA MOAs for right-of-way and construction phases would add the Project to the scope of the respective MOAs, and extend the term of both MOAs to December 31, 2024; and

WHEREAS, In order to prepare the Project for right-of-way and construction phases, the Transportation Authority may also need to enter into agreements with other agencies/entities, including but not limited to the California Highway Patrol, San Francisco Public Utilities Commission, San Francisco Municipal Transportation Agency, San Francisco Public Works, and Pacific Gas and Electric Company; and

WHEREAS, The total Project is estimated to cost approximately \$119.7 million for all phases, funded by federal Highway Bridge Program grant funds administered by Caltrans, with matching funds from state Proposition 1B's Local Bridge Seismic Retrofit Account and from TIDA, and construction activities are anticipated to be completed by December 2024; and



WHEREAS, The Transportation Authority will be advancing Prop K funds to pay for Project costs incurred in the right-of-way and construction phases, in amounts not to exceed \$799,444 and \$98.8 million, respectively, until the agency receives reimbursements from a combination of Federal Highway Bridge Program, state Proposition 1B, and TIDA funds; and

WHEREAS, TIDA is responsible for reimbursing the Transportation Authority for all Project costs and accrued interest, less state or federal reimbursements to the Transportation Authority; and

WHEREAS, This year's activities for the Project have either been included in the Transportation Authority's Fiscal Year 2020/21 budget or will be added into the mid-year budget amendment and sufficient funds will be included in future fiscal year budgets for the remaining activities; and

WHEREAS, At its September 23, 2020 meeting, the Citizens Advisory Committee was briefed on the subject request and unanimously adopted a motion of support for the staff recommendation; now therefore, be it

RESOLVED, That the Transportation Authority authorizes the Executive Director to execute the utility relocation agreement, the right of way certification, and amendments to the Memorandums of Agreement with Treasure Island Development Authority for both right of way and construction phases, and all other related project agreements for the Yerba Buena Island Westside Bridges Seismic Retrofit Project; and be it further

RESOLVED, That the Executive Director is hereby authorized to negotiate and modify agreement payment terms and non-material terms and conditions; and be it further

RESOLVED, That for the purposes of this resolution, "non-material" shall mean agreement terms and conditions other than provisions related to the overall



agreement amount, terms of payment, and general scope of services; and be it further

RESOLVED, That notwithstanding the foregoing and any rule or policy of the Transportation Authority to the contrary, the Executive Director is expressly authorized to execute agreements and amendments to agreements that do not cause the total agreement value, as approved herein, to be exceeded and that do not expand the general scope of services.



Memorandum

AGENDA ITEM 8

DATE: September 24, 2020
TO: Transportation Authority Board
FROM: Eric Cordoba - Deputy Director for Capital Projects
SUBJECT: 10/20/2020 Board Meeting: Authorize the Executive Director to Execute the Utility Relocation Agreement, the Right of Way Certification, Amendments to the Memorandums of Agreement (MOAs) with Treasure Island Development Authority (TIDA) for Both Right of Way and Construction Phases, and All Other Related Project Agreements for the Yerba Buena Island (YBI) Westside Bridges Seismic Retrofit Project

<p>RECOMMENDATION <input type="checkbox"/> Information <input checked="" type="checkbox"/> Action</p> <ul style="list-style-type: none"> • Authorize the Executive Director to execute the following agreements and documents to prepare the YBI Westside Bridges Seismic Retrofit Project for construction: <ul style="list-style-type: none"> ○ Utility relocation agreement for TIDA waterline ○ Right of Way Certification ○ Amendments to the Memorandums of Agreement (MOAs) with TIDA for both the Right-of-Way Phase and Construction Phase ○ All other related project agreements • Authorize the Executive Director to negotiate and modify agreement payment terms and non-material terms and conditions <p>SUMMARY</p> <p>We are working jointly with TIDA and the Office of Economic and Workforce Development (OEWD) on the development of the I-80/YBI Interchange Improvement Project. One of the elements of the overall project is the YBI Westside Bridges Seismic Retrofit Project. In order to prepare this portion of the project for construction, the Transportation Authority must execute a series of agreements and documents as described in the recommendation action listed above.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Fund Allocation <input type="checkbox"/> Fund Programming <input type="checkbox"/> Policy/Legislation <input type="checkbox"/> Plan/Study <input checked="" type="checkbox"/> Capital Project Oversight/Delivery <input type="checkbox"/> Budget/Finance <input checked="" type="checkbox"/> Contract/Agreement <input type="checkbox"/> Other: _____
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BACKGROUND

Project Background/Status. The I-80/YBI Interchange Improvement Project includes two major components: the I-80/YBI Ramps Improvement Project and the YBI Westside Bridges Seismic Retrofit Project. The subject of this request is the YBI Westside Bridges Seismic Retrofit Project.

The YBI Westside Bridges Seismic Retrofit Project will demolish eight bridge structures and reconstruct a realigned roadway, six retaining walls, and a new undercrossing structure. Additionally, one structure will be seismically retrofitted and requires a column relocation. This project will be challenging to implement, given its unique location along steep terrain on the western edge of Yerba Buena Island overlooking San Francisco Bay. In addition to the challenging location, the project presents numerous complex structural (bridge/retaining wall foundations) and geotechnical challenges (unstable soils), as well as difficult construction access (very steep terrain) and environmental constraints (construction adjacent to and above San Francisco Bay).

Construction of roadway projects on Yerba Buena Island is very complex, requiring significant coordination among a number of entities and projects. One complicating factor is that the United States Coast Guard (USCG) Station, which is part of the Department of Homeland Security, is located on YBI. In constructing and reconstructing roadways on YBI, the projects need to be well coordinated to ensure there are sufficient roadways available to provide adequate traffic circulation for the USCG, Caltrans, TIDA, Treasure Island Community Development (TICD), and the residents and businesses of Treasure Island.

The YBI Westside Bridges Seismic Retrofit Project is one of several roadway construction projects on Yerba Buena Island. The other major roadway construction projects include the Macalla Road Reconstruction Project, the Forest Road Detour Project and the I-80/YBI Ramps Improvement Project, Phase 1 (Westbound Ramps Project - Completed in October 2016 and opened to traffic) and Phase 2 (Southgate Road Realignment Project - Under Construction). TICD is the lead for the Macalla Road Reconstruction Project and the Forest Road Detour Project, while we are the lead for the Westbound Ramps Project and the Southgate Road Realignment Project. All four of these projects need to be essentially completed before construction of the Westside Bridges Seismic Retrofit Project can start (with a seven-month overlap of the Southgate Road Project).

In March 2018, through Resolution 18-42, the Board approved the Construction Manager/General Contractor (CM/GC) Project Delivery Method for this Project. In October 2018, through Resolution 19-17, the Board awarded a professional services contract to Golden State Bridge/Obayashi Joint Venture for CM/GC preconstruction services and a contract amendment to WMH Corporation to complete design services.



DISCUSSION

There are various agreements, documents, and amendments that need to be executed in order to prepare the Westside Bridges Seismic Retrofit Project for construction. Each agreement is briefly discussed below.

Utility Relocation Agreement with TIDA: This utility relocation agreement confirms TIDA's approval of the relocation of the TIDA waterline required for the Westside Bridges Seismic Retrofit Project. This utility relocation agreement identifies estimated costs and associated cost liability for the waterline relocation, which will be included in the scope of the upcoming construction contract.

Right-of-Way Certification: This right-of-way certification confirms we have made all necessary arrangements to secure the right-of-way for construction of the Westside Bridges Seismic Retrofit Project. Note that the entire project will be constructed within TIDA-owned property, so there is no need for any right-of-way acquisition.

TIDA MOA Amendments for Right-of-Way and Construction Phases: In 2013, we entered into MOAs with TIDA for the right-of-way phase and for the construction phase the YBI Ramps Improvement Project. The MOAs establish each party's role and responsibilities as well as the terms and conditions of TIDA repayments to us for all costs we incurred on the YBI Ramps Improvement Project. In 2019, the parties amended the MOAs to add the Southgate Road Realignment Project to the scope of the MOAs and extended the terms to June 30, 2022 for the right-of-way phase and December 31, 2022 for the construction phase. The proposed amendments would add the YBI Westside Bridges Seismic Retrofit Project to the scope of the respective MOAs and extend the term of both MOAs to December 31, 2024.

Caltrans' certification of right-of-way is required prior to awarding the construction contract for the Project. TIDA has requested that we take certain actions necessary to satisfy right-of-way certification conditions prior to awarding the construction contract. We agreed to take such actions provided that TIDA agreed to reimburse us for, and indemnify and hold us harmless from, any and all costs and liabilities we incurred. TIDA also requests that we act on TIDA's behalf to complete the steps necessary to pursue construction of the project. We anticipate bringing a construction contract award to the Board for approval by January 2021.

Additional Project Agreements: In order to prepare the project for right-of-way and construction phases, we may need to enter into agreements with other agencies/entities, including but not limited to the California Highway Patrol, the San Francisco Public Utilities Commission, San Francisco Municipal Transportation Agency, San Francisco Public Works, and the Pacific Gas and Electric Company.

Funding/Cost. The project is funded with Federal Highway Bridge Program (HBP) funds, with matching funds provided from Proposition 1B's Local Bridge Seismic Retrofit Account (Prop 1B) and from TIDA. We are actively seeking to secure all required federal, state, and regional



funds for the project, which is estimated to cost approximately \$119.7 million for all phases. To date, Caltrans has approved programming of \$80.6 million of federal HBP and state Prop 1B funds in the Federal Transportation Improvement Program for federal Fiscal Year 2020/21 for the project. We anticipate additional grant funds will be programmed in October 2020. The overall project funding is shown in the table below.

Project Funding/Cost			
Project Phase	Prop 1B/Local Match Funding (11.47%)	Federal Funding (HBP) (88.53%)	Total Funding/ Cost per Phase
Preliminary Engineering	\$2,307,604	\$17,811,002	\$20,118,606
Right of Way	\$91,696	\$707,748	\$799,444
Construction Support	\$1,359,412	\$10,492,481	\$11,851,893
Construction	\$9,969,022	\$76,944,862	\$86,913,884
Total	\$13,727,734	\$105,956,093	\$119,683,827

Similar to the Westbound Ramps and the Southgate Road Realignment Projects, we will be advancing Prop K funds to pay for project costs incurred in the right-of-way and construction phases, in amounts not to exceed \$799,444 and \$98.8 million, respectively, until we receive reimbursements from a combination of federal HBP, State Prop 1B, and TIDA funds. TIDA is responsible for reimbursing us for all project costs and accrued interest, less state and federal reimbursements. Interest will accrue on all outstanding unreimbursed project costs until TIDA, state and federal agencies fully reimburses us for all costs related to the project. If the state or federal grant funds do not become available for some or all of the project costs, or if the state or federal agency disallows our reimbursement claims on some or all of the project costs, then TIDA bears the responsibility to repay us for all costs incurred on the project. Furthermore, TIDA shall indemnify us and assume all liabilities incurred from entering into the agreements executed as a result of this item.

Schedule. The planned project schedule is shown on the following page.



Project Delivery Milestone	Completion Date
100% PS&E Date (Design)	October 2020
Right of Way Certification	October 2020
Construction Request for Authorization (RFA) Date	October 2020
Award Construction Contract	January 2021
Start Construction	March 2021
End Construction Date	June 2024
Closeout Date	June 2025

FINANCIAL IMPACT

A portion of this year's activities for the project is included in the Fiscal Year 2020/21 adopted budget. Upon approval of additional federal HBP and state Prop 1B funding from Caltrans, we will include additional funding and related costs in the mid-year budget amendment. Sufficient funds will be included in future fiscal year budgets for the remaining activities. All project costs will be funded with federal HBP, state Prop 1B, and TIDA funds specifically designated for the project.

CAC POSITION

The CAC considered this item at its September 23, 2020 meeting and unanimously adopted a motion of support for adoption of the final report.

SUPPLEMENTAL MATERIALS

None.

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SFMTA

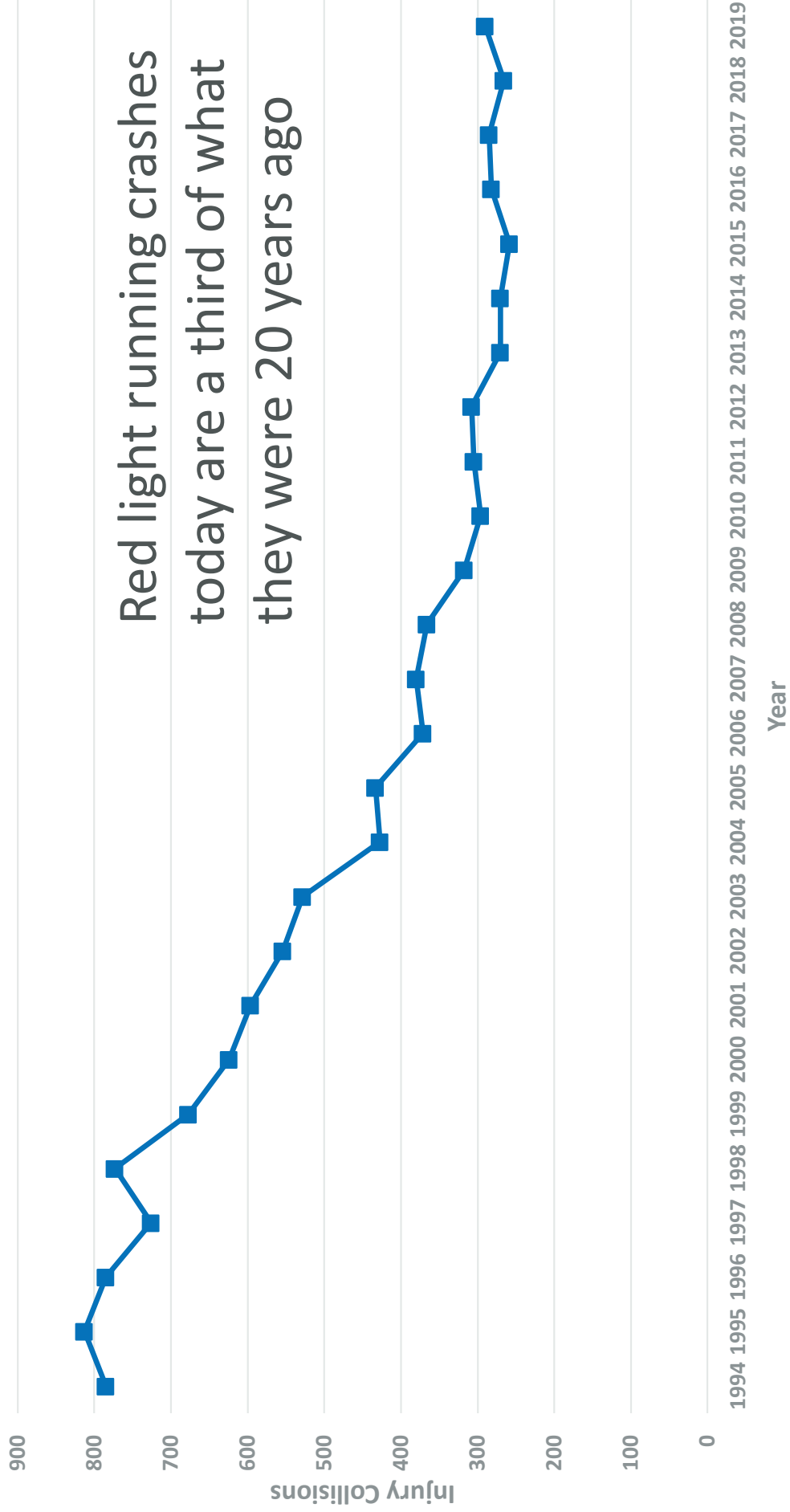
Red light running collisions and the red-light camera program

Transportation Authority Board

Ricardo Olea, SFMTA City Traffic Engineer

October 20, 2020

Crashes Due to Violation of Red Lights (CVC 2453A) 1994-2019



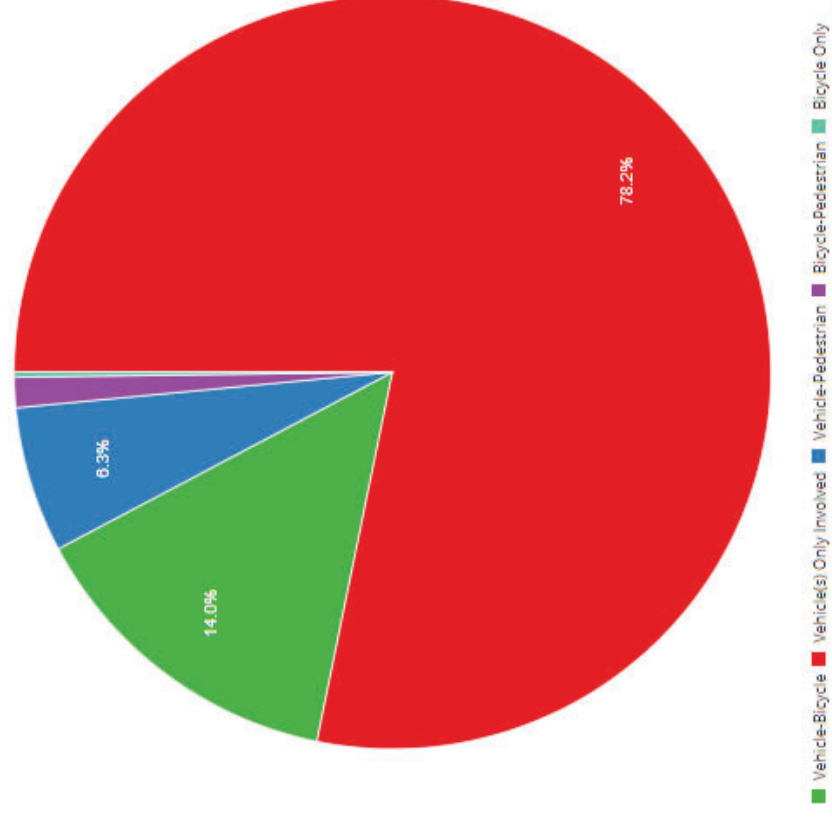
Injury Crashes Due to Vehicular Violation of Red Lights

July 2015 to July 2020

- Third most common violation type for injury crashes after unsafe speed and violation of pedestrian right-of-way (8.6 percent of all crashes)

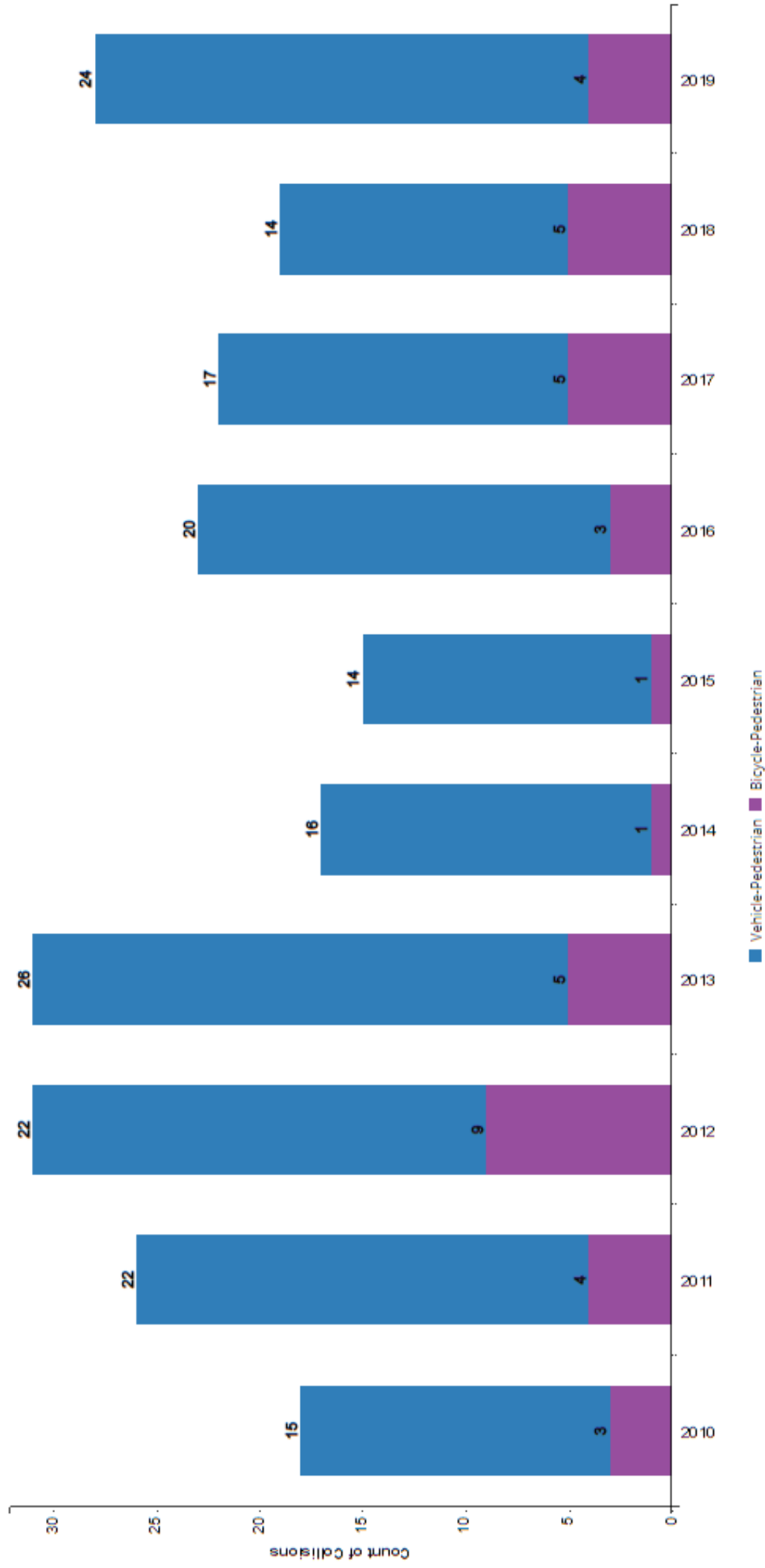
By mode:

- **79 percent of crashes are vehicles only (1087)**
- **14 percent involve vehicles and bicycles (195)**
- **6 percent involve vehicles and pedestrians (87)**



Pedestrian Struck by Motor Vehicle and Bicycle

Red Light Running Injury Collisions 2010-2019



Tools to Reduce Red Light Running:

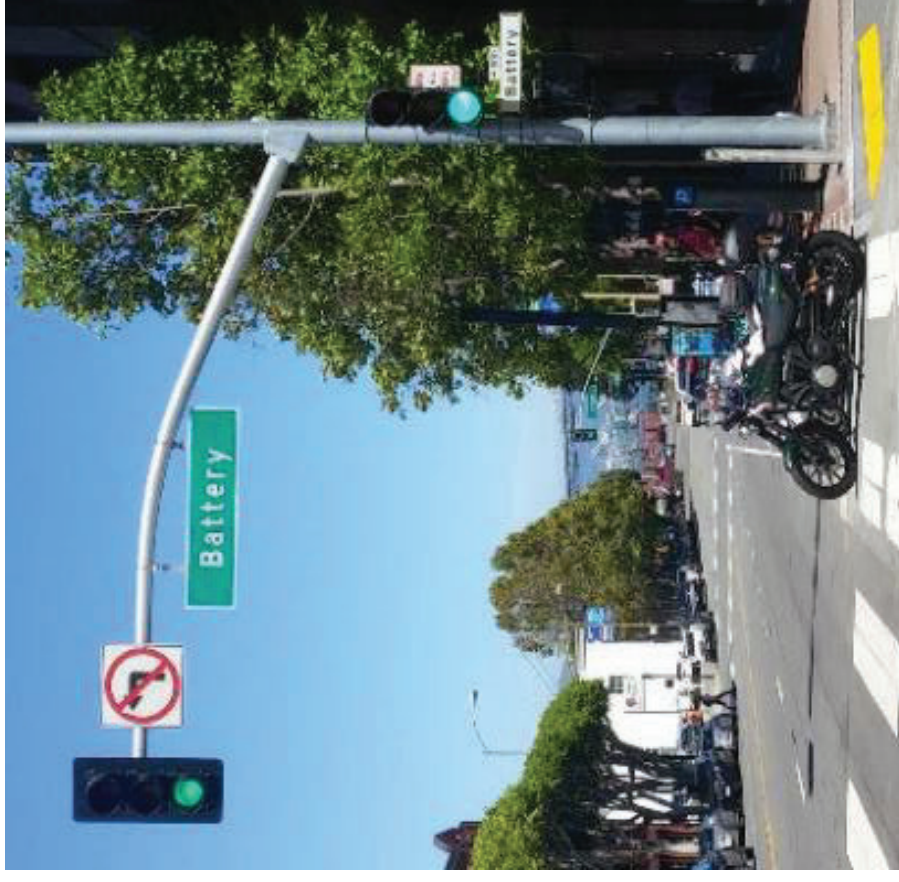
Signal Timing

- All-red pauses to help vehicles clear intersection after yellow light
- Coordination of adjacent signals minimize stopping
- SFMTA uses yellow lights longer than state minimums

Posted Speed Limit	State Yellow Light	San Francisco Yellow Light
25 MPH	3.6 seconds	4.0 seconds

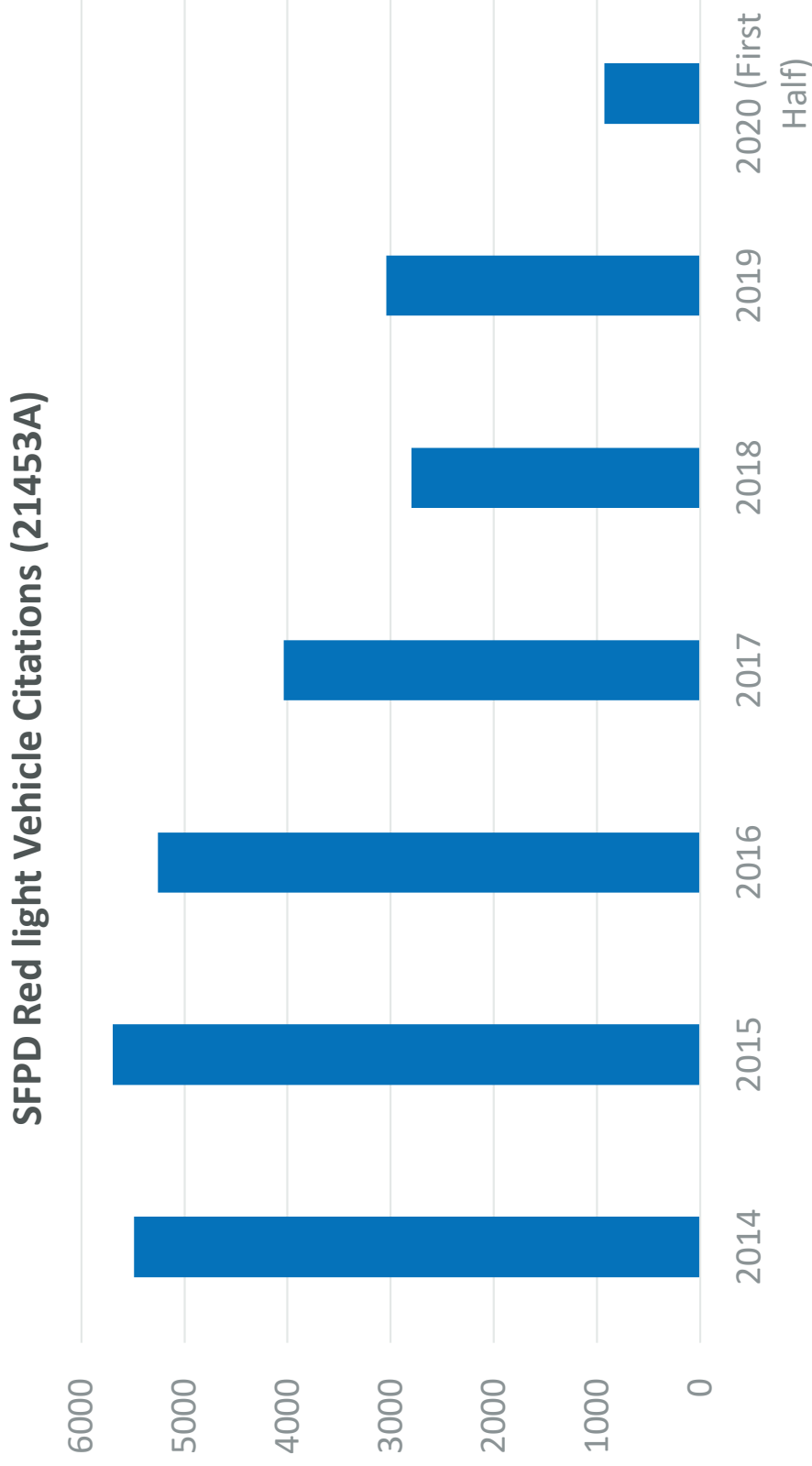
Tools to Reduce Red Light Running: Signal Visibility Upgrades

- SFMTA has long-standing capital program to upgrade older traffic signals
- Signal visibility improvements:
 - Increasing signal head sizes
 - Installing signals over the streets (mast arms)
 - Improving location of signal indications



Tools to Reduce Red Light Running: San Francisco Police Department Enforcement

- Red light running is one of SFPD’s “Focus on the Five” citation categories

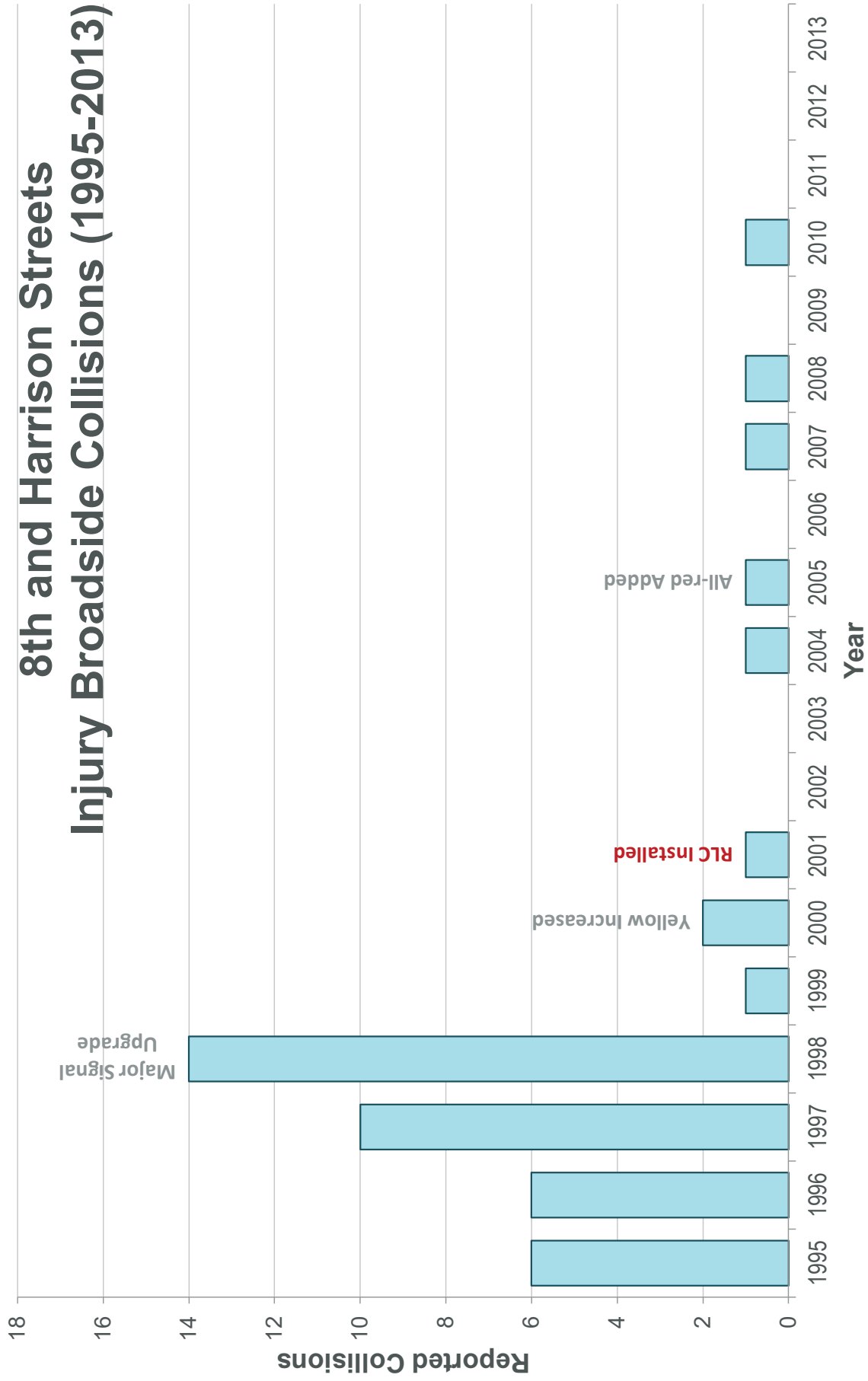


Tools to Reduce Red Light Running: Red Light Camera Program

- Program started as a pilot in 1996
- In 2020 we completed a \$2.5 million upgrade to digital technology
- 19 intersection approaches, including 6 new approaches
- Locations selected based on incidence of red-light violation crashes and meeting current engineering design standards
- Partnership with SFPD who reviews all photo evidence before citation is issued



2014 System Evaluation



Automated Enforcement Citations Issued by Month (2020)

Intersection	Direction(s) Enforced	January	February	March	April	May	June	July	August
4th St at Harrison St	southbound	109	106	61	11	29	23	24	18
	westbound	105	96	86	99	97	65	33	43
6th St at Bryant St	eastbound	46	39	27	16	11	17	26	26
	southbound	55	51	23	4	8	19	23	3
6th St at Folsom St	southbound	6	6	0	4	1	1	1	1
8th St at Folsom St	southbound	40	34	22	13	11	14	18	20
19th Ave at Sloat Blvd	northbound	103	95	77	71	59	81	83	71
	southbound	n/a*	n/a*	n/a*	65	108	130	117	90
Divisadero St at Bush St	northbound	28	34	31	30	23	24	28	19
Fell St at Masonic Ave	westbound	69	130	78	43	74	83	80	67
Hayes St at Polk St	southbound	57	94	33	26	38	38	32	54
	westbound	16	25	27	17	27	26	25	33
Market St at Octavia Blvd	eastbound illegal right turns	n/a*	n/a*	n/a*	n/a*	n/a*	5	8	10
Oak St at Octavia Blvd	eastbound	38	55	26	18	31	14	42	42
	eastbound right turn	n/a*	n/a*	n/a*	110	93	59	88	82
	northbound	n/a*	n/a*	2	44	63	44	81	48
Park Presidio Blvd at Lake St	southbound	n/a*	n/a*	n/a*	16	40	168	156	189
So. Van Ness Ave at 14th St	northbound	51	77	56	48	50	45	40	37
Van Ness Ave at Broadway	southbound left turn lanes	n/a*	n/a*	n/a*	n/a*	n/a*	n/a*	n/a*	n/a*
TOTAL		723	842	549	635	763	856	905	853

*Location under construction

2019 Policy Support

- Board of Supervisors Resolution 475-19, State of Emergency on Traffic Safety:
“The Board of Supervisors urges the Municipal Transportation Agency and all city agencies to take emergency action to immediately double red light cameras at major high-injury intersections”
- Presentations on program made at:
 - SFCATA Board (October 22, 2019)
 - SFMTA Board Policy Committee (October 22, 2019)
 - Vision Zero Trask Force (December 11, 2019)

Pending SFMTA Camera Expansion Project

- \$2 million capital investment
- Design in 2020-2021, construction in 2021-2022.
- Eight potential additional locations based on highest citywide injury red light running crashes by approach:
 - Gough and Market (eastbound)
 - Golden Gate at Franklin (eastbound)
 - Presidio at Masonic (northbound)
 - Masonic at Fell (northbound)
 - Franklin at Lombard (northbound)
 - Divisadero at Oak (southbound)
 - Gough at Oak (southbound)
 - Harrison at 6th (westbound)





SFMTA

Thank you

<https://www.sfmta.com/getting-around/drive-park/red-light-camera-and-other-automated-enforcement>

Transportation Authority Board

October 20, 2020



Van Ness Avenue Bus Rapid Transit Project Business Construction Mitigation Program Update

San Francisco County Transportation Authority
October 20, 2020

Jorge Rivas, Director, Invest in Neighborhoods
Jada Jackson, Project Manager, Invest in Neighborhoods

Construction Mitigation Program

Services Offered to Merchants

An MOU was signed in 2018 by SFMTA, DPW, SFPUC and OEWD to create the partnership that adds a business support services component to projects.

- The objective of the business support component led by OEWD's Invest In Neighborhoods (IIN) Division is to support business owners as they navigate through construction projects.
- IIN will serve as a business liaison and point of contact for business support services, including
 - technical assistance,
 - corridor specific-marketing campaign (Open For Business)
 - business support
 - Directed Business Support grant program when applicable
- This suite of services has been put together to support both the short-term and longer-term needs of businesses and some of these are available to impacted zones when determined and funded by the lead project department.

Construction Mitigation Program

Van Ness Marketing Campaign

The Van Ness Open for Business (OFB) campaign worked closely with the Van Ness Business Advisory Committee in 2017 to develop marketing priorities for the corridor, including selecting the marketing package and the accompanying graphics and messaging to remind people that this corridor is still open for business while construction improvements are taking place.

- A small business survey was administered to 160 businesses with 115 responses provided to give input on the marketing direction and priorities for the corridor.
- A unique color palette was developed along with the “Connect with Van Ness” branding.

The Open for Business campaign for Van Ness included a suite of marketing materials including:

- Photography
- Posters – distributed door-to-door
- Retail directories – distributed door-to-door
- Wayfinding signage

Construction Mitigation Program

Van Ness Directed Business Support

- The Van Ness Improvement Project met the criteria for a Directed Business Support grant program, which was launched on September 21, 2020 and the application deadline is October 31, 2020.
 - The Van Ness Improvement project is a major-impact project which was originally slated to be completed in 2019.
 - In January 2019, it was announced that unexpected and significant delays caused for the construction completion date to be extended to the end of 2021.
 - It is understood that businesses have been adversely affected by traffic and pedestrian disruptions during this construction project beyond what was expected and planned for in addition to the impacts caused by the COVID-19 pandemic.

Construction Mitigation Program

Van Ness Directed Business Support

When OEWD implements a directed business support element it is due to the lead agency determining that significant delays to the major-impact project have occurred and caused for a new construction timeline and completion date. A key component to the directed business support element is **defining affected businesses** within a qualifying project area. SFMTA worked closely with the construction contractor to analyze block by block construction impacts in the construction zone to identify:

Businesses with **Direct Impacts**:

- Businesses located directly facing work areas
- Can also include staging and storage areas
- 6 months or more of continuous impact

Businesses with **Indirect Impacts**:

- Businesses located within the same city block of direct work areas
- Can also include staging and storage areas
- 12 months or more of continuous impact

Construction Mitigation Program

Van Ness Directed Business Support Eligibility Criteria

- To be eligible, businesses must be within the Van Ness construction impact zone, must be an active storefront business, and must have been established with no change in ownership on or after March 3, 2017 (date when construction began).
- Businesses that were established with no change in ownership within the Van Ness impact zone on or after March 3, 2017 and have either moved from the Van Ness impact zone to another location in San Francisco or permanently closed on or after January 1, 2019 may still be eligible for an award and can apply for this grant.
- Impact zones are located on Van Ness Avenue between Market Street and Chestnut Street.
- 64 businesses are projected to qualify for directed business support
 - 36 eligible for direct impact - \$10K award
 - 28 eligible for indirect impact - \$5K award

Construction Mitigation Program

Van Ness Directed Business Support

- Businesses that meet eligibility criteria can qualify to receive a \$5,000 - \$10,000 grant based on level of construction impact at their location within the construction zone. Businesses that are impacted also continue to have access to business support, technical assistance and existing programs offered by the City and County of San Francisco.
 - Phase 1 awards are 75% of the total grant award with the purpose of helping to stabilize business operations. Use of funds can be designated for rent, utilities or wages.
 - Phase 2, remaining 25% of award, can be designated for the reimbursement of eligible expense or tools that can be utilized to increase revenue.
- Award letters will start going out the week of November 9th to businesses that meet eligibility criteria and that have submitted a complete application with supporting documents. Businesses can expect to receive check disbursements via regular mail 7-10 days thereafter.

Construction Mitigation Program

Lessons Learned from Central Subway

- The Central Subway construction project was the first project to initiate a Directed Business Support grant program due to significant delays. Grant awards were provided from \$5,000 - \$10,000 per qualified business in the established impact zone.
- SFMTA used the Central Subway Directed Business Support grant program eligibility criteria as a point of reference for the development of the Van Ness grant program. Impact zones were established for directed and indirect impacts along the Van Ness corridor between Market Street and Chestnut street, eligible businesses must be ground-level, active storefronts facing Van Ness with no change in ownership after construction began on the corridor (March 3, 2017).
- For the Van Ness grant program, construction delays and impacts along with COVID-19 related impacts were taken into consideration for expanding the eligibility criteria to include businesses that have closed or relocated on or after January 1, 2019 (the revised timeline for the construction project was announced in mid- January 2019).

Construction Mitigation Program

Lessons Learned from Central Subway

- For the Van Ness grant program, construction delays and impacts along with COVID-19 related impacts were taken into consideration for expanding the eligibility criteria to include businesses that have closed or relocated on or after January 1, 2019 (the timeline for the construction project was announced in mid-January 2019).
- The use of funds for the phase 2 disbursement was expanded for the Van Ness grant program, which allows for a more efficient plan for processing disbursements.

Construction Mitigation Program

Van Ness Directed Business Support Outreach

- OEWD and SFMTA websites have posted information about the launch of the Van Ness Directed Business Support grant program.
- SFMTA sent information out via the Van Ness Improvement Project Construction Forecast and will continue to do so until the application deadline of October 31, 2020.
- Phone calls were made on September 22, 2020 to approximately 64 businesses in the impact zone.
- E-mails were sent to 89 businesses in the construction zone.
- SFMTA interns went door-to-door on September 9, 2020 to provide a merchant letter regarding the grant program and resource guide to storefront businesses on Van Ness Avenue between Market Street and Chestnut Street.
- Deadline for submitting applications is October 31, 2020.

Construction Mitigation Program

Van Ness Directed Business Support Outreach

- It is estimated that 10% - 15% of businesses on a corridor will utilize free to low-cost one-on-one business counseling services for business support and technical assistance.
- Small Business technical assistance and support is provided through the Small Business Development Center (SBDC) which is housed under OEWD. Assistance for Van Ness businesses included access to financing and capital, lease negotiations, legal issues, government contracting, relocation services, public safety concerns and sales/marketing.
- The OEWD team provides access to many resources and often leverages other City programs and services as well as City Sponsored grant and loan programs.
- There are approximately 200 counseling hours for businesses on Van Ness.
- 10 applications for the Van Ness Directed Business grant program have been received as of October 13, 2020.

Construction Mitigation Program

Van Ness Directed Business Support

- For more information about the Van Ness Directed Business Support grant program visit www.oewd.org/vanness. **The deadline to apply is October 31, 2020.**
- All inquiries related to the Van Ness Directed Business Support grant program and/or application can be sent via email to CMPPgrant@sfgov.org or phone at **415-554-6477**.
- Businesses can sign up for project updates and stay in the know as to what's happening and when by visiting sfmta.com/van_ess or contact SFMTA Van Ness project staff directly via email at VanNessBRT@SFMTA.com or phone at **415-646-2310**.



QUESTIONS?



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Memorandum

AGENDA ITEM 11

DATE: October 14, 2020

TO: Transportation Authority Board

FROM: Eric Cordoba - Deputy Director for Capital Projects

SUBJECT: 10/20/20 Board Meeting: Update on the Caltrain Modernization Program

RECOMMENDATION Information Action

None. This is an information item.

SUMMARY

As required by the Funding Partners Oversight Protocol for Caltrain's Modernization Program, known as CalMod, the Director of Caltrain will attend a Board of Supervisors meeting twice a year to provide an update on the CalMod Program. With the concurrence of President Yee and Transportation Authority Chair Peskin, the updates since 2019 have taken place at Transportation Authority Board meetings. CalMod is a \$2.26 billion suite of projects including Positive Train Control (PTC) and the Electrification Projects. PTC is now on track for Final Acceptance in December 2020. The Electrification Project comprised of electrification of the Caltrain line between San Jose and San Francisco and the purchase of electric multiple-unit vehicles is 50% complete and scheduled to be operational by 2022. Production of the new trains is well underway, and the first trainset is scheduled to go to Pueblo, Colorado for the full-blown running test program in January 2021. PCEP staff anticipates that the first trainset delivery to Caltrain will take place in the third quarter of 2021. The memo below provides additional detail on CalMod progress as well as updates on challenges and risks facing the overall program.

- Fund Allocation
- Fund Programming
- Policy/Legislation
- Plan/Study
- Capital Project Oversight/Delivery
- Budget/Finance
- Contract/Agreement
- Other: _____

BACKGROUND

Caltrain Modernization Program (CalMod). CalMod is a \$2.26 billion suite of projects that will electrify and upgrade the performance, operating efficiency, capacity, safety, and reliability of Caltrain commuter rail service, while improving air quality. The Electrification Project, which is scheduled to be operational by 2022, has two components: electrification of the Caltrain line between San Jose and San Francisco, and purchase of electric multiple-unit vehicles to operate on the electrified railroad. CalMod also includes the Positive Train Control (PTC)



Project, which is currently in Revenue Service Demonstration and is scheduled for Final Acceptance in December 2020.

The CalMod Program will improve system performance with faster, more reliable service while minimizing equipment and operating costs, and is critical to the long-term financial sustainability of Caltrain. The improvements will extend for 52 miles from San Francisco to San Jose and will also prepare the alignment for the future High-Speed Rail blended system. With the signing of the Full Funding Grant Agreement by the Federal Transit Administration (FTA) in 2017, Caltrain issued Notices to Proceed to its contractors for corridor electrification and purchase of electric trains.

Like any large capital project, the CalMod funding plan relies on contributions from multiple funding partners such as the three Joint Powers Board member counties (San Francisco, San Mateo, and Santa Clara), the Transportation Authority, the Metropolitan Transportation Commission and the California High Speed Rail Authority. Funding contributions were codified in a series of memorandums of agreement, one of which included an oversight protocol. The three Joint Powers Board counties have a local contribution of \$80 million each to the \$2.26 billion CalMod program. The Transportation Authority has allocated about \$41 million primarily from the Prop K sales tax and One Bay Area Grant programs. The SFMTA has committed the remaining \$39 million of San Francisco's local contribution from the Prop AA General Obligation Bond. SFMTA has allocated the full amount to the project, completing San Francisco's \$80 million contribution to CalMod.

DISCUSSION

The paragraphs below provide a brief status update on the CalMod program.

Positive Train Control (PTC): On March 1, 2018, Caltrain awarded a \$49.5 million contract to Wabtec Corporation for the completion of the PTC project, finalizing the transition from the contract with Parsons Transportation Group for Communications Based Overlay Signal System (CBOSS)/PTC, which was terminated on February 22, 2017 for non-performance. Caltrain staff determined that approximately 80% of the work product for CBOSS already performed would be able to be repurposed for the PTC. In December 2018, Caltrain completed FRA's required statutory substitute criteria and submitted an Alternative Schedule request for FRA approval, which was granted in early January 2019. The Alternative Schedule calls for full system certification by December 2020. The project is on track to meet that schedule.

On September 7, 2019, Caltrain began operating PTC in revenue service on the mainline. On Feb 26, 2020 Caltrain achieved interoperability requirements and is currently interoperable with all tenants (UPRR, ACE, Amtrak/Capitol Corridor) on its property and on the UPRR property south of San Jose. As of August 31, 2020, expenditures and accruals reached \$263.9 million on the \$329.29 million project, with work estimated at 80.1% complete. The project has been minimally impacted by the current Coronavirus situation. With the completion of the PTC Safety Plan, which was submitted to FRA on June 25, the last remaining major milestone



prior to Project Certification was reached. Project staff do not foresee any obstacles to obtaining FRA certification by the December 2020 scheduled date. At its September meeting, the PCJPB approved a follow-on maintenance agreement with the contractor.

Peninsula Corridor Electrification Project (PCEP): As of August 31, 2020, expenditures on the PCEP reached \$1.016 billion, 51.3% of the \$1.98 billion budget. Work is progressing on both the Electrification and the Vehicles components of the project.

Electrification design-build contract: In August 2016, Caltrain awarded the Design-Build Electrification contract to Balfour Beatty Infrastructure in the amount of \$697 million. The contract was issued with a \$108 million Limited Notice to Proceed, which was followed by full Notice to Proceed on June 19, 2017. Work is progressing on foundations, poles, and cantilever arm installation for the overhead contact system. 1,952 out of 3,116 (62.6%) foundations and 1,394 out of 2,591 (53.8%) poles have been installed as of the end of September. Partly because of encountering differing site conditions, together with the contractor's own procurement deficiencies, work is encountering production inefficiencies. Work continues on the traction power substations, paralleling stations and signal system, as does the fabrication and testing of signal houses. The Consistent Warning System for the at-grade crossings has proven to be a challenge for the contractor, who is proceeding very slowly with its implementation.

Balfour Beatty Infrastructure's latest schedule is forecasting substantial completion in May of 2024 due to various reasons, but mainly delays in the design and implementation of the consistent warning time aspect of the signals system at the at-grade crossings. However, the PCEP schedule shows a substantial completion date in March 2022, over 2 years earlier. The sources of discrepancy between the contractor and PCEP staff over the completion date are under mediation. It is worth noting that, because the project's critical path runs through the vehicles' delivery, testing, and commissioning, not electrification itself, the Revenue Service date remains unchanged for August 22, 2022.

With the reduction in service due to the Coronavirus outbreak, PCEP has been able to open more and longer work windows for the contractor. The current level of service is such that single-tracking is possible all day long, allowing work to proceed unimpeded on the opposite side. However, it appears that the contractor is not taking full advantage of the opportunities provided by these developments.

Tunnels: Work on modifications to the 100-year old San Francisco tunnels reached Substantial Completion on September 17, 2020, and Final Acceptance is anticipated for December 2020.

Vehicles: On September 6, 2016 Caltrain gave a limited Notice to Proceed to Stadler Rail for the \$551 million Electric Multiple Units (EMUs) contract to design and fabricate 96 electric vehicles. After receipt of the Full Funding Grant Agreement, Caltrain issued the full Notice to Proceed on June 1, 2017. Subsequently, Caltrain executed an option for an additional 37 cars, bringing the total to 133 cars. In accordance with the Buy America provisions of the FTA funding, the vehicles are being manufactured by Stadler US at its new facility in Salt Lake City, Utah. Systems designs have been completed and Final Design Review and First Article Inspection close-out continues. Prototype testing and series production is underway



Carshell and truck frame production in Switzerland continues. Subsystem components (HVAC, propulsion, brakes, passenger seats, doors) manufacturing also continues. PTC onboard equipment is progressing on schedule. Truck frame and passenger-side door systems are undergoing endurance testing. Final car assembly in Salt Lake City also continues. 49 of 133 carshells have been shipped and 43 cars are in various stages of assembly.

Static testing of the first trainset at Salt Lake City continues, somewhat hampered by the inability of experts from Switzerland to travel to the U.S. It will be followed by dynamic testing and factory-run testing over the next few months. The trainset is scheduled to go to Pueblo, Colorado for the full-blown running test program in January 2021. PCEP staff anticipates that the first trainset delivery to Caltrain will take place on the third quarter of 2021. Phased Revenue Service is scheduled to begin in March 2022 and Revenue Service Demonstration for the electrified railway is scheduled for August 2022.

Progress Reports: Detailed CalMod monthly reports are provided to the Caltrain Board and are publicly available:

Peninsula Corridor Electrification Project reports:

http://www.caltrain.com/projectsplans/CaltrainModernization/CalMod_Document_Library.html#electric

Positive Train Control reports (part of the PJPB monthly agenda packet):

http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html

Challenges and Opportunities: There are some challenges that may impact Caltrain's ability to deliver CalMod on time and on budget. The primary risk items that we are monitoring include:

- 1) Design and construction of grade crossing modifications (Consistent Warning System) that meets stakeholder and regulatory requirements, which may cost more than was budgeted and delay the revenue service date.
- 2) The extent of encountering multiple differing site conditions and underground utilities, coupled with delays in resolving them, may result in delays to the completion of the electrification contract and increases in program costs.
- 3) Lack of resolution on the schedule discrepancies with the Electrification contractor creates uncertainty regarding substantial completion.
- 4) Since the vehicles are in the critical path, delays in the delivery schedule have resulted in a drawdown of 77 days from the schedule contingency, which now stands at 31 days.

At the request of the funding partners, the project team conducted a full-day risk refresh workshop of the project on April 1, 2020. At the workshop, all current risks were re-evaluated and new risks were identified. The resulting data was used in a Monte Carlo analysis to help determine if the project has the appropriate level of cost and schedule contingencies needed for its successful completion. The draft report is under review.



FINANCIAL IMPACT

None. This is an information item.

CAC POSITION

None as this is an information item. This update will be agendaized at an upcoming CAC meeting.