



**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

Sent via Electronic Mail

July 27, 2023

NOTICE OF CIVIL SERVICE COMMISSION MEETING

Sawanpreet Singh Dhaliwal

SUBJECT: REQUEST FOR A HEARING BY SAWANPREET SINGH DHALIWAL ON THEIR FUTURE EMPLOYMENT RESTRICTION WITH THE MUNICIPAL TRANSPORTATION AGENCY.

Dear Sawanpreet Singh Dhaliwal:

The above matter will be considered by the Civil Service Commission at a hybrid meeting (in-person and virtual) in Room 400, City Hall, 1 Dr. Goodlett Place, San Francisco, California 94102 and through Cisco WebEx to be held on **August 7, 2023, at 2:00 p.m.** You will receive a separate email invite from a Civil Service Commission staff member to join and participate in the meeting.

The agenda will be posted for your review on the Civil Service Commission's website at www.sf.gov/CivilService under "Meetings" no later than end of day on Wednesday, August 2, 2023. Please refer to the attached Notice for procedural and other information about Commission hearings. A copy of the department's staff report on your appeal is attached to this email.

In the event that you wish to submit any additional documents in support of your appeal, please submit **one hardcopy 3-hole punch, double-sided and numbered at the bottom of the page, to the CSC Office at 25 Van Ness Ave., Suite 720 and email a PDF version** to the Civil Service Commission's email at civilservice@sfgov.org by **5:00 p.m. on Tuesday, August 1, 2023**, please be sure to redact your submission for any confidential or sensitive information that is not relevant to your appeal (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

Attendance by you or an authorized representative is recommended. Should you or a representative not attend, the Commission will rule on the information previously submitted and any testimony provided at its meeting. Where applicable, the Commission has the authority to uphold, increase, reduce, or modify any restrictions recommended by the department. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

You may contact me at (628) 652-1100 or at Sandra.Eng@sfgov.org if you have any questions.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG
Executive Officer

Attachment

Cc: Jeffrey Tumlin, Municipal Transportation Agency
Kimberly W. Ackerman, Municipal Transportation Agency
Shana Dines, Municipal Transportation Agency
David Garcia, Municipal Transportation Agency
Yaya Holmes, Municipal Transportation Agency
Paul Okunewitch, Municipal Transportation Agency
Pete Wilson, TWU Local 250A
Commission File
Commissioners' Binder
Chron

NOTICE OF COMMISSION HEARING POLICIES AND PROCEDURES

A. Commission Office

The Civil Service Commission office is located at, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. The telephone number is (628) 652-1100. The fax number is (628) 652-1109. The email address is civilservice@sfgov.org and the web address is www.sfgov.org/civilservice/. Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

B. Policy Requiring Written Reports

It is the policy of the Civil Service Commission that except for appeals filed under Civil Service Commission Rule 111A Position-Based Testing, all items appearing on its agenda be supported by a written report prepared by Commission or departmental staff. All documents referred to in any Agenda Document are posted adjacent to the Agenda, or if more than one (1) page in length, available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting agenda items are submitted in accordance with the procedures established by the Executive Officer. Reports not submitted according to procedures, in the format and quantity required, and by the deadline, will not be calendared.

C. Policy on Written Submissions by Appellants

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4th) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original copy on 8 1/2-inch X 11 inch paper, three-hole punched on left margin, and page numbered in the bottom center margin, shall be provided. Written material submitted for the Commission's review becomes part of a public record and shall be open for public inspection.

D. Policy on Materials being Considered by the Commission

Copies of all staff reports and materials being considered by the Civil Service Commission are available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at <https://sf.gov/civilservice> and in its office located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. If any materials related to an item on this agenda have been distributed to the Civil Service Commission after distribution of the agenda packet, those materials will be available for public inspection at the Civil Service Commission's during normal office hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

E. Policy and Procedure for Hearings to be Scheduled after 5:00 p.m. and Requests for Postponement

A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (628) 652-1100 and confirmed in writing or by fax at (628) 652-1109.

A request for a postponement (continuance) to delay an item to another meeting may be directed to the Commission Executive Officer by telephone or in writing. Before acting, the Executive Officer may refer certain requests to another City official for recommendation. Telephone requests must be confirmed in writing prior to the meeting. Immediately following the "Announcement of Changes" portion of the agenda at the beginning of the meeting, the Commission will consider a request for a postponement that has been previously denied. Appeals filed under Civil Service Commission Rule 111A Position-Based Testing shall be considered on the date it is calendared for hearing except under extraordinary circumstances and upon mutual agreement between the appellant and the Department of Human Resources.

F. Policy and Procedure on Hearing Items Out of Order

Requests to hear items out of order are to be directed to the Commission President at the beginning of the agenda. The President will rule on each request. Such requests may be granted with mutual agreement among the affected parties.

G. Procedure for Commission Hearings

All Commission hearings on disputed matters shall conform to the following procedures: The Commission reserves the right to question each party during its presentation and, in its discretion, to modify any time allocations and requirements.

If a matter is severed from the *Consent Agenda* or the *Ratification Agenda*, presentation by the opponent will be for a maximum time limit of five (5) minutes and response by the departmental representative for a maximum time limit of five (5) minutes. Requests by the public to sever items from the [*Consent Agenda* or] *Ratification Agenda* must be provided with justification for the record.

For items on the *Regular Agenda*, presentation by the departmental representative for a maximum time of five (5) minutes and response by the opponent for a maximum time limit of five (5) minutes.

For items on the *Separations Agenda*, presentation by the department followed by the employee or employee's representative shall be for a maximum time limit of ten (10) minutes for each party unless extended by the Commission.

Each presentation shall conform to the following:

1. Opening summary of case (brief overview);
2. Discussion of evidence;
3. Corroborating witnesses, if necessary; and
4. Closing remarks.

The Commission may allocate five (5) minutes for each side to rebut evidence presented by the other side.

H. Policy on Audio Recording of Commission Meetings

As provided in the San Francisco Sunshine Ordinance, all Commission meetings are audio recorded in digital form. These audio recordings of open sessions are available starting on the day after the Commission meeting on the Civil Service Commission website at www.sfgov.org/civilservice/.

I. Speaking before the Civil Service Commission

Speaker cards are not required. The Commission will take public comment on all items appearing on the agenda at the time the item is heard. The Commission will take public comment on matters not on the Agenda, but within the jurisdiction of the Commission during the “Requests to Speak” portion of the regular meeting. Maximum time will be three (3) minutes. A subsequent comment after the three (3) minute period is limited to one (1) minute. The timer shall be in operation during public comment. Upon any specific request by a Commissioner, time may be extended.

J. Public Comment and Due Process

During general public comment, members of the public sometimes wish to address the Civil Service Commission regarding matters that may come before the Commission in its capacity as an adjudicative body. The Commission does not restrict this use of general public comment. To protect the due process rights of parties to its adjudicative proceedings, however, the Commission will not consider, in connection with any adjudicative proceeding, statements made during general public comment. If members of the public have information that they believe to be relevant to a matter that will come before the Commission in its adjudicative capacity, they may wish to address the Commission during the public comment portion of that adjudicative proceeding. The Commission will not consider public comment in connection with an adjudicative proceeding without providing the parties an opportunity to respond.

K. Policy on use of Cell Phones, Pagers and Similar Sound-Producing Electronic Devices at and During Public Meetings

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Information on Disability Access

The Civil Service Commission normally meets in Room 400 (Fourth Floor) City Hall, 1 Dr. Carlton B. Goodlett Place. However, meetings not held in this room are conducted in the Civic Center area. City Hall is wheelchair accessible. The closest accessible BART station is the Civic Center, located 2 ½ blocks from City Hall. Accessible MUNI lines serving City Hall are 47 Van Ness Avenue, 9 San Bruno and 71 Haight/Noriega, as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call (415) 923-6142. Accessible curbside parking has been designated at points in the vicinity of City Hall adjacent to Grove Street and Van Ness Avenue.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week. For American Sign Language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Commission office to make arrangements for the accommodation. Late requests will be honored, if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our ADA coordinator at (628) 652-1100 or email civilservice@sfgov.org to discuss meeting accessibility. In order to assist the City’s efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

Know your Rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government’s duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people’s business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people’s review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, or to obtain a free copy of the Sunshine Ordinance, contact Victor Young, Administrator of the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102-4689 at (415) 554-7724, by fax: (415) 554-7854, by e-mail: soff@sfgov.org, or on the City’s website at www.sfgov.org/bdsupvrs/sunshine.

San Francisco Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3112 and web site <https://sfethics.org/>.



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22MTA)
Applicable to Municipal Transportation Agency Service-Critical Classes

Refer to Civil Service Commission Procedure for Staff - Submission of
Written Reports MTA for Instructions on completing and processing this Form

1. Civil Service Commission Register Number: 0109 - 23 - 7
2. For Civil Service Commission Meeting of: August 7, 2023
3. Check One: Ratification Agenda _____

 Consent Agenda _____

 Regular Agenda X
4. Subject: Request by Sawanpreet Singh Dhaliwal re: Restrictions on Future Employability
5. Recommendation: Adopt the report. Cancel and current examination and eligibility status. No future employment with the Municipal Transportation Agency and the City and County of San Francisco.
6. Report prepared by: David Garcia Telephone number: 415-646-4841
7. Notifications: (Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A
8. Reviewed and approved for Civil Service Commission Agenda:

 Municipal Transportation Agency Director: William E Miles II

William Miles II for Kimberly W. Ackerman, Chief People Officer, SFMTA

Date: July 26, 2023
9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

Executive Officer
Civil Service Commission
25 Van Ness Avenue, Suite 720
San Francisco, CA 94102

10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

Attachment

CSC-22MTA (9/00)



NOTIFICATIONS

Sawanpreet Singh Dhaliwal

[REDACTED]

Jeffrey Tumlin -Director of Transportation
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London Breed, Mayor

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Amanda Eaken, Vice Chair
Stephanie Cajina, Director

Steve Heminger, Director
Fiona Hinze, Director
Manny Yekutieli, Director

Jeffrey Tumlin, Director of Transportation

MEMORANDUM

Date: August 7, 2023

To: The Civil Service Commission

Through: Kimberly W. Ackerman
Chief People Officer, SFMTA

From: David Garcia, Labor Relations Manager, SFMTA

Subject: Appeal of Future Employability Restrictions by Sawanpreet Singh Dhaliwal,
Probationary 5203 Assistant Engineer (Register No. 0109-23-7)

BACKGROUND

The San Francisco Municipal Transit Agency (Agency) first hired Sawanpreet Singh Dhaliwal (Appellant) as a Category 18 Temporary Exempt (TEX) Assistant Engineer (Job Code 5203) on November 13, 2021. The Agency converted the Appellant's status to permanent civil service (PCS) status on April 29, 2023, and required the Appellant to complete a 40-hour probation for his new PCS role. The Agency released the Appellant from probation for misconduct on May 4, 2023. His separation became effective on May 5, 2023. **Exhibits A and B.**

On May 4, 2023, the Agency issued a "Notice of Release from Probationary Appointment" to the Appellant. **Exhibit B.** The Appellant's release is "disciplinary" and permanently restricts his future employment. Specifically, the Agency and the City and County of San Francisco should: 1) Cancel any current examinations and eligibility status 2) Preclude the Appellant from future employment with the Agency and any department with the City and County of San Francisco.

On May 24, 2023, the Appellant requested to appeal his future work restrictions before the Civil Service Commission. **Exhibit C.** In his appeal, the Appellant requests to know the details that led to management's decision to release him from probation with restrictions and requests that the Commission ensure that management made a fair decision to restrict his future employability.

ISSUES

Is it reasonable to permanently restrict the Appellant from future employment?

Is it reasonable to cancel current examinations and eligibility status?

AUTHORITY AND STANDARDS

Civil Service Commission Rule series 417 governs the Agency's probationary periods. A release from probationary for disciplinary reasons requires a determination of the employee's future employability under the Civil Service Rules' 417 series. See CSC Rule 417.9.2.

Sec. 417.1 Requirement for a Probationary Period

417.1.1 Any person appointed to a permanent civil service position shall serve a probationary period.

417.1.2 Nothing in these provisions is intended to infringe upon or restrict the authority of an appointing officer in releasing a probationary employee as provided in these Rules.

Sec. 417.2 Definition of Probationary Period

417.2.1 The probationary period is defined as the final and most important phase of the selection process and is to be used for evaluating the performance of an employee in the position to which appointed; and

417.2.2 A period of regularly scheduled hours worked, excluding any time off for leave, vacation, other types of time off (not including legal holidays), or overtime.

Sec. 417.9 Release of Employee During the Probationary Period

417.9.1 An employee may be released by the MTA Director of Transportation/Designee at any time during the probationary period upon written notice to the employee.

417.9.2 If a probationary employee is released for disciplinary reasons, a determination of the employee's future employability shall be made as provided in this section.

The decision on future employability reached through the procedures established under these Rules shall be final and shall not be subject to reconsideration.

FINDINGS

On November 13, 2021, the SFMTA (Agency) hired the Appellant as a 5203 Assistant Engineer in its Streets Division to support its work in traffic-routing design and plan review for capital project construction. **Exhibit A.**

On March 3, 2023, at 11:19 AM, 5207 Associate Engineer Gene Chan (Chan) delivered project submittals that required the Appellant to analyze traffic-control-plans by March 24, 2023. **Exhibit D.** The required analysis included two project submittals (Submittal Nos. 2 and 4) and sixteen (16) traffic control plans.

On March 30, 2023, at 11:19 AM, Chan e-mailed the Appellant to inquire about the status of his review. The Appellant replied that he would have the plans ready by the next day and was wrapping up his work and needed to clear his work with his supervisor. The Appellant apologized for the delay and said he was "backed up on projects." **Exhibit D.**

On April 18, 2023, at 9:29 AM, SFDPW Resident Project Engineer Ricardo Trejo (Trejo) e-mailed the Appellant for the status of Submittal Nos. 214 and 215. The Appellant replied that he completed his plan review but that his work required his supervisor's review. The Appellant suggested that his supervisors had several submittals to review but that he would ask if they could prioritize Submittal Nos. 214 and 215 and complete them first. **Exhibit E.**

On April 20, 2023, at 10:25 AM, the Appellant transmitted his review of Submittal No. 4 to 5241 Engineer Cynthia Hui (Hui). His transmittal included the Appellant's review of one (1) traffic control plan for Submittal No. 4. Meanwhile, Submittal No. 4 had seven traffic control plans that required the Appellant's review. **Exhibit F.**

On April 20, 2023, at 11:46 AM, the Appellant sent his supervisor his review and markup of Submittal No. 2. **Exhibit G.**

On April 20, 2023, at 11:52 AM, Chan sent Hui copies of text messages he had exchanged with the Appellant. The texts show that he asked the Appellant to find out whether a contractor could use a particular area for staging to support project work. **Exhibit D.** In the text message, the Appellant told Chan he would find out from his supervisor whether the storage area was approved even though his supervisor had already agreed staging was okay just one day prior, on April 20, 2023. His supervisor confirmed that she was okay with the request to stage, and the Appellant gave a thumbs-up in their text exchange. **Exhibit H.**

According to Hui, on April 20, 2023, the Appellant sent the traffic control plans he had reviewed for a project at Beach and Polk Streets including plans for road closures and traffic impacts. Hui asked the Appellant to find out from the project engineer whether the work could be phased so they could minimize the duration of street closures. The Appellant told Hui that he had asked the project engineer about phasing the job and that Chan told him the work could not be phased. In a separate conversation with Chan, Hui discovered that the Appellant never asked Chan whether the job could be phased.

On April 21, 2023, Hui exchanged a text message with the Appellant regarding submittals he needed to submit before going on vacation. The Appellant agreed to send over “the urgent ones.” **Exhibit I.**

On April 21, 2023, the Appellant transmitted his markups on traffic control plans to Hui. The plans are related to a project at Beach and Polk Streets. **Exhibit J.**

On April 25, 2023, Hui and 5207 Associate Engineer Garnet Wing (Wing) reviewed the Appellant's traffic-control-plan-review (1) for project Submittal No. 4 and returned the two contract plan sheets to Chan on April 26, 2023.

On April 26, 2023, at 3:46 PM, Trejo sent an e-mail to Wing to confirm his understanding that the Appellant would be off work until the following week; and he asked whether he could receive plan reviews for Submittal Nos. 214 and 215 that day. Trejo followed his e-mail with a phone call to Wing on April 27 and left a message. In his voicemail, Trejo said that he understood the Appellant had completed his review and that the submittals were under "upper management review." **Exhibit E and K.**

On April 27, 2023, Hui transmitted one traffic control plan sheet to Gene Chan, and she had to review six other traffic control plans for Submittal No. 4 on April 27, 2023. Hui ultimately returned all the contract plan sheets to Chan on April 27, 2023. These deliverables included eleven (11) TCPs that were overdue. **Exhibit L.**

DISCUSSION AND ANALYSIS

On May 4, 2023, the Agency released the Appellant from probation for misconduct because he gave dishonest responses to engineers when they asked about the status of his assigned traffic control plan reviews. His responses misled his work colleagues and other city engineers about his pending work and impacted project timelines. The Appellant's supervisors specifically identified that he was untruthful about his work at various times while he worked on two projects.¹

PROJECT 1191L/WW-709R

On March 3, 2023, the Appellant received a set of traffic control plans regarding project 1191L/WW-709R. The Appellant had three weeks to review and comment on the plans, and he should have completed his work by March 24, 2023.

In a status update to a project engineer on March 30, 2023, the Appellant apologized for the delay and explained that his work would be complete the next day (March 31, 2023) and that his

¹ SFPW Project 1191L/WW-709R; and SFPW Project 10035251.

supervisor needed to review his work. However, his update needed to be more accurate. The Appellant still had work to complete, and he only sent his supervisors the required traffic control plans nearly one month later, on April 20, 2023. That day, the Appellant told the project engineer, “[T]he TCP plans are in my supervisor’s court. I will remind them about those too.” The same day that the Appellant transmitted his project reviews to his supervisors, he told the engineer he would follow up to remind his supervisors about these plans so they could prioritize their review.

The Appellant’s supervisors received a partial set of traffic control plans from the Appellant on April 20, 2023. These were the same plans he had promised to deliver nearly one month earlier. The Appellant did not complete his work even though he had 21 days to complete his review. He also characterized the matter in a way to place blame on “upper management” instead of taking responsibility for his delay.

PROJECT 10035251 1187i

On March 31, 2023, the Appellant received a set of traffic control plans regarding project 10035251 1187i. Then, on April 18, 2023, the Appellant replied to project engineer Ricardo Trejo’s status request saying,

The initial review has been done but it needs to be reviewed by my seniors. They have many more submittals to review from other engineers as well. I was going to ask for specific locations in today’s meeting (based on 3-week look ahead) so that I can tell them to prioritize/focus on them first.

On April 24, 2023, the Appellant began his scheduled vacation, and Wing served as his back-up while he was out.

On April 25, 2023, Wing sent the Appellant a text message to follow up on her and Hui’s initial April 21, 2023, request to email all pending submittals he had not yet completed or needed review, which had not yet been received.

On April 26, 2023, the Appellant e-mailed Wing copies of submittals 214 and 215, which were two sets of traffic control plans. The traffic control plans were clean copies that had no indication of having been reviewed or marked up, even though the Appellant had received these plans on March 31, 2023, and should have completed his review by April 21, 2023. The same day, Ricardo Trejo left a voice mail and follow-up email for Wing requesting submittals 214 and 215 to be returned that day. He also shared his impression that the Appellant had already completed his plan review, and that he understood delivery of the plans was only pending management’s review. That was not the case. In fact, Wing had to complete the plan reviews and deliver the plans back to the engineer that evening because most of the Appellant’s reviews were incomplete

despite that he had led the project engineer to believe his reviews were complete and only pending a final review or sign-off from upper management.

It is reasonable to preclude the Appellant from 5203 Assistant Engineering positions permanently because the SFMTA consistently recommends a permanent restriction whenever misconduct or dishonesty is the basis for an employee's separation.

It is reasonable to cancel the Appellant's current examinations and eligibility status for the 5203 Assistant Engineering position because the SFMTA consistently recommends this action whenever misconduct or dishonesty is the basis for an employee's separation.

The Appellant's permanent restriction against future employability should commence from the Appellant's last day of probationary employment on May 4, 2023, and should include the following restrictions:

- 1) Preclude the Appellant from future employability; and
- 2) Cancel current examination and eligibility status citywide.

CONCLUSION

Based on the information provided to SFMTA Employee and Labor Relations, we conclude the Appellant misled his supervisor and colleagues about the status of his assignments, and he led project engineers to believe his work was pending upper management review when it was not. In fact, the Appellant developed a backlog of work, and he cited upper management's work volume when he replied to status checks he received from project engineers from the Department of Public Works.

The Appellant could have directly reported his work backlog to his supervisor and may have received additional and timely support. However, the Appellant engaged in misconduct when he identified "upper managements' review" as the source of delay when that was not the case. He likely exacerbated his work volume by not informing his supervisor about his delayed plan reviews. Therefore, the Agency should preclude the Appellant from future employment with the Agency and the City and County of San Francisco because of his misconduct.

RECOMMENDATION

Adopt the findings, deny the appeal, and approve the future employability restrictions.

Attachments:

Exhibit A: Appellant's Appointment Summary

Exhibit B: Notice of Separation and Separation Packet
Exhibit C: Notice of Appeal, 2023 – Register No: 0109-23-7
Exhibit D: E-mails re: Preliminary Submittals, Project 1131 WW709R
Exhibit E: E-mails re: VL #53 – TCP SMTL #28, 214 and 215
Exhibit F: E-mails re: VL13 TCP
Exhibit G: E-mails re: VL13 TCPs #2
Exhibit H: Text Messages re: VL 13 042023
Exhibit I: Text Messages re: Urgent TCPs
Exhibit J: Traffic Control Plans for Polk and Beach
Exhibit K: Transcribed Voicemail Message from Ricardo Trejo
Exhibit L: Transmittals made by Cynthia Hui
Exhibit M: City Charter Article 8A

Sawanpreet Singh Dhaliwal

Emp

ID



Empl Record 0

Job Appointment Summary

Personalize | Find | View All | | First 1-5 of 5 Last

Eff Date	Appt Date	Action	Description	Payroll Status	Job Code	Union Code	Empl Class	Exmpt Cat	Full/Part Time	Elig List #	Rank	POS #	Dept Sen Date	Dept	Location	Cert Date	Ctywd Snrty Date	Company Seniority Date	Vacation Anniversary Date	Sick Anniversary Date
05/05/2023	04/29/2023	TER	Release from Probation-Discip	Terminated	5203	021	PCS	NA	F	E00009	4.00		03/24/2023	MTA	MTA001	03/24/2023	03/24/2023	11/13/2021	11/13/2021	11/13/2021
04/29/2023	04/29/2023	DTA	Status Change	Active	5203	021	PCS	NA	F	E00009	4.00		03/24/2023	MTA	MTA001	03/24/2023	03/24/2023			
11/13/2021	11/13/2021	REH	Rehire	Active	5203	021	TEX	18	F		0.00			MTA	MTA001					
09/21/2017	07/01/2017	TER	Legal Limit - Temporary Time	Terminated	5380	021	TEX	18	U		0.00			AIR	AIR001					
07/01/2017	07/01/2017	HIR	New Hire	Active	5380	021	TEX	18	U		0.00			AIR	AIR001					

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Stephanie Cajina, Director

Steve Heminger, Director
Fiona Hinze, Director
Manny Yekutieli, Director

Jeffrey Tumlin, Director of Transportation

Via U.S. Certified and First-Class Mail: 7022 240 0000 7849 4129

Via E-Mail: [REDACTED]

May 4, 2023

Sawanpreet Singh Dhaliwal
[REDACTED]
[REDACTED]

Re: Notice of Release from Permanent Probationary Appointment
Assistant Engineer (Job Code 5203)

Dear Sawanpreet Singh Dhaliwal,

In accordance with San Francisco Municipal Transportation Agency (SFMTA), Civil Service Commission (CSC) Rule 417.9 - Release of Employee during the Probationary Period, you are hereby notified that you are being released from your probationary appointment as a 5203, Assistant Engineer effective May 5, 2023.

The SFMTA is recommending to the CSC that your future employment be restricted as follows: Cancel any current examination and eligibility status and no future employment with the City and County of San Francisco and SFMTA.

If you have any questions regarding this matter, please e-mail HR-ELR@sfmta.com

Sincerely,

Shana Dines
Shana Dines
Employee & Labor Relations Manager

Attachments: Separation Report, Notice of Future Employment Restrictions and Notice of Release from Probationary Appointment

cc: Leanne Nhan, Acting Chief of Staff, Street Division
David Garcia, Labor Relations
Nicolle Lewis, Payroll Operations
Kitty Wong, Employee Services
Rie Butler, Client Services, DHR Personnel File



SEPARATION REPORT

DEPARTMENT OF HUMAN RESOURCES

INSTRUCTIONS: Please complete the Separation Report to:

1. Document internal departmental processes. Please do not send to DHR.
2. Document that the employee separation is not a complete separation from City service, Separation Report must be completed by the sending department and submitted to the receiving department to be attached to the AP ESR.
3. To process a layoff. Please send to the DHR layoff coordinator.
4. To administer a settlement agreement involving the separation of the employee-submit documentation to your Client Services Representative. (Reference TER_RZA)*

Date of Request: 5/4/2023

Department Contact: SFMTA - ELR Email: HR-ELR@sfmta.com Phone: 415.646.4841

SECTION I: PERSONAL AND JOB INFORMATION

Name (Last, First, M.I.): Dhaliwal, Sawanpreet Singh Employee I.D: [REDACTED]

Job Code: 5203 Job Title: Assistant Engineer

Position Number: 1 [REDACTED] Hourly Rate: [REDACTED] Step: [REDACTED] Effective Date: 05/05/23

Empl. Class: PCS Work Schedule: Full-Time

Is the employee serving a probationary period at the time of the separation? Yes No

Is this a complete separation from City and County Service? Yes No

If no, continuing in:

Department Code: (Select One) Status: _____ Job Code: _____ Effective Date _____

Is employee granted leave pursuant to Civil Service Rule 120.31? Yes No

If no, is employee a transfer? No Yes, type of Transfer: (Select One)

SECTION II: SEPARATION INFORMATION

Resignation

Satisfaction Services (TER_RSS)

Unsatisfaction Services (TER_RUS)

By the appointee: I hereby freely and voluntarily resign from the above position. I request approval of this resignation as of the effective date with the full understanding that once approved, I may acquire another position in this class only as provided in the rules of the Civil Service Commission (see employee copy and CSC Rules 114&119).

Lay-off

Involuntary Leave (PCS_LIL)

Elective Involuntary Leave (PCS_EIL)

Involuntary Lay-off (PCS_LIO)

Voluntary Lay-off (PCS_LVO)

(PV & EX Only): (Select One) Elective Involuntary Leave (PCS_EIL)

Reason for lay-off: (Select One)

Employee acknowledges receipt of the DHR information leaflet.

Employee Signature

Date

DEPARTMENT USE ONLY

Termination

Settlement Agreement (TER_RZA)

*(Separation Report and Settlement Agreement must be forwarded to Client Services Rep.)

Release from appointment: (Select One) _____

Release from probation: Disciplinary _____

Dismissal: (Select One) _____

Terminated for cause (TFC) (TPV, NCS, & Exempts only)

Automatic Resignation (ARS)

Never Reported to Work (DSH)

Death of an employee (DEA)

Other (Specify): _____

Retirement: (Select One) _____

DEPARTMENT CERTIFICATION

The Appointing Officer/Authorized Designee named below hereby certifies that the information provided on this Separation Report is accurate, complete, and in compliance with applicable CCSF rules and policies.

Shana Dines

415.646.4801

Appointing Officer/Authorized Designee Signature

Telephone

Name/Title: Shana Dines, Employee and Labor Relations Manager

Department Number: SFMTA # 68 Department Name: MTA

Personnel File Forwarded? Yes No

Forwarded to:

Department: _____ Contact: _____

DHR USE ONLY

Action Pending? Yes No

Analyst Name

Telephone

SR Ref Number: _____

Holdover Canvass: _____

Reference Number used for layoff actions: _____



NOTICE OF RELEASE FROM PROBATIONARY APPOINTMENT

Mailing Date 5/4/2023

Department/Division SFMTA/Transportation Engineering

Type of Appointment: PCS Full-Time

Name Sawanpreet Singh Dhaliwal

Address [REDACTED]

City [REDACTED]

Entrance Probationary

State CA

Zip [REDACTED]

Promotive Probationary

This notice is to inform you that effective 05/05/23, you are released from your appointment in 5203, Title Assistant Engineer

The following checked item applies (check only one):

- A. Non-Disciplinary Release: The decision of the Appointing Officer is final. There are no restrictions on your future employment with the City and County of San Francisco.
- B. Disciplinary Release (see documents attached): Should you elect to appeal the recommendation(s), follow the procedures. You may request a hearing before the Civil Service Commission on your future employability with the City and County of San Francisco. The Civil Service Commission has the authority to modify employment restrictions or impose additional restrictions on your future employability. However, the Commission CANNOT reverse the department's decision to release you from your employment
- C. Automatic Reversion (Non-Disciplinary Release): You have automatic rights of reversion to the previous class from which promoted; if necessary, displacements in the former class shall occur. You will revert to the class from which promoted: Class _____, Title _____

You may request a hearing for review of any restrictions on your future employability (when box B above is checked) with the Civil Service Commission within twenty (20) calendar days of the mailing date of this notice or from the date of release, whichever is later. The request must be submitted in writing to the Executive Officer, Civil Service Commission, 25 Van Ness, Suite 720, San Francisco, CA 94102 by 5/24/2023. Requests received after this date will not be considered and your right to a hearing will be forfeited. If you do not request a hearing, the Human Resources Director will take final administrative action and the restriction(s) recommended, if any, will be in effect.

The items checked below are the recommendations made by your department on your future employability for positions covered by the San Francisco civil service system:

<input type="checkbox"/>	No restrictions on future employability.	<input checked="" type="checkbox"/>	Cancel any current examination and eligibility status.
<input checked="" type="checkbox"/>	No future employment with this department.	<input checked="" type="checkbox"/>	No future employment with the City and County of San Francisco.
<input type="checkbox"/>	Future employment subject to the review and approval of the Human Resources Director after satisfactory completion of _____ year(s) experience outside the City and County service.		
<input type="checkbox"/>	Other (specify):		

If this matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, the time by which judicial review must be sought is set forth in CCP Section 1094.6

MUST BE COMPLETED BY DEPARTMENT:

Rank: [REDACTED] List# [REDACTED]

DSW [REDACTED]

Employee Organization Transportation Engineering

METHOD OF SERVICE:

Certified Mail Hand Delivered

Certified Mail # 7022 240 0000 7849 4129

Attachment(s)

DHR 1-14 (8/00)

Shana Dines

SIGNATURE OF APPOINTING OFFICER

Shana Dines

NAME

Employee & Labor Relations Manager

TITLE

ADDITIONAL INFORMATION FOLLOWING RELEASE

1. This document serves as the official notice of your release to you, the Civil Service Commission, and the Department of Human Resources. You will be removed from the eligible list from which you were appointed.
2. If this is a Disciplinary Release (box B is checked) and you request a hearing within the time limits, you are entitled to:
 - a) Representation by an attorney or authorized representative of the employee's own choice.
 - b) Notification of date, time and place of hearing at a reasonable time in advance.
 - c) Inspection by the employee's attorney or authorized representative of those records and materials in the Civil Service Commission which relate to the separation.
3. The decision of the Civil Service Commission is final and not subject to reconsideration.
4. In the absence of a timely request for a hearing as provided above, no later request for a hearing will be considered.

NOTICE OF RELEASE FROM PROBATIONARY APPOINTMENT

Instructions for completing Form DHR 1-14

Refer to Civil Service Commission Rule 117 - Probationary Period

Use this form for a Probationary Employee when:

Probation began on or after March 16, 1998 and performance does not meet the standards for passing probation in the class.

Complete the information on the top section of the form: Name, Address, City, State, Zip, Mailing Date, Department/Division, and Type of Appointment. Type of Appointment: Entrance Probationary if the employee was certified from an entrance (E) list or certified from a combined promotive and entrance (CPE) list but did not advance to the position from another permanent appointment. Promotive Probationary if the employee was certified from a promotive (P) or combined promotive and entrance (CPE) list and advanced to the position from another permanent appointment.

In the first sentence enter the effective date of the release. This date must be before COB (close of business) on the last day of probation. Use the form Report of Probationary Status (DHR 6-37) to calculate end date of probation. Enter the Class Number and Title of the employee's position.

Check one box, A, B or C, to indicate the type of release:

A - Non-Disciplinary Release for entrance probationary employee.

B - Disciplinary Release for either entrance or promotive probationary employee in cases when release is for misconduct.

C - Automatic Reversion (Non-Disciplinary) for promotive probationary employee who does not meet standards of the current class. For box C, also enter the Class Number and Title of previous appointment.

If you have checked box B - Disciplinary Release:

- 1) Indicate the date by which the appeal must be filed in the space provided. Count twenty (20) calendar days from the mailing date of the notice or the effective date of release, whichever is later. When counting the days, count the day after the mailing date as the first day of the twenty (20) calendar days.
- 2) Indicate the recommended restrictions on future employability by checking the appropriate boxes. If you check the box requiring outside work experience, you must also type in the number of years. Attach a copy of all separation-related letters and supporting documentation.

Complete the information on the bottom section of the form: Rank, List#, SSN, and Employee Organization. Check the Method of Service used.

The Appointing Officer must sign the form. Type in the name and title of the Appointing Officer.

Make two copies of the form. Send a copy to DHR, Certification Unit; and retain a copy in the Employee Personnel File. Send the original to the employee.



NOTICE OF FUTURE EMPLOYMENT RESTRICTIONS

Sawanpreet Singh Dhaliwal
 Employee Name

5/4/2023
 Mailing Date

[Redacted]
 Street Address

SFMTA/Transportation Engineering
 Department/Division

[Redacted] CA
 City State Zip

PCS Full-Time
 Type of Appointment

This notice is to inform you that a future employment restriction is being imposed along with your separation action, or with the action of automatic resignation, reported to the Department of Human Resources separating you from your position in Class 5203, Title Assistant Engineer, effective 05/05/23, for the reasons outlined in the attached document(s).

The items checked below are the restrictions made by the department on your future employability for positions covered by the San Francisco civil service system:

- | | | |
|---|---|---|
| <input type="checkbox"/> No Restrictions on Employment | <input checked="" type="checkbox"/> Citywide | <input checked="" type="checkbox"/> Department(s): <u>SFMTA</u> |
| <input checked="" type="checkbox"/> Permanent Restriction | <input type="checkbox"/> DOT/SAPP | <input type="checkbox"/> Job Code(s): _____ |
| <input type="checkbox"/> Conditional Restriction | <input checked="" type="checkbox"/> Cancel Current Examination & Eligibility Status | |

Conditional restrictions may be lifted by proving you have satisfactorily met the following requirements:

Requirement Type	Description:	Level of Measurement:	Value:
CER: Certification			
EXP: Work Experience			
LIC: Licensure			
SAP: Substance Abuse Program			
Other:			

In addition to the noted conditional restrictions, you are also restricted from specific attributes of a job class and/or department until you satisfactorily prove you meet the requirements to lift the restriction(s) as noted below:

Future Employment Restrictions	Description:	Level of Measurement:	Measurement Value:
001: Vehicle/Heavy Machinery			
002: Vulnerable Populations			
003: Face to Face Contact w/Public			
004: Contact w/Animals			
005: Signing/Approving City Docs			
006: Financial Instruments			
007: Confidential/Privileged Information			
008: IT Infrastructure			
009: Means of Entry to Living Spaces			
010: Pharmaceutical/Drug Inventory			
011: CDC Defined Toxins			
012: Weapons/Explosives			
013: City Property Valued > \$100			

You may request a hearing before the Civil Service Commission on your future employability with the City and County of San Francisco. The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. You may request a hearing for review of any restrictions on your future employability with the Civil Service Commission within 20 calendar days of the mailing date of this notice or from the date of separation, whichever is later. The request must be submitted in writing to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 by 5/24/2023. Requests received after this date will not be considered and your right to a hearing will be forfeited. If you do not request a hearing or file an appeal, the Human Resources Director will take final administrative action to confirm the restriction(s) in effect on the date of separation (Note: Future Employment Restriction(s) effective immediately).

If this matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, the time by which judicial review must be sought is set forth in CCP Section 1094.6. (SEE BELOW)

List #: [REDACTED]	Rank #: [REDACTED]	<input type="checkbox"/> Pending	<input checked="" type="checkbox"/> Final	Status of Action
DSW [REDACTED]				
Emp Organization: <u>Prof. & Tech Eng. Local 21</u>				
METHOD OF SERVICE:		<u>Shana Dines</u>		
<input checked="" type="checkbox"/> Hand Delivered		SIGNATURE		
<input checked="" type="checkbox"/> Certified Mail: 7022 240 0000 7849 4129		<u>Shana Dines</u>		
		NAME		
		<u>Employee and Labor Relations Manager</u>		
		TITLE		

INFORMATION FOR FORMER EMPLOYEE FOLLOWING SEPARATION

1. This document serves as an official notice of future employment restrictions imposed with the Notice of Automatic Resignation from Employment to the former employee or with a Separation Action that is subject to the provisions of a collective bargaining agreement, to the Civil Service Commission, and the Department of Human Resources.
2. A separated employee may request a hearing before the Civil Service Commission only for review of any restrictions on their future employability with the City and County of San Francisco.
3. Such appeals or requests for hearing must be in writing and received from the employee or the employee’s representative by the date specified on this notice, or within twenty (20) calendar days from the mailing date of this notice, or the effective date of the separation, whichever is later. The request must be submitted to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.
4. An employee who requests a hearing within the time limits is entitled to:
 - a. Representation by an attorney or authorized representative of the employee's own choice.
 - b. Notification of date, time, and place of hearing at a reasonable time in advance.
 - c. Inspection by the employee’s attorney or authorized representative of those records and materials on file with the Civil Service Commission which relate to the restrictions on future employability.
5. Any interested party may request that the hearing be continued or postponed.
6. The decision of the Civil Service Commission is final and not subject to reconsideration.
7. In the absence of a timely request for a hearing as provided above, no later request for a hearing will be considered.



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

NOTICE OF RECEIPT OF APPEAL

DATE: May 25, 2023
REGISTER NO.: 0109-23-7
APPELLANT: SAWANPREET S. DHALIWAL

Jeffrey Tumlin
Director of Transportation
Municipal Transportation Agency
1 South Van Ness Avenue, 7th Floor
San Francisco, CA 94103

Dear Jeffrey Tumlin:

The Civil Service Commission has received the attached letter from Sawanpreet S. Dhaliwal, requesting a hearing on their future employability with the City and County of San Francisco. Your review and action are required.

If this matter is not timely or appropriate, please submit CSC Form 13 "Action Request on Pending Appeal/Request," with supporting information and documentation to my attention by email at civilservice@sfgov.org. CSC Form 13 is available on the Civil Service Commission's website at www.sf.gov.org/CivilService on the "File an action request for a Civil Service Commission hearing" page."

In the event that Sawanpreet S. Dhaliwal's appeal is timely and appropriate, the department is required to submit a staff report in response to the appeal within sixty (60) days so that the matter may be resolved in a timely manner. Accordingly, **the staff report is due no later than 11 a.m. on July 27, 2023**, so that it may be heard by the Civil Service Commission at its meeting on August 7, 2023. If you will be unable to transmit the staff report by the July 27th deadline, or if required departmental representatives will not be available to attend the August 7th meeting, please notify me by use of CSC Form 13 as soon as possible, with information regarding the reason for the postponement and a proposed alternate submission and/or hearing date.

Appellant: Sawanpreet S. Dhaliwal
May 25, 2023
Page 2 of 2

You may contact me at Sandra.Eng@sfgov.org or (628) 652-1100 if you have any questions. For more information regarding staff report requirements, meeting procedures or future meeting dates, please visit the Commission's website at www.sf.gov/CivilService.

Sincerely,

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG
Executive Officer

Attachment

Cc: Kimberly Ackerman, Municipal Transportation Agency
Shana Dines, Municipal Transportation Agency
David Garcia, Municipal Transportation Agency
Romika Williams, Municipal Transportation Agency



**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

Sent via Email

May 25, 2023

Sawanpreet S. Dhaliwal

Subject: Register No. 0109-23-7: Requesting a Hearing on their Future Employability with the City and County.

Dear Sawanpreet S. Dhaliwal:

This is in response to your appeal submitted to the Civil Service Commission on May 24, 2023, requesting a hearing on your future employability with the City and County of San Francisco. Your appeal has been forwarded to the Municipal Transportation Agency for investigation and response to the Civil Service Commission.

If your appeal is timely and appropriate, the department will submit its staff report on this matter to the Civil Service Commission in the near future to request that it be scheduled for hearing. The Civil Service Commission generally meets on the 1st and 3rd Mondays of each month. You will receive notice of the meeting and the department's staff report on your appeal two Fridays before the hearing date via email, as you have requested on your appeal form.

The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. However, the Commission CANNOT reverse the department's decision to terminate your employment. In the meantime, you may wish to compile any additional information you would like to submit to the Commission in support of your position. The deadline for receipt in the Commission office of any additional information you may wish to submit is 5:00 p.m. on the Tuesday preceding the meeting date by email to civilservice@sfgov.org. Please be sure to redact your submission for any confidential or sensitive information (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

You may contact me by email at Sandra.Eng@sfgov.org or by phone at (628) 652-1100 if you have any questions. You may also access the Civil Service Commission's meeting calendar, and information regarding staff reports and meeting procedures, on the Commission's website at www.sf.gov.org/CivilService.

Sincerely,

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG
Executive Officer



CIVIL SERVICE COMMISSION
City and County of San Francisco
 25 Van Ness Avenue, Suite 720
 San Francisco, California 94102-6033
 Executive Officer
 (628) 652-1100

CSC Register No.
0109-23-7
 To: _____
 CC: _____

APPEAL TO THE CIVIL SERVICE COMMISSION

<p>INSTRUCTIONS: Submit an original copy of this form to the Executive Officer of the Civil Service Commission at the address above within the designated number of days following the postmarked mailing date or email date (whichever is applicable) of the Department of Human Resources' or Municipal Transportation Agency's notification to the appellant. The appellant's/authorized representative's original signature is required. (E-mail is not accepted.) It is recommended that you include all relevant information and documentation in support of your appeal.</p>	<p>TYPE OF APPEAL: (Check One)</p> <p><input type="checkbox"/> Examination Matters (by close of business on 5th working day)</p> <p><input type="checkbox"/> Employee Compensation Matters (by close of business on 7th working day) - Limited application</p> <p><input type="checkbox"/> Personal Service Contracts (Posting Period)</p> <p><input type="checkbox"/> Other Matters (i.e., Human Resources Director/Executive Officer Action) (30 Calendar days)</p> <p><input checked="" type="checkbox"/> Future Employability Recommendations (See Notice to Employee)</p>
---	---

"During the Shelter Order dated March 17, 2020, we are accepting appeals by email at civilservice@sfgov.org"

Sawanpreet Singh Dhaliwal		1 South Van Ness Ave, Floor 7		
Full Name of Appellant		Work Address		Work Telephone
5203	Assistant Engineer (Transportation)	SFMTA		
Job Code	Title	Department		
Residence Address		City	State	Zip Home Telephone
Full Name of Authorized Representative (if any)		Telephone Number of Representative (including Area Code)		

NOTE: If this is deemed to be a timely and appealable matter, the department will submit a staff report to the Civil Service Commission to request that it be scheduled for hearing. You will be notified approximately one week in advance of the hearing date, at which time you will be able to pick up a copy of the department's staff report at the Commission's offices. If you would instead prefer Commission staff to email you a copy of the meeting notice and staff report, please provide your email address below.

Email: _____

COMPLETE THE BASIS OF THIS APPEAL ON THE REVERSE SIDE. (Use additional page(s) if necessary)

<p>Does the basis of this appeal include new information not previously presented in the appeal to the Human Resources Director? If so, please specify.</p>	<p>Check One:</p> <p style="text-align: center;">RECEIVED 2023 MAY 24 14:36:30 EXECUTIVE OFFICER <input checked="" type="checkbox"/> Yes CIVIL SERVICE COMMISSION SAN FRANCISCO</p>
--	---

Sawanpreet Singh 05/24/2023
 Original Signature of Appellant or Authorized Representative Date

CSC-12 (5/2021) Date Received by Civil Service Commission: _____

State the basis of this appeal in detail. For more information about appeal rights and deadlines, please review the Civil Service Rules located on the Civil Service Commission's website at www.sfgov.org/CivilService.

Respected Commissioners,

On 05/04/2023 around 3:30 pm, I was released from my probationary appointment as a 5203 Assistant Engineer position with SFMTA due to Disciplinary reasons.

I joined SFMTA on 11/15/2021 as a 5203 Assistant Engineer appointed as Temporary Exempt (TEX) employee. I worked under the same supervisor for over 17 months until I was recently converted to Permanent Civil Service (PCS) employee starting 04/29/2023. I was serving a probationary period of 40hrs and on the 4th day of probation, my employment was terminated, and I was released from my probationary appointment. In addition to that, it was recommended to CSC that my future employment be restricted as follows:

Cancel any current examination and eligibility status and no future employment with the City and County of San Francisco and SFMTA.

This process came as a shock to me, but I cooperated with the HR representative, my supervisor, and the section head that delivered this news to me. I asked for the specific reason for the termination, and I was told that they are unable to disclose any information other than the reason stated on the separation report (disciplinary). They also told me that I can request a hearing before the Civil Service Commission regarding my future employability with the City and County of San Francisco, but the Commission cannot reverse the release from probation.

I understand that there must be compelling reasons that lead to this decision, but I did not receive any indication or warning suggesting the problem and the adverse action that may take place if the problem is not corrected. Moreover, I did not receive any quarterly, semi-annual, or annual performance reviews from my supervisor which may have indicated the problematic reasons that I needed to correct or pay attention to. Whenever I have made a mistake in my career, I have always listened to any feedback or criticism that can help me become a better engineer and a better employee. I have done the same here at SFMTA as well. I have worked closely with my supervisor on multiple projects, and I have given my best. I helped my team with the Van Ness BRT project which was a critical project last year. I definitely had good and bad days at work, but my supervisor and coworkers supported me from time to time. I resent that this decision was made after I converted from TEX to PCS, but I respect the decision assuming that it was fair.

In addition to this sudden action, the restriction on employment has put my future in a difficult situation. I spent 6 years earning my bachelor's and master's degrees and I have been working professionally in the civil engineering industry for the past 5 years. This act has made it difficult for me to get employment in the future and has put not only me but my family at financial risk during these difficult times. I am living in San Francisco during this peak inflation and my wife is a graduate student, totally dependent on me.

So, I request the commission to reconsider the restriction on my future employability with the City and County of San Francisco and cancellation of examinations and eligibility status. I would really appreciate it if the commission will grant me a hearing and give me a chance to plead my case. I would also be grateful if I can get details of the actions that lead to this decision. Thank you for your time and effort.

Sincerely,

Sawan Dhaliwal

Dusseault, Brian

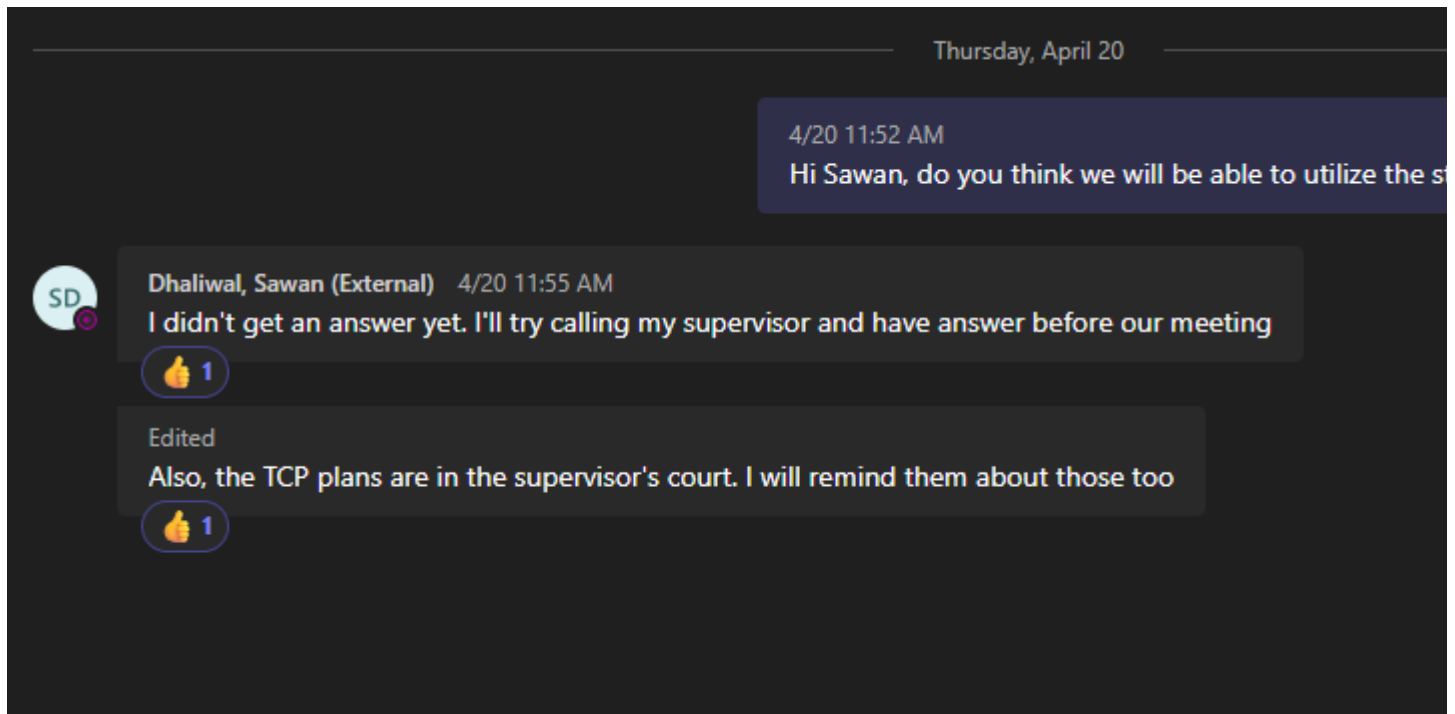
From: Hui, Cynthia
Sent: Thursday, April 27, 2023 4:07 PM
To: Dusseault, Brian
Subject: FW: 1191I / WW-709R - Preliminary Submittals

FYI: 1 of 2 projects

From: Chan, Gene (DPW) <Gene.Chan@sfdpw.org>
Sent: Thursday, April 27, 2023 3:34 PM
To: Hui, Cynthia <Cynthia.Hui@sfmta.com>
Subject: RE: 1191I / WW-709R - Preliminary Submittals

Note: Text message below shows Gene Chan ask Appellant whether an area could be used for staging.

EXT



From: Hui, Cynthia (MTA) <Cynthia.Hui@sfmta.com>
Sent: Wednesday, April 26, 2023 4:56 PM
To: Chan, Gene (DPW) <Gene.Chan@sfdpw.org>
Subject: Re: 1191I / WW-709R - Preliminary Submittals

Thanks!

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Chan, Gene (DPW) <Gene.Chan@sfdpw.org>
Sent: Wednesday, April 26, 2023 4:38:47 PM

To: Hui, Cynthia <Cynthia.Hui@sfmta.com>
Subject: FW: 1191I / WW-709R - Preliminary Submittals

EXT

FYI

From: Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>
Sent: Thursday, March 30, 2023 11:22 AM
To: Chan, Gene (DPW) <Gene.Chan@sfdpw.org>
Cc: Sidhu, Seth (DPW) <satvaran.sidhu@sfdpw.org>
Subject: RE: 1191I / WW-709R - Preliminary Submittals

Hi Gene,

I will have them ready by tomorrow. I am wrapping it up today and I need to run it through my supervisor. Sorry for the delay. I am a little backed up on projects.

Thanks,

Sawan Dhaliwal
Assistant Engineer
Transportation Engineering - Traffic Routing

From: Chan, Gene (DPW) <Gene.Chan@sfdpw.org>
Sent: Thursday, March 30, 2023 11:19 AM
To: Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>
Cc: Sidhu, Seth (DPW) <satvaran.sidhu@sfdpw.org>
Subject: RE: 1191I / WW-709R - Preliminary Submittals

EXT

Hi Sawan,

Do you have a status update on Submittal #2 and #4?

Thanks,
Gene

From: Chan, Gene (DPW)
Sent: Friday, March 3, 2023 11:19 AM
To: Chan, Derrick (DPW) <derrick.chan@sfdpw.org>; Dhaliwal, Sawan (MTA) <Sawan.Dhaliwal@sfmta.com>
Cc: Sidhu, Seth (DPW) <satvaran.sidhu@sfdpw.org>
Subject: 1191I / WW-709R - Preliminary Submittals

Folks, our first batch of submittals came in for this project.

Hi Derrick, please forward Submittal #3 to the designer for review/comment.
Scheduled due date: 3/24/2023 – please allow enough time for document processing.

Hi Sawan, please see attached submittals #2 and #4 for TCP.
Scheduled due date: 3/24/2023 – please allow enough time for document processing.

Thank you,
Gene

From: Manuel Arce <manuel@momocollab.com>
Sent: Friday, March 3, 2023 8:45 AM
To: Chan, Gene (DPW) <Gene.Chan@sfdpw.org>
Cc: Mariano Hernandez <mariano@hernandez-engineering.com>
Subject: WW-709 Preliminary Submittals

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good Morning Gene,

Please see attached the following preliminary submittals for Project WW-709.

- #1 Public Notices
- #2 Traffic Control Plans - Lining
- #3 HDPE Pipe
- #4 Traffic Control Plans - Sewer (1st Set)

Thank you,
Manuel Arce

This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

Dusseault, Brian

From: Hui, Cynthia
Sent: Thursday, April 27, 2023 4:08 PM
To: Dusseault, Brian
Subject: FW: VL #53 - TCP SMTL #128, 214, and 215

Importance: High

FYI 2 of 2 project

From: Wing, Garnet <Garnet.Wing@sfmta.com>
Sent: Wednesday, April 26, 2023 3:52 PM
To: Hui, Cynthia <Cynthia.Hui@sfmta.com>
Subject: FW: VL #53 - TCP SMTL #128, 214, and 215
Importance: High

FYI

This is the first time I've heard about these TCPs. Did he send these to you?

Thanks,

Garnét Wing, PE (she/hers)
Associate Engineer
Transportation Engineering - Traffic Routing



Office 415-646-2335

San Francisco Municipal Transportation Agency
1 South Van Ness Avenue, 7th floor
San Francisco, CA 94103



From: Trejo, Ricardo (DPW) <ricardo.trejo@sfdpw.org>
Sent: Wednesday, April 26, 2023 3:46 PM
To: Wing, Garnet <Garnet.Wing@sfmta.com>
Cc: Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>; Huang, Stanton (DPW) <stanton.huang@sfdpw.org>
Subject: FW: VL #53 - TCP SMTL #128, 214, and 215
Importance: High

EXT

Hello Garnet,

It's my understanding that Sawan is out of the office until next week.

Can we get the review responses back for these TCPs in particular by today?

Submittal #214 – TCP 061 and TCP 062

Submittal #215 – TCP 063 thru TCP 067

I believe Sawan was supposed to send me the review responses late last week, but I never received them. Contractor is gearing up for grind and pave work starting Tuesday of next week on Buena Vista Ave West from Haight Street to Upper Terrace, and Upper Terrace between BVA and Masonic.

Please let me know asap.

Thank you!



RICARDO TREJO, PE

Resident Engineer

Construction Management | 49 South Van Ness, 7th Floor | San Francisco, CA 94103 |

Desk: (628) 271 - 2412

E-Mail: ricardo.trejo@sfdpw.org

From: Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>

Sent: Tuesday, April 18, 2023 9:36 AM

To: Trejo, Ricardo (DPW) <ricardo.trejo@sfdpw.org>

Cc: Huang, Stanton (DPW) <stanton.huang@sfdpw.org>

Subject: RE: VL #53 - TCP SMTL #128, 214, and 215

Hi Ricardo,

The initial review has been done but it needs to be reviewed by my seniors. They have many more submittals to review from other engineers as well. I was going to ask for specific locations in today's meeting (based on 3-week look ahead) so that I can tell them to prioritize/focus on them first.

I appreciate your patience and understanding.

Thanks,

Sawan Dhaliwal

Assistant Engineer

Transportation Engineering - Traffic Routing

From: Trejo, Ricardo (DPW) <ricardo.trejo@sfdpw.org>

Sent: Tuesday, April 18, 2023 9:29 AM

To: Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>

Cc: Huang, Stanton (DPW) <stanton.huang@sfdpw.org>

Subject: VL #53 - TCP SMTL #128, 214, and 215

EXT

Hi Sawan

Please provide status update for submittals in your court.

Thanks,



RICARDO TREJO, PE

Resident Engineer

Construction Management | 49 South Van Ness, 7th Floor | San Francisco, CA 94103 |

Desk: (628) 271 - 2412

E-Mail: ricardo.trejo@sfdpw.org

This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

From: [Hui, Cynthia](#)
To: [Dusseault, Brian](#)
Cc: [Wing, Garnet](#)
Subject: FW: VL13 TCP
Date: Monday, June 12, 2023 4:27:30 PM
Attachments: [WW-709 Submittal # 04 Traffic Control Drawings \(Sewer\) 1st Set 1.pdf](#)
[image001.png](#)
[image005.png](#)

From: Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>

Sent: Thursday, April 20, 2023 10:25 AM

To: Hui, Cynthia <Cynthia.Hui@sfmta.com>

Subject: VL13 TCP

Cynthia,

Can you please review this single TCP for VL13 sewer work. The pdf includes the TCP, T-drawing and the sewer plan.

Thank you,

Sawan Dhaliwal

Assistant Engineer

Transportation Engineering - Traffic Routing



Office 415.646.2838

San Francisco Municipal Transportation Agency

1 South Van Ness Avenue, 7th floor

San Francisco, CA 94103



From: [Hui, Cynthia](#)
To: [Dusseault, Brian](#)
Subject: Fwd: VL13 TCPs #2
Date: Tuesday, May 2, 2023 5:44:57 PM
Attachments: [WW-709 Submittal # 02 Traffic Control Drawings \(Sewer Lining\).pdf](#)
[image001.png](#)
[image005.png](#)

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>
Sent: Thursday, April 20, 2023, 11:46 AM
To: Wing, Garnet <Garnet.Wing@sfmta.com>
Cc: Hui, Cynthia <Cynthia.Hui@sfmta.com>
Subject: VL13 TCPs #2

Hi Garnet,

Can you please review attached TCPS for sewer lining work for VL13?

Thanks,

Sawan Dhaliwal
Assistant Engineer
Transportation Engineering - Traffic Routing



Office 415.646.2838

San Francisco Municipal Transportation Agency
1 South Van Ness Avenue, 7th floor
San Francisco, CA 94103



From: Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>
Sent: Thursday, April 20, 2023 11:46:20 AM
To: Wing, Garnet <Garnet.Wing@sfmta.com>
Cc: Hui, Cynthia <Cynthia.Hui@sfmta.com>
Subject: VL13 TCPs #2

Hi Garnet,

Can you please review attached TCPS for sewer lining work for VL13?

Thanks,

Sawan Dhaliwal
Assistant Engineer
Transportation Engineering - Traffic Routing

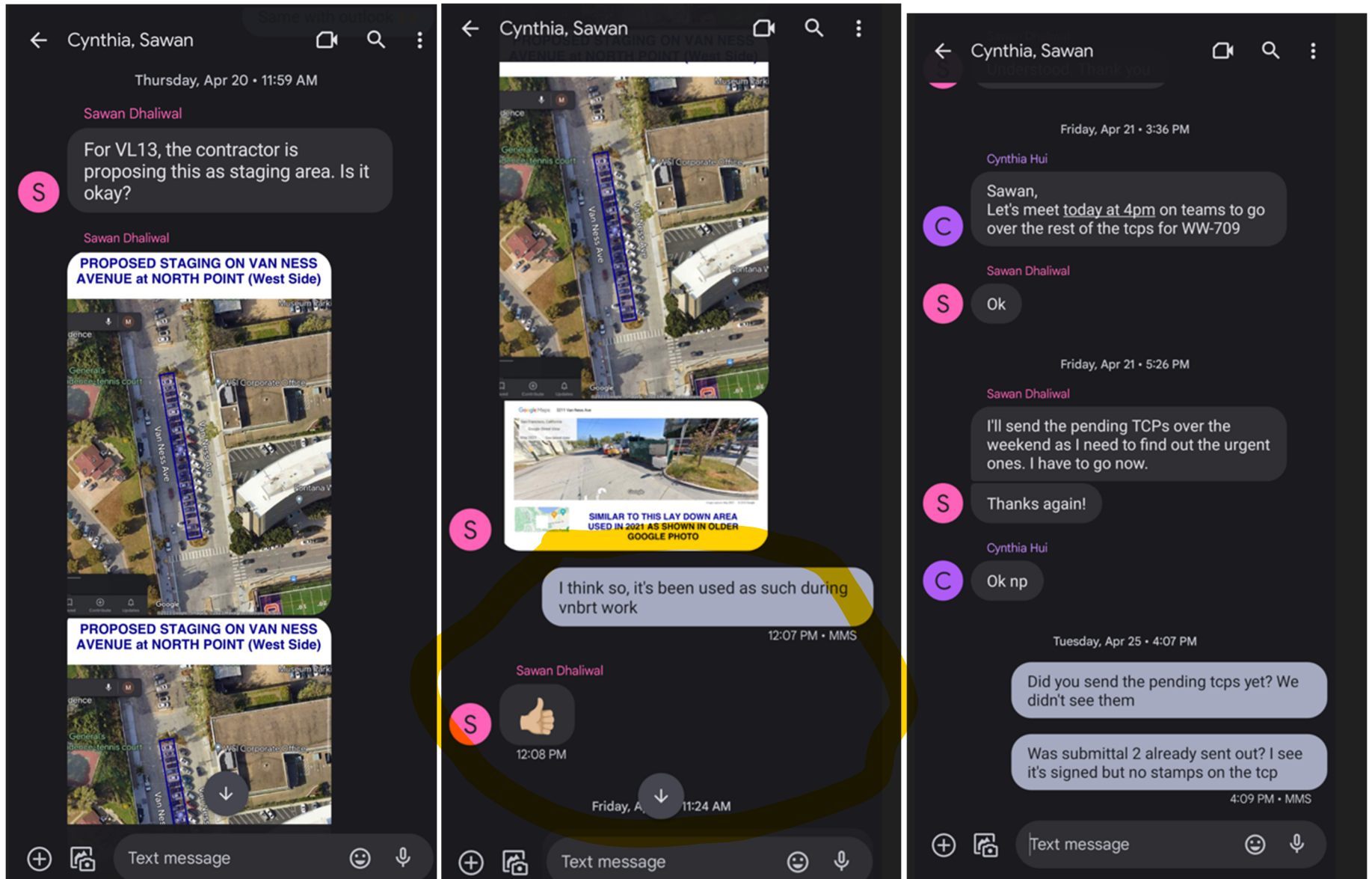


Office 415.646.2838

San Francisco Municipal Transportation Agency
1 South Van Ness Avenue, 7th floor
San Francisco, CA 94103



Text below shows Cynthia Hui agree to a Staging Area on Van Ness.



Let's meet today at 4pm on



Cynthia, Sawan



Sawan Dhaliwal



Ok

Friday, Apr 21 • 5:26 PM

Sawan Dhaliwal

I'll send the pending TCPs over the weekend as I need to find out the urgent ones. I have to go now.



Thanks again!

Cynthia Hui



Ok np

Tuesday, Apr 25 • 4:07 PM

Did you send the pending tcps yet? We didn't see them

Was submittal 2 already sent out? I see it's signed but no stamps on the tcp

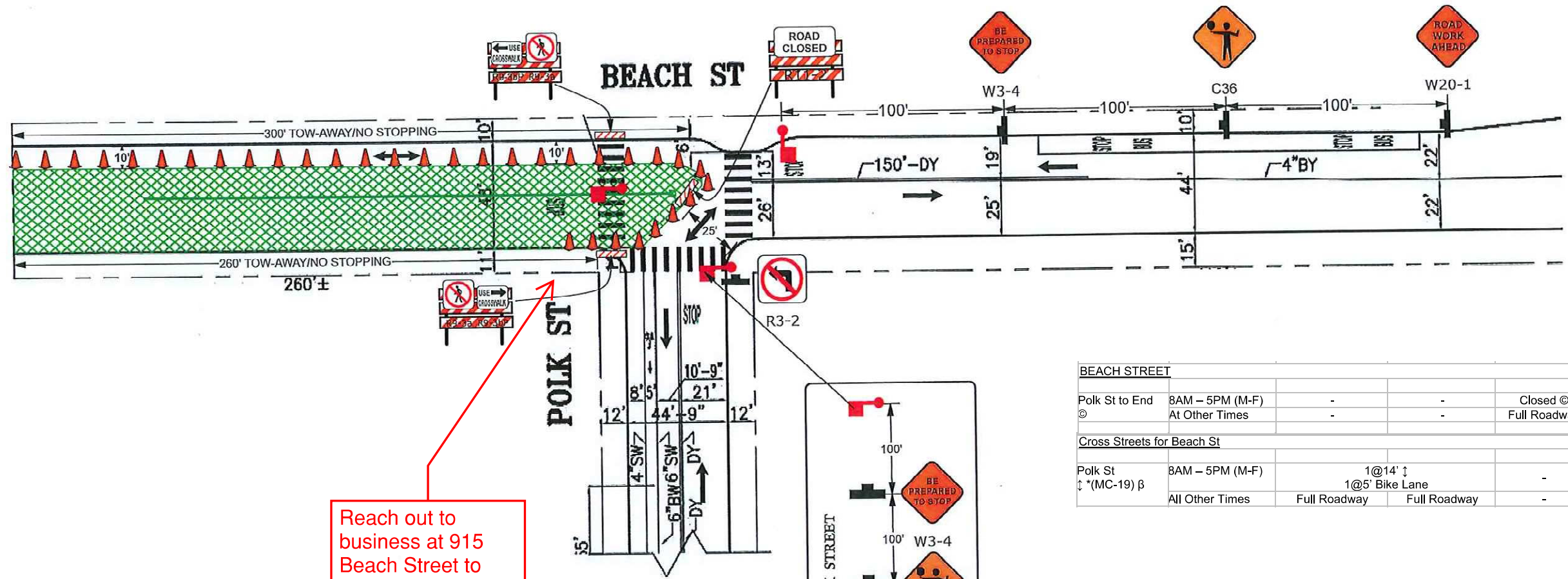
4:09 PM • MMS



Text message

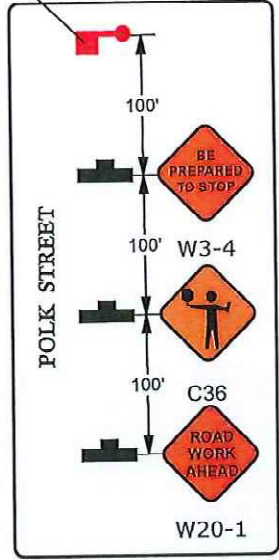


Traffic Control Plan
 Various Locations Sewer Replacement No. 13
 Sewer Work, Beach Street @ Polk Street



Reach out to business at 915 Beach Street to maintain access for shipping/receiving

BEACH STREET					
Polk St to End	8AM – 5PM (M-F)	-	-	Closed ©	Closed ©
©	At Other Times	-	-	Full Roadway	Full Roadway
Cross Streets for Beach St					
Polk St	8AM – 5PM (M-F)		1@14' ↓	-	-
↑*(MC-19) β			1@5' Bike Lane	-	-
	All Other Times	Full Roadway	Full Roadway	-	-



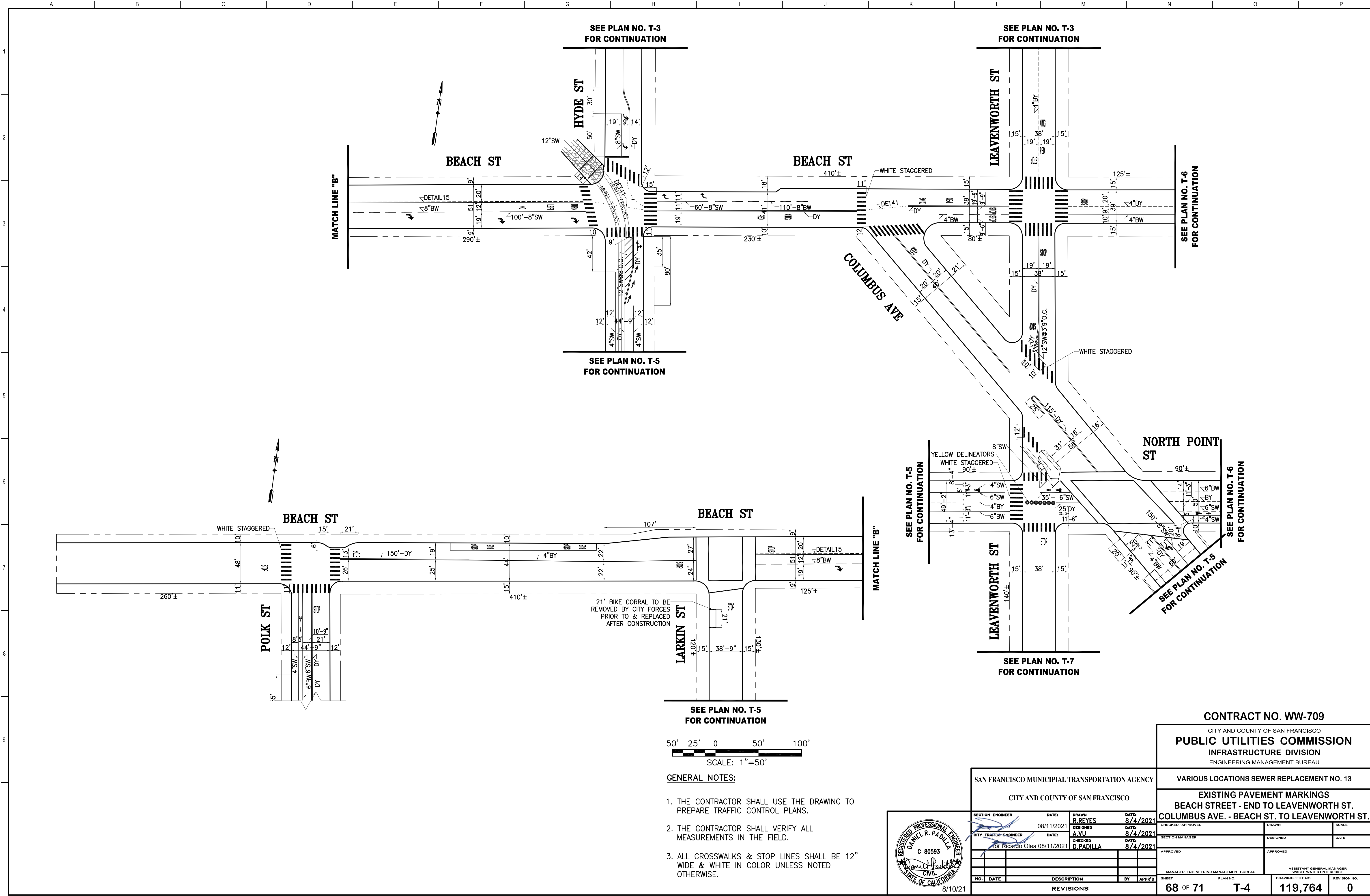
Legend

	18" Traffic Cone
	Portable Sign and Stand
	Work Area
	Direction of Travel
	Flagger
	Sign on Barricade
	Arrowboard
NTS	Not To Scale
TAVNS	Tow-Away/ No Stopping

- Comments:
1. Maintain local access to businesses and residences at all times.
 2. All traffic control and devices shall conform to the latest edition of the CA MUTCD.
 3. All traffic control devices shall be retroreflective when used during the hours of darkness.
 4. The Contractor shall not prevent or delay the operations of mass transit vehicles at any time.
 5. Max cone spacing shall be 25' for lapers, 50' for tangents and 12' when in conflict with existing striping.
 6. The Contractor shall perform the appropriate measures to ensure the safety of bicyclists on all streets on which there is construction.

	DRAWN: KM HILZ	BEACH @ POLK	CONTRACT NO. WW-709
	DATE: 12/7/22		DRAWING NO. TCP 010
	SCALE: 1"=50'	SEWER WORK	REVISION NO.





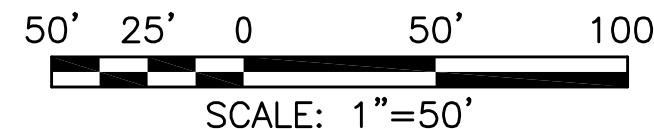
1
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A B C D E F G H I J K L M N O P

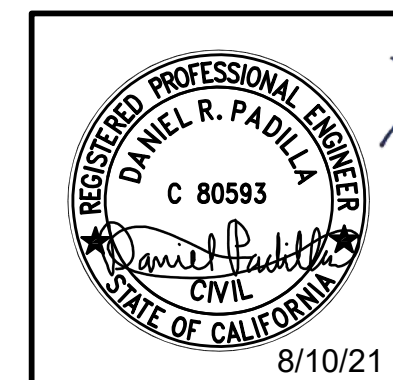
FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 50' 100' SCALE: 1"=50'

SEE PLAN NO. T-5 FOR CONTINUATION



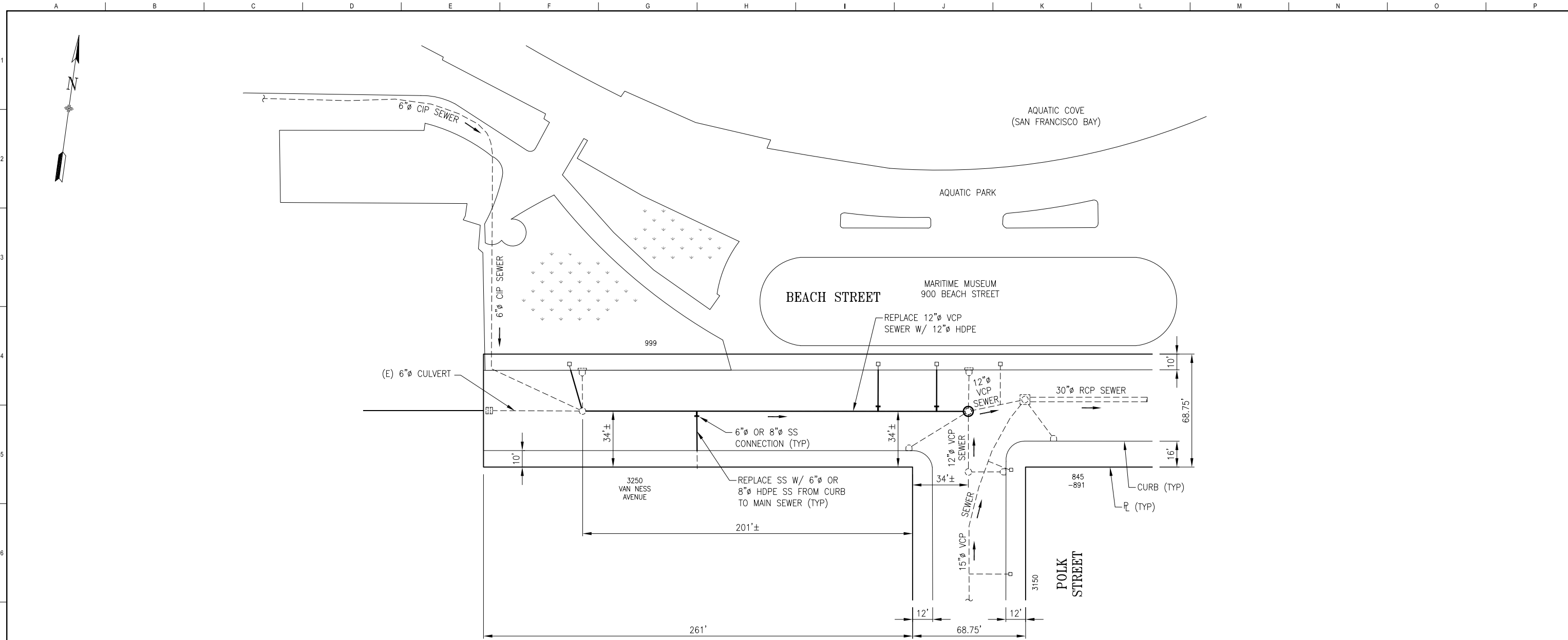
GENERAL NOTES:

1. THE CONTRACTOR SHALL USE THE DRAWING TO PREPARE TRAFFIC CONTROL PLANS.
2. THE CONTRACTOR SHALL VERIFY ALL MEASUREMENTS IN THE FIELD.
3. ALL CROSSWALKS & STOP LINES SHALL BE 12" WIDE & WHITE IN COLOR UNLESS NOTED OTHERWISE.



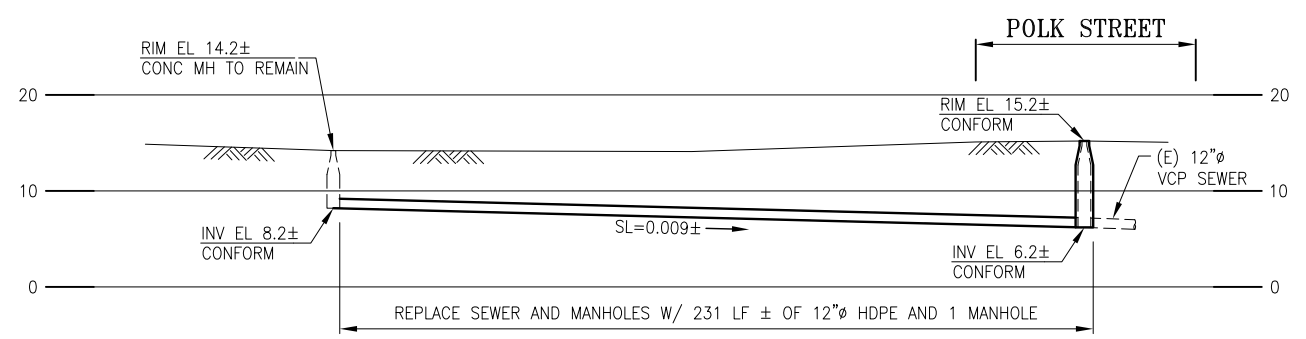
SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY			
CITY AND COUNTY OF SAN FRANCISCO			
SECTION ENGINEER	DATE:	DRAWN	DATE:
<i>[Signature]</i>	08/11/2021	R. REYES	8/4/2021
CITY TRAFFIC ENGINEER	DATE:	DESIGNED	DATE:
<i>[Signature]</i>	08/11/2021	A. VU	8/4/2021
for Ricardo Olea 08/11/2021		CHECKED	DATE:
		D. PADILLA	8/4/2021
NO.	DATE	DESCRIPTION	BY
		REVISIONS	APPR'D

CONTRACT NO. WW-709			
CITY AND COUNTY OF SAN FRANCISCO			
PUBLIC UTILITIES COMMISSION			
INFRASTRUCTURE DIVISION			
ENGINEERING MANAGEMENT BUREAU			
VARIOUS LOCATIONS SEWER REPLACEMENT NO. 13			
EXISTING PAVEMENT MARKINGS			
BEACH STREET - END TO LEAVENWORTH ST.			
COLUMBUS AVE. - BEACH ST. TO LEAVENWORTH ST.			
SECTION MANAGER	DESIGNED	DATE	SCALE
APPROVED	APPROVED		
MANAGER, ENGINEERING MANAGEMENT BUREAU	ASSISTANT GENERAL MANAGER	PLAN NO.	REVISION NO.
		8/10/21	
NO.	DATE	DESCRIPTION	BY
68	8/10/21	T-4	
71		119,764	0



PLAN

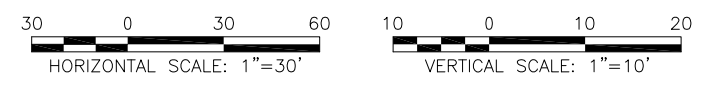
SCALE: 1"=30'



PROFILE

SCALE: HORIZ 1"=30'
VERT 1"=10'

ELEVATION DATUM	SEWER SIZED BY Y.W.
CITY	APPROVED BY N.B.



**95% REVIEW SET
NOT FOR CONSTRUCTION USE**

REFERENCE INFORMATION & FILE NO. OF SURVEYS
104291
A-38321.1
A-38336.3
A-38337.2



CITY AND COUNTY OF SAN FRANCISCO SAN FRANCISCO PUBLIC WORKS BUREAU OF ENGINEERING	
SECTION MANAGER L.WONG	DRAWN A.KIRSCH/S.LIM 4/2021
DEPUTY BUREAU MANAGER F.CISNEROS	DESIGNED A.FALLAH 4/2021
ACTING BUREAU MANAGER I.DHAPA	CHECKED D.CHAN 4/2021
REVISIONS	
NO.	DATE DESCRIPTION BY APPR'D

CONTRACT NO. WW-709 CITY AND COUNTY OF SAN FRANCISCO PUBLIC UTILITIES COMMISSION INFRASTRUCTURE DIVISION ENGINEERING MANAGEMENT BUREAU			
VARIOUS LOCATIONS SEWER REPLACEMENT NO. 13			
BEACH STREET SEWER REPLACEMENT POLK STREET TO END PLAN AND PROFILE			
CHECKED / APPROVED	DRAWN	SCALE AS NOTED	
SECTION MANAGER	DESIGNED	DATE	
APPROVED	APPROVED		
MANAGER, ENGINEERING MANAGEMENT BUREAU		ASSISTANT GENERAL MANAGER WASTE WATER ENTERPRISE	
SHEET OF	PLAN NO. SW-5	DRAWING / FILE NO.	REVISION NO. 0



Voicemail



CCSF

4/26

01:46

1x

Hi Garnett, this is Ricardo from Public Works Construction Management. I just sent you an e-mail, give me a call. My number here is [REDACTED] again [REDACTED] Wanted to see if I can get some TCP reviews back in my court to give to the contractor. We're pressed to get paving done next week and so the TCP that I had that are included in my e-mail there. They're the ones that are applicable to the area that we are going to pave. I was under the impression last week, early last week that so sorry Savan was going to get us these submittals back to us and that they were actually under upper management review on your guys's end. Just so I'm hoping that I can get the reviews by the end of today or tomorrow, early tomorrow morning, so I can at least it gives the contractor some time to get corrections and shoot them all back to you guys if there's any revise and resubmit. So if you can please again give me a call [REDACTED] Thanks. Bye.



WIRELESS CALLER

4/17

35sec



Cell Phone CA

4/17

12sec



JARRETT LAWS

4/4

1mi...

Dusseault, Brian

From: Hui, Cynthia
Sent: Friday, July 14, 2023 12:53 PM
To: Dusseault, Brian
Cc: Wing, Garnet
Subject: FW: WW-709: Submittal 04, TCP 10, 11, 12, 13, 14, 15 & 16
Attachments: CHUI23042719_17_13.pdf

This is one of the emails I sent to Gene w/ the TCPs marked up and reviewed by me. These are not 214 and 215, they are 014 & 015, so I am a little confused. Not sure if you are asking for the TCPs for Ricardo Trejo's project. I purposely didn't include Dave Garcia on this email communication because I want us to resolve this before forwarding it to him.

Cynthia

From: Hui, Cynthia
Sent: Thursday, April 27, 2023 7:22:21 PM
To: Chan, Gene (DPW) <Gene.Chan@sfdpw.org>
Cc: Wing, Garnet <Garnet.Wing@sfmta.com>; Dhaliwal, Sawan <Sawan.Dhaliwal@sfmta.com>
Subject: WW-709: Submittal 04, TCP 10, 11, 12, 13, 14, 15 & 16

TCP 10 Previously returned MCN and a new version needed for intersection work
TCP 11 R&R Reroute needed, no traffic on cable car right of way
TCP 12 MCN
TCP 13 R&R Reroute and detour needed for one direction
TCP 14 R&R Reroute & detour needed for one direction
TCP 15 MCN
TCP 16 MCN



Edward Yee, Acting Bureau Manager | Bureau of Construction Management
edyee@sfdpw.org | 49 South Van Ness Ave, 7th Floor, San Francisco, CA 94103

SUBMITTAL CONTROL FORM

JOB NO: WM-709

CONTRACTOR NAME: HERNANDEZ ENGINEERING

SPEC SECTION: **04**
SUBMITTAL NO: **04**

RESIDENT ENGINEER: GENE CHAN

PROJECT TITLE: VARIOUS LOCATIONS SEWER REPLACEMENT NO.13

CITY USE ONLY	
DATE RECEIVED:	
DATE RETURNED:	

THIS SUBMITTAL HAS BEEN REVIEWED AND APPROVED BY CONTRACTOR PRIOR TO FORWARDING FOR CITY REVIEW.

SIGNATURE: *NADE*

DATE TRANSMITTED: 03/03/23

ITEM NO	REV NO	DESCRIPTION: (Submittal Detail)	SUBMITTAL TYPE	CITY APPROVAL ACTION
1		TCP 010 Sewer Work - Beach St. at Polk St	1 PDF	MCN / CHW
2		TCP 011 Sewer Work - Beach St (Hyde to Columbus Ave)	1 PDF	R & R / CHW
3		TCP 012 Sewer Work - Beach St (Hyde to Columbus Ave)	1 PDF	MCN / CHW
4		TCP 013 Sewer Work - Beach St. at Columbus Ave	1 PDF	R & R / CHW
5		TCP 014 Sewer Work - Beach St. (Hyde to Columbus Ave)	1 PDF	R & R / CHW
6		TCP 015 Sewer Work - Yacht Road	1 PDF	MCN / CHW
7		TCP 016 Sewer Work - Yacht Road	1 PDF	MCN / CHW

Previously returned

Submittal Type Legend: PDF: Digital Submission # Copies: # Hard Copies Sample: Sample Submission
 City Approval Action: NET: No Exceptions Taken MCN: Make Corrections Noted
 Legend: REJ: Rejected R&R: Revise and Resubmit SUB: Submit Specified Items

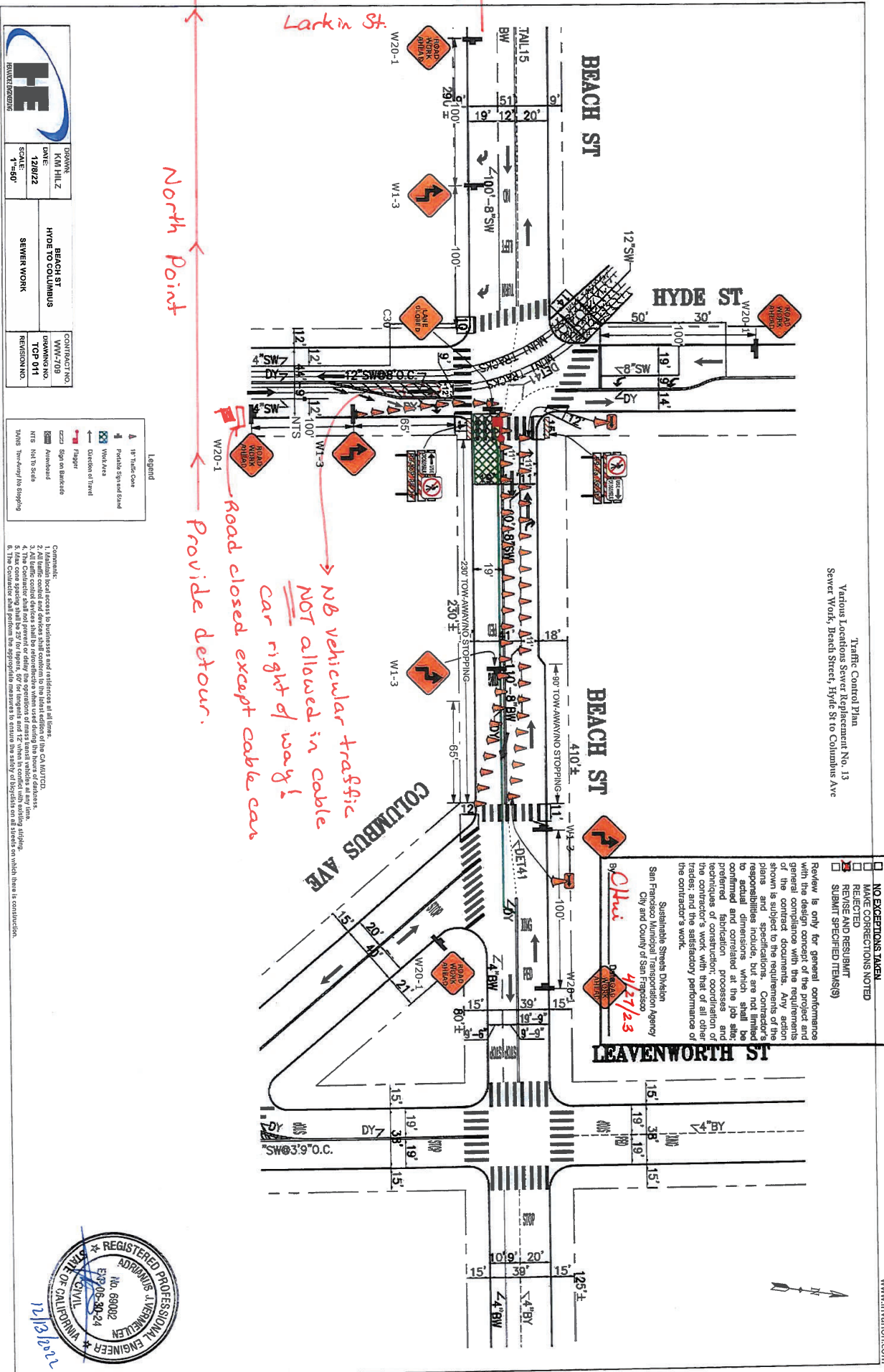
REVIEWER REMARKS

Lead Reviewer/PE Signature: *Gene Chan* Date: *4/27/2023*

RE Signature: _____ Date: _____

CM-4000 Rev. 2021.11
London N. Breed, Mayor | Carla Short, Interim Director | sfpublishworks.org | @sfpublishworks

Traffic Control Plan
 Various Locations Sewer Replacement No. 13
 Sewer Work, Beach Street, Hyde St to Columbus Ave

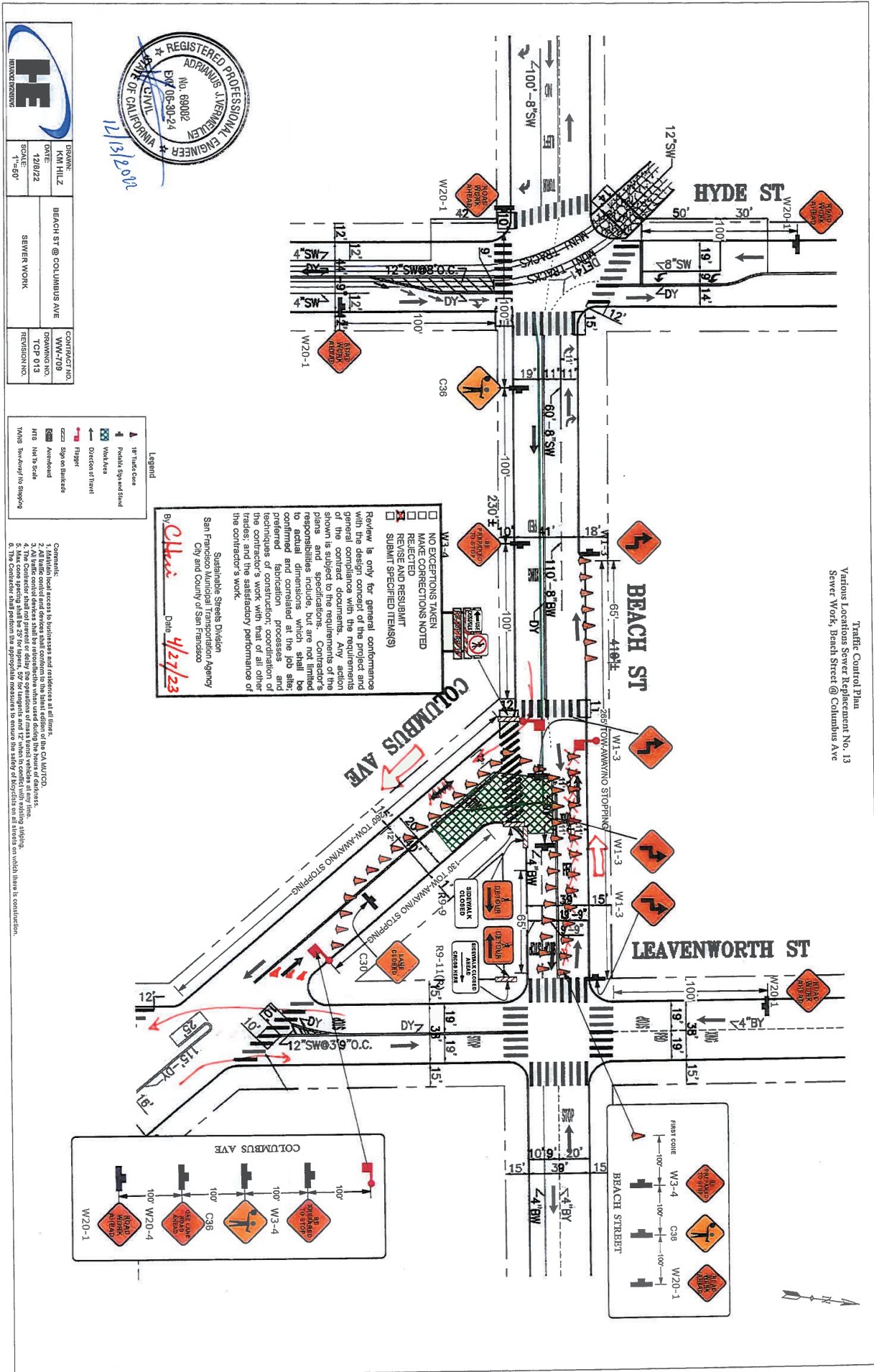


Handwritten notes:

- North Point
- Larkin St.
- NOT allowed in cable car right of way!
- Road closed except cable cars
- Provide detour.

	DESIGNER	CONTRACT NO.
	KIM HILL Z	WVW-709
DATE:	PROJECT	DRAWING NO.
12/8/22	BEACH ST HYDE TO COLUMBUS	TOP 011
SCALE:	REVISION NO.	
1"=60'		

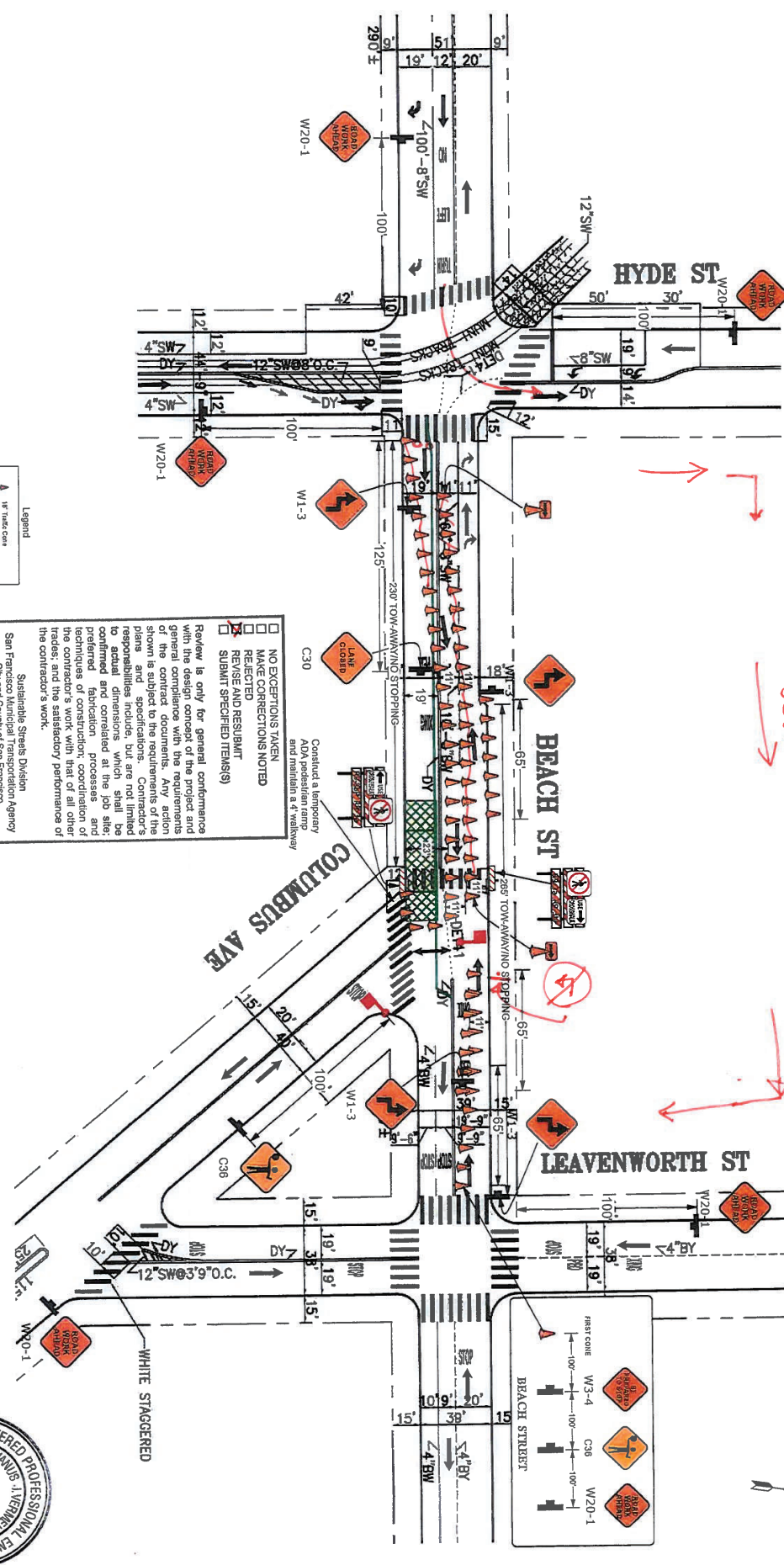




 HE ENGINEERING	DRAWN: KM HILZ	CONTRACT NO. WW-709
	DATE: 12/8/22	DRAWING NO. TCD 013
SCALE: 1"=50'	SEWER WORK	REVISION NO.

Traffic Control Plan
 Various Locations Sewer Replacement No. 13
 Sewer Work, Beach Street, Hyde St to Columbus Ave

www.invention.com



Jefferson

	DRAWN: KIM HILL, Z DATE: 12/8/22 SCALE: 1"=50'	BEACH ST HYDE TO COLUMBUS SEWER WORK	CONTRACT NO. WMA-709 DRAWING NO. TCF 014 REVISION NO.
--	---	--	---

Legend

	1/2" Traffic Cone
	Portable Sign and Stand
	Work Area
	Order of Travel
	Flagger
	Sign on Barreled
	Arrowhead
	M18
	M18 with Side
	TMS - Work-Away the Stopper

SanDiego, State Division
 San Francisco Municipal Transportation Agency
 City and County of San Francisco

By: *CHW* Date: *12/21/23*

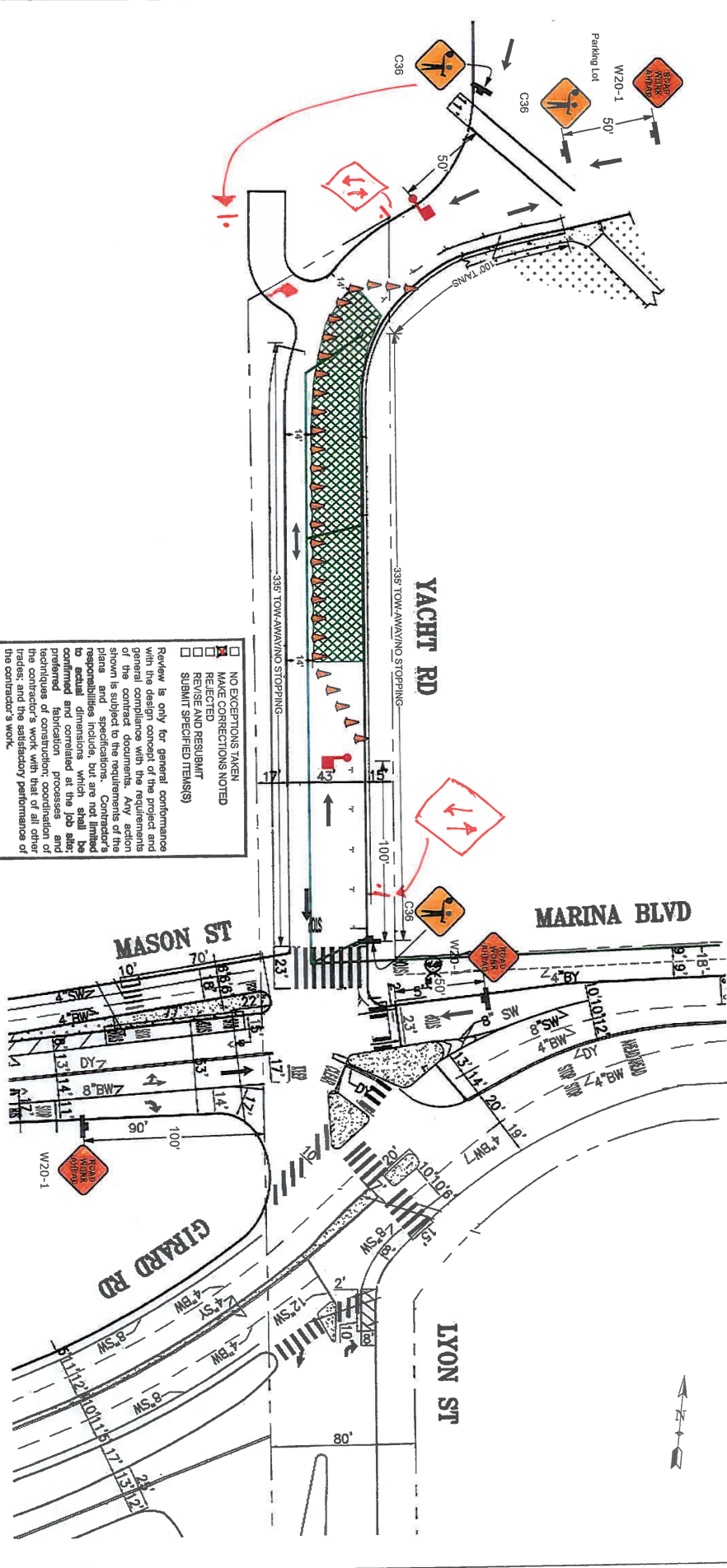
NO EXCEPTIONS TAKEN
 MAKE CORRECTIONS NOTED
 REVISE AND RESUBMIT
 SUBMIT SPECIFIED ITEMS(S)

Review is only for general conformance with the design concept of the project and general compliance with the requirements of the contract documents. Any action shown is subject to the requirements of the plans and specifications. Contractor's responsibilities include, but are not limited to, confirming and correlating all the job site, preferred fabrication, processes and techniques of construction, coordination of the contractor's work with that of all other trades; and the satisfactory performance of the contractor's work.

Construct a temporary and maintain a 4' yellow lane closure

- Compliance:
- Maintain local access to businesses and residences at all times.
 - All traffic control and devices shall conform to the latest edition of the CA MUTCD.
 - Use of flaggers shall be in accordance with the MUTCD and all applicable laws and regulations.
 - The Contractor shall not proceed or delay the operations of mass transit vehicles at any time.
 - Make sure spacing shall be 20' for signs, 50' for barriers and 12' when in contact with existing 44" pipe.
 - The Contractor shall perform any appropriate measures to remove the safety of the work area and the site on which there is construction.





	DRAWN: KIM HILL, Z DATE: 12/10/22 SCALE: 1"=50' REVISION NO.	CONTRACT NO. WW-709 DRAWING NO. TCP 015 REVISION NO.
	YACHT ROAD SEWER WORK	

▲	1" Traffic Cone
⬇	Portable Sign and Stand
⊠	Work Area
→	Direction of Travel
⬆	Flagger
⊞	Sign on Bifurcated
⊞	Autoblock
⊞	Walls and
⊞	Trucks for Hoisting

NO EXCEPTIONS TAKEN
 MAKE CORRECTIONS NOTED
 REJECTED
 REVISE AND RESUBMIT
 SUBMIT SPECIFIED ITEMS(S)

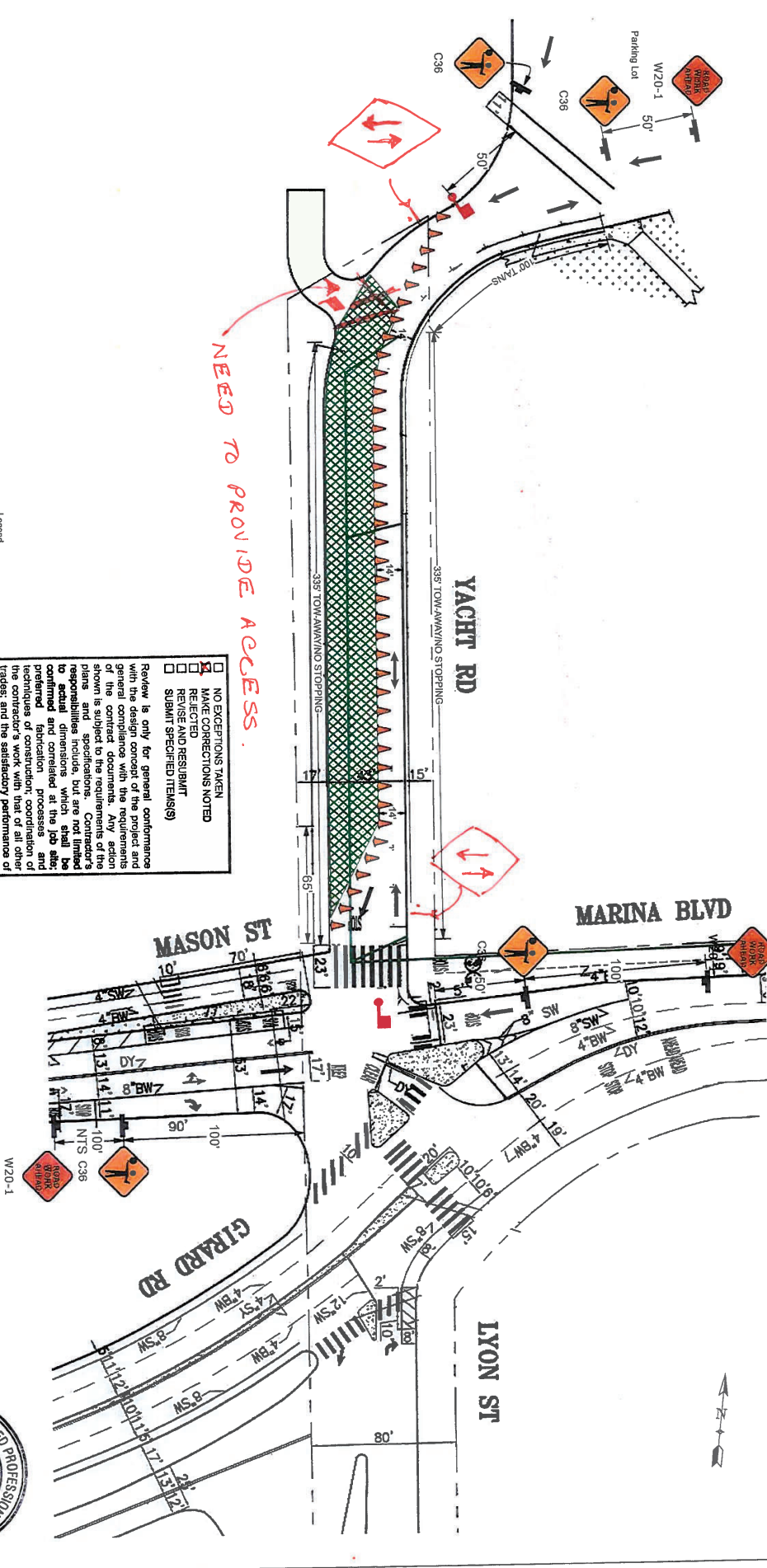
Review is only for general conformance with the design concept of the project and general compliance with the project and general contract documents. Any action shown is subject to the requirements of the plans and specifications. Contractor's responsibilities include, but are not limited to, confirmed and correlated at the job site, preferred fabrication processes and techniques of construction. Contractor shall be responsible for ensuring that the contractor's work meets the satisfactory performance of the contractor's work.

Sustainable Streets Division
 San Francisco Municipal Transportation Agency
 City and County of San Francisco

By: *CH* Date: 4/27/23

- Comments:
1. Maintain local access to businesses and residences at all times.
 2. All traffic control signs and cones shall be reflective when used during the hours of darkness.
 3. The Contractor shall not proceed or delay the operations of mass transit vehicles at any time.
 4. The Contractor shall perform the appropriate measures to ensure the safety of bicyclists on all streets on which there is construction.





	DESIGNER: KIM HILL, Z	CONTRACT NO. WM-709
	DATE: 12/10/22	DRAWING NO. TCP 016
	SCALE: 1"=50'	REVISION NO.
	PROJECT: SEWER WORK	

	1/2" Traffic Cone
	Portable Sign and Stand
	Work Area
	Direction of Travel
	Flag
	Sign on Balustrade
	Arrowhead
	NTS - 10' x 15' Sign
	TAMS - Temporary No Stopping

Legend

NO EXCEPTIONS TAKEN
 MAKE CORRECTIONS NOTED
 REJECTED
 REVISE AND RESUBMIT
 SUBMIT SPECIFIED ITEM(S)

Review is only for general conformance with the design concept of the project and general compliance with the requirements of the contract documents. Any deviations shown in subject documents, or any other documents, are the responsibility of the contractor. Contractor's responsibilities include, but are not limited to actual dimensions which shall be confirmed and correlated at the job site; preferred fabrication processes and techniques of construction; coordination of the contractor's work with that of all other trades; and the satisfactory performance of the contractor's work.

Sustainable Streets Division
 San Francisco Municipal Transportation Agency
 City and County of San Francisco

By: *CHW* Date: *12/27/23*

Comments:
 1. Maintain local access to businesses and residences at all times.
 2. All traffic control and signage shall be installed and maintained in accordance with the Manual on Uniform Traffic Control Devices, 8th Edition, 2011 Edition, published by the Federal Highway Administration, Washington, DC, 2011.
 3. The Contractor shall not permit or allow the operation of mass transit vehicles at any time.
 4. All construction shall be completed in accordance with the approved traffic control plan.
 5. All construction shall be completed in accordance with the approved traffic control plan on all streets on which there is construction.



ARTICLE VIII A:

THE MUNICIPAL TRANSPORTATION AGENCY

Sec. 8A.100.	Preamble.
Sec. 8A.101.	Municipal Transportation Agency.
Sec. 8A.102.	Governance and Duties.
Sec. 8A.103.	Service Standards and Accountability.
Sec. 8A.104.	Personnel and Merit System.
Sec. 8A.105.	Municipal Transportation Fund.
Sec. 8A.106.	Budget.
Sec. 8A.107.	Municipal Transportation Quality Review.
Sec. 8A.108.	Fare Changes and Route Abandonments.
Sec. 8A.109.	Additional Sources of Revenue.
Sec. 8A.110.	Planning and Zoning.
Sec. 8A.111.	Citizens' Advisory Council.
Sec. 8A.112.	Parking and Traffic.
Sec. 8A.113.	Parking and Traffic; Governance.
Sec. 8A.114.	Cable Cars.
Sec. 8A.115.	Transit-First Policy.

SEC. 8A.100. PREAMBLE.

(a) An effective, efficient, and safe transportation system is vital for San Francisco to achieve its goals for quality of life, environmental sustainability, public health, social justice, and economic growth. The Municipal Transportation Agency must manage San Francisco's transportation system which includes automobile, freight, transit, bicycle, and pedestrian networks to help the City meet those goals. Through this measure, the voters seek to provide the Municipal Transportation Agency with improved resources and expanded independence and authority in order to create a transportation system that is among the best in the world.

(b) This article requires the Municipal Transportation Agency to develop clear, meaningful and quantifiable measures of its performance and goals and to regularly publicize those standards. This article also recognizes that the workers of the Municipal Transportation Agency are vital to the success of the Agency and to achieving the improvements voters seek. Therefore, it authorizes incentives for excellence and requires accountability for both managers and employees.

(c) Specifically, San Francisco residents require:

1. Reliable, safe, timely, frequent, and convenient transit service to all neighborhoods;
2. A reduction in breakdowns, delays, over-crowding, preventable accidents;
3. Clean and comfortable transit vehicles and stations, operated by competent, courteous, and well trained employees;
4. Support and accommodation of the special transportation needs of the elderly and the disabled;
5. Protection from crime and inappropriate passenger behavior on the Municipal Railway;
6. Responsive, efficient, and accountable management;
7. Roads that are not gridlocked with congestion;
8. A safe and comprehensive network of bicycle lanes;
9. A safe and inviting environment for pedestrians;
10. Efficient movement of goods and deliveries;
11. A transportation sector that promotes environmental sustainability and does not contribute to global warming; and
12. A well-managed and well-coordinated transportation system that contributes to a livable urban environment.

Through this measure, the voters seek to provide the transportation system with the resources, independence and focus necessary to achieve these goals.

(d) The voters find that one of the impediments to achieving these goals in the past has been that responsibility for transportation has been diffused throughout City government. Accordingly, this Article places within the Municipal Transportation Agency the powers and duties relating to transit now vested in other departments, boards, and commissions of the City and County. This Article further requires that, to the extent other City and County agencies provide services to the Municipal Transportation Agency, those departments must give

the highest priority to the delivery of such services.

(e) At the same time, this Article is intended to ensure sufficient oversight of the Municipal Transportation Agency by, among other things, preserving the role of the City's Controller as to financial matters, the City Attorney as to legal matters, and the Civil Service Commission, as to merit system issues. In addition, this Article requires that outside audits be performed to ensure that required service levels are obtained with a minimum of waste.

(f) Finally, this Article is intended to strengthen the Municipal Transportation Agency's authority to: 1) manage its employees; 2) establish efficient and economical work rules and work practices that maximize the Agency's responsiveness to public needs; and 3) protect the Agency's right to select, train, promote, demote, discipline, layoff and terminate employees, managers, and supervisors based upon the highest standards of customer service, efficiency and competency.

(g) The effective management of traffic flow and parking are vital to the operation of the Municipal Railway. Congestion on city streets causes delays in transit operations. Therefore, the Municipal Transportation Agency must manage parking and traffic flow to ensure that transit vehicles move through City streets safely and efficiently.

(h) In addition, the residents of San Francisco require that the Agency: 1) value and protect the safety of pedestrians and bicyclists; 2) reduce congestion and air pollution through efficient use of the streets; and 3) protect the City's economic health by giving priority to commercial deliveries and access to local businesses.

(i) The voters find that reducing the carbon emissions from San Francisco's transit sector is fundamental to the City's health and wellbeing and shall be among the Agency's policy priorities. Because the Agency has significant influence on San Francisco's transportation sector, which is responsible for fully half of the carbon emissions produced within the City, the voters direct the Agency to develop and implement strategies for substantially reducing those emissions. The voters further affirm the goals of the City's Climate Action Plan.

(j) This Article shall be interpreted and applied in conformance with the above goals.

■ (Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.101. MUNICIPAL TRANSPORTATION AGENCY.

(a) There shall be a Municipal Transportation Agency. The Agency shall include a Board of Directors and a Director of Transportation. The Agency shall include the Municipal Railway and the former Department of Parking and Traffic, as well as any other departments, bureaus or operating divisions hereafter created or placed under the Agency. There shall also be a Citizens Advisory Committee to assist the Agency.

(b) The Board of Supervisors shall have the power, by ordinance, to abolish the Taxi Commission created in Section 4.133, and to transfer the powers and duties of that commission to the Agency under the direction of the Director of Transportation or his or her designee. In order to fully integrate taxi-related functions into the Agency should such a transfer occur, the Agency shall have the same exclusive authority over taxi-related functions and taxi-related fares, fees, charges, budgets, and personnel that it has over the Municipal Railway and parking and traffic fares, fees, charges, budgets, and personnel. Once adopted, Agency regulations shall thereafter supercede all previously-adopted ordinances governing motor vehicles for hire that conflict with or duplicate such regulations.

(c) Any transfer of functions occurring as a result of the above provisions shall not adversely affect the status, position, compensation, or pension or retirement rights and privileges of any civil service employees who engaged in the performance of a function or duty transferred to another office, agency, or department pursuant to this measure.

(d) Except as expressly provided in this Article, the Agency shall comply with all of the restrictions and requirements imposed by the ordinances of general application of the City and County, including ordinances prohibiting discrimination of any kind in employment and contracting, such as Administrative Code Chapters 12B et seq., as amended from time to time. The Agency shall be solely responsible for the administration and enforcement of such requirements.

(e) The Agency may contract with existing City and County departments to carry out any of its powers and duties. Any such contract shall establish performance standards for the department providing the services to the Agency, including measurable standards for the quality, timeliness, and cost of the services provided. All City and County departments must give the highest priority to the delivery of such services to the Agency.

(f) The Agency may not exercise any powers and duties of the Controller or the City Attorney and shall contract with the Controller and the City Attorney for the exercise of such powers and duties.

(Added November 1999; amended by Proposition A, approved 11/6/2007)

Editor's Note:

The Board of Supervisors exercised the power granted under division (b) of this section and abolished the Taxi Commission and transferred its functions, powers, and duties to the Municipal Transportation Agency. See Police Code Art. 16, Sec. 1075.1.

SEC. 8A.102. GOVERNANCE AND DUTIES.

(a) The Agency shall be governed by a board of seven directors appointed by the Mayor and confirmed after public hearing by the Board of Supervisors. All initial appointments must be made by the Mayor and submitted to the Board of Supervisors for confirmation no later than February 1, 2000. The Board of Supervisors shall act on those initial appointments no later than March, 1, 2000 or those

appointments shall be deemed confirmed.

At least four of the directors must be regular riders of the Municipal Railway, and must continue to be regular riders during their terms. The directors must possess significant knowledge of, or professional experience in, one or more of the fields of government, finance, or labor relations. At least two of the directors must possess significant knowledge of, or professional experience in, the field of public transportation. During their terms, all directors shall be required to ride the Municipal Railway on the average once a week.

Directors shall serve four-year terms, provided, however, that two of the initial appointees shall serve for terms ending March 1, 2004, two for terms ending March 1, 2003, two for terms ending March 1, 2002, and one for a term ending March 1, 2001. Initial terms shall be designated by the Mayor. No person may serve more than three terms as a director. A director may be removed only for cause pursuant to Article XV. The directors shall annually elect a chair. The chair shall serve as chair at the pleasure of the directors. Directors shall receive reasonable compensation for attending meetings of the Agency which shall not exceed the average of the two highest compensations paid to the members of any board or commission with authority over a transit system in the nine Bay Area counties.

(b) The Agency shall:

1. Have exclusive authority over the acquisition, construction, management, supervision, maintenance, extension, operation, use, and control of all property, as well as the real, personal, and financial assets of the Agency; and have exclusive authority over contracting, leasing, and purchasing by the Agency, provided that any Agency contract for outside services shall be subject to Charter Sections 10.104(12) and 10.104(15) and that the Agency may not transfer ownership of any of the real property of the City and County without approval from the Board of Directors and the Board of Supervisors;

2. Have exclusive authority to enter into such arrangements and agreements for the joint, coordinated, or common use with any other public entity owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, and transit electrical power facilities;

3. Have exclusive authority to make such arrangements as it deems proper to provide for the exchange of transfer privileges, and through-ticketing arrangements, and such arrangements shall not constitute a fare change subject to the requirements of Sections 8A.106 and 8A.108;

4. Notwithstanding any restrictions on contracting authority set forth in the Administrative Code, have exclusive authority to enter into agreements for the distribution of transit fare media and media for the use of parking meters or other individual parking services;

5. Have exclusive authority to arrange with other transit agencies for bulk fare purchases, provided that if passenger fares increase as a result of such purchases, the increase shall be subject to review by the Board of Supervisors pursuant to Sections 8A.106 and 8A.108;

6. Notwithstanding Section 2.109, and except as provided in Sections 8A.106 and 8A.108, have exclusive authority to fix the fares charged by the Municipal Railway, rates for off-street and on-street parking, and all other, rates, fees, fines, penalties and charges for services provided or functions performed by the Agency;

7. Notwithstanding any provision of the San Francisco Municipal Code (except requirements administered by the Department of Public Works governing excavation, street design and official grade) have exclusive authority to adopt regulations that control the flow and direction of motor vehicle, bicycle and pedestrian traffic, including regulations that limit the use of certain streets or traffic lanes to categories of vehicles and that limit the speed of traffic; and to design, select, locate, install, operate, maintain and remove all official traffic control devices, signs, roadway features and pavement markings that control the flow of traffic with respect to streets and highways within City jurisdiction, provided that:

(i) Notwithstanding the authority established in subsection 7, the Board of Supervisors may by ordinance establish procedures by which the public may seek Board of Supervisors review of any Agency decision with regard to the installation or removal of a stop sign or the creation or elimination of a bicycle lane. In any such review, the Agency's decision shall stand unless the Board of Supervisors reverses the decision of the Agency not later than 60 days after submission of a request to the Board of Supervisors.

(ii) Nothing in this subsection 7 shall modify the authority of ISCOTT, or any successor body, over the temporary use or occupancy of public streets, or the authority of the Board of Supervisors to hear appeals regarding the temporary use or occupancy of public streets.

(iii) Nothing in subsection 7 shall modify the power of the Board of Supervisors to establish civil offenses, infractions and misdemeanors.

(iv) Notwithstanding the authority established in subsection 7, to the extent state law contemplates that Agency action authorized by subsection 7 be effectuated by ordinance, such action shall be effectuated by resolution of the Board of Directors and shall be subject to referendum in accordance with Article 14, and, if a referendum petition contains the requisite number of signatures, the Board of Supervisors shall have the power to reconsider or repeal the action as provided in Article 14.

8. Have exclusive authority to adopt regulations limiting parking, stopping, standing or loading as provided by state law and to establish parking privileges and locations subject to such privileges for categories of people or vehicles as provided by state law; to establish parking meter zones, to set parking rates, and to select, install, locate and maintain systems and equipment for payment of parking fees, provided that:

(i) Notwithstanding the authority established in subsection 8, the Board of Supervisors may by ordinance establish procedures by which the public may seek Board of Supervisors review of any Agency decision with regard to the creation or elimination of any preferential parking zone, the creation or elimination of any parking meter zone, the adoption of any limitation on the time period for which a vehicle may be parked, or reservation of any parking space for persons with a disability that qualifies for parking privileges

under state law. In any review of a decision of the Agency pursuant to this section, the Agency's decision shall stand unless the Board of Supervisors reverses the decision of the Agency not later than 60 days after submission of a request to the Board of Supervisors.

(ii) Nothing in subsection 8 shall modify the power of the Board of Supervisors to establish civil offenses, infractions and misdemeanors.

(iii) Notwithstanding the authority established in subsection 8, to the extent state law contemplates that any Agency action authorized by subsection 8 be effectuated by ordinance, such action shall be effectuated by resolution of the Board of Directors and, if a referendum petition contains the requisite number of signatures, shall be subject to referendum in accordance with Article 14, and the Board of Supervisors shall have the power to reconsider or repeal the action as provided in Article 14.

9. Have exclusive authority to establish policies regarding and procure goods and services for the enforcement of regulations limiting parking, stopping, standing or loading and the collection of parking-related revenues and, along with the Police Department, have authority to enforce parking, stopping, standing or loading regulations;

10. Be responsible for chairing the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) or any successor body;

11. Be responsible for cooperating with and assisting the Police Department in the promotion of traffic safety; studying and responding to complaints related to street design, traffic control devices, roadway features and pavement markings; collecting compiling and analyzing traffic data and traffic accident data and planning improvements to improve the safety of the City's roadways; and conducting traffic research and planning;

12. Have exclusive authority to apply for, accept, and expend state, federal, or other public or private grant funds for Agency purposes;

13. To the maximum extent permitted by law, with the concurrence of the Board of Supervisors, and notwithstanding the requirements and limitations of Sections 9.107, 9.108, and 9.109, have authority without further voter approval to incur debt for Agency purposes and to issue or cause to be issued bonds, notes, certificates of indebtedness, commercial paper, financing leases, certificates of participation or any other debt instruments. Upon recommendation from the Board of Directors, the Board of Supervisors may authorize the Agency to incur on behalf of the City such debt or other obligations provided: 1) the Controller first certifies that sufficient unencumbered balances are expected to be available in the proper fund to meet all payments under such obligations as they become due; and 2) any debt obligation, if secured, is secured by revenues or assets under the jurisdiction of the Agency.

14. Have the authority to conduct investigations into any matter within its jurisdiction through the power of inquiry, including the power to hold public hearings and take testimony, and to take such action as may be necessary to act upon its findings; and

15. Exercise such other powers and duties as shall be prescribed by ordinance of the Board of Supervisors.

(c) The Agency's Board of Directors shall:

1. Appoint a Director of Transportation, who shall serve at the pleasure of the Board. The Director of Transportation shall be employed pursuant to an individual contract. His or her compensation shall be comparable to the compensation of the chief executive officers of the public transportation systems in the United States which the Board of Directors, after an independent survey, determine most closely resemble the Agency in size, mission, and complexity. In addition, the Board of Directors shall provide an incentive compensation plan consistent with the requirements of Section 8A.104(k) under which a portion of the Director's compensation is based on achievement of service standards adopted by the Board of Directors.

2. Appoint an executive secretary who shall be responsible for administering the affairs of the Board of Directors and who shall serve at the pleasure of the Board.

3. In addition to any training that may be required by City, State or federal law, attend a minimum of four hours of training in each calendar year, provided by the City Attorney and the Controller regarding the legal and financial responsibilities of the Board and the Agency.

(d) The Director of Transportation shall appoint all subordinate personnel of the Agency, including deputy directors. The deputy directors shall serve at the pleasure of the Director of Transportation.

(e) Upon recommendation of the City Attorney and the approval of the Board of Directors, the City Attorney may compromise, settle, or dismiss any litigation, legal proceedings, claims, demands or grievances which may be pending for or on behalf of, or against the Agency relative to any matter or property solely under the Agency's jurisdiction. Unlitigated claims or demands against the Agency shall be handled as set forth in Charter Section 6.102. Any payment pursuant to the compromise, settlement, or dismissal of such litigation, legal proceedings, claims, demands, or grievances, unless otherwise specified by the Board of Supervisors, shall be made from the Municipal Transportation Fund.

(f) The Agency's Board of Directors, and its individual members, shall deal with administrative matters solely through the Director of Transportation or his or her designees. Any dictation, suggestion, or interference by a director in the administrative affairs of the Agency, other than through the Director of Transportation or his or her designees, shall constitute official misconduct; provided, however, that nothing herein contained shall restrict the Board of Directors' powers of hearing and inquiry as provided in this Section.

(g) Notwithstanding any provision of Chapter 6 or 21 of the Administrative Code establishing any threshold amount for exercise of executive authority to execute contracts, or any successor provision of the San Francisco Municipal Code, the Agency's Board of Directors may adopt threshold amounts under which the Director of Transportation and his or her designees may approve contracts.

(h) Except provided in this Article, the Agency shall be subject to the provisions of this Charter applicable to boards, commissions,

and departments of the City and County, including Sections 2.114, 3.105, 4.101, 4.103, 4.104, 4.113, 6.102, 9.118, 16.100, and A8.346. Sections 4.102, 4.126, and 4.132 shall not be applicable to the Agency.

▫ (Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.103. SERVICE STANDARDS AND ACCOUNTABILITY.

(a) The Municipal Railway shall provide a level of service measured in service hours which is not less than that provided under the schedule of service published in the April 1996 timetable, although not necessarily in that configuration.

(b) By July 1 of each year, the Agency shall adopt mile-stones toward achievement of the goals specified in subsections (c) and (d). Milestones shall be adopted for each mode of transportation of the Municipal Railway, and for the Municipal Railway as a whole, with the goal of full achievement of the standards set in subsection (c).

(c) The standards for the Agency with respect to the services provided by the Municipal Railway shall include the following minimum standards for on-time performance and service delivery:

1. On-time performance: at least 85 percent of vehicles must run on-time, where a vehicle is considered on-time if it is no more than one minute early or four minutes late as measured against a published schedule that includes time points; and

2. Service delivery: 98.5 percent of scheduled service hours must be delivered, and at least 98.5 percent of scheduled vehicles must begin service at the scheduled time.

(d) The Board of Directors shall adopt Agency rules setting additional measurable standards for system reliability, system performance, staffing performance, and customer service, including:

1. Passenger, public, and employee safety and security;
2. Coverage of neighborhoods and equitable distribution of service;
3. Level of crowding;
4. Frequency and mitigation of accidents and breakdowns;
5. Improvements in travel time, taking into account adequate recovery and lay-over times for operators;
6. Vehicle cleanliness, including absence of graffiti;
7. Quality and responsiveness of customer service;
8. Employee satisfaction;
9. Effectiveness of the preventive maintenance program; and
10. Frequency and accuracy of communications to the public.

11. The Agency's duties related to parking and traffic functions and any other functions that may be added to the Agency's responsibilities.

(e) The Board of Directors shall adopt Agency rules setting forth the methods by which performance shall be measured with respect to each standard established pursuant to subsections (c) or (d) above in accordance with industry best practices to enhance the Agency's ability to compare its performance to that of other comparable transit systems. The Agency shall regularly publish reports documenting the Agency's performance for each standard. Each performance report shall note any changes in the rules governing the methods by which performance is measured so as to inform interpretation of performance trends over time. Nothing herein shall prohibit the Agency from using additional performance measures.

(f) The Agency shall issue a Climate Action Plan to the Board of Supervisors and the Commission on the Environment by January 1, 2009, and every two years thereafter. The plan shall describe measures taken and progress made toward the goal of reducing greenhouse gas emissions from San Francisco's transportation sector to 80% of 1990 levels by 2012 and shall further address progress toward the following goals:

1. Zero greenhouse gas emissions for Municipal Railway transit vehicles;
2. Lowering energy consumption in Agency facilities and by non-transit vehicles;
3. Maximizing waste reduction in Agency operations;
4. Increasing transit trips and reducing private vehicle trips within the City;
5. Increasing the use of bicycling and walking as alternate forms of transportation; and
6. Improving regional transit connections to reduce private vehicle use by commuters.

No later than January 1, 2010, and no less than every ten years thereafter, the Board of Supervisors shall adopt legislation setting goals for reducing greenhouse gas emissions from San Francisco's transportation sector, and other climate action measures set forth above, for periods after 2012.

(Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.104. PERSONNEL AND MERIT SYSTEM.

(a) The Agency shall establish its own personnel/labor relations office. The Director of Transportation shall appoint a personnel/labor relations manager, who shall serve at the pleasure of the Director of Transportation and shall establish regular meetings with labor to discuss issues within the scope of representation on terms to be determined through collective bargaining.

(b) Except as otherwise provided in this Section, the Agency shall be governed by the rules of the civil service system administered by the City and appeals provided in civil service rules shall be heard by the City's Civil Service Commission. Unless otherwise agreed by the Agency and affected employee organizations, appeals to the Civil Service Commission shall include only those matters within the jurisdiction of the Civil Service Commission which establish, implement, and regulate the civil service merit system as listed in Section A8.409-3.

(c) Effective July 1, 2000, except for the administration of health services, the Agency shall assume all powers and duties vested in the Department of Human Resources and the Director of Human Resources under Articles X and XI of this Charter in connection with job classifications within the Agency performing "service-critical" functions. Except for the matters set forth in subsection (f), the Department of Human Resources and the Director of Human Resources shall maintain all powers and duties under Articles X and XI as to all other Agency employees.

(d) On or before April 15, 2000, the Agency shall designate "service-critical" classifications and functions for all existing classifications used by the Municipal Railway; provided, however, that employees in classifications designated as "service-critical" shall continue to be covered by any Citywide collective bargaining agreement covering their classifications until the expiration of that agreement.

(e) For purposes of this Article, "service-critical" functions are:

1. Operating a transit vehicle, whether or not in revenue service;
2. Controlling dispatch of, or movement of, or access to, a transit vehicle;
3. Maintaining a transit vehicle or equipment used in transit service, including both preventive maintenance and overhaul of equipment and systems, including system-related infrastructure;
4. Regularly providing information services to the public or handling complaints; and
5. Supervising or managing employees performing functions enumerated above.

The Agency shall consult with affected employee organizations before designating particular job classifications as performing "service-critical" functions. If an employee organization disagrees with the Agency's designation of a particular job classification as "service-critical" pursuant to the above standards, the organization may, within seven days of the Agency's decision, request immediate arbitration. The arbitrator shall be chosen pursuant to the procedures for the selection of arbitrators contained in the memorandum of understanding of the affected employee organization. The arbitrator shall determine only whether the Agency's designation is reasonable based on the above standards. The arbitrator's decision shall be final and binding.

The Agency may designate functions other than those listed above, and the job classifications performing those additional functions, as "service-critical," subject to the consultation and arbitration provisions of this Section. In deciding a dispute over such a designation, the arbitrator shall decide whether the job functions of the designated classes relate directly to achievement of the goals and milestones adopted pursuant to Section 8A.103 and are comparable to the above categories in the extent to which they are critical to service.

(f) In addition, the Agency shall, with respect to all Agency employees, succeed to the powers and duties of the Director of Human Resources under Article X to review and resolve allegations of discrimination, as defined in Article XVII, against employees or job applicants, or allegations of nepotism or other prohibited forms of favoritism. To the extent resolution of a discrimination complaint or request for accommodation involves matters or employees beyond the Agency's jurisdiction, the Agency shall coordinate with and be subject to applicable determinations of the Director of Human Resources.

(g) The Agency shall be responsible for creating and, as appropriate, modifying Agency bargaining units for classifications designated by the Agency as "service-critical" and shall establish policies and procedures pursuant to Government Code sections 3507 and 3507.1 for creation and modification of such bargaining units. When the Agency creates or modifies a bargaining unit, employees in existing classifications placed in such bargaining unit shall continue to be represented by their current employee organizations.

(h) The Agency may create new classifications of Agency employees. Such classifications shall be subject to the civil service provisions of the Charter unless exempted pursuant to Section 10.104, or subsection (i).

(i) The Agency may create new classifications and positions in those classifications exempt from the civil service system for managerial employees in MTA bargaining units M and EM in addition to those exempt positions provided in Section 10.104; provided, however, that the total number of such exempt managerial positions within the Agency shall not exceed 2.75 percent of the Agency's total workforce, exclusive of the exempt positions provided in Section 10.104. This provision shall not be utilized to eliminate personnel holding existing permanent civil service managerial positions on November 2, 1999.

Persons serving in exempt managerial positions shall serve at the pleasure of the Director of Transportation. Such exempt management employees, to the extent they request placement in a bargaining unit, shall not be placed in the same bargaining units as non-exempt employees of the Agency.

(j) The Civil Service Commission shall annually review both exempt and non-exempt classifications of the Agency to ensure compliance with the provisions of subsections (h) and (i).

(k) Upon the expiration of labor contracts negotiated by the Department of Human Resources and approved by the Board of Supervisors, and except for retirement benefits, the wages, hours, working conditions, and benefits of the employees in classifications within the Municipal Railway designated by the Agency as "service-critical" shall be fixed by the Agency after meeting and conferring as required by the laws of the State of California and this Charter, including Sections A8.346, A8.404 and A8.409. These agreements shall utilize, and shall not alter or interfere with, the health plans established by the City's Health Service Board; provided, however, that the Agency may contribute toward defraying the cost of employees' health premiums. For any job classification that exists both as a "service-critical" classification in the Agency and elsewhere in City service, the base wage rate negotiated by the Agency for that classification shall not be less than the wage rate set in the Citywide memorandum of understanding for that classification.

(l) Notwithstanding subsection (k), the Agency may, in its sole discretion, utilize the City's collective bargaining agreements with any employee organization representing less than 10 percent of the Agency's workforce.

(m) In addition to the base pay established in collective bargaining agreements, agreements negotiated by the Agency relating to compensation for Agency managers and employees in classifications designated by the Agency as "service-critical" may provide incentive bonuses based upon the achievement of the service standards in Section 8A.103(c) and other standards and milestones adopted pursuant to Section 8A.103. Such agreements may also provide for additional incentives based on other standards established by the Board of Directors, including incentives to improve attendance. The Board of Directors may also establish a program under which a component of the compensation paid to the Director of Transportation and 1 exempt managers is based upon the achievement of service standards adopted by the Board of Directors. Notwithstanding any other provision of Article 8A, all such incentive programs shall be at the sole discretion of the Agency Board of Directors, subject to any bargaining obligation imposed by state law.

(n) For employees whose wages, hours and terms and conditions of employment are set by the Agency, the Agency shall exercise all powers of the City and County, the Board of Supervisors, the Mayor, and the Director of Human Resources under Sections A8.404 and A8.409. The mediation/arbitration board set forth in Section A8.409-4 shall consider the following additional factors when making a determination in any impasse proceeding involving the Agency: the interests and welfare of transit riders, residents, and other members of the public; the Agency's ability to meet the costs of the decision of the arbitration board without materially reducing service or requiring that the Agency raise fares in a manner inconsistent with Section 8A.108(b); and the Agency's ability to efficiently and effectively tailor work hours and schedules for transit system employees to the public demand for transit service. Notwithstanding the timelines described in Section A8.409-4, to be effective the beginning of the next succeeding fiscal year, all collective bargaining agreements must be submitted to the Board of Directors no later than June 15 for final adoption on or before June 30.

(o) The voters find that for transit system employees whose wages, hours and terms and conditions of employment are set by the Agency, the Agency's discretion in establishing and adjusting scheduling, deployment, assignment, staffing, sign ups, and the use and number of part-time transit system personnel based upon service needs is essential to the effective, efficient, and reliable operation of the transit system. In any mediation/arbitration proceeding under Section 8.409-4 with an employee organization representing transit system employees, the employee organization shall have the burden of proving that any restrictions proposed on the Agency's ability to exercise broad discretion with respect to these matters are justified. To meet this burden, the employee organization must prove by clear and convincing evidence that the justification for such restrictions outweighs the public's interest in effective, efficient, and reliable transit service and is consistent with best practices. The mediation/arbitration board shall not treat the provisions of MOUs for transit system employees adopted prior to the effective date of this provision as precedential in establishing the terms of a successor agreement. The mediation/arbitration board's jurisdiction shall be limited to matters within the mandatory scope of bargaining under state law.

(p) The voters find that unscheduled employee absences adversely affect customer service. Accordingly, not later than January 1, 2001, the agency shall create a comprehensive plan for the reduction of unscheduled absences. In addition, the Agency shall take all legally permitted steps to eliminate unexcused absences. Neither the Agency nor an arbitrator shall have authority to approve or award any memorandum of understanding or other binding agreement which restricts the authority of the Agency to administer appropriate discipline for unexcused absences.

(q) In addition, the voters find that Agency service has been impaired by the existence of side-letters and reliance on "past practices" that have been treated as binding or precedential but have not been expressly authorized by the Board of Directors or the Director of Transportation, and have not been and are not subject to public scrutiny. Accordingly, for employees whose wages, hours and terms and conditions of employment are set by the Agency, no side-letter or practice within the scope of bargaining may be deemed binding or precedential by the Agency or any arbitrator unless the side-letter or practice has been approved in writing by the Director of Transportation or, where appropriate, by the Board of Directors upon the recommendation of the Director of Transportation and appended to the MOU of the affected employee organization or organizations subject to the procedures set out in this charter. No MOU or arbitration award approved or issued after the November 2010 general election shall provide or require that work rules or past practices remain unchanged during the life of the MOU, unless the specific work rules or past practices are explicitly set forth in the MOU. All side-letters shall expire no later than the expiration date of the MOU.

(r) Before adopting any tentative agreement with an employee organization covering matters within the scope of representation, the Agency shall, at a duly noticed public meeting, disclose in writing the contents of such tentative agreement, a detailed analysis of the proposed agreement, a comparison of the differences between the agreement reached and the prior agreement, an analysis of all costs for each year of the term of such agreement, and whether funds are available to cover these costs. Such tentative agreement between the Agency and employee organization shall not be approved by the Agency until 15 calendar days after the above disclosures have been made.

■ (Added November 1999; Amended by Proposition A, Approved 11/6/2007; Proposition G, Approved 11/2/2010)

SEC. 8A.105. MUNICIPAL TRANSPORTATION FUND.

(a) There is hereby established a fund to provide a predictable, stable, and adequate level of funding for the Agency, which shall be called the Municipal Transportation Fund. The fund shall be maintained separate and apart from all other City and County funds. Monies therein shall be appropriated, expended, or used by the Agency solely and exclusively for the operation including, without limitation, capital improvements, management, supervision, maintenance, extension, and day-to-day operation of the Agency, including any division subsequently created or incorporated into the Agency and performing transportation-related functions. Monies in the Fund may not be used for any other purposes than those identified in this Section 8A.105.

(b) Beginning with the fiscal year 2000-2001 and in each fiscal year thereafter, there is hereby set aside to the Municipal Transportation Fund the following:

1. An amount (the "Base Amount") which shall be no less than the amount of all appropriations from the General Fund, including all supplemental appropriations, for the fiscal year 1998-1999 or the fiscal year 1999-2000, whichever is higher (the "Base Year"), adjusted as provided in subsection (c), below, for (1) the Municipal Railway; and (2) all other City and County commissions, departments and agencies providing services to the Municipal Railway, including the Department of Human Resources and the Purchasing Department, for the provision of those services. The Base Amount for the Department of Parking and Traffic and the Parking Authority shall be established in the same fashion but using fiscal years 2000-2001 and 2001-2002 for the services being incorporated into the Agency.

2. Subject to the limitations and exclusions in Section 4.113, the revenues of the Municipal Railway, and, upon their incorporation into the Agency, the revenues of the Department of Parking and Traffic, and the Parking Authority; and

3. All other funds received by the City and County from any source, including state and federal sources, for the support of the Agency.

(c) The Base Amount shall initially be determined by the Controller. Adjustments to the Base Amount shall be made as follows:

1. The Base Amount shall be adjusted for each year after fiscal year 2000-2001 by the Controller based on calculations consistent from year to year, by the percentage increase or decrease in aggregate City and County discretionary revenues. In determining aggregate City and County discretionary revenues, the Controller shall only include revenues received by the City which are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose. Additionally, in determining aggregate City and County discretionary revenues, the Controller shall not include revenues received by the City under the increased rates in Business and Tax Regulations Code Sections 953.1(g), 953.2(h), 953.3(h), 953.4(e), 953.5(d), 953.6(f), 953.7(d), and 953.8(i) adopted by the voters at the general municipal election on November 3, 2020, and shall not include revenues received by the City under Article 36 of the Business and Tax Regulations Code adopted by the voters at the general municipal election on November 3, 2020. Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by adjustment in the next year's estimate.

2. An adjustment shall also be made for any increases in General Fund appropriations to the Agency in subsequent years to provide continuing services not provided in the Base Year, but excluding additional appropriations for one-time expenditures such as capital expenditures or litigation judgments and settlements.

3. Commencing with the fiscal year beginning on July 1, 2015, the Controller shall also adjust the Base Amount annually by the percentage increase in the San Francisco population based on data from the source(s) the Controller, in his or her sole discretion, finds most reliable for the most recent available calendar year. The Controller's population growth adjustment shall be based on the greater of the increase in daytime or night-time population. For any year in which the Controller determines that neither the daytime nor night-time population has increased, the Controller shall make no adjustment under this subparagraph 3 to the Base Amount. For purposes of the initial adjustment for the year commencing July 1, 2015, the Controller shall adjust the Base Amount based on the increase in City daytime or night-time population for the most recent ten-year period for which data are available instead of the most recent available calendar year. The Agency shall use the amount of any increase in the Base Amount resulting from the adjustment required by this subparagraph 3 exclusively as follows: 75 per cent shall be used to make transit system improvements to the Municipal Railway to improve the system's reliability, frequency of service, capacity, and state of good repair, and 25 per cent shall be used for transportation capital expenditures to improve street safety for all users.

(d) The Treasurer shall set aside and maintain the amounts required to be set aside by this Section, together with any interest earned thereon, in the Municipal Transportation Fund, and any amounts unspent or uncommitted at the end of any fiscal year shall be carried forward, together with interest thereon, to the next fiscal year for the purposes specified in this Article.

(e) It is the policy of the City and County of San Francisco to use parking-related revenues to support public transit. To that end, the following parking-related revenues deposited in the Transportation Fund shall be used to support the capital and operating expenses arising from the Agency's transit functions:

1. Revenues from parking meters, except those amounts collected from parking meters operated by the Recreation and Park Department and the Port Commission and except to the extent that they are required by law to be dedicated to other traffic regulation and control functions;

2. Revenues from off-street parking facilities under the jurisdiction of the Agency (excluding facilities owned by the Parking Authority), including facilities leased to private owners and non-profit corporations, except those amounts generated from any parking on or below any land or facilities under the jurisdiction of the Recreation and Park Department and except those amounts obligated by contract executed before 1993 to pay debt service;

3. Revenues from fines, forfeited bail, or penalties for parking violations, except those amounts to be credited to the courthouse construction fund as provided in Administrative Code Section 10.100-353.

(f) In addition, there is hereby set aside from the general revenues of the City and County and deposited in the Transportation Fund to support the Agency's transit services an amount equivalent to 80 percent of the revenues received from the City's tax on occupation of parking spaces. Additional amounts appropriated as a result of this subsection after July 1, 2008 which were not previously available to support transit service shall be used exclusively to:

1. support implementation of the transit service improvements recommended by the Transit Effectiveness Project or any subsequent system-wide route and service evaluation, with first priority given to the hiring of full time on-going staff and expansion of training for Agency employees, supervisors and managers; and

2. support the creation of a Labor-Management Implementation and Service Improvement Committee consisting of the Director of Transportation and a designated representative of each union representing Agency employees. This committee shall meet quarterly to discuss implementation of this Section and ongoing system challenges.

■ (Added November 1999; amended by Proposition A, Approved 11/6/2007; Proposition B, Approved 11/4/2014; [Proposition F](#), Approved 11/3/2020)

SEC. 8A.106. BUDGET.

The Agency shall be subject to the provisions of Article IX of this Charter except:

(a) No later than May 1 of each even-numbered year, after professional review, public hearing and after receiving the recommendations of the Citizens' Advisory Council, the Agency shall submit its proposed budget with annual appropriation detail in a form approved by the Controller for each of the next two fiscal years to the Mayor and the Board of Supervisors for their review and consideration. The Agency shall propose a budget that is balanced without the need for additional funds over the Base Amount, but may include fare increases and decreases, and reductions or abandonment of service. The Mayor shall submit the budget to the Board of Supervisors, without change. Should the Agency request additional general fund support over the Base Amount, it shall submit an augmentation request for those funds in the standard budget process and subject to normal budgetary review and amendment under the general provisions of Article IX.

(b) At the time the budget is adopted, the Agency shall certify that the budget is adequate in all respects to make substantial progress towards meeting the performance standards established pursuant to Section 8A.103 for the fiscal year covered by the budget.

(c) No later than August 1, the Board of Supervisors may allow the Agency's budget to take effect without any action on its part or it may reject but not modify the Agency's budget by a seven-elevenths' vote. Any fare change, route abandonment, or revenue measure proposed in the budget shall be considered accepted unless rejected by a seven-elevenths' vote on the entire budget. Should the Board reject the budget, it shall make additional interim appropriations to the Agency from the Municipal Transportation Fund sufficient to permit the Agency to maintain all operations through the extended interim period until a budget is adopted. Any request for appropriation of General Fund revenues in excess of the Base Amount shall be approved, modified, or rejected under the general provisions of Article IX.

(d) No later than May 1 of each odd-numbered year, the Agency shall submit any budget amendment that may be required to increase appropriations over those approved in the two year budget or as may be required by law, provided that such budget amendment shall establish a detailed plan with appropriation detail only for those anticipated revenues and expenditures exceeding those approved in the two year budget or as otherwise required by law. The Agency may submit to the Board of Supervisors such additional budget amendments or modifications during the term of the budget, including but not limited to amendments reflecting fare changes, route abandonments and revenue measures, as may be required in the discretion of the Agency. The Board of Supervisors may allow any budget amendment to take effect without any action on its part or it may reject but not modify the budget amendment by a seven-elevenths' vote taken within 30 days after its submission to the Board of Supervisors.

(e) Notwithstanding any other provisions of this Charter or requirements of the Annual Salary Ordinance, the Controller may authorize the Agency to move funds within its budget and hire personnel without specific Controller approval so long as the Agency's periodic and verifiable projections of spending by the Agency show the Controller that the Agency's spending will be within the approved budget. However, should the projections show that the Agency spending is likely to exceed its budget, the Controller may impose appropriate controls in his or her discretion to keep the Agency within budget.

■ (Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.107. MUNICIPAL TRANSPORTATION QUALITY REVIEW.

(a) The Agency shall biennially contract with a nationally recognized management or transportation consulting firm with offices in the City and County for an independent review of the quality of its operations. The contract shall be competitively bid and approved by the Controller and Board of Supervisors. The review shall contain:

1. A detailed analysis of the extent to which the Agency has met the goals, objectives, and performance standards it is required to adopt under Section 8A.103, and the extent to which the Agency is expected to meet those goals, objectives, and performance standards in the two fiscal years for which the review is submitted, and independent verification of the Agency's reported performance under the performance measures adopted pursuant to Section 4 of this measure; and

2. Such recommendations for improvement in the operation of the Agency as the firm conducting the review deems appropriate.

(b) The results of the review shall be presented promptly to the Citizens' Advisory Council, the Agency, the Board of Supervisors, and the Mayor by the reviewing firm; and the Citizens' Advisory Council, the Agency, and the Board of Supervisors shall each promptly

hold at least one public hearing thereon.

■ (Added November 1999)

SEC. 8A.108. FARE CHANGES AND ROUTE ABANDONMENTS.

(a) Except as otherwise provided in this Section, any proposed change in fares or route abandonments shall be submitted to the Board of Supervisors as part of the Agency's budget or as a budget amendment under Section 8A.106, and may be rejected at that time by a seven-elevenths vote of the Board on the budget or budget amendment. Any changes in fares or route abandonments proposed by the Agency specifically to implement a program of service changes identified in a system-wide strategic route and service evaluation such as the Transit Effectiveness Project may only be rejected by a single seven-elevenths' vote of the Board of Supervisors on the budget or budget amendment.

(b) The Agency shall base any proposed change in Municipal Railway fares on the following criteria:

1. The Municipal Railway's need for additional funds for operations and capital improvements and optimal maintenance of assets.
2. The extent to which the increase is necessary to meet the goals, objectives, and performance standards previously established by the Agency pursuant to Section 8A.103.
3. The extent to which the Agency has diligently sought other sources of funding for the operations and capital improvements of the Municipal Railway.
4. The need to keep Municipal Railway fares low to encourage maximum patronage.
5. The need to increase fares gradually over time to keep pace with inflation and avoid large fare increases after extended periods without a fare increase.

(c) For purposes of this Article, a "route abandonment" shall mean the permanent termination of service along a particular line or service corridor where no reasonably comparable substitute service is offered. If the Agency proposes to abandon a route at any time other than as part of the budget process as provided in Section 8A.106, it shall first submit the proposal to the Board of Supervisors. The Board of Supervisors may, after a noticed public hearing, reject the proposed route abandonment by a seven-elevenths vote of its members taken within 30 days after the proposal is submitted by the Agency.

■ (Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.109. ADDITIONAL SOURCES OF REVENUE.

(a) To the extent allowed by law, the Board of Supervisors may, by ordinance, dedicate to the Agency revenues from sources such as gas taxes, motor vehicle licensing taxes or other available motor vehicle-related revenue sources.

(b) The Mayor, the Board of Supervisors, and the Agency diligently shall seek to develop new sources of funding for the Agency's operations, including sources of funding dedicated to the support of such operations, which can be used to supplement or replace that portion of the Municipal Transportation Fund consisting of appropriations from the General Fund of the City and County. Unless prohibited by preemptive state law, the Agency may submit any proposal for increased or reallocated funding to support all or a portion of the operations of the Agency, including, without limitation, a tax or special assessment directly to the electorate for approval, or to the owners of property or businesses to be specially assessed, or to any other persons or entities whose approval may be legally required, without the further approval of the Mayor or the Board of Supervisors. The Agency shall be authorized to conduct any necessary studies in connection with considering, developing, or proposing such revenue sources.

■ (Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.110. PLANNING AND ZONING.

The planning and zoning provisions of this Charter and the Planning Code, as they may be amended from time to time, shall apply to all real property owned or leased by the Agency but shall not impede the Agency's exclusive authority to set rates and other charges pursuant to Section 8A.102(b)(5).

■ (Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.111. CITIZENS' ADVISORY COUNCIL.

The Agency shall establish a Citizens' Advisory Council of fifteen members which shall consist of one person appointed by each member of the Board of Supervisors and four members appointed by the Mayor. Each member must be a resident of the City and County. No fewer than ten members of the Council must be regular riders of the Municipal Railway. At least two members must use the Municipal Railway's paratransit system, and at least three of the members must be senior citizens over the age of 60. The membership of the Council shall be reflective of the diversity and neighborhoods of the City and County. The Council may provide recommendations to the Agency with respect to any matter within the jurisdiction of the Agency and shall be allowed to present reports to the Agency's board of directors. The members of the Council shall be appointed to four-year terms and shall serve at the pleasure of their appointing power. Staggered terms for the initial appointees to the Council shall be determined by lot.

SEC. 8A.112. PARKING AND TRAFFIC

(a) The Municipal Transportation Agency Board of Directors shall succeed to all powers and duties of the former Parking and Traffic Commission, including the power of members to serve ex officio as members of the Parking Authority Commission under Section 32657 of the Streets and Highways Code. The chair of the Agency's board of directors shall designate annually the directors to serve as members of the Parking Authority Commission. Any person may serve concurrently as a member of the Agency's board of directors and as a member of the Parking Authority Commission. It is the policy of the City and County that the Agency exercise all powers vested by State law in the Parking Authority.

(b) It shall be City policy that the offices of Director of Transportation and Parking Authority Executive Director are not incompatible offices, and the Director of Transportation may serve ex officio as Parking Authority Executive Director, but shall not receive any additional compensation for that service.

■ (Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.113. PARKING AND TRAFFIC; GOVERNANCE.

(a) The Agency shall be responsible for management of parking and traffic functions within the City, so as to:

1. Provide priority to transit services in the utilization of streets, particularly during commute hours while maintaining the safety of passengers, pedestrians, cyclists and motorists;
2. Facilitate the design and operation of City streets to enhance alternative forms of transit, such as pedestrian, bicycle, and pooled or group transit (including taxis);
3. Propose and implement street and traffic changes that gives the highest priority to public safety and to impacts on public transit, pedestrians, commercial delivery vehicles, and bicycles;
4. Integrate modern information and traffic-calming techniques to promote safer streets and promote usage of public transit;
5. Develop a safe, interconnected bicycle circulation network; and
6. Ensure that parking policies and facilities contribute to the long term financial health of the Agency.

(b) It shall be City policy that the Agency manage the Parking Authority so that it does not acquire or construct new or expanded parking facilities unless the Agency finds that the costs resulting from such acquisition, construction, or expansion and the operation of such facilities will not reduce the level of funding to the Municipal Railway from parking and garage revenues under Section 16.110 to an amount less than that provided for fiscal year 1999-2000, as adjusted by the Controller for inflation; further provided that it shall be City policy that before approving the acquisition, construction or expansion of a parking garage, the Agency's Board of Directors shall make a finding that the operation of the garage will advance or be consistent with the City's Transit First Policy.

■ (Added November 1999; Amended by Proposition A, Approved 11/6/2007)

SEC. 8A.114. CABLE CARS.

In the conduct of the public transportation system there shall be maintained and operated cable car lines as follows:

1. A line commencing at Powell and Market Streets; thence along Powell Street to Jackson Street; thence along Jackson Street to Mason Street; thence along Mason Street to Columbus Avenue; thence along Columbus Avenue to Taylor Street; thence along Taylor Street to a terminal at Bay Street; returning from Bay and Taylor Streets along Taylor Street to Columbus Avenue; thence along Columbus Avenue to Mason Street; thence along Mason Street to Washington Street; thence along Washington Street to Powell Street; and thence along Powell Street to Market Street, the point of commencement.
2. A line commencing at Powell and Market Streets; thence along Powell Street to Jackson Street; thence along Jackson Street to Hyde Street; thence along Hyde Street to a terminal at Beach; returning from Beach and Hyde Streets along Hyde Street to Washington Street; thence along Washington Street to Powell Street; thence along Powell Street to Market Street, the point of commencement.
3. A line commencing at Market and California; thence along California Street to a terminal at Van Ness Avenue; returning from Van Ness Avenue along California Street to Market Street, the point of commencement.

To fully effectuate the intent of this section, these lines shall be maintained and operated at the normal levels of scheduling and service in effect on July 1, 1971; provided, however, that nothing herein contained shall prevent the increasing of the levels of scheduling and service.

(Amended by Proposition A, Approved 11/6/2007)

Editor's Note:

Formerly Sec. 16.100.

SEC. 8A.115. TRANSIT-FIRST POLICY.

(a) The following principles shall constitute the City and County's transit-first policy and shall be incorporated into the General Plan of the City and County. All officers, boards, commissions, and departments shall implement these principles in conducting the City and County's affairs:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
2. Public transit, including taxis and vanpools, is an economically and environmentally sound alternative to transportation by individual automobiles. Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile.
3. Decisions regarding the use of limited public street and sidewalk space shall encourage the use of public rights of way by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and improve public health and safety.
4. Transit priority improvements, such as designated transit lanes and streets and improved signalization, shall be made to expedite the movement of public transit vehicles (including taxis and vanpools) and to improve pedestrian safety.
5. Pedestrian areas shall be enhanced wherever possible to improve the safety and comfort of pedestrians and to encourage travel by foot.
6. Bicycling shall be promoted by encouraging safe streets for riding, convenient access to transit, bicycle lanes, and secure bicycle parking.
7. Parking policies for areas well served by public transit shall be designed to encourage travel by public transit and alternative transportation.
8. New transportation investment should be allocated to meet the demand for public transit generated by new public and private commercial and residential developments.
9. The ability of the City and County to reduce traffic congestion depends on the adequacy of regional public transportation. The City and County shall promote the use of regional mass transit and the continued development of an integrated, reliable, regional public transportation system.
10. The City and County shall encourage innovative solutions to meet public transportation needs wherever possible and where the provision of such service will not adversely affect the service provided by the Municipal Railway.

(b) The City may not require or permit off-street parking spaces for any privately-owned structure or use in excess of the number that City law would have allowed for the structure or use on July 1, 2007 unless the additional spaces are approved by a four-fifths vote of the Board of Supervisors. The Board of Supervisors may reduce the maximum parking required or permitted by this section.

(Amended by Proposition A, Approved 11/6/2007)

Editor's Note:

Formerly Sec. 16.102.