

File No. 140525

Committee Item No. \_\_\_\_\_

Board Item No. 32

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date June 7, 2014

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

**OTHER** (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Joy Lamug

Date June 5, 2014

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Preparation of Findings to Reverse the Statutory Exemption Determination - San Francisco  
2 Municipal Transportation Agency's FY2015-2016 Two-Year Capital Budget]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**  
4 **by the San Francisco Municipal Transportation Agency (SFMTA) that the SFMTA's**  
5 **FY2015-2016 Two-Year Capital Budget is exempt from environmental review.**

6  
7 WHEREAS, On April 15, 2014, the San Francisco Municipal Transportation Agency  
8 (SFMTA) Board conducted a noticed public hearing, and, by Resolution No. 14-0161, adopted  
9 the Agency's Fiscal Year 2015 and 2016, two-year Operating and Capital Budget, which,  
10 among other items: approved changes to various SFMTA fines, fees, fares, rates, and  
11 charges; continuation of the free Muni for low and moderate income youth program; funding  
12 for a three percent Muni service increase in FY 2015; funding for an additional seven percent  
13 increase in Muni service in FY 2016, additional transit vehicle fleet cleaning and appearance;  
14 Free Muni for low and moderate income 18 year olds, seniors, and/or disabled customers  
15 depending on a determination of the agency's fiscal health in January, 2015; elimination of the  
16 in-person customer service center fee; possible elimination of the telephone and on-line  
17 computer customer transaction fee effective April 1, 2015; and elimination of parking meter  
18 enforcement on Sundays; and

19 WHEREAS, In taking this approval action, the SFMTA determined that the SFMTA's  
20 Fiscal Year 2015 and 2016 two-year Operating and Capital Budget was statutorily exempt  
21 from the California Environmental Quality Act (CEQA) under Public Resources Code Section  
22 21080(b)(8) and CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges); and

23 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on May  
24 13, 2014, James Birkelund on behalf of Livable City, San Francisco Transit Riders Union, and  
25 Mario Tanev (Appellants), appealed the exemption determination; and

1           WHEREAS, On June 17, 2014, this Board held a duly noticed public hearing to  
2 consider the appeal of the exemption determination filed by Appellants and, following the  
3 public hearing, reversed the exemption determination; and

4           WHEREAS, In reviewing the appeal of the exemption determination, this Board  
5 reviewed and considered the exemption determination, the appeal letter, the responses to the  
6 appeal documents that the Planning Department and SFMTA prepared, the other written  
7 records before the Board of Supervisors and all of the public testimony made in support of  
8 and opposed to the exemption determination appeal. Following the conclusion of the public  
9 hearing, the Board of Supervisors reversed the exemption determination for the project based  
10 on the written record before the Board of Supervisors as well as all of the testimony at the  
11 public hearing in support of and opposed to the appeal. The written record and oral testimony  
12 in support of and opposed to the appeal and deliberation of the oral and written testimony at  
13 the public hearing before the Board of Supervisors by all parties and the public in support of  
14 and opposed to the appeal of the exemption determination is in the Clerk of the Board of  
15 Supervisors File No. 140522 and is incorporated in this motion as though set forth in its  
16 entirety; now therefore be it

17           MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the  
18 findings specifying the basis for its decision on the appeal of the exemption determination  
19 issued by the SFMTA for the project.

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23  
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# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

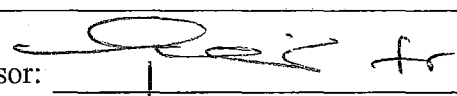
Clerk of the Board

**Subject:**

Preparation of Findings to Reverse the Statutory Exemption Determination - San Francisco Municipal Transportation Agency's FY2015-2016 Two-Year Capital Budget

**The text is listed below or attached:**

Special Order at 3:00 p.m., on June 17, 2014 - Motion directing the Clerk of the Board to prepare findings reversing the determination by the San Francisco Municipal Transportation Agency (SFMTA) that the SFMTA's FY2015-2016 Two-Year Capital Budget is exempt from environmental review.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: