

File No. 180089

Committee Item No. 1
Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date May 7, 2018

Board of Supervisors Meeting
Cmte Board

Date MAY 22 2018

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral FYI 020618</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral FYI 021618</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Hearing Notice 041918</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>SEMTA PPT 04/30/18</u> |
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Completed by: Erica Major Date May 4, 2018
Completed by: Erica Major Date 5/10/18

1 [Transportation Code - Board of Supervisors Review of Certain Municipal Transportation
2 Agency Decisions]

3 **Ordinance amending Division I of the Transportation Code to establish a procedure for**
4 **Board of Supervisors review of certain Municipal Transportation Agency Decisions.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in ~~italics Times New Roman font~~.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~Arial font~~.
10 **Asterisks (* * * *)** indicate the omission of unchanged Code
11 subsections or parts of tables.

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

13 Section 1. Division 1 of the Transportation Code is hereby amended by adding Article
14 10, consisting of Section 10.1, to read as follows:

15 **ARTICLE 10: BOARD OF SUPERVISORS REVIEW PROCEDURES**

16 **SEC. 10.1. REVIEW OF MUNICIPAL TRANSPORTATION AGENCY DECISIONS.**

17 (a) Definitions. As used in this Section 10.1, the following words and phrases shall have
18 the following meaning:

19 Bicycle Lane. A Class II bikeway or Class IV separated bikeway or cycle track.

20 Development Project Application. A Development Application, as defined in
21 Planning Code section 401, for which an approval by the Planning Commission, Planning
22 Department or Zoning Administrator required application(s) to or decisions by the SFMTA in
23 regards to on-street parking and/or loading project that has already received its land use
24 entitlements from the Planning Commission or Planning Department where those entitlements
25 anticipated subsequent, associated applications to the SFMTA.

1 Final SFMTA Decision. Any decision by the Municipal Transportation Agency
2 (SFMTA) with regard to:

3 (1) installing or removing a stop sign;

4 (42) createcreating or eliminateeliminating a preferential parking zone pursuant to
5 Vehicle Code sections 22507 or 22507.1;

6 (23) createcreating or eliminateeliminating a parking meter zone;

7 (34) adopting a limitation on the time period for which a vehicle may be parked;

8 (5) creating or eliminating a Class III bikeway or bike route;

9 (46) createcreating a pilot or temporary program involving any of (1) through (35)
10 above, or continuing or Substantially Modifying a pilot or temporary program involving any of (1)
11 through (35) above on a permanent basis; or

12 (57) creating or Substantially Modifying a Private Transportation Program that may
13 create or eliminate a preferential parking zone, including providing access to the curb, pursuant to
14 Vehicle Code sections 22507 or 22507.1, or that may limit the time period for which a vehicle may be
15 parked, including providing access to the curb, in order to regulate or accommodate a private
16 transportation service or services.

17 "Final SFMTA Decision" shall not include:

18 (1) a decision by the SFMTA that was contemplated as part of the implementation
19 of a prior Final SFMTA Decision and is directly related to the implementation of a Bbicycle Lane,
20 Bus Rapid Transit project, Development ProjectApplication, or Large Infrastructure Project
21 including regulations limiting parking, stopping, standing or loading; or

22 (2) -a decision by the SFMTA regarding any of the following parking restrictions or
23 modifications: (A) street sweeping; (B) any temporary Traffic Control Device installed or removed on
24 any street for the purpose of controlling parking or traffic during emergencies, special conditions or
25

1 events, construction work, short-term testing, or when necessary for the protection of public health and
2 safety; or (C) Special Traffic Permit.

3 **Large Infrastructure Project.** A project involving a contract, memorandum of
4 understanding, or other agreement involving the SFMTA that requires Board of Supervisors approval
5 pursuant to Charter Section 9.118, or would otherwise result in anticipated revenue to the City of one
6 million dollars or more, anticipated expenditures by the City of ten million dollars or more, or a
7 modification of more than \$500,000 to such project.

8 **Private Transportation Program.** A framework or program developed by the SFMTA to
9 regulate or manage any transportation-related service provided by a private or for-profit entity to
10 customers, except for taxis or paratransit service, including SFMTA's entering into a contract, issuing
11 a permit, adopting new legislation or amending existing legislation, or approving a request by the City
12 Traffic Engineer or Director of Transportation.

13 Proximity to Final SFMTA Decision. A distance within 500 feet of all exterior
14 physical boundaries of a Final SFMTA Decision.

15 **Special Traffic Permit.** A permit issued by the SFMTA that authorizes the obstruction
16 of traffic for construction activities other than the parking of vehicles at a specified construction site
17 and subject to all permit conditions imposed by the SFMTA.

18 **Substantially Modify.** Any extension of the term of a pilot or temporary program or
19 Private Transportation Program, expansion or restriction in the geographic scope of a pilot or
20 temporary program or Private Transportation Program, or expansion in the number of vehicles
21 permitted under a pilot or temporary program or Private Transportation Program, changes in the
22 operating structure of any entity subject to the existing conditions of a pilot or temporary
23 program or Private Transportation Program, or partnership with any Private Transportation
24 Program that is primarily regulated by a state agency.

1 **Traffic Control Device.** A sign, signal, marking, or other device used to regulate, warn,
2 or guide vehicular and pedestrian traffic, placed on, over, on the surface of or adjacent to a street by
3 authority of the SFMTA. Such temporary Traffic Control Devices shall be removed when they are no
4 longer required following the emergency, condition, or event.

5 **(b) Request for Review.**

6 (1) A Final SFMTA Decision may be reviewed by the Board of Supervisors as set
7 forth in this Section 10.1.

8 (2) ~~Within~~ Not less than 10 days, but no more than 30 calendar days,
9 ~~after from the date that~~ a Final SFMTA Decision is made by the SFMTA Board of Directors or is
10 made in writing by the City Traffic Engineer or the Director of Transportation pursuant to Section 203
11 of this Code, a Request for Review may be submitted to the Board of Supervisors, on a form provided
12 by the Clerk, indicating the Final SFMTA Decision for which review is being requested and the specific
13 basis for requesting review. The request shall include a copy of the Final SFMTA Decision, which has
14 been dated, ~~or that sufficiently describes~~ the action taken by the SFMTA, and provide the date of
15 the Final SFMTA Decision.

16 (3) A Request for Review may only be filed as follows:

17 (A) — By a City resident, or owner of real property or of a business
18 located in the City, which is signed by any combination of 50 other City residents, owners of
19 real property in the City, or owners of businesses in the City, on a form provided by the Clerk.
20 All signatories must be City residents, own or lease real property, or own or lease a business
21 within Proximity to the Final SFMTA Decision. Adequate proof of residency or real property or
22 business ownership shall be submitted with the petition as required by the Clerk, and
23 accompanied by a filing fee in the amount of \$597 payable to the Clerk of the Board of
24 Supervisors; or

1 (B) By a member of the public, with the concurrence of four five members of
2 the Board of Supervisors, on a form provided by the Clerk requesting the Clerk to schedule a hearing
3 before the Board of Supervisors and accompanied by a filing fee in the amount of \$250 payable
4 to the Clerk of the Board of Supervisors.

5 (c) Scheduling of Review Hearing.

6 (1) Upon receipt of a Request for Review, the Clerk shall review the
7 documents submitted to confirm that all required documents and information have been
8 submitted. The Clerk shall then provide the SFMTA with a copy of the Request for Review,
9 including all supporting documents, within 48 business hours after receipt of a Request for
10 Review, and request the SFMTA to submit the agency's Final SFMTA Decision to the Clerk.

11 (2) Within three business days after receiving notification by the Clerk a Request
12 for Review, and prior to scheduling a review hearing, the Clerk SFMTA shall determine whether the
13 requirements set forth in subsection (b) have been met and notify the Clerk if there are any
14 deficiencies or incomplete required documents or information. If the prerequisites for hearing
15 required by subsection (b) are not timely fulfilled as determined by the SFMTA or the Clerk, the
16 Final SFMTA Decision shall stand and any filing fee paid shall be returned to the requester and
17 any filing fee paid shall be returned to the requester. If the prerequisites are fulfilled, the Clerk
18 shall set a time and place for a review hearing not less than 15 days after the filing of the Request for
19 Review. ~~The Clerk shall send a copy of the Request for Review, including supporting~~
20 ~~documents, and notice of the review hearing, to the SFMTA.~~

21 (23) The SFMTA shall (A) prior to the review hearing, submit an explanation in
22 writing to the Clerk regarding of the criteria guiding the Final SFMTA Decision and the basis for that
23 decision by noon eight days prior to the scheduled Review Hearing, and/or (B) at the review
24 hearing, make a presentation regarding the basis for the Final SFMTA Decision.

1 (34) While a review request is pending before the Board of Supervisors, the SFMTA
2 shall not implement any action that is the subject of the Request for Review.

3 (d) **Notice of Review Hearing.** Notice of the review hearing shall be posted in the Clerk's
4 Office, on the Board of Supervisors' website, and mailed to any person who filed a Request for
5 Review or otherwise requested notice at least 10 calendar days prior to the scheduled hearing.
6 If more than one Request for Review is filed with the Clerk regarding the same Final SFMTA Decision,
7 the Clerk shall consolidate all requests so that only one hearing is held, provided that the period of not
8 less than 15 days for the Clerk to schedule a review hearing as stated in subsection (c)(2) shall be
9 triggered by the earliest filed Request for Review.

10 (e) **Decision After Review Hearing.** After the review hearing, the Board of Supervisors
11 may, by motion, affirm or reverse the Final SFMTA Decision. Any decision to reverse the Final
12 SFMTA Decision shall include written findings setting forth the basis for the reversal and shall be
13 binding on the SFMTA for a two-year period but shall not preclude the SFMTA from issuing a Final
14 SFMTA Decision that modifies the original Final SFMTA Decision, provided that the modified Final
15 SFMTA Decision shall be subject to further review by the Board of Supervisors as set forth in this
16 Section 10.1.

17 (f) **Status of Final SFMTA Decision.** If the Board of Supervisors fails to approve or
18 reverse the Final SFMTA Decision within 60 days of the date of the filing of the Request for Review, the
19 Final SFMTA Decision shall be deemed approved.

20 (g) **CEQA.** Nothing in this Section 10.1 shall be construed as providing an alternative
21 procedure for appealing an environmental review determination under either the California
22 Environmental Quality Act ("CEQA") or the National Environmental Policy Act ("NEPA").

23 (h) **Filing Fee Waiver.** The filing fee set forth in subsection (b)(3)(A) shall be waived
24 if a neighborhood organization that: (1) has been in existence for 24 months prior to the filing
25 date of the Request for Review, (2) is on the Planning Department's neighborhood

1 organization notification list, and (3) can demonstrate to the Clerk or his/her designee that the
2 organization is affected by the Final SFMTA Decision submits a request for fee waiver, on a
3 form approved by the Clerk, when a Request for Review is filed. The filing fee shall be
4 refunded to the City resident, owner of real property in the City, or business in the City, that
5 filed the Request for Review if the Board of Supervisors reverses the Final SFMTA Decision.

6 (h) Filing Fee Waiver. The filing fee set forth in subsection (b)(3) shall be waived if
7 a request for fee waiver, on a form approved by the Clerk, is submitted along with a Request
8 for Review by:

9 (1) a neighborhood organization that: (1) has been in existence for 24
10 months prior to the filing date of the Request for Review, (2) is on the Planning Department's
11 neighborhood organization notification list, and (3) can demonstrate to the Clerk or his/her
12 designee that the organization is affected by the Final SFMTA Decision; or

13 (2) an indigent person who attests to his or her inability to pay the filing fee.

14 Section 2. Effective Date. This ordinance shall become effective 30 days after
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
17 of Supervisors overrides the Mayor's veto of the ordinance.

18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By:


21 JOHN I. KENNEDY
22 Deputy City Attorney

23 n:\egana\as2018\1800309\01275452.docx

REVISED LEGISLATIVE DIGEST

(5/15/2018, Amended in Board)

[Transportation Code - Board of Supervisors Review of Certain Municipal Transportation Agency Decisions]

Ordinance amending Division I of the Transportation Code to establish a procedure for Board of Supervisors review of certain Municipal Transportation Agency Decisions.

Existing Law

Notwithstanding the SFMTA's exclusive authority to adopt various parking and traffic regulations, Charter section 8A.102(b)(8) permits the Board of Supervisors to establish procedures by which the public may seek Board of Supervisors review of certain SFMTA decisions; however, the Board of Supervisors have not yet adopt procedures to provide for such review. If this ordinance is adopted providing procedures for review of SFMTA decisions, the Board of Supervisors may review the SFMTA's adoption of traditional time restrictions, such as two-hour parking limits; and white, yellow and green curb zones. However, the SFMTA's adoption of red zones and "No Stopping" restrictions, which absolutely prohibit parking and stopping of all vehicles except buses, is not subject to the Board of Supervisors' review under the existing Charter.

Amendments to Current Law

This ordinance amends Division I of the San Francisco Transportation Code to establish procedures for review of certain SFMTA decisions by the Board of Supervisors. The ordinance: (1) creates definitions for specific terms used in the ordinance; (2) establishes a procedure for the public to request review of a Final SFMTA Decision by the Board of Supervisors; (3) requires that notice of the review hearing be posted in the Clerk's Office, on the Board of Supervisors' website, and mailed to any person who filed a Request for Review, submitted their signature, or requested notice; and (4) provides a procedure for the Board of Superiors to affirm or reverse a Final SFMTA Decision following the review hearing.

Background Information

Supervisors Safai and Peskin requested legislation to establish a procedure for Board of Supervisors review of certain SFMTA decisions. The City Attorney's Office prepared the attached chart which summarizes which SFMTA parking modifications are subject Board of Supervisors' review and which are not.

PARKING MODIFICATIONS UNDER BOS REVIEW AUTHORITY	JUSTIFICATION
Blue zones	Reservation of parking space for persons with a disability
Green zones and green meters	Adoption of limitation on time period for which a vehicle may be parked
Yellow zones and yellow meters	Adoption of limitation on time period for which a vehicle may be parked
White passenger loading zones	Adoption of limitation on time period for which a vehicle may be parked
Street sweeping parking restrictions	Adoption of limitation on time period for which a vehicle may be parked
Stands (taxi stands, shuttle zones, tour bus zones, school bus zones)	Adoption of limitation on time period for which a vehicle may be parked
Adopting time limits for parking at meters	Adoption of limitation on time period for which a vehicle may be parked
Residential permit parking – (1) designating or eliminating new RPP areas, (2) changing time limit that non-permit vehicles can park, or (3) changing hours of RPP enforcement	Creation or elimination of any preferential parking zone for (1) and (3) Adoption of limitation on time period for which a vehicle may be parked for (2)
Other Non-Residential Parking time limit zones (30 minutes, 2 hours, 4 hours, etc.)	Adoption of limitation on time period for which a vehicle may be parked
Car share parking only spaces	Creation or elimination of any preferential parking zone
Commuter shuttle bus zones	Creation or elimination of any preferential parking zone
Vanpool parking only	Creation or elimination of any preferential parking zone
Temporary parking postings that are not approved by ISCOTT (parades, move ins, security issues, special events)	Adoption of limitation on time period for which a vehicle may be parked

On-street permit parking restrictions (staff parking only, consulates, etc.)	Creation or elimination of any preferential parking zone
Motorcycle parking only (metered and unmetered if a time limitation involved)	Adoption of limitation on time period for which a vehicle may be parked
No Parking Any Time (full or part-time signs, with or without TOWAWAY) ¹	Adoption of limitation on time period for which a vehicle may be parked
No parking vehicles over six feet high ²	Adoption of limitation on time period for which a vehicle may be parked
Oversize vehicle restrictions (vehicles over 7 feet high, over 22 feet length)	Adoption of limitation on time period for which a vehicle may be parked
Compact vehicle parking or marked stalled designation (vehicles must fit within marked stall that limits some vehicles) if a time limitation is involved	Adoption of limitation on time period for which a vehicle may be parked
Parking restrictions for which ISCOTT issues a permit (restrictions already appealable to the BOS pursuant to Trans. Code, Div. I, Article 6)	ISCOTT permits subject to BOS review under Trans. Code, Chapter 6

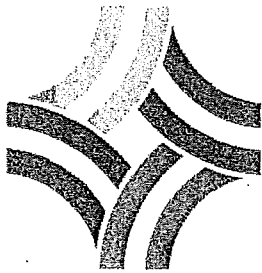
PARKING MODIFICATIONS NOT UNDER BOS REVIEW AUTHORITY	JUSTIFICATION
Tow-away No Stopping Any Time (full or part-time signs, including commuter tow-away lanes)	Absolute prohibition on stopping, standing or parking. Not a limitation on time for which a vehicle may be parked
Temporary parking prohibitions that establish a NO STOPPING for a traffic lane (Special Traffic Permits, temporary signage that does not allow any parking by anyone)	Absolute prohibition on stopping, standing or parking. Not a limitation on time for which a vehicle may be parked

¹ "No Parking" still allows stopping or standing for purposes of loading and unloading passengers and goods.

² "No Parking" still allows stopping or standing for purposes of loading and unloading passengers and goods.

Red zones (curb ramps, hydrants, driveways, sight distance, turn clearance, etc.)	Absolute prohibition on stopping, standing or parking, except for transit buses. Not a limitation on time for which a vehicle may be parked
Painted safety zones, painted curb red and vehicular parking restricted by plastic poles	Absolute prohibition on stopping, standing or parking. Not a limitation on time for which a vehicle may be parked
Public transit bus zones (full or part-time)	Absolute prohibition on stopping, standing or parking, except for transit buses. Not a limitation on time for which a vehicle may be parked
On-street bicycle parking (public racks on the street)	Absolute prohibition on stopping, standing or parking, except for transit buses. Not a limitation on time for which a vehicle may be parked
On-street bicycle share stations	Absolute prohibition on stopping, standing or parking, except for transit buses. Not a limitation on time for which a vehicle may be parked
Rescinding any parking limit, removal of any parking regulation listed above without imposing a new time limitation	Not a limitation on time for which a vehicle may be parked
Angle parking and back-in angle parking (changing the direction vehicles park)	Not a limitation on time for which a vehicle may be parked
Establishing parking meters without a time limit	Not a limitation on time for which a vehicle may be parked
Commercial vehicle double parking restrictions	Absolute prohibition on stopping, standing or parking. Not a limitation on time for which a vehicle may be parked
Changing parking meter rates	Not a limitation on time for which a vehicle may be parked
Parklet permitting - delegated to Public Works by the SFMTA so there is no Final SFMTA Decision made	No Final SFMTA Decision. SFMTA has delegated authority to issue permits to Public Works
Parking removal due to sidewalk extensions (pedestrian bulbs)	Not a limitation on time for which a vehicle may be parked

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SFMTA
Municipal
Transportation
Agency

Review of Certain MTA Decisions

Board File 180089

Land Use & Transportation Committee

April 30, 2018

Process Improvements



SFMTA
Municipal
Transportation
Agency

- Transparency
- Accountability
- Engagement
- Responsiveness

2018 Process Improvements

Schedule

Initiative/Action	Resource Name(s)	Start	Finish	Duration	Q1 18			Q2 18			Q3 18			
					Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Transparency		4/2/2018	12/31/2018	33.2w										
MPO and BOS Quarterly Report	Tim McLaughlin Becky Choo	4/2/2018	7/31/2018	17.6w										
Digital Capital Improvement Project	Tim McLaughlin Dorey Kallit	4/2/2018	7/31/2018	17.6w										
SFMTA Website Improvements - Project Update	Jonathan Rivers Kiran Soren	4/2/2018	10/31/2018	30.2w										
SFMTA Transportation Executive Projects Map	Anna Pearson	4/2/2018	6/28/2018	12w										
Accountability		4/2/2018	10/31/2018	27w										
Project Type Definitions	Jonathan Rivers	4/2/2018	5/31/2018	7.2w										
BOS Forum Talking	Janet Ashmore Dillon Anthony Erica Powell Vicki Wong Dorey Kallit	4/2/2018	6/1/2018	10w										
Response Times	Vicki Wong Dorey Kallit	4/2/2018	10/31/2018	27w										
Engagement		4/2/2018	9/28/2018	26w										
PCETS - Standalone Update	Debra Christie	4/2/2018	6/29/2018	12w										
Community Engagement - 20-Year Capital Plan	Graham Siskewick	6/1/2018	7/31/2018	8.0w										
Community Engagement Parking Enforcement	Shawn Anderson	4/2/2018	4/2/2018	2w										
Public Notification Requirements	Debra Christie Catherine O'Neil	4/2/2018	9/28/2018	26w										
Community Engagement - Transportation Plan	Sarah Jones	4/2/2018	4/13/2018	2w										
Responsiveness		4/2/2018	4/2/2018	2w										
Case Management Program	Hick Wilson	4/2/2018	4/2/2018	2w										
Community Response Team	Vicki Wong	4/2/2018	4/2/2018	2w										

◆ = effective immediately

Process Improvements Community Response Team

- Give BOS priorities focused attention
- Provide one-point of contact and coordination for multi-dimensional issues
 - Challenges that involve different disciplines, sister agencies, additional staffing or implementation resources, etc.
- Build trust with customers and elected officials
- Allocates \$100K/year per district

Process Improvements Community Response Team

The Community Response Team gives focused priority to Board requests

WORK COMPLETED

EFFORTS UNDERWAY

45TH Ave. & Lincoln
Pedestrian Safety Improvements

Gordon J. Lau Elementary
School Safety Improvements & Signage

Sloat & Skyline
Pedestrian & Traffic Safety Improvements

Phillip & Sala Burton High School
School Safety Improvements

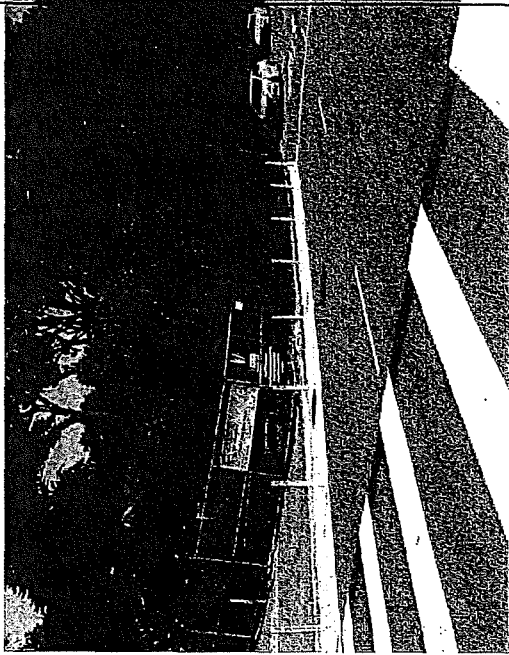
Northwest Bernal Heights
Pedestrian Safety Upgrades

Arch Street
Traffic Modifications

Lombard and Mason
Pedestrian Safety and Loading

Accomplishments

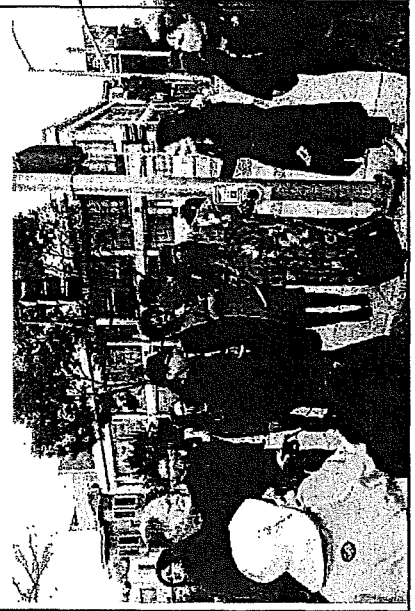
45th Ave. & Lincoln
Pedestrian Improvements



Delong & Wilson
STOP Sign

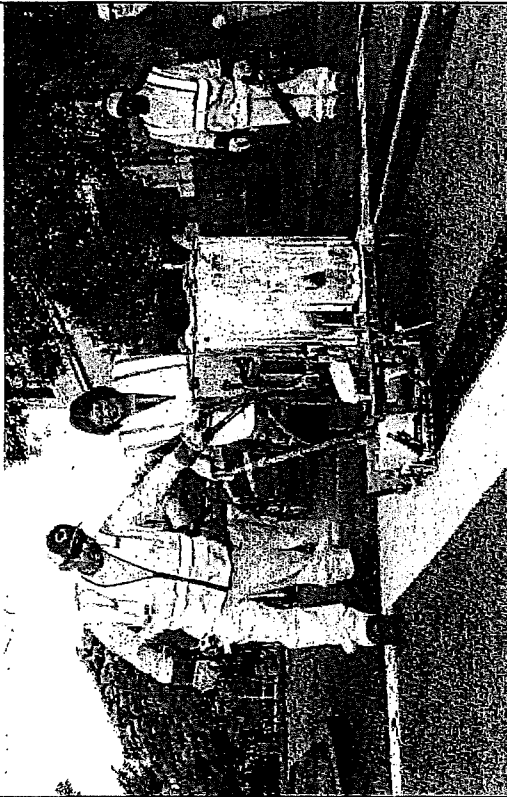


Russ & Howard
Signalized Intersection

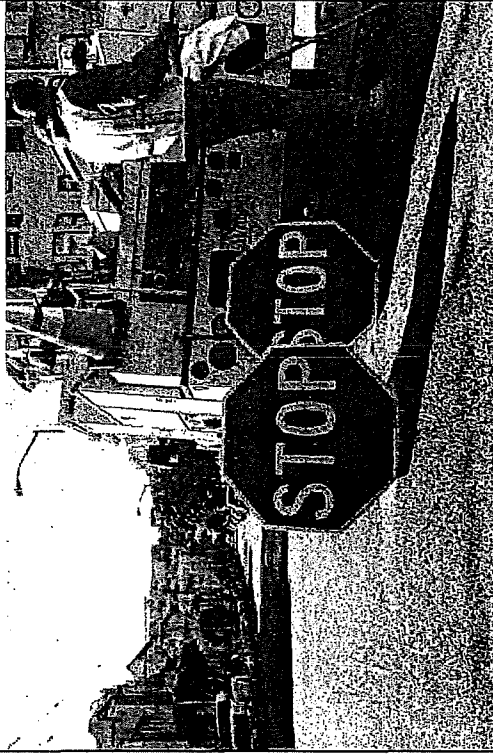


Accomplishments Cont.

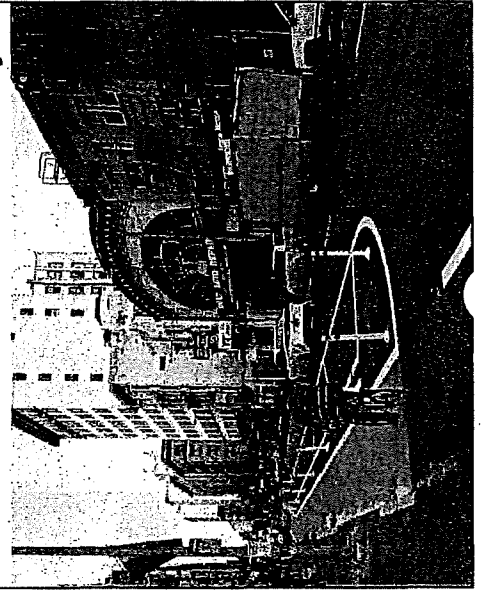
12th & Lake
High Visibility Crosswalks



Bay & Broderick
New STOP signs



Turk Street
Protected Bikeway



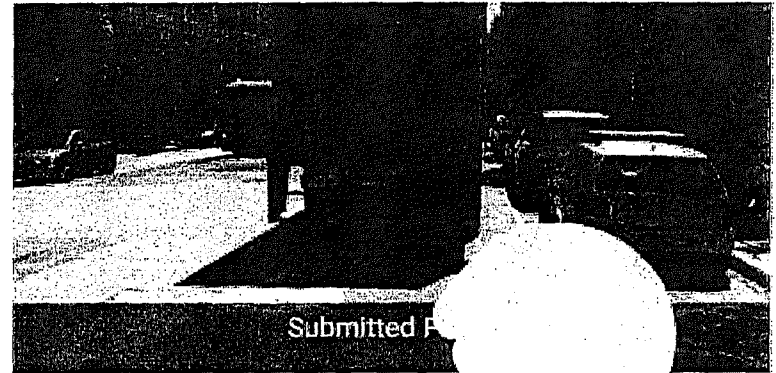
Process Improvements

311

- New 311 app features allows users to report double-parking
- Data used to target parking control officers at illegal parking hotspots
- Active enforcement and PCO presence to deter future illegal parking and congestion



Blocked Driveway or Illegal Parking at Intersection of 2nd St & South Park



Zephyr express truck double parked

Make/Model: Truck | License Plate: 07...Y1 | Color: Red |
Nature of Request: Double Parking

CLOSED Case Resolved. Officer responded to request under CAD # 181091871. Citation was issued. 6 minutes ago

 Dale Munroe
@DaleMunroe

It actually works?! 🙌🙌🙌🙌

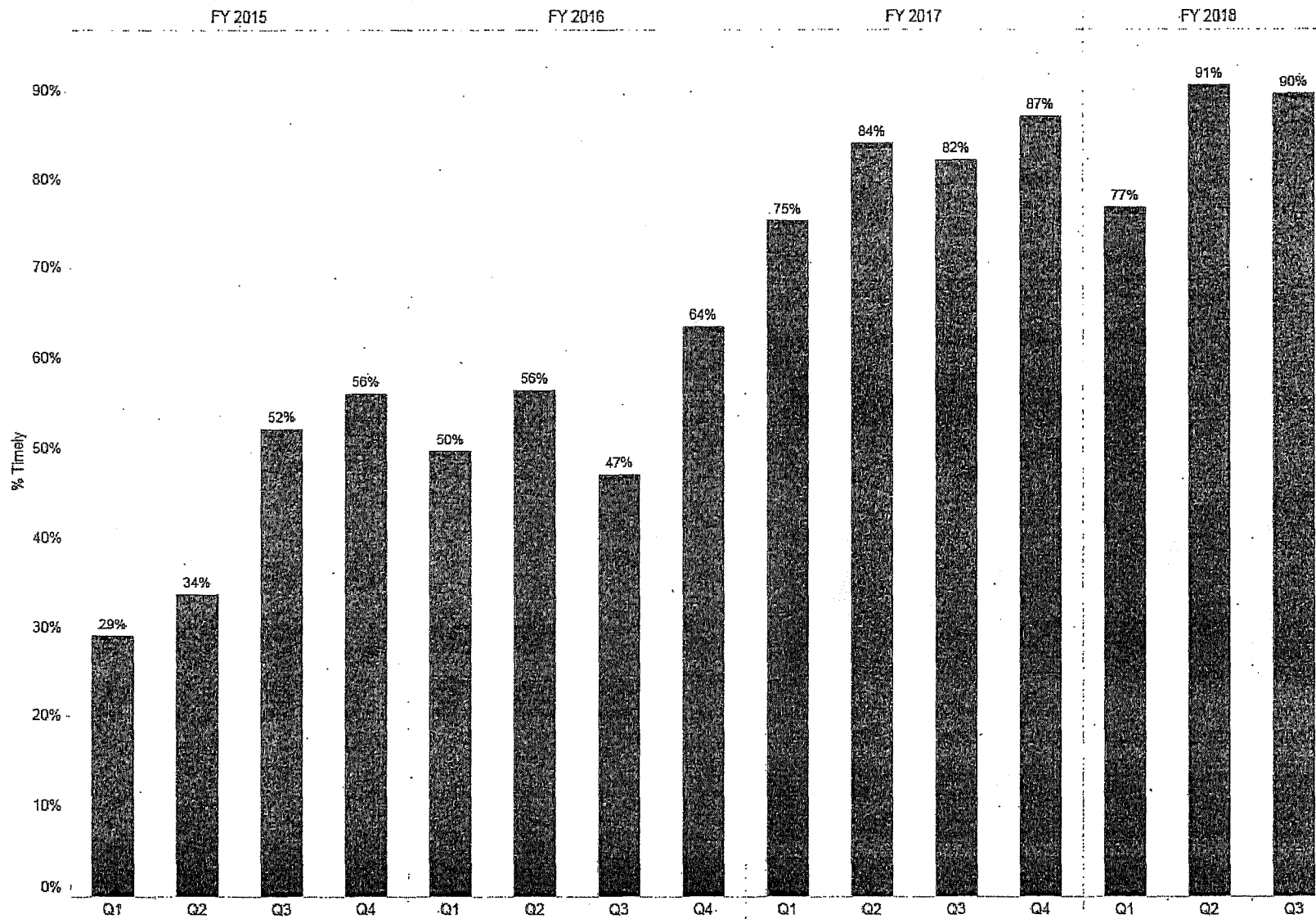
So excited to be able to report parking/traffic violations now via the @SF311 app!

2:09 PM - Apr 19, 2018

👍 102 💬 39 people are talking about this

Process Improvements 311

Traffic and Parking Control Requests Addressed Within 90 Days



■ % Timely

Process Improvements Public Engineering Hearing

Multi-color
Posting



PUBLIC HEARING



SFMTA
San Francisco
Municipal Transportation Agency

FOR PROPOSED PARKING & TRAFFIC CHANGES

Pursuant to SFMTA Order No. 5490 adopted March 2, 2018, the San Francisco Municipal Transportation Agency will hold a public hearing to solicit public input on the following proposed changes. The hearing will be held as follows:

Date/Time: Friday, March 16, at 10:00 am
Location: Room 416 (Hearing Room A), City Hall, San Francisco
(located on Van Ness Avenue between McAllister and Grove Streets)

- 9(a). **ESTABLISH – TOW-AWAY, NO STOPPING ANY TIME**
A. Skat Boulevard, south side, from 33 feet to 100 feet west of Everglade Drive
B. Skat Boulevard, south side, from Lakeshore Plaza Drive to 20 feet easterly
C. Skat Boulevard, south side, from 95 feet to 115 feet east of Lakeshore Plaza Drive
D. Skat Boulevard, north side, from 37th Avenue to 100 feet easterly
- 9(b). **ESTABLISH – BUS ZONE**
Skat Boulevard, north side, from 65 feet to 145 feet west of 36th Avenue
- 9(c). **ESTABLISH – YELLOW LOADING ZONE, 6 AM TO 6 PM, MONDAY THROUGH SATURDAY**
Skat Boulevard, south side, from 20 feet to 95 feet east of Lakeshore Plaza Drive
- 10(a). **ESTABLISH – GENERAL METERED PARKING, 4 HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY**
Walter Street, south side, from 3 feet to 170.5 feet west of Octavia Street, approx. six residential parking spaces
- 10(b). **ESTABLISH – BLUE ZONE**
Walter Street, south side, approximately one blue zone pending approval of 1st of Octavia Street (converts a 22' blue zone; final location of blue zone pending approval)
- 11. **ESTABLISH – TRAFFIC SIGN**
10th Street and Minnesota Street intersection

New Title

Highlight location
and actual change

Don't show
projects at other
locations

Reduce legalese and
clarify language

Clearer
next
steps

Item(s) marked with an asterisk (*) can be approved by the City Traffic Engineer after the public hearing and the SFMTA Board's final approval at a later date based on the outcome of the public hearing.

California Environmental Quality Act (CEQA) Approval Action under S.F. Administrative Code Section 31.5410. The SFMTA Board's final approval at a later date based on the outcome of the public hearing.

California Environmental Quality Act (CEQA) Approval Action under S.F. Administrative Code Section 31.5410. The SFMTA Board's final approval at a later date based on the outcome of the public hearing.

A copy of the hearing notice can be obtained at <http://www.sfmta.com/calendar>. Opinions on these proposed changes may be filed in writing prior to the hearing with SFMTA Transportation Engineering, 1 South Van Ness Avenue, 7th Floor, San Francisco, CA 94103-5673. Written opinions may also be transmitted by fax to (415) 701-4737 or by e-mail to transport@sfmta.com with subject line "Public Hearing." All comments will become part of the official public record and will be brought to the attention of the person(s) conducting the hearing. Information on the proposed changes may be obtained from SFMTA Transportation Engineering at the above-referenced addresses or by telephone at (415) 646-2352.

311: For free interpretation services, please submit your request 48 hours in advance of meeting.
Para servicios de interpretación gratuitos, por favor haga su petición 48 horas antes de la reunión.
311: 免費諮詢電話: 415-646-2352 - 請於開會前48小時提出要求。

Skat between Everglade and Sunset – Red Zones and Yellow Zones

This project would improve safety along Skat Boulevard by providing clear visibility at intersections and driveways. It would also improve transit capacity and provide additional commercial loading spaces adjacent to the Lakeshore Station. The proposal would impact 700 spaces along four blocks of Skat Boulevard corridor.

Option for
description/
map

Project Area

Establish – Tow-Away No Stopping Any Time

Skat Boulevard, south side, from 33 feet west of Everglade Drive
Skat Boulevard, south side, from Lakeshore Plaza Drive to 20 feet easterly
Skat Boulevard, south side, from 95 feet to 115 feet east of Lakeshore Plaza Drive
Skat Boulevard, north side, from 37th Avenue to 100 feet easterly

Establish – Bus Zone

Skat Boulevard, north side, from 65 feet to 145 feet west of 36th Avenue

Establish – Yellow Commercial Loading Zone, 6 AM to 6 PM, Monday through Saturday
Skat Boulevard, south side, from 20 feet to 95 feet east of Lakeshore Plaza Drive

Project Contact: Alex Jordan, alexander.jordan@sfmta.com

If you would like to comment on this proposed change, you may attend an SFMTA Public Hearing or file your comments in writing before the hearing:

- Email: transport@sfmta.com with subject line "Public Hearing"
- Mail: Public Hearing, Sustainable Streets Division, One South Van Ness Avenue, 7th Floor, San Francisco, CA 94103-5673
- Public Hearing: Friday, March 16, 2018, at 10:00 AM, Room 416 (Hearing Room A) City Hall, San Francisco

To learn more about SFMTA Public Hearings, visit www.sfmta.com/publichearings. For questions about the projects included in this posting, call 415-646-2352.

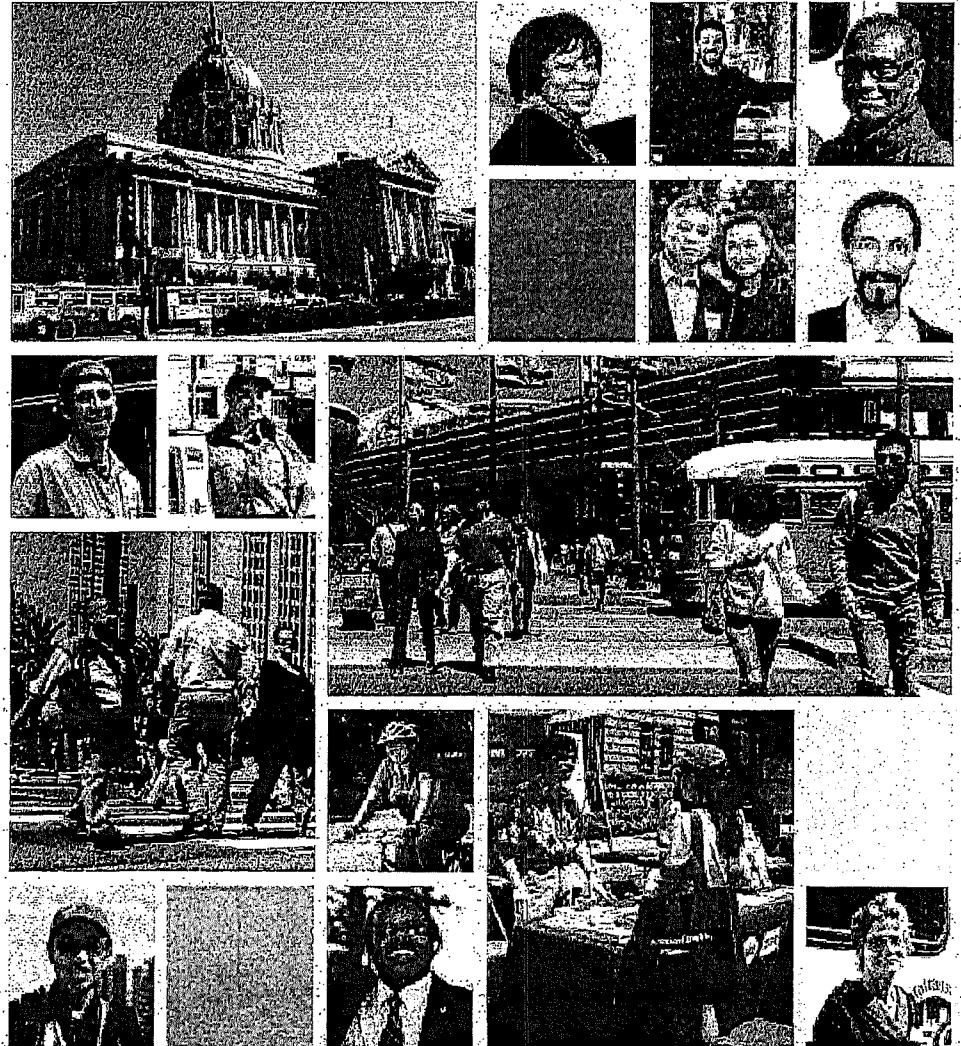
All comments will be reviewed by project staff and the hearing decision and will be entered into the public record. Comments will be considered when a determination is made whether to implement the change. After the hearing, proposals with an asterisk (*) can be approved by the City Traffic Engineer, provided the SFMTA Board of Directors will make the final approval at a later date based on the outcome of the public hearing.

Fine print
even finer

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Process Improvements Public Outreach and Engagement

- Inform, consult, involve and collaborate with our neighborhoods
- The SFMTA's Public Outreach and Engagement Requirements is a long-term commitment
- Those affected by our work should be able to stay informed and be involved
- Our relationships with the community directly affect our ability to deliver projects.

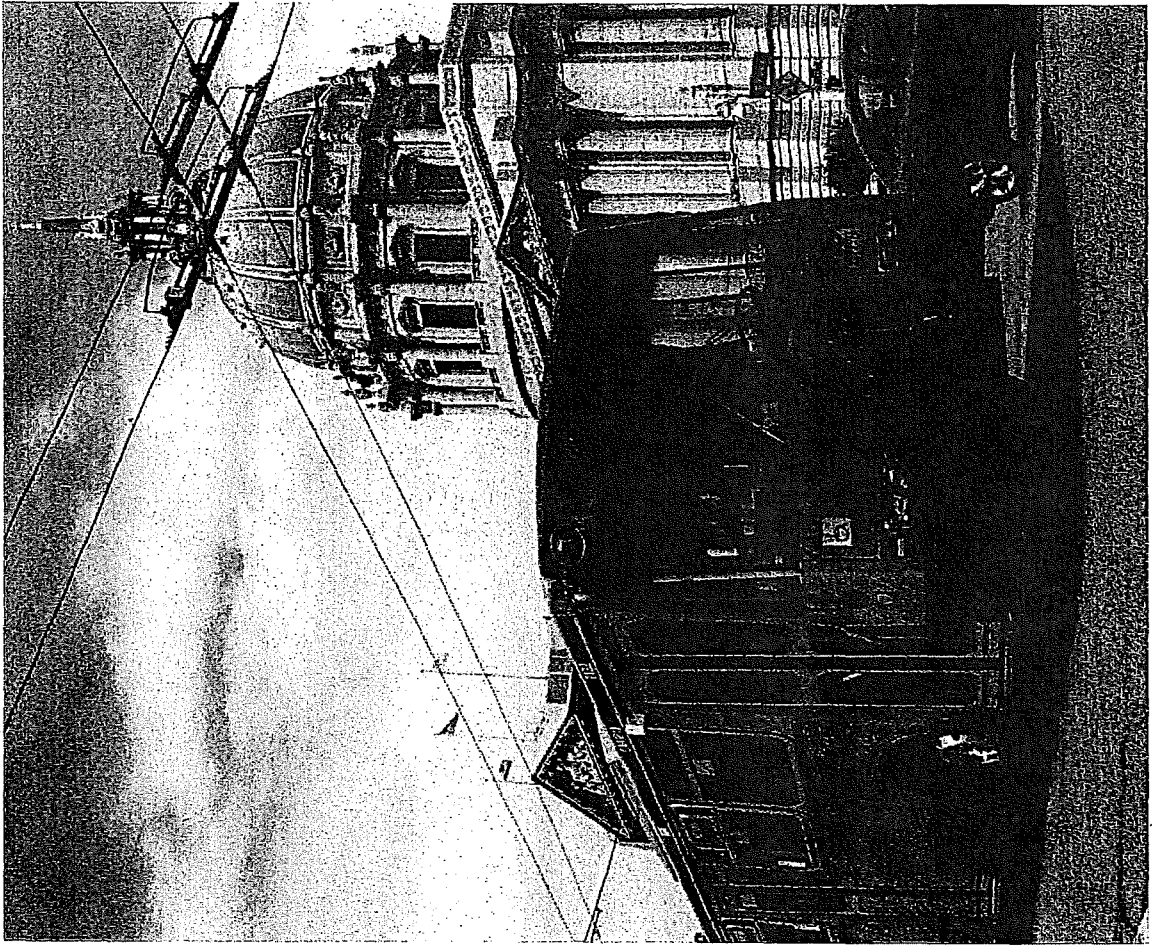


Public Outreach Notification Standards
Public Outreach & Engagement Team Strategy
(POETS)
A Guide to Conducting Community Outreach for SFMTA Projects



SFMTA
Municipal
Transportation
Agency

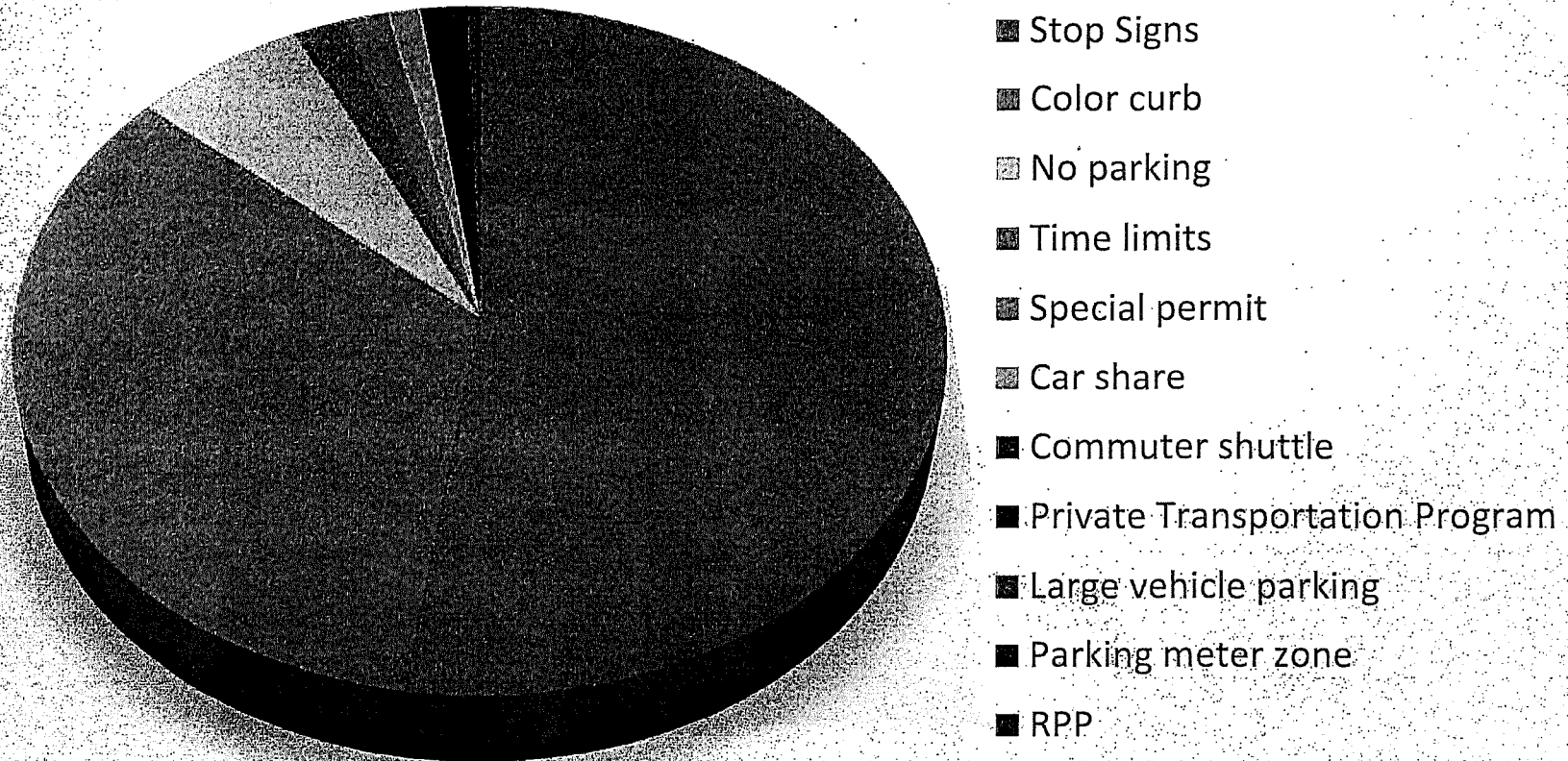
Legislation



Legislation

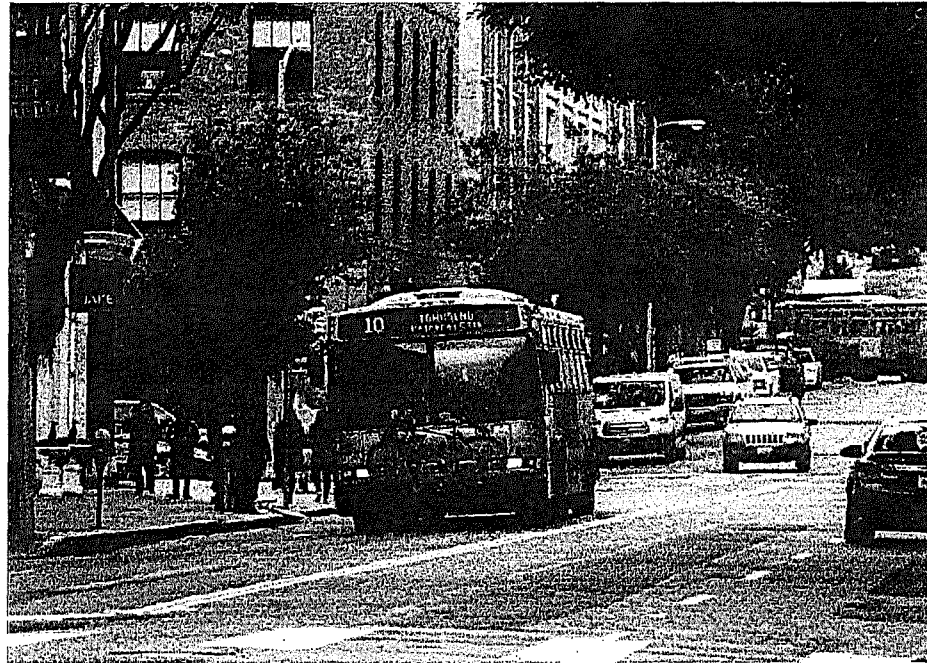
- Approx. 575 decisions reviewable by BOS

2017 Decisions Subject to BOS Review



Public Transit Projects

- Sansome Contraflow Lane – extended existing ‘transit-commercial’ contraflow lane north of Sansome. Project included restriping, signage, new signals and converting several on-street parking spots to loading zones.



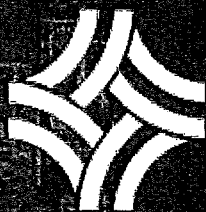
Public Transit Projects Under \$10M

- 9 San Bruno: 11th/Bayshore
- 8 Bayshore: San Bruno Ave,
- 8 Bayshore: Visitacion Valley
- 30 Stockton Chestnut Street
- 5 Fulton projects
- 7 Haight: Lower Haight
- 1 California Laurel Village Streetscape
- 14 Mission: Inner Mission

STOP Signs

- Staff taking a more careful look at STOP Signs in response to Supervisors' requests
- Professional engineering standards
- Cumulative impact on Muni
- Risk of non-compliance





SFMTA
Municipal
Transportation
Agency

Thank you

180089

From: Board of Supervisors, (BOS)
Sent: Monday, May 07, 2018 8:03 AM
To: Major, Erica (BOS)
Subject: FW: 5/7/18 Land Use Agenda Item 1: Please amend
Attachments: SBRMBNA request for amendment.pdf

From: South Beach | Rincon | Mission Bay Neighborhood Association [mailto:sbrmbna@gmail.com]
Sent: Sunday, May 06, 2018 6:05 PM
To: Tang, Katy (BOS) <katy.tang@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; mtaboard@sfmta.com; jodie@walksf.org; Liddell Catherine <clliddell@me.com>; Bruce Agid <bruce.h.agid@gmail.com>; Alice Rogers <arcomnsf@pacbell.net>; <garypegueros@sbcglobal.net> <garypegueros@sbcglobal.net>; Michael Anthony <manthony1948@yahoo.com>; Jamie Whitaker <jamiewhitaker@gmail.com>; peggy.fahnestock <peggy.fahnestock@sbcglobal.net>
Subject: 5/7/18 Land Use Agenda Item 1: Please amend

6 May 2018

RE: Agenda Item 1; File #180089 Transportation Code—BOS Review of Certain MTA Decisions

Dear Land Use and Transportation Committee Supervisors Tang, Kim, and Safai:

We are writing to urge you to amend this proposed ordinance to exempt SFMTA projects located on the City's identified high-injury network, as well as all transit-related projects.

As a longstanding member of the Vision Zero Coalition, the Board of the South Beach | Rincon | Mission Bay Neighborhood Association (SB|R|MB NA) has serious concerns with File No. 180089, Transportation Code - Board of Supervisors Review of Certain Municipal Transportation Agency Decisions as currently written.

This proposed ordinance would allow the Board of Supervisors to appeal SFMTA project decisions that have any effect on parking, amongst other things. The ordinance rightly exempts bike lanes, but it must also exempt projects on high-injury corridors, and all transit-related projects.

The SFMTA must often remove or modify parking to install important Vision Zero safety improvements such as bulb-outs, daylighting, and transit islands. This appeals process will grind Vision Zero progress to a halt, at a time when what we need is faster project delivery!

Vision Zero needs champions and bold action. We ask you to prioritize life-saving best practices and stand up for Vision Zero by making sure this ordinance does not slow down Vision Zero progress. Zero traffic-related fatalities and serious injuries on our city streets by 2024, six short years from now.

Sincerely,

The South Beach | Rincon | Mission Bay Neighborhood Association Board
Alice Rogers, President
Katy Liddell, Vice President

Gary Pegueros, Secretary
Jamie Whitaker, Treasurer
Bruce Agid, Director
Mike Anthony, Director
Peggy Fahnestock, Director

CC: SF Board of Supervisors; SFMTA Board of Directors; Jodie Mederios/Walk SF

6 May 2018

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Sincerely,

The South Beach | Rincon | Mission Bay Neighborhood Association Board

Alice Rogers, President

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Jamie Whitaker, Treasurer

Bruce Agid, Director

Mike Anthony, Director

Peggy Fahnestock, Director

CC: SF Board of Supervisors; SFMTA Board of Directors; Jodie Mederios/Walk SF

South Beach | Rincon | Mission Bay Neighborhood Association

180089

From: Board of Supervisors, (BOS)
Sent: Tuesday, May 01, 2018 5:23 PM
To: Major, Erica (BOS)
Subject: FW: In Lieu of Appearing before the Land Use and Transportation Committee.....

From: Cautn1 [mailto:cautn1@aol.com]
Sent: Saturday, April 28, 2018 6:34 PM
To: Tang, Katy (BOS) <katy.tang@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: MayorMarkFarrell (MYR) <mayormarkfarrell@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: In Lieu of Appearing before the Land Use and Transportation Committee.....

Dear Supervisors Tang, Kim and Safai:

The SF Board of Supervisors has recently taken a more active role in overseeing and evaluating the operations of San Francisco's second largest city department. This is a very welcome development, and many people who had about given up are encouraged by the initiatives you are taking.

What you have before you today is a start. But much more is needed. It's not that the SFMTA does everything wrong; it doesn't. In fact, considering vastness and complexity of its operations it does quite well, at least in some areas.

Here are some matters in need of attention:

The SFMTA and its Future

It appears that the SFMTA and SFCTA are trying to make too many neighborhood changes all at once. For one thing this fast pace of change seems to require an ever increasing number of planners, thereby putting an ever increasing load on the City Budget. For another, despite the SFMTA's active outreach program it appears to be creating a lot of hostility and backlash in the affected and sometimes surprised neighborhoods, as you are no doubt aware.

Looking at the websites of the SFMTA and SFCTA, one wonders where the authority of one stops and the other begins and how the two bureaucracies keep from duplicating the other's functions. The SFCTA oversees the expenditure of sales tax revenues and acts as the County's CMA. The SFMTA plans, designs and constructs projects. The line between the two should be clearly defined.

There needs to be a centralized, comprehensive and long range way of addressing the City's two largest transportation problems; namely the excessive amount of traffic congestion and the declining general quality and appeal of the transit systems. Currently there is no group of sophisticated and experienced decision-makers in place and so the City's biggest transportation problems fester and get worse as the City grows.

Too many solo-drivers from the East and South flood onto San Francisco streets every day of the week. There are ways of protecting the City against this daily onslaught, but currently nothing is being done.

The make-up of the SFMTA Board is all important. **Every one of the seven Board slots should be filled with someone who both understands the City's transportation problems and is seriously committed to fixing them.**

There are many small sections functioning within the SFMTA. Communication and coordination among these separate groups is spotty and there is clearly overlap. Missing are the experienced managers needed to keep the groups functioning efficiently and in sync. Also missing is the accountability needed to ensure consistently good performance.

There are ways of optimizing the current mix of public transit vehicles, private bus operators and Transportation Network Companies for everyone's benefit. However, getting this right will take hard work, tough negotiations and enforcement.

The City's 45 year old Transit First policy should be implemented but it must be done in a practical manner. Common sense is currently missing from this process, which is resulting in unnecessary problems throughout the city.

Somewhere, somehow it became OK to treat bus and LRV riders like cattle. It's time to take another look at this unsatisfactory situation which is deterring many would-be riders.

To ensure that the SFMTA is functioning at optimal efficiency and effectiveness, the organization should be subjected to an independent and well-publicized outside management audit at least once every two years. This would be money well spent.

Gerald Cauthen PE

- former SFPUC Manager of all Water Department, Hetch Hetchy and Muni projects
- former Parsons Brinckerhoff Senior Engineering Manager and Transportation Vice President
- former Korve Engineering Manager of Transit Systems
- former Deputy Director TTC/DTX Project (2003 -2004)

180089

From: zrants <zrants@gmail.com>
Sent: Thursday, May 03, 2018 6:58 PM
To: Paula Katz
Cc: Meyer, Catherine (BOS); Bob Planthold; Hepner, Lee (BOS); Major, Erica (BOS)
Subject: Re: SFMTA Ordinance Amendments

April 3, 2018

SFMTA Ordinance Amendments and Compromises:

Cathy and Lee,

We are so grateful for your work on this Ordinance. We understand that some compromises were made in order to reach consensus and support for passing the Ordinance.

If possible, could you let us know where the compromises were made so that if we need to revisit the issue later, we can consider what you dropped that may have been included under the Charter. It would be nice to track these matters in case the Board and staff are less cooperative than we hope they will be.

Once again, thanks for your efforts in this behalf. If the information I requested is already online somewhere please let me know. I have not had a chance to look at everything posted.

I am only aware of the documents posted on the legislative page and I know that some of the letters were not posted the last time I looked. I do not blame you or Erica. I understand some technical matters are beyond our control.

Sincerely,

Mari Eliza

Major, Erica (BOS)

From: Aaron Goodman <amgodman@yahoo.com>
Sent: Thursday, May 03, 2018 11:41 PM
To: Major, Erica (BOS); Tang, Katy (BOS); Safai, Ahsha (BOS); Kim, Jane (BOS); Peskin, Aaron (BOS); Sue Vaughan
Subject: Re: Item 180089 on the May 7, 2018 Land Use and Transportation Agenda

SFBOS Land Use

Thank you for considering the issues raised by community members on the concerns of the SFMTA Board and process on decision making.

As noted by Sue Vaughan whose comments I fully support, and other memo's received that are concerned with the impacts of the SFMTA that neglect many residents of SF especially the elderly, the young, and those without a voice in city politics due to the difficulties in getting to meetings and voicing their opinion and concerns.

I hope you will consider the issue of notification of Traffic Engineer decisions, and appeals of their issues forwarded to the SFMTA full board, when NOT in support by residents that attend the Traffic Engineer's hearings. The effort to leave work and attend SFMTA traffic hearings is not easy, or taken lightly. When we submit concerns, they should be heard and issues resolved through proper and adequate communication with residents so projects can be supported.

Too often these micro-projects and young engineers in the SFMTA do not do their proper diligence, and rely on a "push-it-through" mentality.

Please consider including in your discussion and legislative changes the importance of notification and renotification to residents on issues in similar vein to the SF Planning Department for hearings.

The comment by Asha Safai on outreach and noticing is 100% correct, since they currently are not required to renotify community members of a follow up hearing at the SFMTA Board. Yet this is lacking in citywide standardization and correct method of notice to residents who work, and often are assisting the SFMTA in other ways on committees and through outreach via email and attending events to communicate improved transit, parking and system changes.

When traffic engineering hearings do more than paint a curb red, or change a lane signage in larger formats like parking zone changes, or larger projects that have serious safety, design and aesthetic impacts alongside prior requests for more collaborative and informed decision making between departments (SFMTA, SFDPW, SFPUC) or other agencies, it is incumbent to re-hear items and not approve a project or send it forward when it was obvious and clear at the Traffic Engineer's hearing that there was NOT support for the proposal.

I felt steam-rolled due to the lacking follow up of the SFMTA engineers post the Traffic Engineering hearing and thus had to file a formal complaint (SOTF) which can only per current legislation address specific issues. This does not mean I was wrong in the appeal. Especially when I know what was stated, I issued clear concerns in written and graphic format, and the SFMTA ignored it thoroughly and pushed it through to the SFMTA full Board.

With these kind of issues we are not seeing a SFMTA that "listens" but an SFMTA that is ignoring public concern.

That is not a public transit agency, but a behemoth needing controls, checks and balances.

Sincerely

Aaron Goodman D11

On Thursday, May 3, 2018 04:28:34 PM PDT, Sue Vaughan <selizabethvaughan@gmail.com> wrote:

Dear Supervisors,

Regarding Item 180089, I am glad that Supervisor Peskin and Supervisor Safai have moved to re-establish more oversight and control over the seven, unelected members of the San Francisco Municipal Transportation Agency Board of Directors.

However, I am disappointed that the legislation does not grant oversight to the Board of Supervisors regarding red zones, including bus stops. Red zones are where some of the the SFMTA's most flagrant abuses of power have occurred. As you know, it's a violation of state law, California Vehicle Code 22500 (i), for private carriers to operate in public bus stops. And yet since January 2014, the members of the Board of Directors have bowed to political pressure to ignore the law and permit an **unlimited** number of the technology shuttle buses to operate in select public bus stops. How is the SFMTA going to be able to expand public bus service to meet the needs of a growing population and to combat climate change and income inequality if its public buses -- which are required by law to serve all neighborhoods and demographics equitably -- must share curb space with private, for-profit providers that only serve a select (and generally wealthier) segment of the population?

I also question the power of the SFMTA to create white zones exclusive to certain users (tech shuttle buses during certain hours of the day). What part of state law empowers local governments/local legislative bodies to create exclusive white zones? I hope that the legislation introduced by Supervisors Peskin and Safai gives the Board of Supervisors oversight of this issue.

Additionally, I am wondering if the Board of Supervisors can create legislation that requires that the members of the Board of Directors be given official, SFMTA email addresses (john.doe@sfmta.com, for example) or if that would require a charter amendment. I do frequent public records requests, but have not yet attempted to sunshine Board of Directors email communications because the members, to my knowledge, use their personal email addresses for Board of Directors communications.

I also wish that the Board of Supervisors had more power over the SFMTA permitting process. Starting with the tech shuttle buses, the agency has been permitting bad actors -- tech shuttles, Chariot, and now, possibly, the scooter companies. The SFMTA recently granted an operating permit to Chariot, a scofflaw company whose profits are based on breaking the law and competing with Muni for passengers. I have been recuperating from an injury, so I have not been able to observe Chariot operations. When I am back in San Francisco, I will be checking if Chariot operations have come into compliance with the law -- no more double parking, pulling into crosswalks and handicapped zones, public bus stops, or driveway frontages in the absence of ordinances passed for each driveway frontage that Chariot wishes to use. In fact, I don't think any such ordinances have been passed by the Board of Directors.

The SFMTA has also been sticking to talking points that it cannot charge more than cost recovery to companies that seek permits to use City infrastructure -- in particular, streets and sidewalks -- as places of enterprise for private gain. And yet the SFMTA does exactly the opposite with taxicabs, having created the medallion program in which medallions are -- or were, prior to the advent of Uber and Lyft -- sold for \$250,000 each. In fact, the SFMTA included expected medallion sales as sources of revenue in its budgets for several years. If we are going to permit these private, for-profit businesses to use our City infrastructure, why aren't we charging them medallion-style fees per vehicle? (Keep in mind that an unknown number of tech shuttle bus riders who are subcontractors and not directly employed by a tech company must PAY every time they ride a tech shuttle bus to their job.) Please see the attached City Attorney brief in the Mounsey case in which cab drivers unsuccessfully sued the SFMTA, arguing that the medallion sales amounted to an unlawful tax.

Susan Vaughan
District 1

180089

From: Sue Vaughan <selizabethvaughan@gmail.com>
Sent: Thursday, May 03, 2018 4:28 PM
To: Major, Erica (BOS); Tang, Katy (BOS); Safai, Ahsha (BOS); Kim, Jane (BOS); Peskin, Aaron (BOS)
Subject: Item 180089 on the May 7, 2018 Land Use and Transportation Agenda
Attachments: Mounsey-v-CCSF-CGC-12-525348.pdf

Dear Supervisors,

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Susan Vaughan
District 1

ENDORSED
FILED
San Francisco County Superior Court

DEC 11 2013

CLERK OF THE COURT
BY: CAROLYN BALISTRERI
Deputy Clerk

1 DENNIS J. HERRERA, State Bar #139669
City Attorney
2 WAYNE SNODGRASS, State Bar #148137
Deputy City Attorney
3 City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
4 San Francisco, California 94102-4682
Telephone: (415) 554-4675
5 Facsimile: (415) 554-4699
E-Mail: wayne.snodgrass@sfgov.org
6

7 Attorneys for Defendants and Respondents
SAN FRANCISCO MUNICIPAL TRANSPORTATION
8 AGENCY ("SFMTA"), EDWARD D. REISKIN, TOM
NOLAN, CHERYL BRINKMAN, MALCOLM A.
9 HEINICKE, JERRY LEE, LEONA BRIDGES, JOEL
RAMOS, CRISTINA RUBKE
10

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SAN FRANCISCO
13 UNLIMITED JURISDICTION

14 BILL MOUNSEY, IZA PARDINAS,
15 JEFFREY GROVE, UNITED TAXICAB
WORKERS, an unincorporated association of
16 San Francisco taxi drivers and the SAN
FRANCISCO CAB DRIVERS
17 ASSOCIATION, A California Nonprofit
Mutual Benefit Corporation,
18

19 Plaintiffs and Petitioners,

20 vs.

21 SAN FRANCISCO MUNICIPAL
TRANSPORTATION AGENCY ("SFMTA"),
EDWARD D. REISKIN, TOM NOLAN,
22 CHERYL BRINKMAN, MALCOLM A.
HEINICKE, JERRY LEE, LEONA
23 BRIDGES, JOEL RAMOS, CRISTINA
RUBKE, ALL PERSONS INTERESTED IN
24 THE MATTER OF THE VALIDITY OF
TAXI MEDALLION SALES TRANSFER
25 PROGRAM, and DOES 1-25,

26 Defendants and Respondents.
27
28

Case No. CGC-12-525348

**NOTICE OF HEARING OF DEFENDANTS
AND RESPONDENTS' MOTION FOR
SUMMARY JUDGMENT AND/OR SUMMARY
ADJUDICATION**

Hearing Date: February 21, 2014
Hearing Judge: Hon. Marla J. Miller
Time: 9:30 a.m.
Place: Dept. 302

Date Action Filed: October 22, 2012
Trial Date: March 24, 2014

Attached Documents: None

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NOTICE OF HEARING

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on February 21, 2014, at 9:30 a.m. or as soon thereafter as counsel may be heard, in Department 302 of the San Francisco Superior Court, defendants and respondents San Francisco Municipal Transportation Agency ("SFMTA"), Edward D. Reiskin, Tom Nolan, Cheryl Brinkman, Malcolm A. Heinicke, Jerry Lee, Leona Bridges, Joel Ramos, and Cristina Rubke (collectively "defendants") will, and hereby do, move for an order granting summary judgment in defendants' favor on all causes of action contained within the "Complaint for Reverse Validation Action, Petition for Writ of Mandate and Declaratory and Injunctive Relief" (hereinafter the "Complaint") filed by plaintiffs and petitioners in this action on or about October 22, 2012. Specifically, defendants seek summary judgment on (1) plaintiffs and petitioners' cause of action alleging that SFMTA Resolution 12-110 ("the Resolution") and the Medallion Transfer Program "constitute an illegal enactment of legislation by an administrative agency" (Complaint, ¶ 18(a)); (2) their cause of action alleging that the Resolution and the Medallion Transfer Program "were enacted without due process as required by the CCSF's charter and the California and federal constitutions" (Complaint, ¶ 18(b)); (3) their cause of action alleging that the Resolution and the Medallion Transfer Program "require a payment for a medallion that constitutes the imposition of a special tax without approval of two-thirds vote as required by article XIII C, section 2 of the California Constitution" (Complaint, ¶ 18(c)); and (4) their cause of action alleging that SFMTA Resolution 12-110 ("the Resolution") and the Medallion Transfer Program "are contrary to promises made to the individual plaintiffs and others similarly situated who detrimentally relied on the rights afforded them by being on the Waiting List." (Complaint, ¶ 18(d).) In the alternative, defendants seek an order summarily adjudicating the above-listed causes of action, and each of them, in defendants' favor, as a matter of law.

Defendants' motion will be, and is, made on the ground that there are no issues of material fact in dispute, and under applicable law and the undisputed facts and evidence before the Court, defendants are entitled to judgment on all causes of action as a matter of law.

1 Defendants' motion for summary judgment and/or adjudication will be and is based upon this
2 Notice; the accompanying Memorandum of Points and Authorities; the accompanying Separate
3 Statement of Undisputed Material Facts; the accompanying Request for Judicial Notice and exhibits
4 thereto; the accompanying Evidence and exhibits thereto; the accompanying Declarations of Wayne
5 Snodgrass and Christiane Hayashi; defendants' reply papers in support of its motion; the records and
6 pleadings in the Court's file in this case; and upon such other and further matters as may be considered
7 by the Court at the hearing on defendants' motion for summary judgment and/or adjudication.
8
9
10

11 Dated: December 11, 2013

12 DENNIS J. HERRERA
13 City Attorney
14 WAYNE SNODGRASS
15 Deputy City Attorney

16 By: 
17 WAYNE SNODGRASS

18 Attorneys for Defendants and Respondents
19 SAN FRANCISCO MUNICIPAL TRANSPORTATION
20 AGENCY, ET AL.
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DEC 11 2013

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BY: CAROLYN BALISTRERI
Deputy Clerk

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8 AGENCY ("SFMTA"), EDWARD D. REISKIN, TOM
NOLAN, CHERYL BRINKMAN, MALCOLM A.
9 HEINICKE, JERRY LEE, LEONA BRIDGES, JOEL
RAMOS, CRISTINA RUBKE
10

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SAN FRANCISCO
13 UNLIMITED JURISDICTION

14 BILL MOUNSEY, IZA PARDINAS,
15 JEFFREY GROVE, UNITED TAXICAB
WORKERS, an unincorporated association of
16 San Francisco taxi drivers and the SAN
FRANCISCO CAB DRIVERS
17 ASSOCIATION, A California Nonprofit
Mutual Benefit Corporation,
18

19 Plaintiffs and Petitioners,

20 vs.

21 SAN FRANCISCO MUNICIPAL
TRANSPORTATION AGENCY ("SFMTA"),
EDWARD D. REISKIN, TOM NOLAN,
22 CHERYL BRINKMAN, MALCOLM A.
HEINICKE, JERRY LEE, LEONA
23 BRIDGES, JOEL RAMOS, CRISTINA
RUBKE, ALL PERSONS INTERESTED IN
24 THE MATTER OF THE VALIDITY OF
TAXI MEDALLION SALES TRANSFER
25 PROGRAM, and DOES 1-25,

26 Defendants and Respondents.
27
28

Case No. CGC-12-525348

**MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
DEFENDANTS AND RESPONDENTS'
MOTION FOR SUMMARY JUDGMENT
AND/OR SUMMARY ADJUDICATION**

Hearing Date: February 21, 2014
Hearing Judge: Hon. Marla J. Miller
Time: 9:30 a.m.
Place: Dept. 302

Date Action Filed: October 22, 2012
Trial Date: March 24, 2014

Attached Documents: None

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INTRODUCTION

This case illustrates how those who stand to benefit under a flawed regulatory system resist any reforms to that system. Plaintiffs are taxi drivers whose names are on a waiting list to receive taxi medallions, and who, under rules in place from 1978 through 2012, stood to receive those medallions virtually for free – even if not until old age, when those who finally receive medallions may be infirm or incapable of driving safely and in compliance with local requirements. Plaintiffs challenge a 2012 resolution of the San Francisco Municipal Transportation Agency (“SFMTA”), which allows elderly or disabled medallion holders to surrender their medallions to SFMTA for consideration, rather than continuing to drive and placing public safety at risk, and allows SFMTA to transfer medallions out to other applicants on the waiting list, for a specified price, so applicants can receive medallions sooner

Plaintiffs allege a variety of legal claims, but none pass muster. Defendants thus request that this Court enter summary judgment in their favor, or, failing that, that the Court summarily adjudicate that each of plaintiffs’ claims is without merit as a matter of law.

LEGAL AND FACTUAL BACKGROUND

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I. IN SAN FRANCISCO AND OTHER CITIES, TAXI MEDALLIONS ARE LEGALLY REQUIRED IN ORDER TO OPERATE A TAXI ON PUBLIC STREETS

Under California law, “[t]he use of public streets for private enterprise is a special privilege peculiarly subject to regulation, and may be withheld on reasonable grounds related to public safety, health and welfare. There is no vested or constitutional right to use a public street for conducting private business.” (*O’Connor v. Superior Court* (1979) 90 Cal.App.3d 107, 114; *Cotta v. City and County of San Francisco* (2007) 157 Cal.App.4th 1550, 1560.) This includes the private business of operating a taxi on public streets. (*O’Connor, supra*, 90 Cal.App.3d at pp. 113-114.)

In San Francisco, as in a number of other American cities, no person may operate a taxi on public streets without possessing a city-issued taxi medallion. (Separate Statement of Undisputed Facts in Support of Motion [“SSF”], Fact 8; Transp. Code¹ §§ 1105(a)(1), 1102 [defining “medallion” as a permit

¹ Relevant sections of the San Francisco Transportation Code are collectively attached as Exhibit A to Defendants’ Request for Judicial Notice (“RFJN”) in support of this motion.

180089

From: zrants <zrants@gmail.com>
Sent: Thursday, May 03, 2018 2:10 PM
To: Peskin, Aaron (BOS)
Cc: Tang, Katy (BOS); Safai, Ahsha (BOS); Kim, Jane (BOS); Major, Erica (BOS)
Subject: Fwd: Please Vote in Favor of Ordinance 180089

April 3, 2018

Dear Members of the Land Use and Transportation Committee,

re: I strongly support Ordinance 180089 - Setting Up Procedures for BOS Review of Certain SFMTA Decisions

I just sent you another letter explaining the lack of communication problems. You can expect more to come, and some possible articles as well, as I edit my notes based on your comments at the last Land Use and Transportation Committee meeting. You took the time to make comments so I will honor your effort by taking the time to write my comments to you. The SFMTA Board and staff has probably turned into one of the larger thorns in the side of San Francisco citizens by mishandling many of the projects they have taken on.

For some time, it has been obvious to residents and merchants that the methods deployed by SMTA are not getting the results they promised or solving our traffic and parking problems. We need to continue the conversation about how effective the SFMTA methods have been and which priorities the public wants them to concentrate on as opposed to what they are doing.

I apologize, I misquoted Supervisor Peskin in my last letter, the words he used to describe the SFMTA Board were, "a *shadow legislative branch of government*". The lack of transparency throughout the SFMTA organization, and the lack of public understanding about the power it has, has lead to a crisis situation on our streets.

I am less concerned about the parking and traffic and gridlock than the social unravelling that we are seeing everywhere, as the turf wars begin to heat up. The only way I can see for us to navigate this social unrest is to stop the media-driven negative messages we are getting about the mode wars, and concentrate on the big picture. The fastest way to protect cyclists and pedestrians is to stop the war of words. You might start by removing the PR funding from the SFMTA. That branch of government appears to be spending time and money re-branding themselves for the third or fourth time in the last few years.

For too long, SFMTA has ignored the views of residents whose lives are negatively impacted by so many SFMTA decisions, which have not been appealable. As such, the SFMTA Board of Directors has made decisions with impunity. I strongly support Ordinance 180089, which finally establishes procedures for the public to seek review before the BOS of certain SFMTA decisions. More needs to be done, but it's a great first step in giving the public a chance to fight unfair SFMTA decisions.

Please vote in favor. And please try to penetrate that wall if you can and suggest the SFMTA Board of Directors elected a new Chair.

Sincerely,
ari Eliza

180089

To: Somera, Alisa (BOS)
Subject: RE: I Urge You to Vote in Favor of Ordinance 180089, Setting Up Procedures for BOS Review of Certain SFMTA Decisions

From: Paula Katz [<mailto:paulagiants@gmail.com>]

Sent: Thursday, May 03, 2018 7:18 AM

To: Tang, Katy (BOS) <katy.tang@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>

Cc: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Meyer, Catherine (BOS) <cathy.mulkeymeyer@sfgov.org>; Albert Chow <president@sf-pops.com>; mari eliza <zrants@gmail.com>; Nancy Wuerfel <nancenumber1@aol.com>; Save Our L Taraval Stops! <saveourltaravalstops@gmail.com>; Ausra Eileen Boken <aeboken@gmail.com>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Summers, Ashley (BOS) <ashley.summers@sfgov.org>

Subject: I Urge You to Vote in Favor of Ordinance 180089, Setting Up Procedures for BOS Review of Certain SFMTA Decisions

Dear Members of the Land Use and Transportation Committee,

For too long, SFMTA has ignored the views of residents whose lives are negatively impacted by so many SFMTA decisions, which currently are not appealable. As such, the SFMTA Board of Directors can make decisions with impunity. I strongly support Ordinance 180089, which finally establishes procedures for the public to seek review before the BOS of certain SFMTA decisions. More needs to be done, but it's a great first step in giving the public a chance to fight unfair SFMTA decisions. Please vote in favor.

Sincerely,

Paula Katz
District 4 Resident

180089

Subject: Somera, Alisa (BOS)
RE: I Urge You to Vote in Favor of Ordinance 180089, Setting Up Procedures for BOS Review of Certain SFMTA Decisions

From: Chow, Albert [<mailto:president@sf-pops.com>]
Sent: Thursday, May 03, 2018 3:19 PM
To: Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: Paula Katz <paulagiants@gmail.com>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Meyer, Catherine (BOS) <cathy.mulkeymeyer@sfgov.org>; mari eliza <zrants@gmail.com>; Nancy Wuerfel <nancenumber1@aol.com>; Save Our L Taraval Stops! <saveourltaravalstops@gmail.com>; Ausra Eileen Boken <aeboken@gmail.com>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Summers, Ashley (BOS) <ashley.summers@sfgov.org>
Subject: Re: I Urge You to Vote in Favor of Ordinance 180089, Setting Up Procedures for BOS Review of Certain SFMTA Decisions

This is an important issue for small business as well. SFMTA decisions have really hurt a lot of small businesses!

Albert Chow
President, POPS
Vice-President, SFCDMA

Albert Chow, President
People of Parkside Sunset (POPS)
945 Taraval Street, #350
San Francisco, Ca. 94116

On Thu, May 3, 2018 at 7:25 AM, Safai, Ahsha (BOS) <ahsha.safai@sfgov.org> wrote:

Thank you Paula.

Ahsha Safai, *M.C.P.*
District 11 Supervisor
San Francisco Board of Supervisors
(415) 756-8103

On May 3, 2018, at 7:18 AM, Paula Katz <paulagiants@gmail.com> wrote:

Dear Members of the Land Use and Transportation Committee,

For too long, SFMTA has ignored the views of residents whose lives are negatively impacted by so many SFMTA decisions, which currently are not appealable. As such, the SFMTA Board of Directors can make decisions with impunity. I strongly support Ordinance 180089, which finally establishes procedures for the public to seek review before the BOS of certain SFMTA decisions. More needs to be done, but it's a great

first step in giving the public a chance to fight unfair SFMTA decisions. Please vote in favor.

Sincerely,

Paula Katz
District 4 Resident

180089

From: Aaron Goodman <amgodman@yahoo.com>
Sent: Sunday, April 29, 2018 11:34 PM
To: Major, Erica (BOS)
Cc: Board of Supervisors, (BOS)
Subject: SFBOS - Land Use /
Attachments: 45_lisbon_parking_goodman.pdf

SFBOS

As I am unable to attend the Monday SFBOS Land Use meeting please accept this memo as public comment on the following item(s).

1) **180331** - I would like to submit my support on the protection and importance of the Clipper Cove for recreational use for youth, and the concerns of environmental impacts on the area by the development proposals on treasure island.

2) **180089** - I would request that the importance of this be stipulated to allow individuals to appeal SFMTA Traffic Engineering Decisions, especially larger parking and major projects that change street-scapes be allowed to be appealed by any resident (1 person) or more on the street as individuals or home-owners directly impacted by the proposed changes. The current legislation notes 50 people which is too many on many streets. This is too many as many blocks do not have a majority even at 25 units. The issue also directly needs to address appeals of SFMTA Traffic Engineer decisions, when there are issues raised during the Traffic Engineer Hearings, where SFMTA outreach is required, and the project did not address raised concerns by the public and it is forwarded to the FULL SFMTA Board for approval, without re-notification to those parties impacted so they can attend and appeal, or respond directly to the SFMTA on the hearing item. I had specifically such an issue that was duly noticed on Nov. 3, 2017, but was not re-noticed to residents in timely fashion or inclusive of requested changes and noted non-approval of the project at the Nov. 3, 2017 traffic engineer meeting. My issue currently resides at the SOTF and thus I am concerned that members of the public are being "steam-rolled" by decisions of the SFMTA such as changed lanes, parking areas, and impactful projects without due and adequate ability to respond or contest the issues. At the Nov. 3 2017 hearing it was clear that the project was NOT in support (45 Degree Parking Lisbon St) yet the project had a follow up meeting that was not public, with the site sponsor the JHSF representative, D11 Supervisors Aide, and the SFFD and SFDPW where both agencies were not supportive due to concerns raised. The project went forward to the full SFMTA board on Dec. 5th 2017, and was approved even with concerns raised, and safety issues and other physical and visual impacts not addressed, and without ability to appeal. My concerns are that the SF Planning Commission must review and notice projects duly, and have follow up or secondary meetings. The SFMTA is not being held to the same level of scrutiny, or ability to challenge. This takes away the publics, and residents right to contest an issue when proof is submitted or concerns raised. I attach the images of the project issues I had raised prior at the Nov. 3rd meeting.

It is VERY important to have checks and balances on agencies that have grown too big, and do not have proper and adequate oversight in relation to projects that are impactfull, and were requested prior to be coordinated and improved to address environmental and safety issues.

Thank you for considering my issues on these two items.

Sincerely

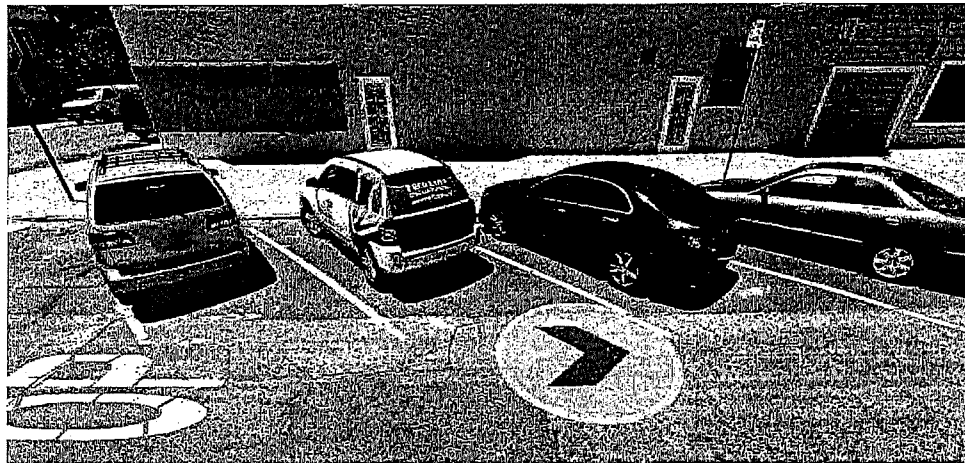
Aaron Goodman D11

Lisbon Street Proposal – To Establish 45 Degree Parking

Avalon Avenue to Peru Avenue
“Options beyond a wall of metal.....”

Aaron Goodman D11 Resident (25 Lisbon St.)

The problems with 45 degree parking.....



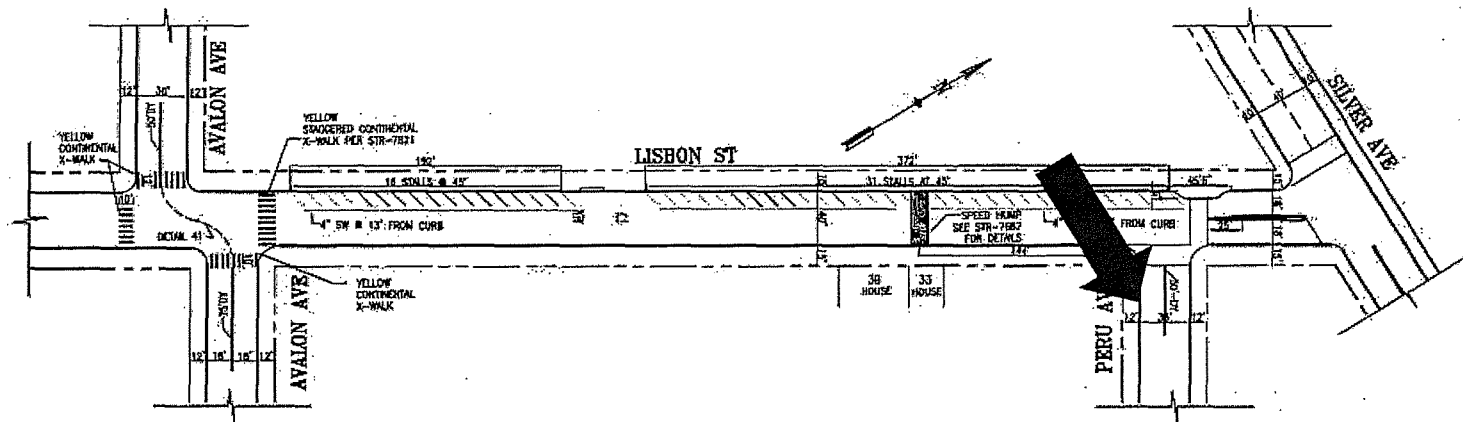
397 Paris Street – in the excelsior is one of two examples of installed 45 degree parking, there are no trees, no green, no human scale, benches, planters, or break in pattern. This leads to illegal dumping which is already a problem along Lisbon St.

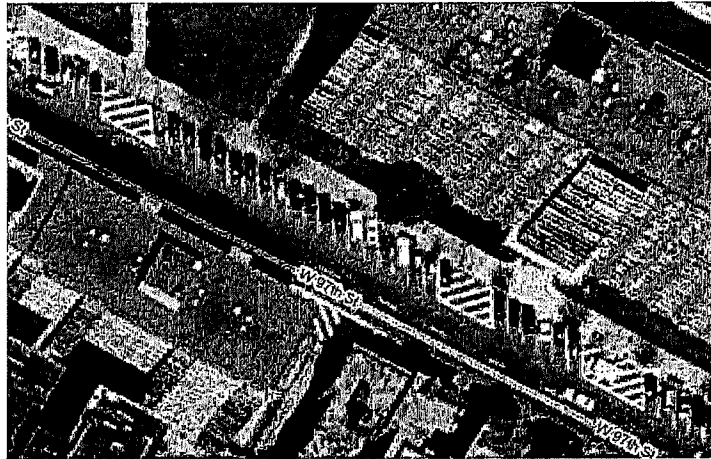


Lisbon Street existing is a two way street with high-velocity (OVER 25 miles per hour) area, as it is used as a cut-through street during commute times. The JHSF side has a proposal for tree planters, but this is not shown, nor whether the curbs will be cut to allow for finger-planters for the proposed bio-swale requested to break up the car-patterns. It does not show enough space to allow for high-speed, and angled parking.

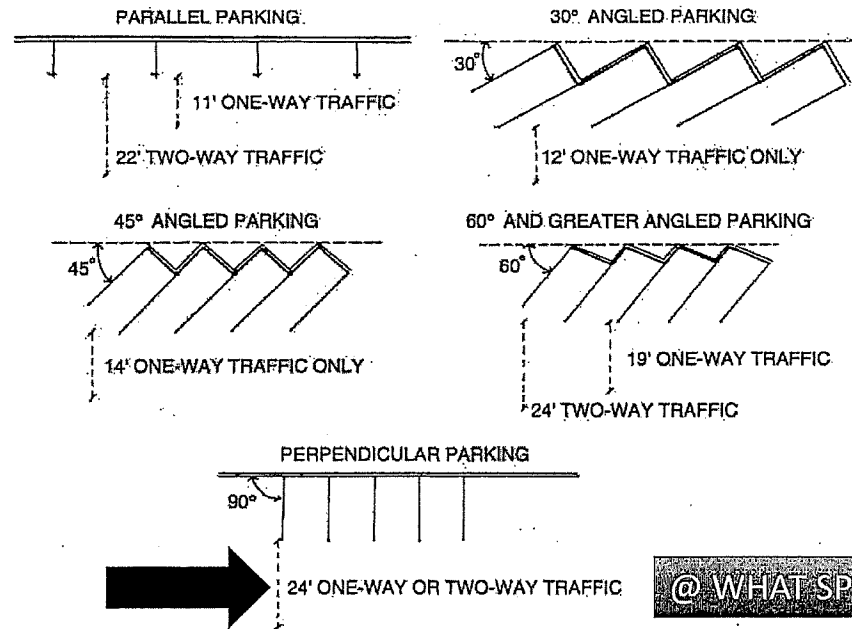
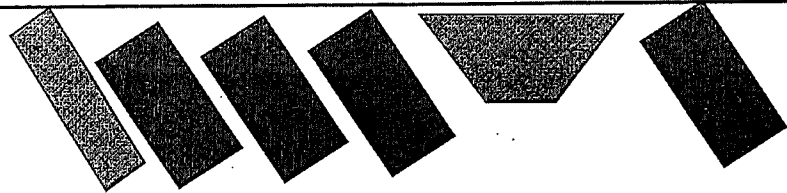
The proposed plan only shows parking engineered changes, and does not show any information on coordination between agencies, such as plantings, bioswale requested improvements, and safety requested improvements. The lower end of Lisbon has been noted to collect water (ponding) which floods the area, at the base of Peru. This is due to an improperly located catch-basin on the area noted. It was suggested that an improved landscape drainage and connection to the dead space in the JHSF fenced area be created to improve water-run-off and an improved bio-swale to reduce along Lisbon water run-off issues.

The speed of cars is noticeable at the turns (corners) and speed bump (existing) where accidents occur, and cars fly up and down Lisbon St. at high velocity, placing pedestrians and cyclists at risk along the street. When cars back out they will not easily see oncoming vehicles nor bicycles. Pedestrians are always jumping out of the way of cars, at Peru crosswalk which has a steep upgrade



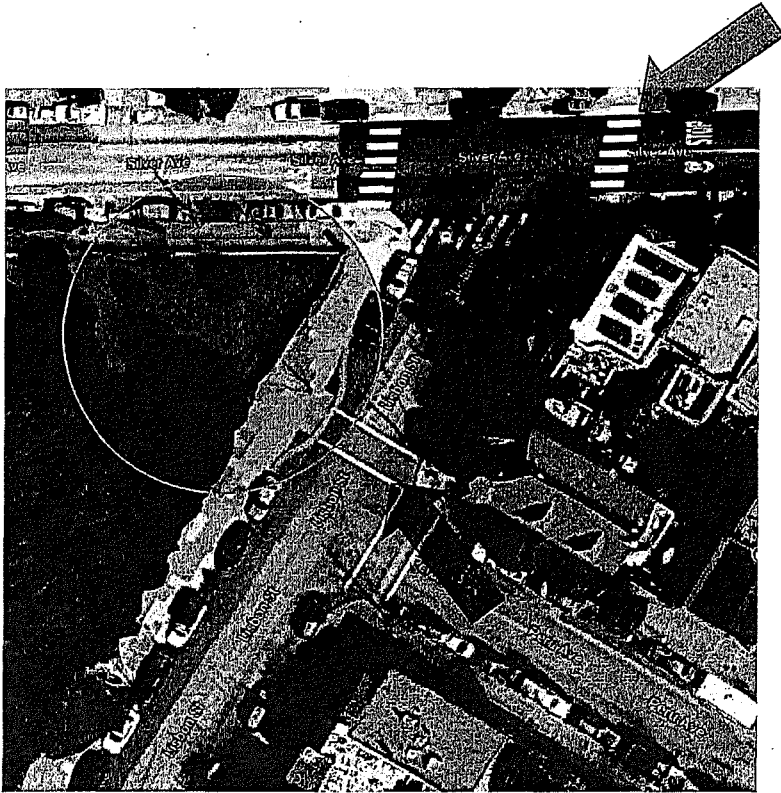


Example of 45 degree parking with break-up tree plantings. This image is in NYC, but shows again that the result is a wall of metal, unless the parking is broken up with bio-swales. Examples Below.



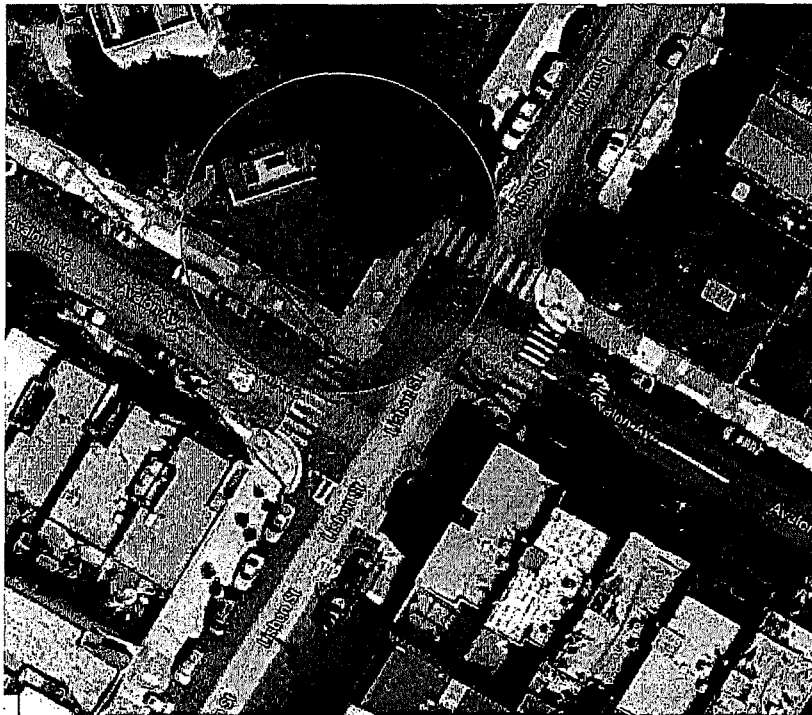
Note also that the 45 angled shows a 14'-0" one way traffic, and other zones show 24'-0" without speed considerations being included. This could be for a parking lot, but NOT a major traffic artery. Often cars now back up from Silver along Lisbon as a cut-through, and speeds increase as cars literally jump off the speed-bump existing.

Peru @ Lisbon and Silver



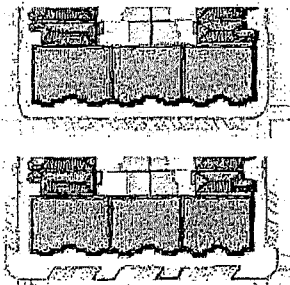
- We asked for an “integrated” solution between departments, SFDPW, FUF, and JHSF, SFMTA to ensure a better “ladder-crosswalk” at Peru and Lisbon, and Improved Safety Crossings at Silver and Lisbon due to people missing the stop-signs and failing to yield. The proposed mid-lane planting will not slow drivers or improved sufficiently pedestrian safety.
- The dead planted zone of the JHSF and the area noted can be a public park, or improved landscape zone if a bio-swale is integrated with the corrected catch-basin.
- Multiple auto-pedestrian accidents have occurred in this area, and many “close-calls” with seniors and children.

Lisbon and Avalon



- Again a dead-zone at the corner of the JHSF site, needing improved pedestrian safety due to a lack of sight-lines down Avalon.
- Trucks and larger vehicles also use Lisbon as a “free-storage-parking” zone, and add to the problem of street-size, and parking size as they will not be able to park properly and will take more than one space unless parking is enforced on commercial vehicles and sizes.
- There is also opportunities for Public furniture, and planters, at corners and crossings (bulb-outs) to improve the walkability around the JHSF site.

This older photo of Lisbon Street shows that it is a very NARROW street unless sidewalk area on the western edge is removed or an alternative is made that creates a separated bike lane and side-walk with a centered planted low-height median and angled parking alternating on sides. The SF Better Streets Plan shows that curbs can be installed between parking areas to improve visually the design and break up the pattern of parking spaces. Why is this not shown after repeated requests. The street-cleaning machines can clean these areas, currently the JHSF has sidewalk cleaning that blows with blowers debris to the street. We have asked for street-sweepers, or a green-team alternative for bio0swale areas so that they are cleaned and maintained as part of the Excelsior Planning Initiative.



Perpendicular or angled parking lines allow for the creation of generous corner spaces.

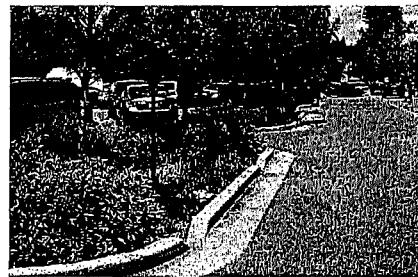
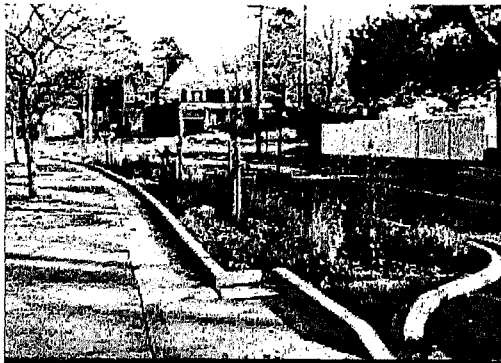
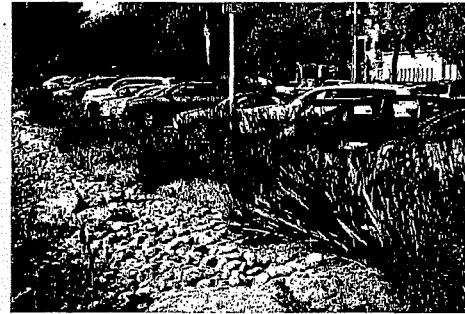
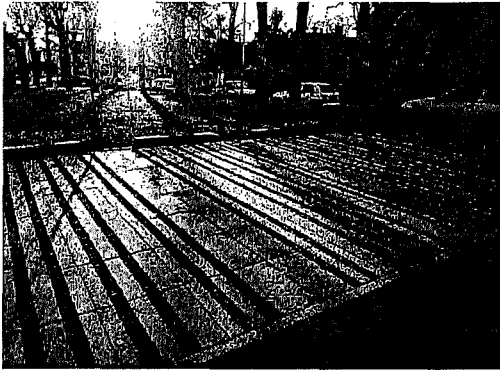


Insufficient width with high-speed traffic.

Side-swiped cars will result.



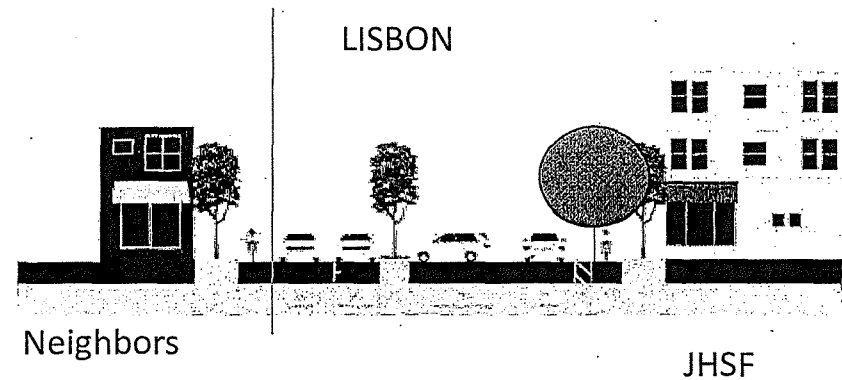
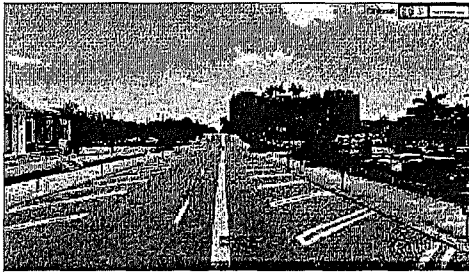
BIO-Swales and Pervious Pavement!!!!!!



- Paved, changes in materials can also slow traffic, and design the street. The Angled parking central median strip, or a longer lineal planter can add pockets of green, bulb-outs from the upper Lisbon at Avalon down to the lower Peru end as a Water retention and improvement landscape and visually. With benches, and some upright seating, it can provide community members with a walking route around the site.

Tree Plantings and Bike/Ped routes

191



- At left is a before and after shot of a street revised with finger-planters and trees. The JHSF has this as part of the plan but it is not shown, and still appears as a wall of parked cars, with little effort at breaking up the pattern.
- The street section shows an alternative that includes a bike lane and central 45 degree and aisle at right and the left can be shortened to be a parked car and drive aisle to replicate Lisbon.. It may be feasible to provide an extended bike/ped area, adjacent to the JHSF and a middle median to slow traffic.

In summary

- We have requested a coordinated effort on the 45 degree parking (*THIS MUST BE A PART OF THE JHSF PROJECT AND STREET REPAIR PLANS) Has “under-grounding of utilities been included or discussed?”
- We do not see any proposal to break up the pattern of parking after repeated requests to alter the parking numbers as required. (This may require that Avalon down to London also have a revised street parking ratio and 45 degree parking change.
- The water retention issue and catch-basin requires a bio-swale and improved water collection and tiered planters down Lisbon and from Peru, to deal with water erosion issues.
- We cannot support this proposal unless the integration and documentation of the landscape changes is included or mandated as part of this change inclusive of maintenance, and up-keep.
- Lighting and security issues are also a concern and has been raised prior, this should be a part of the proposal to improve street-lighting and safety/security and reduce illegal dumping in the area.

180089

From: Richard Rothman <rrothma@pacbell.net>
Sent: Friday, April 27, 2018 2:10 PM
To: Major, Erica (BOS); Summers, Ashley (BOS); Meyer, Catherine (BOS); Hepner, Lee (BOS); Duong, Noelle (BOS)
Cc: Persky, Nicholas (BOS)
Subject: Land use Committee File 180089 item 3 April 30 meeting

Hello,

Why am I support this review in concept I cannot support this measure the filing fee is too high in the burn is too high to collect signatures and support of other members of the board. For my dealings with SFMTA staff does not write a report and you just have to call up to find out that your request has been denied. I have yet to see a written report on the nine a stop sign or crosswalk.

The engineering hearings only talk about projects that they are going to prove why can't the engineering hearings also near appeals for projects that they disapprove. This way Staff would have to justify why they're not approving safety improvements that the residents are asking for. Using this process maybe there would be less denial of projects.

The long term answer this for the board of supervisors to have direct control of SFMTA.

The supervisors are elected officials and they should be held accountable for what SFMTA does does not do and they can only do this I having direct control over the agency.

Best,

Richard Rothman

415-350-7629

Sent from my iPad

180089

To: Duong, Noelle (BOS); Jodie Medeiros
Subject: RE: Monday's Land Use Meeting - SFMTA Ordinance

From: Jodie Medeiros <jodie@walksf.org>
Sent: Thursday, April 26, 2018 1:11:36 PM
To: Kim, Jane (BOS)
Cc: Duong, Noelle (BOS)
Subject: Monday's Land Use Meeting - SFMTA Ordinance

Good afternoon Supervisor Kim,

On Monday, at the Transportation and Land Use committee meeting, you will be reviewing an ordinance that will allow the BOS to review SFMTA final decisions - if 50 residents bring the project forward to the BOS. Walk SF feels like this ordinance will slow down the SFMTA (not speed them up which is the biggest complaint), adds an additional layer of bureaucracy and essentially guts the authority of the SFMTA Board. We know that SFMTA manages the brunt of community push back and essentially protects the supervisor. That's why we have the system of commissions and boards - to make those hard decisions out of the political limelight because it would be impossible for Supervisors to please all their constituents. This type of an ordinance puts the BOS on the spot for a lot of transportation decisions.

Walk SF would like to see all Vision Zero & bike projects exempt from the ordinance. Walk SF is concerned about it interfering with the city's Vision Zero goal which we only have 5 more years to achieve. I know Vision Zero is near and dear to your heart, and would hope that you would ask the hard and right questions about how we can achieve this goal. We're just reviewed the SFMTA's 5-year Capital Improvement Plan - where every dollar has been allocated to High Injury Network to achieve Vision Zero. This is fantastic! And we believe that many of these projects will be delayed based on this ordinance - when we should be speeding up our Vision Zero progress of street redesign because every life matters. Just last year we saw a major battle with the neighbors just to put boarding islands for the L-Traval and relocate parking to side streets (not even take parking away!). Yes, some Vision Zero projects do include parking removal or replacement which will inevitably trigger this ordinance.

We believe the ordinance should require 5 BOS needed to review the SFMTA Final Decision (currently written only 1 resident + 4 BOS or 50 local residents can bring a project to review. We know this won't be difficult. Parking space by parking space, traffic calming by traffic calming project, daylighting by daylighting should not be in the hands of the BOS after it has already gone through its due process through the SFMTA Board. Should it??

As a champion of Vision Zero, and someone who always asks the right - and often hard questions - I'm asking you to explore the impact this ordinance could have on the goals of Vision Zero - and the delays it would cause. How would this ordinance improve the process vs slow it down even more?

I will be there on Monday speaking in opposition to this ordinance - and the harm it will do to our city's overall Vision Zero goal. I am available to discuss any and all of this before Monday's meeting if you would find this helpful.

Thank you for listening and addressing our concerns at Land Use on Monday,
~jodie

--
Jodie Medeiros
Executive Director



333 Hayes St, Suite 202, San Francisco, CA 94102
415.596.1580 (cell) | walksf.org

Time to invest in safe and enjoyable streets through a Walk SF membership!
Only \$25 for the month of April

180089

From: Duong, Noelle (BOS)
Sent: Thursday, April 26, 2018 11:19 AM
To: Rachel Hyden
Cc: Major, Erica (BOS)
Subject: Re: SF Transit Riders transit topics for your attention

Hi Rachel,

Thank you for reaching out to Supervisor Kim's office. The Supervisor is not available to connect before the land use meeting Monday but we appreciate your advocacy in advance. I recommend also submitting a letter to the clerk's office so that it can be in the committee packet for all of the members to view. Eric Major cc'd staffs the land use committee for clerk's office and will be able to facilitate getting a letter into the packet for this item.

Warm Regards,
Noelle

Noelle Duong
Legislative Office of District 6 Supervisor Jane Kim
noelle.duong@sfgov.org | 415-554-7970

From: Rachel Hyden <rachel@sftransitriders.org>
Sent: Wednesday, April 25, 2018 7:59:26 PM
To: Kim, Jane (BOS)
Cc: Duong, Noelle (BOS); Corrette, Moses (BOS)
Subject: SF Transit Riders transit topics for your attention

Supervisor Kim,

We haven't had the chance to officially meet yet, but I'm Rachel, Executive Director of SF Transit Riders. I'm reaching out about a couple of transit-related topics that involve you in your Supervisor capacity as well as your commissioner capacity with MTC.

- 1.
2. I wanted to let you know SFTR is extremely concerned
3. about the proposed Ordinance to amend the Transportation Code, which I have heard has been calendared for Monday's Land Use and Transportation Committee meeting. We are concerned about the appeals process having a negative impact on SFMTA's ability to effectively
4. deliver transit priority and pedestrian safety projects. The ordinance will create a more complicated and confusing process that will undoubtedly cause more delay to getting capital projects done. We all know that is already difficult enough. This ordinance

5. arose from a frustration with SFMTA that is a real problem - responsiveness, transparency, accountability. It doesn't actually address those problems. I know you are not the sponsor of the bill but I wanted to make SFTR's position known. I do plan to be there
6. on Monday as well.
- 7.
- 8.
9. Regarding the means-based fare program, it has come
10. up about the potential for a BART-only pilot at a 20% discount. I wanted to quickly let you know SF Transit Riders is supportive of a Muni+BART pilot at a 50% discount. I will be sending a full letter to the P&A Committee with complete details. I met with
11. Commissioner Josefowitz last week to talk about this and he mentioned I should let you know where SFTR stands as this program is in active discussions.
- 12.
- 13.

If you or your staff are interested in meeting to further discuss these issues and other transit-related priorities, please let me know and I'd be happy to make it happen.

Regards,
Rachel



Rachel Hyden
Executive Director
San Francisco Transit Riders
sftransitriders.org



180089

From: Aaron Goodman <amgodman@yahoo.com>
Sent: Sunday, April 22, 2018 12:09 PM
To: Calvillo, Angela (BOS); SOTF, (BOS); Young, Victor
Subject: April 30th 2018 / SF Land Use Committee FILE NO. 180089 / Memo Response - A.Goodman

Follow Up Flag: Follow up
Flag Status: Flagged

SF Board of Supervisors

RE: FILE NO 180089

This item at the Land-Use hearing appears to directly deal with some of the issues I brought up between the SFMTA Traffic Engineer hearings and the full SFMTA Board hearings and due proper notice and channels of appeal. I brought a SOTF complaint File No. 18017 regarding the concerns on a proposal for 45 Degree Parking on Lisbon St. between Avalon and Peru and was concerned about the lacking of re-notification to people concerned or submitting issues as home owners along Lisbon St. on the issue.

We had concerns due to lacking translation (more than 1/2 the street is Non-English speaking) and the other side of the street is ADA Disabled residents of the JHSF as a larger facility with staff.

The concerns were due to adequate initial Nov. 3rd 2017 traffic engineer hearing notice, but lacking and insufficient follow-up hearing notice and a side-bar meeting with the D11 aide with SFDPW and SFFD without proper and due notification to community members to participate, that should have been involved in the discussion and resolution per the Traffic Engineer Chairs comments at the Nov. 3rd Meeting 2017, prior to being forwarded to the full SFMTA Board without due and public renotification per Section 202 of the Transportation Code of this follow up SFMTA Board meeting on Dec. 5th, 2017 for posting on utility poles at a min. of the follow up SFMTA Board hearing. (No notice went to the community members of the follow-up SFMTA Board hearing on Dec. 5th 2017..

The SF Land-Use hearing item is directly discussing appeals, and process, but should directly address RENOTIFICATION of the public post a traffic engineer hearing and prior to an SFMTA full board hearing on "consent" issues. Especially when there was NOT consent on the item and it should NOT have been heard or brought forward to the full committee.

Please forward my initial complaint SOTF File No. 18017 to the SF Board of Supervisors as a request to amend the legislation and require public renotification by the SFMTA Board per **Section 202 of the Transportation Code**, on the issues of File No. 180089. The appeals should also not require 50 people but less numbers of residents or owners required to file an appeal. This should be 20-25 max. signatures which is typically half of the block.

Please note that the SF Planning Department and other agencies in SF typically notify residents and petitioners, along with people who attend meetings and sign-up on email lists that they want to be notified, are supposed to be renotified of these follow-up hearings. This is NOT being done by agencies and must be required and reinforced.

This issue should be clarified by the City Attorney on proper and adequate notification regarding follow-up meetings of different agencies, and the requirements of projects (inclusive of SFMTA Traffic changes that are more impactful, and deal with public safety and the need for coordinated efforts and responses between

agencies that are publicly vetted such as the concerns raised by the SFFD and SFDPW on the proposal for 45 degree parking along Lisbon St.)

see now more clearly why there was some hesitation by SOTF members on the need to have more input of the city attorney on this issue.

Sincerely

Aaron Goodman D11 Resident
E: amgodman@yahoo.com

**Sunshine Ordinance Task Force
Complaint Summary**

File No. 18017

Aaron Goodman V. SFMTA

Date filed with SOTF: 3/6/18

Contacts information (Complainant information listed first):

amgodman@yahoo.com (Complainant)

Roberta Boomer, Caroline Celaya, sfmtasunshinerequests@sfmta.com, SFMTA (Respondent)

File No. 18017: Complaint filed by Aaron Goodman against the San Francisco Municipal Transportation Agency (SFMTA) for allegedly violating Administrative Code, Sections 67.7 and 67.7-1, by taking action on an item prior to posting an agenda.

Administrative Summary if applicable:

Complaint Attached.

From: [Pierce, Jeffrey \(ETH\)](#)
To: [Braxton, Ernestine](#)
Subject: FW: New Year _ follow up Item.... - SFMTA
Date: Wednesday, January 3, 2018 10:23:42 AM

Hi Ernestine, please log this as a complaint with subject "sunshine ordinance" and assigned to me. Thx!

From: Hickey, Jacqueline (ETH)
Sent: Wednesday, January 3, 2018 8:17 AM
To: Pierce, Jeffrey (ETH) <jeffrey.pierce@sfgov.org>
Subject: FW: New Year _ follow up Item.... - SFMTA

From: Aaron Goodman [<mailto:amgodman@yahoo.com>]
Sent: Tuesday, January 2, 2018 3:51 PM
To: Ethics Commission, (ETH) <ethics.commission@sfgov.org>
Subject: Fw: New Year _ follow up Item.... - SFMTA

Ethics Commissioners

I believe the SFMTA acted improperly in not notifying the public of the final approval hearing of this item, the prior hearing we spoke opposing the proposal unless changes were made to the parking layout and number of parking spaces. The D11 Supervisor Representative Cathy Mulkey Meyer, attended the prior meeting (prior to the Dec. 5th SFMTA hearing) as did the developers representative Joel Roos JHSF. At the prior meeting we voiced our concerns and opposition to the changes. Tom Folks again (did the same prior) asked the SFMTA team on the project to outreach to the neighborhood the possible alternatives. They never did.

Is this a formal complaint, or an informal one (was not sure as I have not filed one to date, but would like to file one in relation to this issue since inadequate notification went out on the proposed changes.)

A. Goodman D11 (25 Lisbon St.) Resident
amgodman@yahoo.com
Cell: 4157866929

On Tuesday, January 2, 2018 3:22 PM, Aaron Goodman <amgodman@yahoo.com> wrote:

Cathy

You attended the meeting with Joel Roos and Myself. We discussed prior and post the meeting the need to follow-up on this item and ensure that the SFDPW, and Fire-Department staff would be aok with the JHSF on removing 1-2 squares inwards towards the JHSF of sidewalk,

or the overall concerns for speed and overall dimension issues along Lisbon St. due to car-traffic speeds which are a serious hazard and has been reported prior the concern on car speeds on Lisbon and the speed-bump existing which does little to reduce speeds up and down Lisbon St. The Peru St. intersection was also a big issue since we wanted a better "bio-swale" concept or improved water-run-off areas and a break in the sidewalk possibly with a rumble strips or similar materials to reduce and slow traffic at Peru..

I stated to the hearing officer prior that we are **NOT** in support of the 45 Degree Parking if it is to remain a "wall of metal" across Lisbon St. and that it was understood that there would be efforts to provide median plantings, and/or finger/planters between parking to break up the repetitive nature of the parking shown. The JHSF had shown plans for tree-plantings along Lisbon however we wanted to be sure that parking was broken up by median strips and efforts to control water-run-off and improve visible character of the change proposed and provide options for seating at both ends of the street at London and Silver/Peru to improve walking the block of the JHSF and the surrounding street-scape. There were locations on both ends, and mid-block where this could occur.

The hearing occurred at the SFMTA Dec 5th (without ANY notification to residents in the area!!!) There were ZERO postings around on any poles on the Dec. 5th final hearing item.

SFMTA Board Item 10.1 Traffic Modifications Tuesday Dec. 5th 2017

H. ESTABLISH – 45 DEGREE ANGLE PARKING - Lisbon Street, west side, from Peru Avenue to 10 feet north of Avalon Avenue. PH 11/3/17 Requested by District 11

I would like to know what was done in terms of agreement, or approvals, and why the SFMTA representatives in charge of the project did ZERO outreach on the issue post the prior meeting.

I believe this was a violation of the proper notification process. The item was I believe approved, but should not have been due to lacking notification to residents on the hearing...

A.Goodman D11

Young, Victor

From: SOTF, (BOS)
Sent: Tuesday, March 06, 2018 3:49 PM
To: 'Aaron Goodman'
Cc: Calvillo, Angela (BOS)
Subject: SOTF - Referral of Complaints to the Sunshine Ordinance Task Force
Attachments: Sunshine Ordinance- SFMTA-1718-058.pdf

Dear Mr. Goodman:

The attached complaints against the SFMTA has been referred from the Ethics Commission to the Sunshine Ordinance Task Force. Please let me know if you would like the Task Force to open a complaint against the SFMTA for allegedly violation Administrative Code, Sections 67.7 and 67.7-1.

--
SEC. 67.7. AGENDA REQUIREMENTS; REGULAR MEETINGS.

(a) At least 72 hours before a regular meeting, a policy body shall post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting. Agendas shall specify for each item of business the proposed action or a statement the item is for discussion only. In addition, a policy body shall post a current agenda on its Internet site at least 72 hours before a regular meeting.

(b) A description is meaningful if it is sufficiently clear and specific to alert a person of average intelligence and education whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information on the item. The description should be brief, concise and written in plain, easily understood English. It shall refer to any explanatory documents that have been provided to the policy body in connection with an agenda item, such as correspondence or reports, and such documents shall be posted adjacent to the agenda or, if such documents are of more than one page in length, made available for public inspection and copying at a location indicated on the agenda during normal office hours.

(c) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public.

(d) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a policy body may respond to statements made or questions posed by persons exercising their public testimony rights, to the extent of asking a question for clarification, providing a reference to staff or other resources for factual information, or requesting staff to report back to the body at a subsequent meeting concerning the matter raised by such testimony.


SEC. 67.7-1. PUBLIC NOTICE REQUIREMENTS.

(a) Any public notice that is mailed, posted or published by a City department, board, agency or commission to residents residing within a specific area to inform those residents of a matter that may impact their property or that neighborhood area, shall be brief, concise and written in plain, easily understood English.

(b) The notice should inform the residents of the proposal or planned activity, the length of time planned for the activity, the effect of the proposal or activity, and a telephone contact for residents who have questions.

(c) If the notice informs the public of a public meeting or hearing, then the notice shall state that persons who are unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing, that these comments will be made a part of the official public record, and that the comments will be brought to the attention of the person or persons conducting the public meeting or hearing. The notice should also state the name and address of the person or persons to whom those written comments should be submitted.

Victor Young
Assistant Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall., Room 244
San Francisco CA 94102
phone 415-554-7724 | fax 415-554-5163
victor.young@sfgov.org | www.sfbos.org

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Young, Victor

From: SOTF, (BOS)
Sent: Wednesday, March 07, 2018 9:57 AM
To: 'Aaron Goodman'
Cc: Calvillo, Angela (BOS)
Subject: RE: SOTF - Referral of Complaints to the Sunshine Ordinance Task Force

Mr. Goodman:

A Sunshine Ordinance complaint will be opened and notice of hearing will be provided.

I would like to bring to your attention that the Sunshine Ordinance Task Force's (SOTF) jurisdiction is limited to noticing requirements as listed below. The SOTF does not have jurisdiction over policy decision made by other bodies.

SEC. 67.7. AGENDA REQUIREMENTS; REGULAR MEETINGS.

(a) At least 72 hours before a regular meeting, a policy body shall post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting. Agendas shall specify for each item of business the proposed action or a statement the item is for discussion only. In addition, a policy body shall post a current agenda on its Internet site at least 72 hours before a regular meeting.

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(c) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public.

(d) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a policy body may respond to statements made or questions posed by persons exercising their public testimony rights, to the extent of asking a question for clarification, providing a reference to staff or other resources for factual information, or requesting staff to report back to the body at a subsequent meeting concerning the matter raised by such testimony.

Victor Young 415-554-7724
Administrator, Sunshine Ordinance Task Force

-----Original Message-----

From: Aaron Goodman [mailto:amgodman@yahoo.com]
Sent: Tuesday, March 06, 2018 5:44 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Re: SOTF - Referral of Complaints to the Sunshine Ordinance Task Force

yes please do file a complaint on te issue as they moved forward an item where it was clear to me and the two other parties present at the prior hearing we were NOT in favor of the item as presented yet it was forwarded to the SFMTA board and approved without notice to adjacent property owners of the push through on the 45 degree parking on Lisbon st without proper and due notice and clarity on issues raised prior with the D11 supervisors aide and rep from the JHSF for the proposed impacts and safety concerns along Lisbon st without adequate traffic calming measures and

shifting of some of the parking around to Avalon st. With improved bio-Swales and landscape elements along with designated funds for trash and maintenance of the area post installation.

Thank you

Aaron Goodman D11

Sent from my iPhone

> On Mar 6, 2018, at 3:49 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

>

> 94102



SUNSHINE ORDINANCE TASK FORCE
Education, Outreach and Training Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES _ DRAFT

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

April 17, 2018 - 3:30 PM

Regular Meeting

Members: Josh Wolf (Chair), Eric Eldon, Louise Fischer

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Chair Josh Wolf called the meeting to order at 3:43 p.m. On the call of the roll Chair Wolf and Members Eldon and Fischer were noted present. There was a quorum:

There were no agenda changes.

2. **Adoption of the minutes for the February 20, 2018, Education, Outreach, and Training Committee meetings.**

The Committee discussed the approval of the meeting minutes.

Member Fischer, seconded by Member Eldon, moved to approve the February 20, 2018, meeting minutes as amended.

Public Comment:
None.

The motion PASSED by the following vote:

Ayes: 3 – Eldon, Fischer, J. Wolf
Noes: 0 – None

3. **Public Comment:** Members of the public may address the Education, Outreach and Training Committee on matters that are within the Committee's jurisdiction but not on today's agenda.

Speakers:

None.

The Education, Outreach and Training Committee (Committee) shall hold hearing(s) on File Nos. 18001 and 18017 to: 1) determine if the Sunshine Ordinance Task Force (Task Force) has jurisdiction; 2) review the merits of the complaints; and 3) issue a report and/or recommendation to the Task Force. The Task Force, upon receipt of the report and/or recommendation from the Committee, shall schedule and conduct a hearing on the merits of the complaint.

4. **File No. 18001:** Complaint filed by Julian Sarkar against Jose Cisneros and the Office of the Treasurer and Tax Collector for allegedly violating Administrative Code (Sunshine Ordinance, Section 67.21, by failing to respond to a request for public records in a timely and/or complete manner.

Julian Sakar (Petitioner) provided a summary of the complaint and requested the Committee to find violations. Mr. Sakar stated that his initial request for records was mishandled by the Treasurer/Tax Collector and he did not receive a response until additional inquiries were submitted. Mr. Sakar stated that he is looking for information as to how the Treasurer/Tax Collector received his name and targeted him for review. Theresa Buckley, Office of the Treasurer and Tax Collector (Respondent) provided a summary of the department's position and provided a summary of how the department is organized and separated into different sections that act independently. Ms. Buckley acknowledged that the November 30, 2017, letter requesting records was mishandled as communication but the Treasurer/Tax Collector has since provided responsive records to the November 30, 2017, and December 19, 2017 (received on December 28, 2017), request for records. Ms. Buckley stated that certain records were withheld for confidentiality purposes pursuant to Business and Taxation Code, Section 6.22-1(h). Ms. Buckley stated that providing a description of the records that have been withheld will violate confidentiality requirements. A question and answer period occurred. The Petitioner and Respondent were provided an opportunity for rebuttals.

The Committee suggested that the Respondent provide a simplified index of records that will not violate confidentiality, listing the number and type of records that have been withheld and the reason each record was withheld. The Committee requested that the parties work together to determine if certain confidential topics pertaining to Mr. Sakar can be discussed at the full Task Force hearing. As there is a possibility that records were transmitted to the wrong address, the Committee requested the Respondent to resend their responsive records to the Petitioner.

The Committee noted that the SOTF's jurisdiction is limited to the existence and timely disclosure of public records and cannot review operational policies and procedures of departments that are not covered by Administrative Code (Sunshine Ordinance), Chapter 67.

San Francisco Business and Taxation Code

SEC. 6.22-1. CONFIDENTIALITY.

(a) The information in a taxpayer's return is confidential, as is any information the Tax Collector learns about a taxpayer's business from the taxpayer or in response to the Tax Collector's request for information made under Sections 6.4-1 or 6.5-1. Information regarding the Tax Collector's investigation of a particular taxpayer, including the fact that the Tax Collector has sent a request for information to a particular taxpayer or is investigating a particular taxpayer, is also confidential. Except as permitted by this Section or as otherwise required by law, neither the Tax Collector nor his or her staff, nor any other of the City's current or former employees or agents may disclose taxpayer confidential information to any person.

(b) At the discretion of the Tax Collector, otherwise confidential information may be disclosed in any judicial proceeding or administrative proceeding pertaining to tax administration, determination, assessment, collection, or enforcement, of any civil or criminal liability arising under the Business and Tax Regulations Code if the information concerns a person who is a party to the proceeding, or the proceeding arose out of, or in connection with determining that person's civil or criminal liability, or the collection of that person's liability with respect to any tax imposed thereunder.

(c) At the discretion of the Tax Collector, disclosure of otherwise confidential information may be made to the extent such disclosures are reasonably necessary to obtaining information bearing a direct relationship to the determination, assessment, collection, or enforcement of any civil or criminal liability arising under the Business and Tax Regulations Code.

(d) At the discretion of the Tax Collector, the Tax Collector may disclose otherwise confidential information to employees or agents of the Tax Collector or other City employees who are engaged in matters preparatory to any judicial or administrative proceeding pertaining to the administration or enforcement of any civil or criminal liability arising out of the Business and Tax Regulations Code.

(e) If the Tax Collector determines that a liability owing from a taxpayer may be collected from another person, the Tax Collector may disclose to such other person information relevant to the determination and collection of tax due or owing from the taxpayer.

(f) The taxpayer, his successors, receivers, trustees, executors, administrators, assignees and guarantors, and their duly authorized legal representatives if directly interested, may be given information regarding the items included in the measure and amount of any unpaid tax or amounts of tax required to be collected, interest and penalties.

(g) Notwithstanding any other provision of the Business and Tax Regulations Code or of any City ordinance, the Tax Collector is authorized to enter into agreements with other

public agencies providing for the exchange of information for official purposes of said agencies, and to implement any such agreement through the exchange of information.

(h) Notwithstanding any other provision of the Business and Tax Regulations Code or of any City ordinance, the Tax Collector shall provide any and all information to the Controller that is needed to fulfill the Controller's responsibilities under Section 3.105 of the Charter. With regard to all such information provided by the Tax Collector, the Controller shall be subject to the confidentiality provisions of subsection (a) of this Section.

(i) The Tax Collector may disclose to any City employee or agent for official purposes any information described in subsection (a) in aggregate or other form that does not disclose the identity of particular taxpayers.

(j) Nothing in this Section shall impose any liability upon the Tax Collector or any employee or agent thereof for any disclosures of confidential information made in the performance of his or her duties.

Member Fischer, seconded by Member Eldon, moved to find jurisdiction in the matter, find that the requested records are public, and referred the matter to the SOTF for hearing with the recommendation to find a violation of Administrative Code (Sunshine Ordinance), Section 67.21 for failing to respond to a public records requests in a timely manner.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 – Eldon, Fischer, J. Wolf

Noes: 0 – None

5. **File No. 18017:** Complaint Filed by Aaron Goodman against the San Francisco Municipal Transportation Agency (SFMTA) for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.7 and 67.7-1, by taking action on an item prior to posting an agenda.

Aaron Goodman (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Goodman submitted additional documents at the meeting and there were no objections to the late submission of supporting documents. Mr. Goodman stated that there was no outreach to the public or involved parties regarding the SFMTA's December 5, 2017, meeting. Mr. Goodman provided a summary of the effect resulting from the SFMTA's actions. Roberta Boomer and Tom Folks, SFMTA (Respondent), provided a summary of the department's position. Ms. Boomer stated that the SFMTA Board of Directors complied with all Sunshine Ordinance requirements regarding the posting and noticing of the SFMTA Board of Director's December 5, 2017, meeting. Ms. Boomer stated that the requirements listed in San Francisco Transportation Code, Section 202, does not apply to the SFMTA Board of Directors meetings. However, Ms. Boomer stated that the November 3, 2017, Traffic

Engineer hearing complied with the Transportation Code listed below. A question and answer period occurred. The Petitioner and Respondent were provided an opportunity for rebuttals.

The Committee noted that the complaint was referred to the SOTF from the Ethics Commission and stated that the SOTF may only considered aspects of the complaint that pertain to Administrative Code (Sunshine Ordinance), Chapter 67. The Committee noted that departmental policy and procedures not related to Administrative Code (Sunshine Ordinance), Chapter 67, is not under the jurisdiction of the SOTF.

San Francisco Transportation Code

SEC. 202. NOTICE OF PUBLIC HEARING.

The City Traffic Engineer shall post localized notices of public hearings for changes implemented pursuant to subsections 201(b) or 201(c). Such notices shall be posted on at least two utility poles in the affected area for no less than 10 calendar days prior to the hearing. The notice of the public hearing shall also be posted on the SFMTA website.

Member Fischer, seconded by Member Eldon, moved to find jurisdiction in the matter and referred the matter to the SOTF for hearing without recommendations.

Public Comment:

None.

The motion PASSED by the following vote:

Ayes: 3 – Eldon, Fischer, J. Wolf

Noes: 0 – None

6. Announcements, Comments, Questions, Future Agenda Items and Pending Calendar by Members of the Education, Outreach and Training Committee.

There were no announcements or comments.

Public Comment:

None.

7. ADJOURNMENT

There being no further business the meeting was adjourned at 4:46 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

Approved by the Education, Outreach and Training Committee: DRAFT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: *al*
bn Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: February 16, 2018

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following substitute legislation, introduced by Supervisor Safai on February 13, 2018:

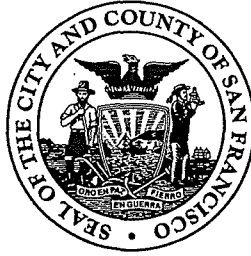
File No. 180089-2

Ordinance amending Division I of the Transportation Code to establish a procedure for Board of Supervisors review of certain Municipal Transportation Agency Decisions.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
Viktoriya Wise, Municipal Transportation Agency

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Monday, April 30, 2018
- Time:** 1:30 p.m.
- Location:** Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** File No. 180089. Ordinance amending Division I of the Transportation Code to establish a procedure for Board of Supervisors review of certain Municipal Transportation Agency Decisions.

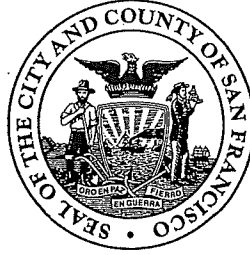
If this legislation passes, Division I of the San Francisco Transportation Code would be amended to establish procedures for review of certain SFMTA decisions by the Board of Supervisors. A new filing fee of \$597, payable to the Clerk of the Board of Supervisors within 30 days from the date of the Final SFMTA Decision, shall be collected for each Request for Review. A Request for Review may only be filed by a City resident, or owner of real property or of a business located in the City, which is signed by any combination of 50 other City residents, owners of real property in the City, owners of businesses in the City, on a form provided by the Clerk. All signatories must be City residents, own or lease real property, or own or lease a business within Proximity to the Final SFMTA Decision. Proximity to Final SFMTA Decision is a distance within 500 feet of all exterior physical boundaries of a Final SFMTA Decision.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, April 27, 2018.


for Angela Calvillo
Clerk of the Board

DATED/POSTED/PUBLISHED: April 19 and April 25, 2018

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: *el*
fs Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: February 6, 2018

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Safai on January 23, 2018:

File No. 180089

Ordinance amending Division I of the Transportation Code to establish a procedure for Board of Supervisors review of certain Municipal Transportation Agency Decisions.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
Viktoriya Wise, Municipal Transportation Agency

SAN FRANCISCO EXAMINER

This space for filing stamp only

835 MARKET ST, SAN FRANCISCO, CA 94103
Telephone (415) 314-1835 / Fax (510) 743-4178

ERICA MAJOR
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA - 94102

EXM#: 3123480

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE
MONDAY, APRIL 30, 2018 - 1:30 PM CITY HALL, LEGISLATIVE CHAMBER, ROOM 250 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

relating to this matter will be available for public review on Friday, April 27, 2018. - Angela Calvillo, Clerk of the Board

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of SAN FRANCISCO) ss

Notice Type: GPN - GOVT PUBLIC NOTICE

Ad Description:

EDM - 04.30.18 LUT - 180089 Fee Ad

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN FRANCISCO EXAMINER, a newspaper published in the English language in the city of SAN FRANCISCO, county of SAN FRANCISCO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN FRANCISCO, State of California, under date 10/18/1951, Case No. 410667. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

04/19/2018, 04/25/2018

Executed on: 04/25/2018
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 180089. If this legislation passes, Division I of the San Francisco Transportation Code would be amended to establish procedures for review of certain SFMTA decisions by the Board of Supervisors. A new filing fee of \$597, payable to the Clerk of the Board of Supervisors within 30 days from the date of the Final SFMTA Decision, shall be collected for each Request for Review. A Request for Review may only be filed by a City resident, or owner of real property or of a business located in the City, which is signed by any combination of 50 other City residents, owners of real property in the City, owners of businesses in the City, on a form provided by the Clerk. All signatories must be City residents, own or lease real property, or own or lease a business within Proximity to the Final SFMTA Decision. Proximity to Final SFMTA Decision is a distance within 500 feet of all exterior physical boundaries of a Final SFMTA Decision. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda Information



Email

* A 0 0 0 0 0 4 7 4 3 1 7 6 *

Member, Board of Supervisors
District 11



City and County of San Francisco

AHSHA SAFAÍ

February 13, 2018

Angela Calvillo, Clerk of the Board
City and County of San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Ms. Calvillo:

Attached please find an original and two copies of a proposed ordinance submitted for the Board of Supervisors approval, which will amend Division I of the Transportation Code to establish a procedure for Board of Supervisors review of certain Municipal Transportation agency Decisions.

The following is a list of accompanying documents (three sets):

- Proposed Ordinance

The following person may be contacted regarding this matter:

John I. Kennedy
Deputy City Attorney
San Francisco City Attorney's Office
Direct: (415) 554-3978
Facsimile: (415) 554-3985
Email: John.Kennedy@sfcityatty.org

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ahsha Safai".

Ahsha Safai
District 11 Supervisor

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2018 FEB 13 PM 4:51

Time stamp
of 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 [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached 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 the Imperative Form.

Sponsor(s):

District 11 Supervisor Ahsha Safai

Subject:

Board of Supervisors Review of Certain Municipal Transportation Agency Decisions

The text is listed:

Ordinance amending Division 1 of the Transportation code to establish a procedure for the board of Supervisors review of certain Municipal Transportation Agency Decisions.

Signature of Sponsoring Supervisor: []



For Clerk's Use Only

Member, Board of Supervisors
District 11



City and County of San Francisco

AHSHA SAFAÍ

January 23, 2018

Angela Calvillo, Clerk of the Board
City and County of San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Ms. Calvillo:

Attached please find an original and two copies of a proposed ordinance submitted for the Board of Supervisors approval, which will amend Division I of the Transportation Code to establish a procedure for Board of Supervisors review of certain Municipal Transportation agency Decisions.

The following is a list of accompanying documents (three sets):

- Proposed Ordinance

The following person may be contacted regarding this matter:

John I. Kennedy
Deputy City Attorney
San Francisco City Attorney's Office
Direct: (415) 554-3978
Facsimile: (415) 554-3985
Email: John.Kennedy@sfcityatty.org

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ahsha Safai".

Ahsha Safai
District 11 Supervisor

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 JAN 23 PM 3:18
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 [redacted] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [redacted] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [redacted]
- 9. Reactivate File No. [redacted]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [redacted]

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 the Imperative Form.

Sponsor(s):

District 11 Supervisor Ahsha Safai and District 3 Supervisor Aaron Peskin

Subject:

Board of Supervisors Review of Certain Municipal Transportation Agency Decisions

The text is listed:

Ordinance amending Division I of the Transportation Code to establish a procedure for Board of Supervisors review of certain Municipal Transportation Agency Decisions.

Signature of Sponsoring Supervisor:

Ahsha Safai

For Clerk's Use Only