

BOARD of SUPERVISORS



City Hall
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May 22, 2014

James M. Birkelund
Law Offices of James Birkelund
On behalf of Livable City
548 Market Street, Suite 11200
San Francisco, CA 94104

Subject: Appeal of Exemption Determination from Environmental Review - San Francisco Municipal Transportation Agency's Decision to Revoke Enforcement of Parking Meters on Sundays (Resolution No. 14-061)

Dear Mr. Birkelund:

The Office of the Clerk of the Board is in receipt of a memorandum dated May 21, 2014, (copy attached) from the Planning Department regarding the timely filing of the appeal concerning the Exemption Determination from Environmental Review for the San Francisco Municipal Transportation Agency's decision to revoke enforcement of parking meters on Sundays (Resolution No. 14-061).

The Planning Department has determined that the appeal was filed in a timely manner. A hearing has been scheduled on **Tuesday, June 17, 2014, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, Legislative Chamber, Room 250, 1 Dr. Carlton B. Goodlett Place, San Francisco.

Pursuant to Administrative Code, Chapter 31, CEQA Procedures for Appeal of Exemption Determinations, please provide to the Clerk's Office **by**:

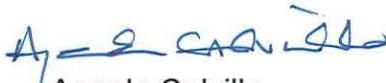
20 days prior to the hearing: names and addresses of interested parties to be notified of the hearing; and

11 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and one hard copy of the documentation for distribution, and, if possible, names and addresses of interested parties to be notified in label format. NOTE: If an electronic version of the documentation is not available, please submit 18 hard copies of the documentation to the Clerk's Office for distribution.

If you have any questions, please feel free to contact Legislative Deputy Director, Rick Caldeira at (415) 554-7711 or Legislative Clerks, Joy Lamug at (415) 554-7712 /John Carroll at (415) 554-4445.

Very truly yours,


Angela Calvillo
Clerk of the Board

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Elaine Warren, Deputy City Attorney
John Rahaim, Planning Director
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
Aaron Starr, Planning Department

Tina Tam, Planning Department
Nannie Turrell, Planning Department
Joy Navarrete, Planning Department
Viktoriya Wise, Planning Department
Jeanie Poling, Planning Department
Jonas Ionin, Planning Commission Secretary
Sonali Bose, Municipal Transportation Agency
Roberta Boomer, Municipal Transportation Agency



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 21, 2014
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer
RE: Appeal timeliness determination – SFMTA Resolution No. 14-061

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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415.558.6378

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415.558.6377

An appeal of the statutory exemption for the SFMTA Resolution No. 14-061 – SFMTA's FY2015-16 Two-Year Capital Budget was filed with the Office of the Clerk of the Board on May 15, 2014, by James M. Birkelund on behalf of Livable City, the San Francisco Transit Riders Union and Mario Tanev. The exemption for the FY2015-2016 Two-Year Capital Budget was issued under §21080(b)(8) of CEQA and §15273 of the CEQA Guidelines, providing a statutory exemption for the establishment, modification or restructuring of rates, tolls, fares, and/or charges.

Timeline: The statutory exemption was issued on March 25, 2014. The Approval Action for the project was a hearing before the SFMTA Board of Directors, which occurred on April 15, 2014 (Date of the Approval Action).

Timeliness Determination: Section 31.16(a) and (e) of the San Francisco Administrative Code states that any person or entity may appeal an exemption determination to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the Date of the Approval Action.

The appeal of the exemption determination was filed on May 15, 2014, which is 30 days after the Date of the Approval Action and is within the time frame specified above. Therefore the appeal is considered timely.