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June 16, 2014

President and Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board
Board of Supervisors, City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
Email: Board.of.Supervisors@sfgov.org

Re: Appeal of the San Francisco Municipal Transportation Agency's Decision to Revoke Enforcement of Sunday Meters (Resolution No. 14-061) – SUPPLEMENTAL COMMENTS

Dear President Chiu and Board of Supervisors:

On behalf of Livable City, the San Francisco Transit Riders Union, and Mario Tanev (collectively, Appellants), I write with supplemental comments concerning the San Francisco Municipal Transportation Agency's (SFMTA) budget proposal and decision to eliminate enforcement of parking meters on Sundays between the hours of 12 p.m. and 6 p.m. (the Metered Parking Decision).

We have reviewed SFMTA's memorandum in support of its budget proposal, dated June 6, 2014 (the SFMTA Memo) and the Planning Commission's response to the Appellants' appeal, dated June 9, 2014 (the Planning Commission Letter). Appellants appreciate the agencies' responses but SFMTA should not be allowed to mask actions that impact the environment and traffic, like the Metered Parking Decision, by bundling those actions into an overall budget proposal.

As discussed below, SFMTA's board voted in favor of the Metered Parking Decision without adequately informing the public and considering the need to examine this action under the California Environmental Quality Act (CEQA).

I. SFTMA Failed to Explicitly and Clearly Apply the CEQA Exemption to The Metered Parking Decision

CEQA and its Guidelines are to be interpreted "in such a manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." 14 Cal Code of Reg (CCR) §15003(f); *County of Amador v El Dorado County Water Agency*, 76 CA4th 931, 943-944 (1999). Because the exemptions operate as exceptions to CEQA, they must

be explicitly invoked and narrowly construed. *See, e.g., Santa Monica Chamber of Commerce v. City of Santa Monica*, 101 Cal.App.4th 786, 793 (2002); *San Lorenzo Valley Cmty. Advocates for Responsible Educ. v. San Lorenzo Valley Unified Sch. Dist.*, 139 Cal. App. 4th 1356, 1382 (2006). Generally speaking, the agency should proceed with a “considered awareness of the purposes and policy” that underlie CEQA; it should not undertake “a mechanical application of the exemption criteria” in reaching its decision. *Id.* at 1384; *see also Mountain Lion Found. v Fish & Game Comm’n*, 16 Cal.4th 105, 166 (1997) (court applied the “fullest protection” principle in rejecting the argument that there is an implied exemption from CEQA for endangered species listing actions); *see also Wildlife Alive v Chickering*, 18 Cal.3d 190 (1976) (exemptions should not be implied and explicit exemptions should be narrowly construed).

Here, the asserted CEQA exemption is facially deficient as to the action of eliminating metered parking on Sundays. The language in SFMTA’s budget proposal asserting a CEQA exemption is as follows:

“WHEREAS, SFMTA staff, under authority delegated by the Planning Department, has been determined that the proposed modifications to fines, fees, fares, rates and charges included in the FY 2015 and FY 2016 Operating and Capital Budgets, as itemized in Attachment A, including continuing free Muni for low and moderate income youth who use a Clipper® card pilot program, and providing free Muni for low and moderate income 18 year olds, seniors, and/or disabled riders who use a Clipper® card, contingent upon a review and determination of the SFMTA’s fiscal health, are statutorily exempt from environmental review pursuant to California Public Resources Code section 21080(b)(8) and CEQA implementing guidelines because the anticipated revenues will be used to meet SFMTA operating expenses, including employee wage rates and fringe benefits, or to purchase or lease supplies, equipment, or materials;”

SFMTA Resolution No. 14-061 (emphasis added). By a plain reading of this language, the exemption applies to the actions “as itemized by Attachment A” – an appendix that does not include the action to elimination of enforcement of metered parking on Sundays.¹ A member of the public would reasonably read this to mean the CEQA exemption does not apply to the Metered Parking Decision. In narrowly construing this asserted exemption, the courts would have to conclude the same.

SFMTA and the Planning Commission concede that Attachment A does not “itemize the elimination of Sunday parking meter enforcement.” *See, e.g., Planning Commission Letter*, p. 5. Nonetheless, they argue the CEQA exemption applies to the whole budget, wishing to expand the exemption broadly and have it implicitly cover all actions referenced in the budget proposal. This is an implied conclusion not a specific finding as required by the statute to invoke the exemption. Pub. Res. Code § 21080(b)(8). Applying the exemption to the whole budget would

¹ Appellants’ expert, Robert Shanteau, has reviewed the Planning Commission Letter and his conclusion remains that Attachment A does not itemize the Metered Budget Decision.

be contrary to the plain language quoted above and violate an abundance of legal precedent that requires CEQA exemptions to be construed narrowly.

The Planning Commission also refers to and attaches a statutory CEQA exemption from March 28, 2012, claiming the exemption was invoked when SFMTA first started enforcing meters on Sundays. Planning Commission Letter, Attachment 1. The 2012 exemption is not being challenged here and in any event the decision to start metered parking on Sundays was positive for the environment. What's telling, however, is that the 2012 use of the CEQA exemption specifically states that it exempts "Sunday parking meter enforcement between the hours of 12 pm – 6pm and establishing a four-hour time limit for parking at a meter on Sundays." *See* Exhibit A, p. 2 (SFMTA Resolution for FY 2013 and FY 2014). SFMTA therefore knew and recognized the need in 2012 to specifically identify the decision to start metered parking on Sundays as being exempt. This further evidences SFMTA's failure to follow CEQA and the same practice in 2014 when it did *not* specifically identify the Metered Parking Decision as exempt.

Although the discussion of CEQA exemptions may seem technical, there are real substantive impacts. A number of respected nonprofit groups have protested the Metered Parking Decision for both legal and policy reasons. Members of the public must have fair notice of the decisionmaking process and the opportunity to participate, if desired, by objecting to the use of CEQA exemptions *before* the SFMTA board votes on its budget proposal.

II. Eliminating the Enforcement of Parking Meters on Sunday Is Not for the Purpose of Meeting Operating Expenses

Even if the budget proposal properly referenced the Metered Parking Decision as being exempt from CEQA (which it did not), the action of eliminating the enforcement of metered parking on Sundays is for a nonexempt purpose. The written findings in the record before SFMTA do not provide substantial evidence to show the action is for the asserted purpose of meeting the operating expenses as required by the CEQA exemption. *See* Planning Commission Letter, pp. 4-5; SFMTA Memo, pp. 3-4; Pub. Res. Code § 21080(b)(8).

First, all evidence points to the conclusion that the decision was made for the nonexempt purpose of appeasing drivers not for meeting operating expenses. *The appeasement of drivers is not a side effect of the Metered Parking Decision it is the cause and purpose of taking the action.* The Mayor of San Francisco has made that clear. *See, e.g., Exhibit B* (additional evidence/press showing purpose to appease drivers and/or church goers).

Second, the Metered Parking Decision from a monetary perspective results in *lowering* the revenue for SFTMA's budget by as much as \$11 million. The impact of lowering revenues is direct evidence showing the decision is not designed to help meet operating expenses and does not qualify for the fares and rates exemption under CEQA. *See* Pub. Res. Code § 21080(b)(8). This loss of income in no way helps meet operating expenses and in fact does the opposite.

SFMTA has never met, for example, its charter-mandated reliability measures, and refused this year to provide the funding necessary to meet its Vision Zero goals for pedestrian injury prevention. The loss of income from metered parking on Sundays will mean there are things SFMTA should do, but will not be able to do, and SFMTA's inability to do those things is a hindrance to SFMTA meeting operating expenses.

Finally, because the action of ceasing Sunday meter enforcement does not result in increased revenues, the resulting impacts (traffic and environmental) are unnecessary public costs. In short, these costs are not required for SFMTA to meet its budget and therefore are not intended to be exempted from analysis under CEQA. These costs, moreover, are significant: SFMTA's own assessment of Sunday meters found greater parking availability - and fewer cars circling for parking - which means less traffic, less danger to pedestrians and cyclists from turning and distracted vehicles, less air pollution, and lower greenhouse gas (GHG) emissions. SFMTA's climate strategy includes parking management as one of its strategies to reduce GHGs. Traffic, pedestrian and bicycle safety, air quality and GHGs are all impacts under CEQA. The diminution of these values is a nonbudgetary matter.

SFMTA and the Planning Commission concede the Metered Parking Decision will reduce revenues but claim as long as the action is tied to the overall budget, the action is designed to meet operating expenses. SFMTA Memo, p. 4; Planning Decision Letter, pp. 3-4. *Id.* However, the case law cited by the agencies – *Great Oaks Water Co. V. Santa Clara Water Dist.*, 170 Cal.App.4th 956 (2009) – does not support this contention. That case dealt with a specific action to increase water rates and the court concluded “the increased funds would be used qualified for statutory exemption from CEQA....” *Id.* at 974; *see also Bus Riders Union v Los Angeles County Metro. Transp. Agency*, 179 CA4th 101 (2009) (fare increase adopted by transportation agency qualifies for CEQA exemption); *see also Condit v. Solvang Mun. Improvement Dist.*, 146 Cal.App.3d 997, 1001 (1983) (exemption applied to adoption of ordinance increasing rates for water service); *Surfrider Foundation v. California Coastal Com.*, 26 Cal.App.4th 151, 155–156 (1994) (exemption applies to Department of Parks and Recreation's approval to install devices for increasing revenue with parking fees).² No similar conclusion can be drawn here because there is no increase in funds from SFMTA's Metered Parking Decision.

III. This Is An Appeal of the Limited Decision to Cease Sunday Metered Parking

Appellants request that the Board of Supervisors treat this Appeal as limited to the decision to cease enforcing metered parking on Sundays. For purposes of CEQA, the definition of what constitutes a “project” is interpreted to enable the maximum protection of the environment and “focus[] attention on that which has impact on the environment.” *Bozung v. LAFCO*, 13 C3d 263, 283; 14 CCR 15378(c). A “project” is defined as the whole of an action

² The statutory rate-setting exemption was enacted by the legislature to limit the effect of *Shawn v. Golden Gate Bridge Etc. Dist.*, 60 Cal.App.3d 699 (1976), in which the court held that a fare increase for existing bus service was a project subject to CEQA review.

that may result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. 14 Cal Code Regs §15378(a). Here, the “whole of the action” that impacts the environment is not the entire budget but just the action of eliminating Sunday metered parking. *Id.* Appellants are only concerned with the impacts delineated in SFTMA’s December 10, 2013 report on Sunday metered parking, not with other actions discussed in the budget proposal.

Appellants request that the Board of Supervisors overturn the Metered Budget Decision but not SFMTA’s entire budget proposal. Overturning the Metered Budget Decision can be achieved without harm to other budget items because the challenged decision lowers revenues.

The Planning Commission argues the Appeal must be treated as an appeal of the *entire* budget proposal rather than the narrow decision to cease enforcing metered parking on Sundays. Planning Commission, p. 3. But the case law that requires a project to include the “whole of an action” was designed to prevent agencies from chopping up proposed projects into bite-sized pieces to avoid environmental review. *See, e.g., Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonoma*, 155 Cal.4th 1214 (2007). The Planning Commission wishes to do the opposite – it seeks to avoid environmental review by wrapping and cloaking a project into an overall budget proposal. There’s no legal support for this and doing so would contravene the mandate that CEQA be interpreted to “afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” 14 CCR §15003(f).

In the alternative, if the Board treats this Appeal as applying to the whole budget (which Appellants argue is incorrect), the result is nonetheless the same and Appellants reassert their arguments in that context. Just because the appeal might be treated as applying to the whole budget does not change the fact that the Metered Parking Decision is for the nonexempt purpose of appeasing drivers; and hence that portion of the budget does not qualify for a CEQA exemption.

IV. Environmental Review of the Metered Parking Decision Is Still Required

Because no CEQA exemption applies, the environmental impacts of the Metered Parking Decision must be examined. The Planning Commission’s assertion that the Metered Parking Decision does not result in direct physical changes and is “unlikely to have significant environment impacts” is not based on any analysis and is contradicted by SFMTA’s own studies. *See* Planning Commission Letter, pp. 5-6; *compare w* “Evaluation of Sunday Parking Management,” December 10, 2013 (attached to Appellants’ Appeal, Exh. A). Nor does the Planning Commission respond to Appellant’s expert report by Robert Shanteau. *See* Appellants’ Appeal, dated May 14, 2014, Exh. A. Under CEQA, the reasonably foreseeable impacts of the Metered Parking Decision, both direct and indirect impacts, must be examined. *See* 14 CCR §15064(d) (when evaluating the significance of a project’s environmental impacts, the lead agency must consider reasonably foreseeable *indirect* physical changes in the environment); *see also* 14 CCR §15360. The impacts identified in SFMTA’s December 2013 report are not

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speculative, they are well-documented and confirmed by Appellants' expert Robert Shanteau. *See* Appellants Appeal, Exh. A, pp. 1-2.

Conclusion

SFTMA's budget proposals should not be passed with catch-all CEQA exemptions, lacking in specificity and clarity, and with the effect of cloaking actions with negative impacts to traffic and the environment. No legal reason supports the City's failure to examine the environmental costs of a decision that is for a nonexempt purpose under CEQA and doesn't help but actually hurts the budget.

Appellants respectfully urge the Board of Supervisors to accept this appeal and reject the decision to cease enforcement of metered parking on Sundays.

Sincerely,



James M. Birkelund

Enclosures

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EXHIBIT A

MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. _____

WHEREAS, The FY 2013 and FY 2014 Operating Budget for the SFMTA is being prepared in accordance with the City Charter Section 8A.106 and is \$821.0 million for FY 2013 and \$840.5 million for FY 2014; and

WHEREAS, Charter Section 8A.106(b) requires the SFMTA to certify that the budget is adequate in all respects to make substantial progress towards meeting the performance standards established pursuant to Section 8A.103 for the fiscal year covered by the budget; and

WHEREAS, The SFMTA's FY 2013 and FY 2014 Operating Budget include the revenue and expenditure adjustments to reflect the Municipal Railway fare change for free service on New Year's Eve 2014 and 2015; and

WHEREAS, Authorizing the SFMTA's Director of Transportation to implement short-term experimental fares enables the SFMTA to respond effectively to community requests; and

WHEREAS, The SFMTA is proposing to change various fines, fees, fares, rates and charges, as itemized in Exhibits 1-5 including Municipal Railway transit passes, passports, stickers and fares, Candlestick Park Express and Special Event service fares, transit fare evasion/passenger conduct fines, neighborhood and other parking permit fees, temporary street closure permit fees, color curb fees, special traffic permit fees, community service processing fees, taxi service regulatory fees, traffic permit fees and penalties, boot removal fees, auto tow and storage fees, cable car/historic street car rental fee, special collection fees, parking meter use fees, temporary exclusive use of parking meter fees, Transportation Code and Vehicle Code penalties, parklet installation fee, and parking citation fines; and

WHEREAS, Revisions to Division II of the Transportation Code to increase parking citation late payment penalties, special collections fees, boot removal fees, various parking citation, Transportation Code, and Vehicle Code penalties, color curb painting fees, towing and storage administrative fees, the motor vehicles for hire penalty schedule, the request for community service processing fee, the parking meter use fee, the special traffic permit fee, the temporary exclusive use of parking meter fee, residential area and other parking permit fees, and temporary street closure permit fees, and add Section 313 to establish a parklet installation fee are attached in Section II; and

WHEREAS, The SFMTA is proposing to enforce parking meters on Sundays between the hours of 12 pm and 6 pm and establish a four hour time limit for parking at a meter on Sundays, and install up to 1,000 new additional parking meters; and

WHEREAS, The anticipated revenues from the changes in various fees, fares, rates and charges itemized in Exhibits 1-5 will be used to meet SFMTA operating expenses, including employee wages and benefits or to purchase and lease essential supplies, equipment and materials as documented in the SFMTA's FY2013 and FY2014 proposed Operating Budget; and

WHEREAS, Pursuant to Section 10 of the SFMTA Rules of Order and Charter Section 16.112, duly noticed public hearings concerning fines, fees, fares, rates and charges were conducted on March 6, 2012 and April 3, 2012; and,

WHEREAS, In compliance with the Charter section 16.112 requirement, an advertisement ran in the San Francisco Chronicle for a five-day period beginning on April 6, 2012, for the April 17, 2012

hearing; and,

WHEREAS, Section 10 of the SFMTA Board Rules of Order requires the SFMTA to publish a notice before adopting or revising any schedule of rates, charges, fares, fees, or fines for five days ending at least fifteen days before adopting such fares, and the San Francisco Chronicle ad was last published less than fifteen days before April 17, 2012; and

WHEREAS, It has been determined that the changes in various fines, fees, fares, rates and charges, as itemized in Exhibits 1-5, **including Sunday parking meter enforcement between the hours of 12 pm – 6 pm and establishing a four-hour time limit for parking at a meter on Sundays,** are statutorily exempt from environmental review under California Public Resources Code section 21080(b)(8) and CEQA implementing guidelines, Title 14 of the California Code of Regulations section 15273 because the anticipated revenues will be used to meet SFMTA operating expenses, including employee wage rates and fringe benefits, or to purchase or lease supplies, equipment, or materials as documented in the SFMTA's FY2013 and FY2014 proposed Operating Budget; and

WHEREAS, It has been determined that the proposed construction and installation of the proposed new parking meters is categorically exempt from environmental review pursuant to CEQA Guidelines section 15303, which provides a categorical exemption from environmental review for the construction of small structures; and

WHEREAS, These CEQA determinations are on file with the Secretary to the SFMTA Board of Directors and are incorporated herein by this reference; and

WHEREAS, Section 10.104.15 of the San Francisco Charter allows City departments to contract for services where such services can be practically performed under private contract at a lesser cost than similar work performed by employees of the City and County, as determined by the Controller and approved annually by the Board of Supervisors; and,

WHEREAS, The SFMTA has ongoing contracts for parking citation processing and collection; facility security services; paratransit services; parking meter collection and coin counting services; low-level platform maintenance services; and vehicle towing, storage and disposal services ("miscellaneous services"); and,

WHEREAS, The Controller has determined that for FY 2013 and FY 2014, the miscellaneous services can be practically performed by private contractors at a lesser cost than if they were performed by employees of the City; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors approves the SFMTA's FY 2013 and FY 2014 Operating Budget in the amounts of \$821.0 million and \$840.5 million; and be it further

RESOLVED, That in accordance with the requirements of Charter Section 8A.106(b), the SFMTA certifies that the FY 2013 and FY 2014 Operating Budget is adequate in making substantial progress towards meeting the performance standards established pursuant to Section 8A.103 for 2012-2013 and 2013-2014; and be it further

RESOLVED, That the SFMTA Board approves changes in various fines, fees, fares, rates and charges, as itemized in Exhibits 1-5 including Municipal Railway transit passes, passports, stickers and fares, Candlestick Park Express and Special Event service fares, transit fare evasion/passenger conduct fines, neighborhood and other parking permit fees, temporary street closure permit fees, color curb fees, special traffic permit fees, community service processing fees, taxi service regulatory fees, traffic permit fees and penalties, boot removal fees, auto tow and storage fees, cable car/historic street car rental fee, special collection fees, parking meter use fees, temporary exclusive use of parking meter fees,

Transportation Code and Vehicle Code penalties, and parking citation fines, and establishing a parklet installation fee; and be it further

RESOLVED, That the SFMTA Board approves the revisions to Division II of the Transportation Code to increase parking citation late payment penalties, special collections fees, boot removal fees, various parking citation, Transportation Code, and Vehicle Code penalties, color curb painting fees, towing and storage administrative fees, the motor vehicles for hire penalty schedule, the request for community service processing fee, the parking meter use fee, the special traffic permit fee, the temporary exclusive use of parking meter fee, residential area and other parking permit fees, and temporary street closure permit fees, and add Section 313 to establish a parklet installation fee as attached in Section II; and be it further

RESOLVED, That the SFMTA Board approves enforcement of parking meters on Sundays between the hours of 12 pm and 6 pm and establishing a four-hour time limit for parking at a meter on Sundays, and the installation of up to 1,000 additional parking meters; and be it further

RESOLVED, That the SFMTA Board approves a waiver of fares on New Year's Eve 2013, between 8 PM on December 31, 2012 and 6 a.m. January 1, 2013 and on New Year's Eve 2014, between 8 PM on December 31, 2013 and 6 a.m. January 1, 2014; and be it further

RESOLVED, That the SFMTA Director of Transportation is hereby authorized to implement short-term experimental fares; and be it further

RESOLVED, That the SFMTA Board of Directors concurs with the Controller's certification that parking citation processing and collection; facility security services; paratransit services; parking meter collection and coin counting services; low-level platform maintenance services; and vehicle towing, storage and disposal services can be practically performed by private contractors at a lesser cost than to provide the same services with City employees; and be it further

RESOLVED, That the SFMTA Board will continue to work diligently with the Board of Supervisors and the Mayor's Office to develop new sources of funding for SFMTA operations pursuant to Charter Section 8A.109; and be it further,

RESOLVED, Since the advertisement in the San Francisco Chronicle did not run more than fifteen days prior to the April 17th hearing, the SFMTA Board waives the requirements of Section 10 of the Board's Rules of Order; and, and, be it further,

RESOLVED, That the Director of Transportation is hereby authorized to make any necessary technical and clerical corrections to the approved budget of the SFMTA and to allocate additional revenues and/or City and County discretionary revenues in order to fund additional adjustments to the operating budget, provided that the Director of Transportation shall return to the SFMTA Board of Directors for approval of technical or clerical corrections that, in aggregate, exceed a five percent increase of the total SFMTA Budget.

I certify that the foregoing resolution was adopted by the Municipal Transportation Agency Board of Directors and the Parking Authority Commission at their meeting of April 17, 2012.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

EXHIBIT B

SFIST

http://sfist.com/2014/04/11/the_mayor_vs_muni_the_fight_over_su.php

The Mayor vs. Muni: The Fight Over Sunday Meters



credit: [SFMTA](#)

San Francisco Mayor Ed Lee is ratcheting up his opposition to Sunday parking meter enforcement, [telling KCBS](#) that he refuses to accept any compromises, and that he is "only willing to consider 'no enforcement' and not more or less." But with Muni considering [a budget that includes a fare increase for all adult riders](#), SFMTA leadership is reluctant to give up the revenue that Sunday parking provides. Who will win?

Lee has said that his opposition is motivated by the overwhelming number of complaints against the policy, but according to Streetsblog, **public records don't support that assertion**. According to a public records request, between March, 2013 and January, 2014 Lee's office didn't receive a single email regarding the meter enforcement. 311 has only received 41 calls and emails about the policy in that time period, with 23 of those in support of meters.

Even San Francisco's Chamber of Commerce is for Sunday enforcement, [saying that they've seen the benefits it's brought businesses](#) in metered areas. [According to the SFMTA](#), Sunday metering has also made it easier for drivers to find parking and has increased turnover. [According to the SFMTA](#), Sunday parking meter enforcement generated \$3,143,000 in revenue in 2013's fiscal year, and has made \$1,869,000 in the first four months of fiscal year

2014. It's [projected that canceling Sunday metering](#) would cost the SFMTA an annual \$9.6 million that they'd already budgeted for operations.

Meanwhile, the transit agency [briefly considered raising F Market fares to \\$6](#), and [still might raise all adult fares to \\$2.25](#).

This week, [SFMTA director Ed told San Francisco's Board of Supervisors](#) that he was seeking a compromise that would "not lose a 100 percent of all the good transportation benefit (of) what we believe is very good policy."

But Reiskin also appears frustrated by the competing interests, [recently saying that](#) "There's going to have to be some balance between the revenue and expense proposals in the next couple of weeks."

"Sadly, it looks as though the Mayor is playing political games instead of responsibly managing the city's transportation system," Livable City Executive Director Tom Radulovich [told Streetsblog in January](#).

"Aside from the revenue hit to Muni, what's disappointing about the mayor's move is that the facts show that Sunday metering was working - parking availability and turnover increased in commercial districts, which is helpful to merchants and shoppers."

The SFMTA board is expected to approve a final budget this month, after which it will go to the the Board of Supervisors and the mayor for final approval.

Contact the [author](#) of this article or email tips@sfist.com with further questions, comments or tips.

[Eve Batey](#) in [News](#) on Apr 11, 2014 1:55 pm

CBS SF BAY AREA / KCBS

San Francisco Mayor, Transportation Chief Don't Agree On Meter-Free Sundays

April 10, 2014 12:48 PM



SAN FRANCISCO (KCBS) — While popular with weekend [drivers](#) in the city, San Francisco Mayor Ed Lee's request to eliminate Sunday parking meters has not found much support among city transit officials.

Lee called for a return to free-metered Sunday parking in his state of the [city](#) speech address last January.

"Forty percent of it is all about hurt; the [income](#) is derived by us ticketing you and making you pay some \$70 for maybe parking five or ten minutes past your time," he said.

- **San Francisco Mayor And Transportation Chief Don't Agree On Meter-Free Sundays**

But Ed Reiskin, director of transportation of the San Francisco Municipal Transportation Agency, told the Board of Supervisors on Wednesday that [free](#) meters on Sundays is just but one option on the table.

Another option, he said, is to make meters free but enforce the four-hour limit or make motorists pay on Sundays but direct most of the enforcement elsewhere.

"An expensive citation on Sunday would be significantly diminished but not lose a 100 percent of all the good transportation benefit and what we believe is very good policy that program divides."

He said that option would significantly reduce the possibility of getting a ticket.

The mayor office told KCBS that Lee is only willing to consider "no enforcement" and not more or less.

KCBS, KPIX 5 and San Francisco Chronicle Political Insider Phil Matier said that Reiskin's option of charging meters with less enforcement is bit like playing Russian roulette for motorists.

- **Phil Matier: San Francisco Wants It Both Ways For Metered Parking On Sundays**

Reiskin, he said, does not want to lose income from the Sunday meters because it's used to keep Muni afloat.

Matier also noted that Reiskin, was hand picked by Ed Lee and said the different stance on the issue should play out interestingly politically in the next few months because the mayor is trying to pass a \$500 million transportation [bond](#) for fixing the city's streets.

"Mayor Lee said he wants one thing and then you have some one within the department and Board of Supervisors that moving against him. I haven't seen that in a long time at City Hall," he said.