



Elijah Saunders <elijah.saunders@sfcta.org>

PUBLIC COMMENT SFCTA BOARD MEETING OF 4-11-23, ITEMS 6 & 7, PROPOSED ALLOCATION OF \$23,731,597 TO MTA

Mary Miles <page364@earthlink.net>

Mon, Apr 10, 2023 at 3:46 PM

To: clerk@sfcta.org, tilly.chang@sfcta.org

Cc: ChanStaff@sfgov.org, DorseyStaff@sfgov.org, EngardioStaff@sfgov.org, MandelmanStaff@sfgov.org, MelgarStaff@sfgov.org, Aaron.Peskin@sfgov.org, Dean.Preston@sfgov.org, hillary.ronen@sfgov.org, Ahsha.Safai@sfgov.org, Catherine.Stefani@sfgov.org, Shamann.Walton@sfgov.org

FROM:

Mary Miles (SB #230395)

Attorney at Law

364 Page St., #36

San Francisco, CA 94102

email: page364@earthlink.net

TO:

Tilly Chang, Director; Clerk, SFCTA and

Members of Board of

San Francisco County Transportation Authority (SFCTA)

1455 Market Street, 22nd Floor

San Francisco, CA 94103

RE: PUBLIC COMMENT ON ITEMS 6 & 7 OF SFCTA AGENDA of UNNOTICED MEETING OF 4/11/23

This Comment OPPOSES and OBJECTS to ITEMS 6 and 7 of the April 11, 2023 SFCTA Board meeting agenda.

This Comment also OBJECTS to SFCTA's failure to provide public notice of its meeting and agenda of April 11, 2023. This commenter has requested notice of SFCTA meetings numerous times, but received *no notice* of the April 11, 2023 SFCTA meeting.

Please distribute this Comment to every member of the SFCTA Board and place copies in all applicable files.

1. SFCTA's Failure To Provide Notice Violates The Brown Act Requiring Continuance Of This Meeting

SFCTA's failure to provide notice violates the Brown Act and requires this body to continue the entire meeting to allow time and the information needed for informed public comment.

SFCTA must continue the April 11, 2023 meeting to a future date that is at least 72 hours after SFCTA provides legally adequate notice of that meeting, agenda, and packet.

Failing to comply with the Brown Act and refusing my many requests for notice of SFCTA meetings deprives the public of adequate time to comment on items on the April 11, 2023 agenda, violating not only the Brown Act but also other public meeting laws and CEQA.

The following Comment is incomplete, due to SFCTA's illegal failure to provide adequate notice and the agenda and packet of the April 11, 2023 meeting.

2. The proposed \$23,731,597 for Vision Zero Allocations To SFMTA For More Anti-Car Projects Are Unjustified In View Of MTA's "Fiscal Cliff"

Item 6 proposes using TNC Tax Funds of \$21,279.740 to finance bicycle "improvements" and anti-car "traffic calming," including more "slow street" closures, and other obstructions to traffic.

The proposed extravagant sum to MTA for more projects on behalf of bicyclists only worsens the foolish expenditures that have led to its looming "fiscal cliff," a huge deficit caused by MTA's unaccountable and irresponsible expenditures after receiving huge federal covid outlays.

With an operating and capital budget of nearly \$2 billion per year, MTA has failed miserably to comply with the SF Charter's requirement of 85% on-time service. MTA lost 90% of its ridership during covid and still has barely recovered 50% of pre-covid ridership while it spends tens of millions on bicycle and anti-car projects.

While proposing **\$23,731,597** for "Vision Zero Quickbuild" bicycle and anti-car projects, MTA plans to float another huge bond to San Francisco taxpayers to continue its irresponsible spending and unaccountable policies that fail to serve the public

With Items 6 and 7, SFCTA proposes that tens of millions of the TNC taxes collected from private taxis be given to MTA to mispend on more bicycle and anti-car projects, the foolish expenditures that have cause the "fiscal cliff." Use that revenue to help avoid the "fiscal cliff," not to worsen it.

Moreover, according to MTA's own data , less than 3% of San Francisco travelers use bicycles, while the vast majority uses cars or buses in San Francisco. [1]

The huge allocation of funds to MTA for bicycle and anti-car purposes is unjustifiable.

3. The Proposed Project Has Received NO Valid CEQA Review And It Is Not Exempt

SFCTA attempts to claim this multimillion "Vision Zero" Project allocating funds to MTA is covered by an Addendum to DPW's "Better Market Street" Project. It is not, and it is unrelated to the billion-dollar Better Market Street Project which spends a preposterous amount to exclude cars from Market Street, remove all the existing trees, remove the ornate lampposts, and build sidewalk bicycle lanes on 40-foot-wide sidewalks on each side of Market Street.

The alleged addendum and "review" are **not** available, either on SFCTA's site where they are *required to be posted with the Agenda*, or on the Planning Department's site, which does not recognize the cited number.

The multimillion-dollar Projects here are multiple "Vision Zero" projects on several public streets. Even if the CEQA determination were available, this Project is not exempt from CEQA review, since it clearly will have impacts on traffic, parking, air quality, GHG, energy consumption, VMT, and emergency services.

Since the alleged CEQA review is unavailable, SFCTA again violates CEQA and the Brown Act, and must continue the hearing on these large money allocations until it gives legally adequate notice and makes the CEQA determination available in advance of any meeting.

CONCLUSION

The meeting and hearing on the proposed large allocation to MTA of tens of millions for "vision zero" and bicycle projects **must be continued**, because it was not legally noticed and the CEQA determination was not

available before the comment deadline of SFCTA's meeting.

The Project is not exempt from CEQA, and an “addendum” on a different Project does not apply, and the proposed numerous projects will have direct, indirect, and cumulative impacts on the environment.

The proposed allocation of tens of millions to MTA is unjustifiable and should be rejected.

Mary Miles

[1] Corey, Canapary, & Galanis Research: [SFMTA] Travel Decisions Survey 2021 Summary Report, page 5; see also, “MTA, 4/19/22, Maia Moran, “How People Traveled Through San Francisco in 2021”; see also, *e.g.*, See, MTA 1-28-20_workshop MODE SHARE INCREASE SINCE 2017, p. 12, showing decline in bicycling mode share to 2%; see also, Fehr & Peers: 2013-2017 Travel Decision Survey Data Analysis and Comparison Report, prepared for MTA, July 2017, p.15, showing decline in bicycle mode share in San Francisco from 3.4% in 2014 to 2% in 2017 (https://www.sfmta.com/sites/default/files/reports/2017/Travel_Decision_Survey_Comparison_Report_2017)