

File No. 140224

Committee Item No. 4  
Board Item No. 13

### COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Sub-Committee

Date March 26, 2014

Board of Supervisors Meeting

Date April 1, 2014

#### Cmte Board

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| <input type="checkbox"/>            | <input 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 type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
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#### OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>AB981</u>                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Resolution No. 11-04-10/12</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Resolution No. 14-02-01/08</u> |
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Completed by: Linda Wong

Date March 21, 2014

Completed by: L.w.

Date March 29, 2014

1 **[Designation - Treasure Island Mobility Management Agency]**

2

3 **Resolution designating the San Francisco County Transportation Authority as the**  
4 **Treasure Island Mobility Management Agency for certain purposes pursuant to the**  
5 **Treasure Island Transportation Management Act.**

6

7 WHEREAS, Former Naval Station Treasure Island is a military base located on  
8 Treasure Island and Yerba Buena Island (together, the "Base" or "Treasure Island"), which is  
9 currently owned by the United States of America; and

10 WHEREAS, The Base was selected for closure and disposition by the Base  
11 Realignment and Closure Commission in 1993, acting under Public Law 101-510, and as  
12 amended; and

13 WHEREAS, The United States Department of Defense designated the City and County  
14 of San Francisco ("City") as the Local Redevelopment Authority ("LRA") responsible for the  
15 conversion of the Base under the federal disposition process; and

16 WHEREAS, In 1997, the Base closed and the Treasure Island Development Authority,  
17 a California nonprofit public benefit corporation ("Authority"), was created by the City to  
18 replace the City as the LRA and to serve as a single entity responsible for the reuse and  
19 development of the Base; and

20 WHEREAS, In 2003, after a competitive bid process, the Authority Board selected  
21 Treasure Island Community Development, LLC ("TICD") as the proposed master developer of  
22 the Base and entered into exclusive negotiations with TICD relating to a Disposition and  
23 Development Agreement ("DDA") and other transaction documents relating to the reuse and  
24 development of the Base (the "Project"); and

25

1           WHEREAS, The Authority, the Treasure Island/Yerba Buena Island Citizens Advisory  
2 Board, TICD, the Office of Economic and Workforce Development, the San Francisco County  
3 Transportation Authority ("SFCTA"), the San Francisco Municipal Transportation Agency  
4 ("SFMTA") and other City Departments worked collaboratively to develop the Treasure Island  
5 Transportation Implementation Plan ("Transportation Plan") which defines the transportation  
6 program and policies for the Project; and

7           WHEREAS, On June 7, 2011, the Board of Supervisors (the "BOS") unanimously  
8 adopted CEQA findings and a Mitigation Monitoring and Reporting Program applicable to the  
9 Project (the "MMRP"), and approved a package of legislation authorizing the Project, including  
10 approval of a Development Agreement and a Disposition and Development Agreement with  
11 TICD, and approval of the Transportation Plan and Infrastructure Plan; and

12           WHEREAS, The Treasure Island Transportation Management Act of 2008 ("AB 981")  
13 authorized the BOS to create or designate a Treasure Island-specific transportation  
14 management agency, or the Treasure Island Mobility Management Agency (the "TIMMA");  
15 and

16           WHEREAS, AB 981 authorizes the BOS to grant the exclusive power to the TIMMA to  
17 do any or all of the following pursuant to the terms of a resolution or ordinance adopted by the  
18 BOS:

- 19           1.     Adopt and administer the transportation program and implement rules and  
20                 regulations.
  - 21           2.     Recommend to the BOS and the SFCTA an initial fee structure for the  
22                 imposition of congestion pricing fees applicable to residents and other motorists  
23                 as they enter or exit Treasure Island in the amount deemed necessary and  
24                 proper by the TIMMA to implement the transportation program.
- 25

3. Adopt amendments to the congestion pricing fee structure initially adopted by BOS and SFCTA as the TIMMA deems necessary and appropriate from time to time to implement the transportation program, based upon a finding that the amendments to the fee have a relationship or benefit to the motor vehicle drivers who are paying the fee.
4. Administer and collect congestion pricing fees on Treasure Island.
5. Adopt on-street and off-street parking regulations for Treasure Island, including regulations limiting parking, stopping, standing, or loading and establishing parking privileges and locations, parking meter zones, and other forms of parking regulation similar to those adopted for other areas of San Francisco.
6. Adopt on-street and off-street parking fees, fines, and penalties for Treasure Island and administer and collect all on-street and off-street parking fees, fines, penalties, and other parking-related revenues on Treasure Island.
7. Adopt a fee structure for mandatory pre-paid transit vouchers for residents and other users of Treasure Island and administer and collect all such voucher fees (transit fares would continue to be set and collected by transit operators).
8. Fix the rates and charges for services provided or functions performed by the TIMMA and administer and collect those rates and charges.
9. Apply for, accept, and administer state, federal, local agency, or other public or private grant funds for transportation purposes.
10. Administer and collect all other revenues generated by the transportation program.

- 1 11. Undertake studies, performance evaluations, and other mechanisms as deemed  
2 necessary and proper by the TIMMA to adopt and amend the transportation  
3 program with the purpose of relieving transportation-related impacts.
- 4 12. Expend its revenues for any purpose related to the transportation program,  
5 including costs of implementation, operation, collection and enforcement,  
6 maintenance, construction, and administration under the transportation program.
- 7 13. Enter into contracts, cooperative agreements, and direct funding agreements  
8 with private parties and governmental agencies, including City departments, to  
9 the extent deemed necessary and proper by the TIMMA to implement the  
10 transportation program, including for any of the following:
- 11 a. The construction and maintenance of transportation facilities serving  
12 Treasure Island that are directly related to the transportation program,  
13 including design, preconstruction, and other related costs.
- 14 b. Transit capital improvements and operations for services that directly  
15 serve Treasure Island.
- 16 c. Notwithstanding Section 40717.9 of the Health and Safety Code,  
17 implementation of transportation impact mitigation measures as adopted  
18 from time to time to improve or encourage the use of transit and other  
19 non-motor vehicle means of access to Treasure Island.
- 20 14. Adopt rules and regulations governing high-occupancy vehicles.
- 21 15. Take all other steps as the TIMMA deems necessary and proper to implement  
22 the transportation program; and  
23  
24  
25

1 WHEREAS, The SFCTA is the congestion management agency for San Francisco and  
2 the lead agency for recent congestion pricing sector work in San Francisco, and the SFCTA  
3 has had an ongoing relationship with the Authority, including the planning, design and  
4 implementation of the Yerba Buena Island Ramps Improvement Project; and

5 WHEREAS, In December 2011, the Authority Board of Directors adopted Resolution  
6 11-64-10/12 which approved a Memorandum of Agreement ("MOA") between the Authority  
7 and the SFCTA to conduct pre-implementation activities pursuant to the Transportation Plan,  
8 including undertaking actions necessary for the formation of the TIMMA; and

9 WHEREAS, Since December 2011, the Authority has engaged the SFCTA and SFMTA  
10 regarding each entity's respective role and responsibility in the implementation of the  
11 Transportation Plan's programs and policies; and

12 WHEREAS, The Charter of the City and County of San Francisco establishes the  
13 responsibilities of the SFMTA related to the management of the City's streets, traffic and  
14 transportation infrastructure. These responsibilities specifically include the following exclusive  
15 powers that AB 981 allows the BOS to assign to the TIMMA with respect to streets, traffic and  
16 transportation on Treasure Island:

- 17 1. Authority to adopt regulations limiting parking, stopping, standing or loading as  
18 provided by state law and to establish parking privileges and locations subject to  
19 such privileges for categories of people or vehicles as provided by state law, and  
20 to establish parking meters; and
- 21 2. Authority to set parking rates for on-street and off-street parking, and to set  
22 parking fines and penalties; and

23 WHEREAS, AB 981 establishes the following as three of the main purposes of the  
24 Treasure Island transportation programs and policies: (i) to develop a comprehensive set of  
25

1 transportation demand management ("TDM") programs to encourage and facilitate transit use  
2 and to minimize the environmental and other impacts of private motor vehicles traveling to,  
3 from, and on Treasure Island; (ii) to manage Treasure Island-related transportation in a  
4 sustainable manner with the goal of reducing vehicle miles traveled and minimizing carbon  
5 emissions and impacts on air and water quality; and (iii) to create a flexible institutional  
6 structure that can set parking and congestion pricing rates, monitor the performance of the  
7 transportation program, collect revenues, and direct generated revenues to transportation  
8 services and programs serving Treasure Island; and

9 WHEREAS, AB 981 establishes, and the Authority, SFCTA and SFMTA understand,  
10 that all fees, rates, and charges adopted and collected on Treasure Island in furtherance of  
11 the Transportation Plan, which do not include transit fares or SFMTA advertising revenue, but  
12 do include all congestion pricing fees, on-street and off-street parking fees, fines and  
13 penalties, transit voucher fees, and any other rates and charges that are collected, be  
14 expended and used by the TIMMA to implement the Transportation Plan; and

15 WHEREAS, The Transportation Plan establishes that all non-residential on-street and  
16 off-street parking on Treasure Island will incur a parking charge, and that such charges will be  
17 applied at a level to encourage the use of transit services and discourage the use of single-  
18 occupancy vehicles, consistent with the Project goals; and

19 WHEREAS, The Authority, the SFCTA and the SFMTA understand that pricing of all  
20 non-residential on-street and off-street parking to meet the transportation system performance  
21 goals of the Transportation Plan, including to effect mode split and travel behavior on and off  
22 of Treasure Island, and to generate revenues to cover the costs of the Transportation Plan, is  
23 fundamental to the TIMMA's ability to successfully implement the Transportation Plan in an  
24 economically feasible and self sustaining manner, as well as being important to the overall  
25 success of the Project; and

1           WHEREAS, On January 8, 2014, the Authority Board of Directors adopted Resolution  
2 14-02-01/08 recommending to the BOS that the SFCTA be designated as the TIMMA for  
3 certain purposes pursuant to AB 981; now, therefore, be it

4           RESOLVED, That the BOS hereby designates the SFCTA as the TIMMA to oversee  
5 the implementation of the Transportation Plan through the exercise of all of the exclusive  
6 powers, listed above, that the BOS may grant to the TIMMA in accordance with AB 981, with  
7 the exception of the power to:

- 8           1.     Adopt regulations for on-street parking and for off-street parking within publicly-  
9                 owned facilities on Treasure Island that are open to the public, including  
10                regulations limiting parking, stopping, standing, or loading and establishing  
11                parking privileges and locations, parking meter zones, and other forms of  
12                parking regulation; and
- 13           2.     Adopt parking fees, fines, and penalties for on-street parking and off-street  
14                parking within publicly-owned facilities on Treasure Island that are open to the  
15                public and administer and collect all such on-street and off-street parking fees,  
16                fines, and penalties on Treasure Island; and, be it

17           FURTHER RESOLVED, That parking fees, fines and penalties collected on Treasure  
18 Island shall, in accordance with AB 981, be expended by the TIMMA to implement the  
19 Transportation Plan; and, be it

20           FURTHER RESOLVED, That the BOS urges the SFMTA, in exercising the above  
21 powers not granted to the TIMMA, to consult with the Authority and the TIMMA on the  
22 development of regulations, fees, fines, and penalties, before adoption by the SFMTA Board  
23 of Directors, to ensure that such regulations, fees, fines, and penalties, are in conformance  
24 with the Project, the Transportation Plan, and the Development Agreement and can  
25 reasonably be expected to allow the TIMMA to achieve the Transportation Plan's financial and



1 TDM performance benchmarks, including generating and collecting the revenues necessary  
2 for the TIMMA to implement the Transportation Plan's programs and policies, as may be  
3 amended from time to time; and, be it

4 FURTHER RESOLVED, That the BOS urges the SFCTA, in performing its duties as  
5 the TIMMA, to establish a community advisory process for the Transportation Plan  
6 implementation that would include Treasure Island residents and businesses and other  
7 interested stakeholders; and, be it

8 FURTHER RESOLVED, That the BOS may, at any time and for any reason, revise the  
9 TIMMA designation and expand or reduce the powers of the TIMMA or the parking  
10 responsibilities reserved to the SFMTA; and, be it

11 FURTHER RESOLVED, That the designation of the SFCTA as the TIMMA does not  
12 affect the authority of the SFMTA to perform those duties related to management of the City's  
13 streets, traffic, transit and transportation infrastructure on Treasure Island that are within the  
14 exclusive jurisdiction of the SFMTA under Article 8A of the Charter. Those duties include but  
15 are not limited to:

- 16 1. Providing Municipal Railway service on Treasure Island.
- 17 2. Establishing, collecting and enforcing SFMTA transit fares.
- 18 3. Along with the SFPD, enforcing parking regulations through issuance of  
19 citations and towing illegally parked vehicles.
- 20 4. Adopting regulations that control the flow and direction of motor vehicle,  
21 bicycle and pedestrian traffic, limiting streets to certain categories of  
22 vehicles, and limiting the speed of vehicles on City streets.  
23  
24  
25

- 1           5.           Designing, selecting, locating, installing, operating, maintaining and removing
- 2                   all official traffic control devices, signs, roadway features and pavement
- 3                   markings that control the flow of traffic on City streets.
- 4           6.           Regulating Taxi Service.
- 5           7.           Exercising exclusive authority over the acquisition, construction,
- 6                   management, supervision, maintenance, extension, operation, use and
- 7                   control of all SFMTA property and assets; and, be it.
- 8

9           FURTHER RESOLVED, That actions of the TIMMA to establish toll rates and locations  
10           and to design, install, operate, and maintain the tolling equipment and associated signage,  
11           traffic control devices, roadway features and pavement markings and to otherwise perform the  
12           responsibilities granted to the TIMMA implement the Transportation Plan's programs and  
13           policies, shall not be deemed to conflict with the powers retained by the SFMTA; and, be it

14           FURTHER RESOLVED, That, in accordance with AB 981, the SFCTA in its role as the  
15           TIMMA shall consult with the SFMTA on (1) decisions regarding transit service, parking  
16           ~~enforcement, traffic signaling, and all other SFMTA operational responsibilities, and (2)~~  
17           identifying adequate and reliable funding as necessary for the SFMTA to carry out its  
18           responsibilities on Treasure Island.

2011-07-11 08:50

**Treasure Island Development Authority  
City and County of San Francisco**

**Designating the San Francisco County Transportation Authority as the Treasure Island Mobility Management Agency for certain purposes pursuant to the Treasure Island Transportation Management Act.**

**SUMMARY OF PROPOSED ACTION:**

The proposed resolution would designate the San Francisco County Transportation Authority as the Treasure Island Mobility Management Agency to implement the Treasure Island Transportation Implementation Plan as authorized by the Treasure Island Transportation Management Act of 2008 ("AB 981").

**BACKGROUND:**

AB 981 authorized the creation or designation of a transportation management agency for Treasure Island, which is referred to in AB 981 as the Treasure Island Transportation Management Agency ("TITMA"), and authorizes the Treasure Island Development Authority ("TIDA") Board of Directors to make a recommendation to the Board of Supervisors ("BOS") regarding the governance structure of the TITMA. *[Note that while AB 981 allows for the creation of the TITMA, it was concluded that a different name – the Treasure Island Mobility Management Agency (the "TIMMA") – was more appropriate to the roles and functions authorized under AB981. The roles and responsibilities have not been altered in any way. The term TIMMA is used for the remainder of this staff summary.]*

Under AB 981, the BOS has the authority to create or designate a board or agency to act as the TIMMA. The purpose of the TIMMA is to implement a comprehensive and integrated program to manage travel demand on Treasure Island and Yerba Buena Island (collectively referred to as "Treasure Island") as development of the Treasure Island/Yerba Buena Island Development Project ("Project") occurs. The centerpiece of this innovative approach to mobility is an integrated congestion pricing demonstration program that applies motorist user fees to support enhanced bus, ferry, and shuttle transit, as well as bicycling options, to reduce the traffic impacts of the Project. As described in AB 981, the goals of a Transportation Program for Treasure Island are to:

1. Develop a comprehensive set of Transportation Demand Management ("TDM") programs to encourage and facilitate transit use and to minimize the environmental and other impacts of private motor vehicles traveling to, from, and on Treasure Island.
2. Manage Treasure Island-related transportation in a sustainable manner, to the extent feasible, with the goal of reducing vehicle miles traveled and minimizing carbon emissions and impacts on air and water quality.

3. Create a flexible institutional structure that can set parking and congestion pricing rates, monitor the performance of the transportation program, collect revenues, and direct generated revenues to transportation services and programs serving Treasure Island.
4. Promote multimodal access to, from, and on Treasure Island by a wide range of local, regional, and statewide visitors by providing a reliable source of funding for transportation services and programs serving Treasure Island that will include bus transit service provided by the San Francisco Municipal Transportation Agency ("SFMTA") and ferry service.

In February 2011, TIDA staff approached the San Francisco County Transportation Authority ("SFCTA") to discuss the SFCTA undertaking the role of the TIMMA.

In June 2011, the Planning Commission and TIDA jointly certified the Final Environmental Impact Report for the Treasure Island/Yerba Buena Island Development Project, and in addition the Board of Supervisors approved a Disposition and Development Agreement ("DDA") between TIDA and Treasure Island Community Development, LLC ("TICD") and approved a Transportation Implementation Plan ("TIP").

In October 2011, the TIDA Board of Directors authorized a Memorandum of Agreement between TIDA and the SFCTA that described the potential roles and responsibilities of the SFCTA, if designated as the TIMMA and stated the intent of the TIDA Board of Directors to recommend that the SFCTA be designated as the TIMMA.

In December 2011, the TIDA Board of Directors authorized a contract for services to be performed by the SFCTA to prepare for the formation of the TIMMA, including submitting applications for grants. In June 2012, the TIDA Board of Directors authorized a second Memorandum of Agreement with the SFCTA to continue services in preparation for the formation of the TIMMA and to begin implementation of the TIP.

TIDA staff has worked with staff of the SFCTA and SFMTA to identify those responsibilities under AB 981 appropriately performed by SFCTA functioning as the TIMMA; those that are reserved to SFMTA under the Charter and are unaffected by AB 981; and those that, while anticipated under AB981 to be carried out by the TIMMA, are appropriately performed by the SFMTA. On January 8, 2013, the TIDA Board of Directors adopted Resolution 14-02-01/08 recommending to the BOS that the SFCTA be designated by the BOS as the TIMMA reflecting these discussions.

#### **DISCUSSION:**

The resolution under consideration by the BOS would, if approved, formally designate the SFCTA as the TIMMA to perform all functions that AB 981 allows the TIMMA to perform, with the exception of adopting parking regulations, fees, fines and penalties for on-street parking and off-street parking in publicly-owned facilities. The resolution notwithstanding, the BOS would retain the authority to revise the TIMMA designation, at any time and for any reason, and

to expand or reduce the powers of the TIMMA or the parking responsibilities reserved to the SFMTA.

**Role of the TIMMA:** AB 981 provides the TIMMA with the exclusive powers necessary to implement the Transportation Program in furtherance of the goals described above. Among these are the ability to establish a congestion pricing and mobility enhancement program including:

1. Recommending to the BOS an initial fee structure for the imposition of congestion pricing fees and modifying the fee structure as necessary thereafter;
2. Administering and collecting congestion pricing fees on Treasure Island;
3. Adopting a transit voucher fee structure applicable to residents and other users of Treasure Island and administer and collect all Treasure Island transit voucher fees;
4. Expending revenues for implementation, operation, collection and enforcement, maintenance, construction, and administration activities;
5. Entering into operating contracts with AC Transit, WETA, and an on-island shuttle provider for transit services for the Project
6. Applying for, accepting and administering state, federal, local agency, or other public or private grant funds for transportation purposes;
7. Undertaking studies, performance evaluations, and monitoring activities; and
8. Adopting and administering the transportation program, implementing rules and regulations, collecting and administering generated revenues, and taking all other steps necessary to implement the transportation program.

**Role of TICD:** TICD will build the transportation infrastructure and will provide operating subsidies to carry out the Transportation Program in the initial phases of the Project when the revenues from non-residential parking and congestion pricing are not yet at levels to sustain transit service to Treasure Island. ~~The DDA between TIDA and TICD requires that TICD contribute a \$30,000,000 subsidy, expressed in 2010 dollars, to the Project. In addition, if, after the island is 50% occupied, less than 50% of off island trips during the peak period are made by modes other than auto, the DDA requires that TICD contribute an additional \$5,000,000 in subsidy to support the Transportation Program.~~

**Role of TIDA:** TIDA will administer the TICD subsidy, as described above, for Transportation Program activities during the occupancy period, as well as enter into contracts, either with the SFCTA prior to the formation of the TIMMA or with the TIMMA after its formation, to carry out pre-occupancy Transportation Program activities. TIDA will also oversee the design review, approval, and construction of transportation infrastructure and will coordinate with the TIMMA on these plans.

**Role of SFMTA:** SFMTA will be responsible for activities reserved to it in Article 8A of the Charter and unaffected by AB 981, as well as activities which may be assigned to the TIMMA under AB 981 but which the parties agree are appropriate to continue being performed by SFMTA, including:

- Authority to set parking rates for on-street and off-street parking and to set parking fines and penalties;
- Authority to provide SFMTA bus service on Treasure Island and establish, collect, and enforce SFMTA transit fares;
- Authority to regulate Taxi Service;
- Authority to adopt regulations that control the flow and direction of motor vehicle, bicycle and pedestrian traffic, including regulations that limit the use of certain streets or traffic lanes to categories of vehicles and that limit the speed of traffic;
- Authority to design, select, locate, install, operate, maintain and remove all official traffic control devices, signs, roadway features and pavement markings that control the flow of traffic with respect to streets and highways within City jurisdiction;
- Authority to adopt regulations limiting parking, stopping, standing or loading as provided by state law and to establish parking privileges and locations subject to such privileges for categories of people or vehicles as provided by state law; and
- Authority to establish policies regarding and procure goods and services for the enforcement of regulations limiting parking, stopping, standing or loading and the collection of parking-related revenues and, along with the Police Department, have authority to enforce parking, stopping, standing or loading regulations.

The SFMTA would consult and cooperate with TIDA and the TIMMA on parking related functions that it performs on TI. Should the SFMTA, in the execution of its parking related responsibilities, fail to coordinate with TIDA and the TIMMA or otherwise fail to act in accordance with Development Agreement, the Transportation Plan's programs and policies, and related documents, the Board of Supervisors may delegate those parking related responsibilities to the TIMMA.

**Analysis:** ~~The 2004 Countywide Transportation Plan and subsequent planning documents such as the City's Climate Action Strategy and 2013 San Francisco Transportation Plan highlight the need for the City to explore robust demand management strategies that can generate revenue to fund Transit First mobility options in order for the City to achieve its economic development and livability goals.~~

As the Congestion Management Agency for San Francisco and lead agency for recent congestion pricing sector work, the SFCTA is well-prepared to serve as the TIMMA. The SFCTA is responsible for preparing the long-range countywide transportation plan for San Francisco, which encompasses all transportation modes and operators with the City. The SFCTA possesses the technical and management capacity to develop and administer the Project's Transportation Program successfully in coordination with city, regional, state and federal agencies, stakeholders, and other public and private sector partners.

**Next Steps:** Should the BOS designate the SFCTA as the TIMMA, the SFCTA Board of Commissioners would then act on a resolution accepting the designation.

**RECOMMENDATION:**

On January 8, 2014, the Treasure Island Development Authority Board of Directors adopted Resolution 14-02-01/08 recommending to the San Francisco Board of Supervisors that the San Francisco County Transportation Authority be designated as the Treasure Island Mobility Management Agency for certain purposes in accordance with the Treasure Island Transportation Management Act.



Robert Beck, Treasure Island Director

Assembly Bill No. 981

CHAPTER 317

An act to add Chapter 9 (commencing with Section 1967) to Division 2.5 of the Streets and Highways Code, relating to transportation.

[Approved by Governor September 26, 2008. Filed with  
Secretary of State September 26, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 981, Leno. Treasure Island Transportation Management Act.

Existing law authorizes the City and County of San Francisco to designate the Treasure Island Development Authority as a redevelopment agency under the Community Redevelopment Law for the purpose of converting and redeveloping certain property that formerly constituted the Naval Station Treasure Island.

This bill would enact the Treasure Island Transportation Management Act and would authorize the Board of Supervisors of the City and County of San Francisco to designate a board or agency to act as the transportation management agency for Treasure Island, defined to also include Yerba Buena Island. The bill would authorize the transportation management agency, pursuant to the terms of a resolution or ordinance adopted by the board of supervisors, to recommend an initial fee structure for congestion pricing fees to be adopted by the board of supervisors and the San Francisco County Transportation Authority, and to adopt on-street and off-street parking fees, fines, and penalties, and other parking-related revenues and a transit pass fee structure for Treasure Island. The bill would specify the powers and duties of the agency on these and other related matters, including adoption and administration of a transportation program, collection and use of revenues generated from those fees, and coordination with the San Francisco Municipal Transportation Agency.

Existing law provides that a local agency may not impose a new tax, permit fee, or other charge for the privilege of using its streets and roads on or after June 1, 1989, except a permit fee for extra legal loads.

This bill would provide that this prohibition does not apply to the fees authorized by this bill.

The bill would make findings and declarations of the Legislature that the adoption and implementation of the transportation program for Treasure Island is a matter of statewide concern, as specified, and, therefore, no local ordinance, charter provision, or local law shall apply to Treasure Island or the transportation program.

The bill would make findings and declarations of the Legislature that because of the unique circumstances applicable to Treasure Island, a general



statute cannot be made applicable, and that, therefore, enactment of a special statute is necessary.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 9 (commencing with Section 1967) is added to Division 2.5 of the Streets and Highways Code, to read:

CHAPTER 9. TREASURE ISLAND TRANSPORTATION MANAGEMENT

1967. This act shall be known and may be cited as the Treasure Island Transportation Management Act.

1967.1. The Legislature finds and declares all of the following:

(a) It is essential for the economic well-being of the state and the maintenance of a high quality of life that the people of California have efficient transportation systems that will reduce traffic congestion, vehicle miles traveled, and greenhouse gas emissions, and improve travel times and air quality.

(b) In 2006, the Legislature passed Assembly Bill 32 (Ch. 488, Stats. 2006), which enacted the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code), a landmark act that establishes a first-in-the-world comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of greenhouse gases.

(c) Implementation of the California Global Warming Solutions Act of 2006 will require creative and innovative solutions, including strategies designed to integrate land use and transportation measures to reduce vehicle miles traveled and traffic congestion, improve travel times, and encourage transit use.

(d) The proposed development of Treasure Island includes an innovative and comprehensive land use and transportation program designed to discourage motor vehicle usage, reduce vehicle miles traveled, encourage public transit, and serve as a model of sustainable neighborhood development. An element of the transportation program is the use of congestion pricing.

(e) Congestion pricing is a potentially useful tool for influencing the behavior of drivers of private motor vehicles, controlling traffic congestion, and reducing vehicle miles traveled and the production of greenhouse gases. The potential of congestion pricing for this purpose is well documented and has been implemented or is under consideration in a number of prominent, high-traffic cities around the world, including London, Stockholm, and Singapore.

(f) Because Treasure Island is located adjacent to an urban area with a single point of vehicular access, but is easily served by multimodal public transit, it is an ideal candidate for a demonstration program designed to test the feasibility of congestion pricing as a tool to encourage and fund public

transit use and reduce vehicle miles traveled in furtherance of the state's goals to improve regional air quality and reduce greenhouse gas emissions and traffic congestion.

(g) The proposed development of Treasure Island is a leading example of performance-based infrastructure that uses private innovation, access to financing, and management efficiencies to build infrastructure, combined with the social responsibility, environmental awareness, local knowledge, safety requirements, and job generation concerns of the public sector. The proposed transportation program for Treasure Island, including congestion pricing, will further these goals by allowing private development to advance funding and resources for construction of a public transit infrastructure and mixed-use development in a transit-oriented and sustainable manner, then generating from that development congestion pricing fees that will maximize use of public transit and generate revenues to offset the public sector's costs of public transit facilities and equipment design, construction, operation, and maintenance.

(h) The purpose of the Treasure Island transportation program is to accomplish all of the following:

(1) To facilitate the implementation of an innovative, sustainable transportation program for Treasure Island that will encourage public transit, bicycle, pedestrian, and waterborne modes of transportation, reduce vehicle miles traveled, and minimize the impact of Treasure Island development on the system of state and local roadways affected by the San Francisco-Oakland Bay Bridge, as well as on the bridge itself, in furtherance of the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).

(2) To develop a comprehensive set of transportation demand management programs to encourage and facilitate transit use and to minimize the environmental and other impacts of private motor vehicles traveling to, from, and on Treasure Island.

(3) To manage Treasure Island-related transportation in a sustainable manner, to the extent feasible, with the goal of reducing vehicle miles traveled and minimizing carbon emissions and impacts on air and water quality.

(4) To create a flexible institutional structure that can set parking and congestion pricing rates, monitor the performance of the transportation program, collect revenues, and direct generated revenues to transportation services and programs serving Treasure Island.

(5) To promote multimodal access to, from, and on Treasure Island by a wide range of local, regional, and statewide visitors by providing a reliable source of funding for transportation services and programs serving Treasure Island that will include bus transit service provided by the city's municipal transportation agency, or its successor agency, and ferry service.

(i) The congestion pricing demonstration program authorized by this act includes an important reporting requirement to the Legislature that will allow the Legislature to assess the success of the program in achieving its goals.

(j) The Treasure Island Development Authority and its private development partner have undertaken numerous technical and economic feasibility studies demonstrating the effectiveness of the transportation program to conserve energy, discourage motor vehicle usage, reduce vehicle miles traveled, increase transit ridership, and deliver significant public infrastructure improvements through public-private partnership.

1967.2. For purposes of this chapter, the following terms have the following meanings:

(a) "Authority" means the Treasure Island Development Authority, a nonprofit public benefit corporation established by the board of supervisors that is vested with both redevelopment authority and the power and duty to administer the public trust for commerce, navigation, and fisheries with respect to Treasure Island.

(b) "Board of supervisors" means the Board of Supervisors of the City and County of San Francisco.

(c) "City" means the City and County of San Francisco.

(d) "Congestion pricing fees" means fees that motorists pay to drive in a designated congestion pricing zone that are designed to relieve traffic congestion and promote alternative forms of transportation, and are set and adjusted to reflect traffic patterns, congestion levels, time of day, and other conditions that impact the roadway system.

(e) "Transportation authority" means the San Francisco County Transportation Authority.

(f) "Transportation management agency" means the Treasure Island Transportation Management Agency designated by the board of supervisors pursuant to Section 1967.3.

(g) "Transportation program" means a comprehensive transportation program for Treasure Island designed to achieve the goals set forth in Section 1967.1.

(h) "Treasure Island" means Treasure Island and Yerba Buena Island.

1967.3. The authority is formulating a transportation program in connection with the authority's redevelopment activities on Treasure Island. The board of supervisors directed that the transportation program ensure adequate and reliable funding for transit service for Treasure Island, including bus transit service provided by the city's municipal transportation agency, or its successor agency. In formulating the transportation program, ~~the authority shall make recommendations for the governance structure of~~ the transportation management agency. Based on the authority's recommendations, the board of supervisors may designate a board or agency that shall act as the transportation management agency. The board of supervisors may designate itself as the transportation management agency. Notwithstanding Chapter 898 of the Statutes of 1997, any subsequent amendments to that chapter, but subject to Section 1967.5, the transportation management agency shall have the exclusive power to do any or all of the following pursuant to the terms of a resolution or ordinance adopted by the board of supervisors:

(a) Adopt and administer the transportation program and implementing rules and regulations.

(b) Recommend to the board of supervisors and the transportation authority an initial fee structure for the imposition of congestion pricing fees applicable to residents and other motorists as they enter or exit Treasure Island in the amount deemed necessary and proper by the transportation management agency to implement the transportation program.

(c) Adopt amendments to the congestion pricing fee structure initially adopted by the board of supervisors and the transportation authority pursuant to subdivision (a) of Section 1967.5, as the transportation management agency deems necessary and appropriate from time to time to implement the transportation program, based upon a finding that the amendments to the fee have a relationship or benefit to the motor vehicle drivers who are paying the fee.

(d) Administer and collect congestion pricing fees on Treasure Island.

(e) Adopt on-street and off-street parking regulations for Treasure Island, including regulations limiting parking, stopping, standing, or loading and establishing parking privileges and locations, parking meter zones, and other forms of parking regulation similar to those adopted for other areas of San Francisco.

(f) Adopt on-street and off-street parking fees, fines, and penalties for Treasure Island and administer and collect all on-street and off-street parking fees, fines, penalties, and other parking-related revenues on Treasure Island.

(g) Adopt a transit pass fee structure applicable to residents and other users of Treasure Island and administer and collect all Treasure Island transit pass fees.

(h) Fix the rates and charges for services provided or functions performed by the transportation management agency and administer and collect those rates and charges.

(i) Apply for, accept, and administer state, federal, local agency, or other public or private grant funds for transportation purposes.

(j) Administer and collect all other revenues generated by the transportation program.

(k) Undertake studies, performance evaluations, and other mechanisms as it deems necessary and proper to adopt and amend the transportation program with the purpose of relieving transportation-related impacts.

~~(l) Expend its revenues for any purpose related to the transportation program, including costs of implementation, operation, collection and enforcement, maintenance, construction, and administration under the transportation program.~~

(m) Enter into contracts, cooperative agreements, and direct funding agreements with private parties and governmental agencies, including city departments, to the extent deemed necessary and proper by the transportation management agency to implement the transportation program, including for any of the following:

(1) The construction and maintenance of transportation facilities serving Treasure Island that are directly related to the transportation program, including design, preconstruction, and other related costs.

(2) Transit capital improvements and operations for services that directly serve Treasure Island.

(3) Notwithstanding Section 40717.9 of the Health and Safety Code, implementation of transportation impact mitigation measures as adopted from time to time to improve or encourage the use of transit and other nonmotor vehicle means of access to Treasure Island.

(n) Adopt rules and regulations governing high-occupancy vehicles pursuant to subdivision (d) of Section 1967.5.

(o) Take all other steps as the transportation management agency deems necessary and proper to implement the transportation program.

1967.4. Except as specifically provided in Section 1967.5, to the extent that the transportation management agency is granted exclusive powers to adopt regulations and adopt, fix, administer, and collect fees, rates, charges, and other revenues with respect to the transportation program under Section 1967.3, the city and its departments, boards, and commissions shall be prohibited from exercising those powers with respect to Treasure Island and the transportation program.

1967.5. (a) The board of supervisors and the transportation authority, by a two-thirds majority vote of both bodies, shall have the authority to adopt a program imposing congestion pricing fees for motor vehicles exiting and entering Treasure Island from the San Francisco-Oakland Bay Bridge and an initial congestion pricing fee structure after consideration of the recommendation of the transportation management agency. The congestion pricing fees shall not be imposed on local trips on Treasure Island streets that do not exit to the San Francisco-Oakland Bay Bridge. Once adopted, the congestion pricing program may only be terminated by the recommendation of both the authority and the transportation management agency, followed by a two-thirds majority vote of both the board of supervisors and the transportation authority.

(b) (1) Prior to imposing the initial congestion pricing fees, the board of supervisors and the transportation authority shall each make a finding of fact by a two-thirds majority vote that the congestion pricing fees have a relationship or benefit to the motor vehicle drivers who are paying the fee.

(2) In order to ensure that congestion pricing fees are not instituted prior to new residents establishing residence on Treasure Island, initial congestion pricing fees shall not be imposed prior to the effective date of the disposition and development agreement for the redevelopment of Treasure Island.

(3) All fees, rates, and charges adopted in furtherance of the transportation program, including congestion pricing fees, on-street and off-street parking fees, fines and penalties, transit pass fees, and any other rates and charges that are adopted by the transportation management agency from time to time, be collected and used by the transportation management agency to implement the transportation program.

(c) While congestion pricing fees remain in effect, the transferor of any sale or lease agreement of real property on Treasure Island shall be required to include a written disclosure to the potential purchaser or lessee that use of a motor vehicle to and from Treasure Island may be subject to congestion pricing fees.

(d) At all periods of the day, whether or not the congestion pricing fees are in effect, high-occupancy vehicles shall be able to exit or enter Treasure Island free of charge.

1967.6. The transportation program shall ensure that public access to waterfront, recreational, and open-space areas on Treasure Island is sufficient to support public trust activities by ensuring all of the following:

(a) Public access to areas subject to the public trust is facilitated in part by transportation program elements, such as (1) an on-island shuttle, (2) secure bicycle parking, and (3) limitations on long-term parking on streets that are subject to the public trust following a land exchange authorized by Chapter 543 of the Statutes of 2004, as amended (hereafter public trust streets), that will discourage residential use of public trust streets for parking but allow appropriate time for recreational and visitor activities.

(b) Program elements shall not interfere with the provision of public access to public trust lands consistent with the beneficial use of those lands, including, but not limited to, roadway access to serve the public along the western shoreline of Treasure Island.

(c) There shall be no preference for residents in parking rates, parking passes, or the duration of parking on public trust streets or on other public trust lands.

(d) Parking revenues from public trust streets or other public trust lands shall be used for transportation facilities and services benefiting the public trust in accordance with the transportation program, with any surplus revenues to be used for other trust-related purposes.

1967.7. Meetings of the transportation management agency shall be held pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

1967.8. Section 9400.8 of the Vehicle Code shall not apply to any fee imposed by this chapter.

1967.9. The city may bring an action pursuant to Sections 860 to 870, inclusive, of the Code of Civil Procedure to confirm the validity of any resolution adopted by the board of supervisors or the transportation management agency.

1967.10. Not later than three years and no sooner than one year after the transportation management agency first collects revenues from the congestion pricing fees authorized under Section 1967.5, the authority shall conduct a public opinion survey regarding the congestion pricing demonstration program and provide a report to the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing Committee on its findings, conclusions, and recommendations concerning the congestion pricing demonstration program authorized by this act. The report shall include an analysis of the success of the congestion pricing

demonstration program on minimizing vehicle miles traveled and motor vehicle trips on the San Francisco-Oakland Bay Bridge and increasing public transit use, as well as an economic analysis of the program's impact on funding public transportation improvements and operations.

1967.11. Nothing in this chapter shall affect the authority granted to the Bay Area Toll Authority granted in Article 1 (commencing with Section 30600) of Chapter 2 of Division 17 relating to the San Francisco-Oakland Bay Bridge.

SEC. 2. (a) The Legislature finds and declares that the adoption and implementation of the transportation program under this act, including the use of the congestion pricing, parking, and transit pass fees in accordance with this act, will provide substantial benefit to (1) the public trust for commerce, navigation, and fisheries by promoting access to Treasure Island by a wide range of local, regional, and statewide visitors, and (2) the people of California and the state highway and regional transportation system by reducing the amount of project-related traffic and vehicle miles traveled on the San Francisco-Oakland Bay Bridge and related system of state and local roadways, reducing congestion and greenhouse gas emissions, improving regional air quality, and increasing ridership on regional multimodal public transit, and is therefore a matter of statewide concern.

(b) (1) Subject to the requirements of this act, the transportation management agency shall be the sole entity or jurisdiction authorized to impose any transportation-related revenue measures on Treasure Island, including congestion pricing fees, on-street and off-street parking fees, fines, penalties, other parking-related revenues, and transit pass fees. No ordinance, charter provision, or other provision of local law purporting to impose any similar revenue measure, whether now existing or enacted in the future, shall apply to Treasure Island or the transportation program, and the city and its departments, boards, and commissions are prohibited from exercising in the city's own right any powers that have been granted to the transportation management agency or the board of supervisors under this act.

(2) The transportation management agency, in implementing the transportation program, shall coordinate with the San Francisco Municipal Transportation Agency (SFMTA) in decisions regarding transit service, parking enforcement, traffic signaling, and all other operational responsibilities for which SFMTA is mutually determined to have operational responsibilities and, consistent with direction from the board of supervisors under Resolution No. 699-06, the transportation management agency shall work with SFMTA to identify adequate and reliable funding as necessary for SFMTA to carry out these responsibilities. This provision is not intended to interfere with the jurisdiction of SFMTA or any successor agency over the real, personal, and financial assets of SFMTA, the authority of SFMTA over contracting, leasing, and purchasing, or the authority of SFMTA to set fares for the San Francisco Municipal Railway.

SEC. 3. The Legislature finds and declares that because of the unique circumstances applicable to Treasure Island that necessitate an innovative,

sustainable transportation program, a statute of general applicability cannot be enacted within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.

O



FILE NO. \_\_\_\_\_

RESOLUTION NO. 11-64-10/12

1 **[Memorandum of Agreement Between the Authority and the San Francisco County**  
2 **Transportation Authority]**  
3 **Resolution Approving a Memorandum of Agreement Between the Treasure Island**  
4 **Development Authority and the San Francisco County Transportation Authority and**  
5 **Authorizing the Treasure Island Project Director to Negotiate Contracts and Develop**  
6 **Formation Documents for the Treasure Island Mobility Management Agency.**

7 WHEREAS, Former Naval Station Treasure Island is a military base located on  
8 Treasure Island and Yerba Buena Island (together, the "Base" or "Treasure Island"), which is  
9 currently owned by the United States of America; and,

10 WHEREAS, The Base was selected for closure and disposition by the Base  
11 Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its  
12 subsequent amendments; and,

13 WHEREAS, The United States Department of Defense designated the City and County  
14 of San Francisco ("City") as the Local Redevelopment Authority ("LRA") responsible for the  
15 conversion of the Base under the federal disposition process; and,

16 WHEREAS, In 1997, the Base closed and the Treasure Island Development Authority  
17 ("TIDA") was created to replace the City as the LRA and to serve as a single entity  
18 responsible for the reuse and development of the Base; and,

19 WHEREAS, The Board of Supervisors approved the designation of TIDA as a  
20 redevelopment agency with powers over Treasure Island in Resolution No. 43-98, dated  
21 February 6, 1998; and,

22 WHEREAS, The Authority is not exercising any of its redevelopment powers  
23 under California community redevelopment law in connection with the reuse and development  
24 of the Base, and no redevelopment project area or redevelopment plan has been adopted for  
25 the Base; and,

1 WHEREAS, After a competitive bid process, the TIDA Board selected Treasure Island  
2 Community Development, LLC ("TICD") as the proposed master developer of the Base and  
3 entered into a Disposition and Development Agreement ("TICD DDA") and other transaction  
4 documents relating to the reuse and development of the Base (the "Project"); and,

5 WHEREAS, The Treasure Island Transportation Management Act of 2008 ("AB 981")  
6 authorized the creation or designation of a Treasure Island-specific transportation  
7 management agency for Treasure Island, and authorized the Board of Supervisors of the City  
8 and County of San Francisco ("BOS") to designate a board or agency to act as the  
9 transportation management agency for Treasure Island; and,

10 WHEREAS, AB 981 authorizes the transportation management agency to recommend  
11 an initial fee structure for congestion pricing fees, to adopt on-street and off-street parking  
12 fees, fines and penalties, as well as administer a transportation program and the collection  
13 and use of revenues generated from fees; and,

14 WHEREAS, The San Francisco County Transportation Authority ("SFCTA") is the  
15 congestion management agency for San Francisco and the lead agency for recent congestion  
16 pricing sector work in San Francisco, and the SFCTA has had an ongoing, positive  
17 relationship with the Authority, including the planning, design and implementation of the  
18 Treasure Island/Yerba Buena Island Ramps Project; and,

19 WHEREAS, Authority staff have collaboratively negotiated a Memorandum of  
20 Agreement ("MOA") with the SFCTA to conceptually outline the roles and responsibilities  
21 associated with the transportation management agency, now called the Treasure Island  
22 Mobility Management Agency ("TIMMA"), in the event the BOS designates the SFCTA as the  
23 TIMMA; and,

1           WHEREAS, The MOA states the Authority's intention to recommend to the BOS that  
2 the SFCTA be designated as the TIMMA, and the SFCTA's intention to accept such  
3 designation; and,

4           WHEREAS, The MOA states the Authority's intention to negotiate initial operating  
5 contracts and prepare formation documents for the TIMMA to be presented to the Authority  
6 Board before March 31, 2012; now, therefore, be it

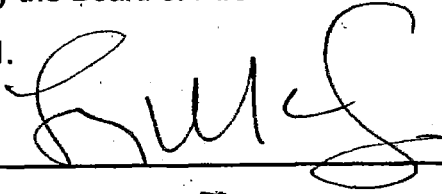
7           RESOLVED, That the Authority Board hereby approves the Memorandum of  
8 Agreement between the Treasure Island Development Authority and the San Francisco  
9 County Transportation Authority in substantially the form attached hereto as Exhibit A; and, be  
10 it

11           FURTHER RESOLVED, That the Authority Board authorizes the Treasure Island  
12 Project Director to negotiate initial operating contracts and develop formation documents for  
13 the Treasure Island Mobility Management Agency for consideration by the Authority Board by  
14 March 31, 2012; and, be it

15           FURTHER RESOLVED, That the Authority Board hereby authorizes the Treasure  
16 Island Project Director to enter into any additions, amendments or other modifications to the  
17 Memorandum of Agreement that the Treasure Island Project Director determines in  
18 consultation with the City Attorney are in the best interests of the Authority, that do not  
19 materially increase the obligations or liabilities of the Authority, that do not materially reduce  
20 the rights of the Authority, and are necessary or advisable to complete the preparation and  
21 approval of the Memorandum of Agreement, such determination to be conclusively evidenced  
22 by the execution and delivery by the Treasure Island Project Director of the documents and  
23 any amendments thereto.  
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**CERTIFICATE OF SECRETARY**

I hereby certify that I am the duly elected and acting Secretary of the Treasure Island Development Authority, a California nonprofit public benefit corporation, and that the above Resolution was duly adopted and approved by the Board of Directors of the Authority at a properly noticed meeting on October 12, 2011.

  
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Larry Mazzola Jr. , Secretary

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**[Recommendation to Designate - Treasure Island Mobility Management Agency]**

**Resolution recommending that the San Francisco Board of Supervisors designate the San Francisco County Transportation Authority as the Treasure Island Mobility Management Agency for certain purposes pursuant to the Treasure Island Transportation Management Act.**

WHEREAS, Former Naval Station Treasure Island is a military base located on Treasure Island and Yerba Buena Island (together, the "Base" or "Treasure Island"), which is currently owned by the United States of America; and,

WHEREAS, The Base was selected for closure and disposition by the Base Realignment and Closure Commission in 1993, acting under Public Law 101-510, and as amended; and,

WHEREAS, The United States Department of Defense designated the City and County of San Francisco ("City") as the Local Redevelopment Authority ("LRA") responsible for the conversion of the Base under the federal disposition process; and,

WHEREAS, In 1997, the Base closed and the Treasure Island Development Authority, a California nonprofit public benefit corporation ("Authority"), was created by the City to replace the City as the LRA and to serve as a single entity responsible for the reuse and development of the Base; and,

WHEREAS, In 1998, The San Francisco Board of Supervisors ("BOS") approved the designation of the Authority as a redevelopment agency with powers over Treasure Island in Resolution No. 43-98, dated February 6, 1998; and,

WHEREAS, In 2012, The BOS rescinded the designation of the Authority as a redevelopment agency under California Community Redevelopment Law in Resolution No.

1 11-12, but such rescission did not affect the Authority's status as the Local Redevelopment  
2 Authority for Treasure Island or the tidelands trust trustee for the portions of Treasure Island  
3 subject to the tidelands trust, or any of the other powers or authority of the Authority; and

4 WHEREAS, In 2003, after a competitive bid process, the Authority Board selected  
5 Treasure Island Community Development, LLC ("TICD") as the proposed master developer of  
6 the Base and entered into exclusive negotiations with TICD relating to a Disposition and  
7 Development Agreement ("TICD DDA") and other transaction documents relating to the reuse  
8 and development of the Base (the "Project"); and,

9 WHEREAS, The Authority, the Treasure Island/Yerba Buena Island Citizens Advisory  
10 Board, TICD, the Office of Economic and Workforce Development, the San Francisco County  
11 Transportation Authority ("SFCTA"), the San Francisco Municipal Transportation Agency  
12 ("SFMTA") and other City Departments worked collaboratively to develop the Treasure Island  
13 Transportation Implementation Plan ("Transportation Plan") which defines the transportation  
14 program and policies for the Project; and,

15 WHEREAS, On June 7, 2011, the BOS unanimously adopted CEQA findings and a  
16 Mitigation Monitoring and Reporting Program applicable to the Project (the "MMRP"), and  
17 approved a package of legislation authorizing the Project, including approval of a  
18 Development Agreement and a Disposition and Development Agreement with TICD, and  
19 approval of the Transportation Plan and Infrastructure Plan; and,

20 WHEREAS, The Treasure Island Transportation Management Act of 2008 ("AB 981")  
21 authorized the BOS to create or designate a Treasure Island-specific transportation  
22 management agency, or the Treasure Island Mobility Management Agency (the "TIMMA");  
23 and,  
24  
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1           WHEREAS, AB 981 authorizes the BOS to grant the exclusive power to the TIMMA to  
2 do any or all of the following pursuant to the terms of a resolution or ordinance adopted by the  
3 BOS:

- 4           1.     Adopt and administer the transportation program and implement rules and  
5                   regulations.
- 6           2.     Recommend to the BOS and the SFCTA an initial fee structure for the  
7                   imposition of congestion pricing fees applicable to residents and other motorists  
8                   as they enter or exit Treasure Island in the amount deemed necessary and  
9                   proper by the TIMMA to implement the transportation program.
- 10          3.     Adopt amendments to the congestion pricing fee structure initially adopted by  
11                   BOS and SFCTA as the TIMMA deems necessary and appropriate from time to  
12                   time to implement the transportation program, based upon a finding that the  
13                   amendments to the fee have a relationship or benefit to the motor vehicle drivers  
14                   who are paying the fee.
- 15          4.     Administer and collect congestion pricing fees on Treasure Island.
- 16          5.     Adopt on-street and off-street parking regulations for Treasure Island, including  
17                   regulations limiting parking, stopping, standing, or loading and establishing  
18                   parking privileges and locations, parking meter zones, and other forms of  
19                   parking regulation similar to those adopted for other areas of San Francisco.
- 20          6.     Adopt on-street and off-street parking fees, fines, and penalties for Treasure  
21                   Island and administer and collect all on-street and off-street parking fees, fines,  
22                   penalties, and other parking-related revenues on Treasure Island.
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- 1           7.     Adopt a fee structure for mandatory pre-paid transit vouchers for residents and  
2           other users of Treasure Island and administer and collect all such voucher fees  
3           (transit fares would continue to be set and collected by transit operators).
- 4           8.     Fix the rates and charges for services provided or functions performed by the  
5           TIMMA and administer and collect those rates and charges.
- 6           9.     Apply for, accept, and administer state, federal, local agency, or other public or  
7           private grant funds for transportation purposes.
- 8           10.    Administer and collect all other revenues generated by the transportation  
9           program.
- 10          11.    Undertake studies, performance evaluations, and other mechanisms as deemed  
11          necessary and proper by the TIMMA to adopt and amend the transportation  
12          program with the purpose of relieving transportation-related impacts.
- 13          12.    Expend its revenues for any purpose related to the transportation program,  
14          including costs of implementation, operation, collection and enforcement,  
15          maintenance, construction, and administration under the transportation program.
- 16          13.    Enter into contracts, cooperative agreements, and direct funding agreements  
17          with private parties and governmental agencies, including City departments, to  
18          the extent deemed necessary and proper by the TIMMA to implement the  
19          transportation program, including for any of the following:  
20          a.     The construction and maintenance of transportation facilities serving  
21                Treasure Island that are directly related to the transportation program,  
22                including design, preconstruction, and other related costs.  
23                including design, preconstruction, and other related costs.  
24                including design, preconstruction, and other related costs.  
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1           b.     Transit capital improvements and operations for services that directly  
2                     serve Treasure Island.

3           c.     Notwithstanding Section 40717.9 of the Health and Safety Code,  
4                     implementation of transportation impact mitigation measures as adopted  
5                     from time to time to improve or encourage the use of transit and other  
6                     non-motor vehicle means of access to Treasure Island.

7  
8       14.     Adopt rules and regulations governing high-occupancy vehicles.

9       15.     Take all other steps as the TIMMA deems necessary and proper to implement  
10               the transportation program; and,

11       WHEREAS, The SFCTA is the congestion management agency for San Francisco and  
12       the lead agency for recent congestion pricing sector work in San Francisco, and the SFCTA  
13       has had an ongoing relationship with the Authority, including the planning, design and  
14       implementation of the Yerba Buena Island Ramps Improvement Project; and,

15       WHEREAS, In December 2011, the Authority Board of Directors adopted Resolution  
16       11-64-10/12 which approved a Memorandum of Agreement ("MOA") between the Authority  
17       and the SFCTA to conduct pre-implementation activities pursuant to the Transportation Plan,  
18       including undertaking actions necessary for the formation of the TIMMA; and,

19       WHEREAS, Resolution 11-64-10/12 states the Authority's intention to recommend to  
20       the BOS that the SFCTA be designated as the TIMMA, and the SFCTA's intention to accept  
21       such designation; and,

22       WHEREAS, Since December 2011, the Authority has engaged in conversations with  
23       the SFCTA and SFMTA regarding each entity's respective role and responsibility in the  
24       implementation of the Transportation Plan's programs and policies; and,  
25

1           WHEREAS, The Charter of the City and County of San Francisco establishes the  
2 responsibilities of the SFMTA related to the management of the City's streets, traffic and  
3 transportation infrastructure. These responsibilities specifically include the following exclusive  
4 powers that AB 981 allows the Board of Supervisors to assign to the TIMMA with respect to  
5 streets, traffic and transportation on Treasure Island:

- 6           1. Authority to adopt regulations limiting parking, stopping, standing or loading as  
7 provided by state law and to establish parking privileges and locations subject to  
8 such privileges for categories of people or vehicles as provided by state law, and  
9 to establish parking meters; and,
- 10           2. Authority to set parking rates for on-street and off-street parking, and to set  
11 parking fines and penalties; and

12           WHEREAS, AB 981 establishes the following as three of the main purposes of the  
13 Treasure Island transportation programs and policies: (i) to develop a comprehensive set of  
14 transportation demand management ("TDM") programs to encourage and facilitate transit use  
15 and to minimize the environmental and other impacts of private motor vehicles traveling to,  
16 from, and on Treasure Island; (ii) to manage Treasure Island-related transportation in a  
17 sustainable manner with the goal of reducing vehicle miles traveled and minimizing carbon  
18 emissions and impacts on air and water quality; and (iii) to create a flexible institutional  
19 structure that can set parking and congestion pricing rates, monitor the performance of the  
20 transportation program, collect revenues, and direct generated revenues to transportation  
21 services and programs serving Treasure Island; and,

22           WHEREAS, AB 981 establishes, and the Authority, SFCTA and SFMTA understand,  
23 that all fees, rates, and charges adopted and collected on Treasure Island in furtherance of  
24 the Transportation Plan, which do not include transit fares or SFMTA advertising revenue, but  
25

1 do include all congestion pricing fees, on-street and off-street parking fees, fines and  
2 penalties, transit pass fees, and any other rates and charges that are collected, be expended  
3 and used by the TIMMA to implement the Transportation Plan; and,

4 WHEREAS, The Transportation Plan establishes that all non-residential on-street and  
5 off-street parking on Treasure Island will incur a parking charge, and that such charges will be  
6 applied at a level to encourage the use of transit services and discourage the use of single-  
7 occupancy vehicles, consistent with the Project goals; and

8 WHEREAS, The Authority, the SFCTA and the SFMTA understand that pricing of all  
9 non-residential on-street and off-street parking to meet the transportation system performance  
10 goals of the Transportation Plan, including to effect mode split and travel behavior on and off  
11 of Treasure Island, and to generate revenues to cover the costs of the Transportation Plan, is  
12 fundamental to the TIMMA's ability to successfully implement the Transportation Plan's  
13 programs and policies in an economically feasible and self sustaining manner, as well as  
14 being important to the overall success of the Project; now, therefore, be it

15 RESOLVED, That the Authority Board of Directors hereby recommends that the BOS  
16 designate the SFCTA as the TIMMA to oversee the implementation of the Transportation Plan  
17 through the exercise of all of the exclusive powers, listed above, that the BOS, pursuant to AB  
18 981, may grant to the TIMMA, with the exception of the power to:

- 19 1. Adopt regulations for on-street parking and for off-street parking within publicly-  
20 owned facilities on Treasure Island that are open to the public, including  
21 regulations limiting parking, stopping, standing, or loading and establishing  
22 parking privileges and locations, parking meter zones, and other forms of  
23 parking; and,
- 24 2. Adopt parking fees, fines, and penalties for on-street parking and off-street  
25 parking within publicly-owned facilities on Treasure Island that are open to the

1 public and administer and collect all such on-street and off-street parking fees,  
2 fines, and penalties on Treasure Island; and be it

3 FURTHER RESOLVED, That the Authority Board of Directors hereby recommends that  
4 the BOS resolution state that parking fees, fines and penalties collected on Treasure Island  
5 shall, in accordance with AB 981, be expended by the TIMMA to implement the  
6 Transportation Plan; and, be it

7 FURTHER RESOLVED, That the Authority Board of Directors hereby recommends that  
8 the BOS urge the SFMTA in adopting parking regulations for on-street parking and off-street  
9 parking within publicly-owned parking facilities on Treasure Island, including regulations  
10 limiting parking, stopping, standing, or loading and establishing parking privileges and  
11 locations, parking meter zones, and other forms of parking regulation, to consult with the  
12 Authority and the TIMMA on the development of such regulations, before adoption by the  
13 SFMTA Board of Directors, to ensure that such regulations are in conformance with the  
14 Project, the Transportation Plan and the Development Agreement and can reasonably be  
15 expected to allow the TIMMA to achieve the Transportation Plan's financial and TDM  
16 performance benchmarks, including generating and collecting the revenues necessary for the  
17 TIMMA to implement the Transportation Plan's programs and policies, as may be amended  
18 from time to time; and be it

19 FURTHER RESOLVED, That the Authority Board of Directors hereby recommends that  
20 the BOS urge the SFMTA to consult with the Authority and the TIMMA on the development of  
21 fees, fines and penalties for on-street parking and off-street parking within publicly-owned  
22 parking facilities on Treasure Island, before adoption by the SFMTA Board of Directors, to  
23 ensure that such fees, fines and penalties are in conformance with the Transportation Plan  
24 and can reasonably be expected to allow the TIMMA to achieve the Transportation Plan's  
25 financial and TDM performance benchmarks, including generating and collecting the revenues

1 necessary for the TIMMA to implement the Transportation Plan's programs and policies, as  
2 may be amended from time to time; and be it

3 FURTHER RESOLVED, That the Authority Board of Directors hereby recommends that  
4 the BOS require that the SFCTA, in performing its duties as the TIMMA, establish a  
5 community advisory process that includes Treasure Island residents and businesses and  
6 interested stakeholders; and be it

7 FURTHER RESOLVED, That the Authority Board recommends that the BOS resolution  
8 acknowledge that, in accordance with AB 981, the BOS may, at any time and for any reason,  
9 revise the TIMMA designation and expand or reduce the powers of the TIMMA or the parking  
10 responsibilities reserved to the SFMTA; and be it

11 FURTHER RESOLVED, That the Authority Board of Directors hereby recommends that  
12 the BOS's resolution designating the SFCTA as the TIMMA state that such designation does  
13 not affect the authority of the SFMTA to perform those duties related to management of the  
14 City's streets, traffic, transit and transportation infrastructure on Treasure Island that are within  
15 the exclusive jurisdiction of the SFMTA, under Article 8A of the Charter and that are not  
16 subject to assignment to the TIMMA under AB 981. Those duties include but are not limited  
17 to:

- 18 1. Providing Municipal Railway service on Treasure Island.
- 19 2. Establishing, collecting and enforcing SFMTA transit fares.
- 20 3. Along with the SFPD, enforcing parking regulations through issuance of citations  
21 and towing illegally parked vehicles.
- 22 4. Adopting regulations that control the flow and direction of motor vehicle, bicycle  
23 and pedestrian traffic, limiting streets to certain categories of vehicles, and  
24 limiting the speed of vehicles on City streets.  
25





**EDWIN M. LEE, MAYOR**

**ROBERT P. BECK**  
TREASURE ISLAND DIRECTOR  
OFFICE OF THE CITY ADMINISTRATOR  
TREASURE ISLAND DEVELOPMENT AUTHORITY

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Old/New Chair + Clerk

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President, District 3  
BOARD of SUPERVISORS



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DAVID CHIU  
邱信福  
市參事會主席

PRESIDENTIAL ACTION

Date: 3/20/2014  
To: Angela Calvillo, Clerk of the Board of Supervisors

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
MAR 20 AM 9:46

Madam Clerk,  
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)  
File No. \_\_\_\_\_  
(Primary Sponsor)  
Title. \_\_\_\_\_

Transferring (Board Rule No. 3.3)  
File No. 140224 Department \_\_\_\_\_  
(Primary Sponsor)  
Title. Designation - Treasure Island Mobility Manager

From: Land Use & Economic Development Committee  
To: Budget & Finance Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)  
Supervisor \_\_\_\_\_  
Replacing Supervisor \_\_\_\_\_

For: \_\_\_\_\_ Meeting  
(Date) (Committee)

David Chiu  
David Chiu, President  
Board of Supervisors