

1 [Agreement - Use of Fast Pass on BART]

2

3 **Resolution retroactively approving the Special Transit Fare (Fast Pass) Agreement**  
4 **between the City and County of San Francisco and the Bay Area Rapid Transit District,**  
5 **with a term from January 1, 2010, to June 30, 2014.**

6

7 WHEREAS, SFMTA Adult Fast Pass users make approximately 8.8 million trips on  
8 BART within San Francisco each year under the Special Transit Fare (Fast Pass) Agreement  
9 (“Agreement”) between the City and County of San Francisco (City) and the San Francisco  
10 Bay Area Rapid Transit District (BART), which expired on December 31, 2009; and

11 WHEREAS, Current payments from the SFMTA to BART are estimated at \$9.0 million  
12 per year based on current ridership volumes and a \$1.02 per trip reimbursement rate; and

13 WHEREAS, In 2003, the BART Board adopted a Productivity-Adjusted Consumer Price  
14 Index (CPI) Based Fare Rates and Charges policy that specified a formula for adjusting fares  
15 bi-annually based on the inflation rate less ½ percent for productivity improvements; and

16 WHEREAS, BART advanced its most recent bi-annual fare increase six months,  
17 increased its intra-San Francisco fare 17 percent from \$1.50 to \$1.75 on July 1, 2009, and  
18 has requested a corresponding increase in the Adult Fast Pass reimbursement rate from  
19 \$1.02 to \$1.19 per trip retroactive to January 1, 2010; and

20 WHEREAS, Commencing July 1, 2012, a subsequent reimbursement rate increase  
21 from \$1.19 to \$1.21 per trip, based on BART’s Productivity-Adjusted Consumer Price Index  
22 (CPI) Based Fare Rates and Charges policy, became effective for intra-San Francisco trips on  
23 BART; and

24

25

1           WHEREAS, SFMTA and BART have negotiated an agreement reflecting the foregoing  
2 rate increases, including a \$14 million cap on the annual reimbursement rate; which  
3 agreement is on file with the Clerk of the Board of Supervisors in File No. 121187, and is  
4 hereby declared to be a part of this motion as if set forth fully herein; and,

5           WHEREAS, On November 20, 2012, the SFMTA Board of Directors adopted  
6 Resolution No. 12-143, which authorized the Director of Transportation to execute the Special  
7 Transit Fare (Fast Pass<sup>®</sup>) Agreement between the City and BART, with a term from January  
8 1, 2010 to June 30, 2014, subject to approval from the Board of Supervisors of this  
9 Agreement and a separate Feeder Agreement; now, therefore, be it

10          RESOLVED, That the Board of Supervisors retroactively approves the Special Transit  
11 Fare (Fast Pass) Agreement between the City and BART, with a term from January 1, 2010,  
12 to June 30, 2014.