

FILE NO. 150995

LEGISLATIVE DIGEST

[Administrative Code - Establishing Mission Bay Transportation Improvement Fund, and Advisory Committee]

Ordinance amending the Administrative Code to establish a fund to pay for City services and capital improvements addressing transportation and other needs of the community in connection with events at the Golden State Warriors Event Center and Mixed Use Project; create an advisory committee to make recommendations about the use of monies from the Fund; and adopting findings under the California Environmental Quality Act.

Existing Law

GSW Arena LLC, an affiliate of Golden State Warriors, LLC, which owns and operates the Golden State Warriors National Basketball Association team, proposes to construct a multi-purpose event center and a variety of mixed uses (the “Event Center”) on Blocks 29-32 within the Mission Bay area of San Francisco (the “Project Site”). The proposed project for the Event Center includes a transportation services plan, a local/hospital access plan, and designated overlapping event strategies, and other measures, including measures by the Event Center’s project sponsor to address transportation conditions relating to the Event Center. The City currently does not have a special fund for City costs associated with City services and capital improvements for the proposed Event Center project.

Amendments to Current Law

The proposal is an ordinance that would amend the Administrative Code to create a Mission Bay Transportation Improvement Fund (the “Fund”). The City would use monies placed in the Fund to pay for City services and capital improvements needed to address transportation and other needs of the community in connection with Warriors basketball games and other events (collectively, “Events”) at the Event Center.

These “Required Uses” of the Fund could include, among other things: (1) costs of providing services to the Project Site and surrounding neighborhood, such as public transit services, special event shuttles, parking and traffic engineering and control services, local access programs (including access to hospitals in Mission Bay South), police services, and street and sidewalk cleanup; and (2) costs of transit improvement measures, such as purchasing additional light rail vehicles, Municipal Railway infrastructure improvements, bicycle and pedestrian access improvements, and studying the feasibility of a ferry landing and service for Mission Bay South and other surrounding areas.

Part of the Fund, in the amount of \$1 million, would be set aside as a “Designated Overlapping Event Reserve” (the “Reserve”). The Municipal Transportation Agency (“MTA”) would use the Reserve to pay for additional operational and capital improvements to multi-modal transportation serving Mission Bay South and surrounding areas, including improvements to handle pre-event peak periods on weekday evenings when a large event other than a Warriors basketball game is held at the Event Center and the Giants play a baseball game at AT&T Park.

Subject to the budgetary and fiscal provisions of the Charter, the City would deposit monies into the Fund each year. For the first five years that the Event Center is in operation, the City would deposit no less than the following amounts into the Fund:

- \$8.1 million in the first year;
- \$8.3 million in the second year;
- \$8.5 million in the third year;
- \$8.8 million in the fourth year; and,
- \$9.1 million in the fifth year.

In other years, the City would deposit an amount into the Fund based on budgeted expenditures included in the MTA transportation plan for the Event Center and related transportation improvement measures, and following the opening of the Event Center, budgeted expenditures of the Department of Public Works and the Police Department addressing community needs related to the operation of the Event Center.

The City’s deposits to the Fund, including money to be placed in the Reserve, would be subject to a cap. Once the Event Center opens, and every five years after that, the Controller would conduct a financial assessment of the economic impact of the Project and estimate the amount of discretionary, unrestricted General Fund revenues that the City expected to receive from the Project Site and from events at the Event Center. The Controller would then reduce that estimate by 10%, and that adjusted amount would be the “Maximum Annual Funding Amount” for the Fund—for any fiscal year, the sum of the City’s annual deposit to the Fund, plus any money needed to maintain the Reserve at \$1 million, would be capped at the Maximum Annual Funding Amount.

The Controller would reduce amounts in the Fund on a prorata basis if the discretionary, unrestricted General Fund revenues from the Event Center project turn out to be less than anticipated and the deposits plus the Reserve would exceed the Maximum Annual Funding Amount. If the City spends more than the Maximum Annual Funding Amount on Required Uses during one year, the Controller would offset the amount of that additional spending against its funding obligations for the following year, unless the Board of Supervisors and the Mayor waived the offset as part of the budgetary process.

The proposal would also amend the Administrative Code to establish a Mission Bay Transportation Improvement Fund Advisory Committee (the “Advisory Committee”). The Advisory Committee would consist of five members:

- An employee, officer, or other representative of the Event Center, appointed by the Event Center’s owner;
- An employee, officer, or other representative of the University of California at San Francisco, appointed by the Chancellor of the University or the Chancellor’s designee;
- A person who lives within a half-mile of the Event Center, appointed by the Mayor;
- A representative of a business that operates within a half-mile of the Event Center, appointed by the Mayor; and,
- A person appointed by the Supervisor representing the district in which the Event Center is located.

At least one of the two persons appointed by the Mayor to the Advisory Committee from a local neighborhood or a local business must have served on the Ballpark/Mission Bay Transportation Coordination Committee for at least six months before being appointed to the Advisory Committee. All members of the Advisory Committee would serve at the pleasure of the appointing authority, and would serve until the member resigned or was removed by the appointing authority. Members would receive no compensation for serving on the Advisory Committee.

The Advisory Committee would advise the Board of Supervisors, the MTA, the Department of Public Works (“DPW”), the Police Department (“SFPD”), and other decision-makers on the use of monies in the Fund. The Advisory Committee would, among other things, work with the MTA, DPW, SFPD, and the Ballpark/Mission Bay Transportation Coordination Committee to set priorities for community improvement measures for Required Uses under the Fund, recommend to the MTA uses of the Reserve, and review travel time data collected by the MTA for routes to the Event Center to determine if traffic conditions associated with the Event Center, especially when there are weekday evening dual events with large attendance at the Event Center and AT&T Park, require additional City actions and expenditures from the Fund or the Reserve.

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The proposed Amendment of the Whole, dated 11/9/2015, as amended in committee, differs from the legislation on file, dated 10/6/2015, as follows:

The amendment of the whole would clarify that “enhancements to multi-modal transportation serving Mission Bay South and surrounding areas” would include the Potrero and Dogpatch neighborhoods. (Page 2, lines 18-19)

The amendment of the whole would add a requirement that the Controller’s fiscal assessment of the economic impact of the Project, to be conducted every five years, separately identify revenues generated on-site and revenues attributable to demand from Events that are generated off the Project Site. (Page 7, lines 13-16)

The amendment of the whole would add a requirement that at least one of the two persons appointed by the Mayor to the Advisory Committee and either residing in a neighborhood or representing a business that operates within a half-mile of the Event Center have served on the Ballpark/Mission Bay Transportation Coordination Committee for at least six months before being appointed to the Advisory Committee. (Page 9, line 24, through page 10, line 2)

The amendment of the whole would direct the Advisory Committee to consult with the Ballpark/Mission Bay Transportation Coordination Committee in performing the Advisory Committee's work. (Page 11, lines 9-10, 14-15)

And the amendment of the whole includes the file numbers for the ordinance itself and for the MTA resolution addressing the Event Center Project, and makes other technical and editorial corrections.

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