

AMENDED IN SENATE AUGUST 6, 2014

AMENDED IN SENATE JULY 2, 2014

AMENDED IN SENATE AUGUST 12, 2013

AMENDED IN ASSEMBLY MAY 8, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 141

Introduced by Assembly Member Ammiano

January 17, 2013

An act to amend Sections 1967.2 and 1967.3 of, and to add Section 1967.35 to, the Streets and Highways Code, and to amend Section 2 of Chapter 317 of the Statutes of 2008, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 141, as amended, Ammiano. Treasure Island Transportation Management Act.

Existing law, the Treasure Island Transportation Management Act, authorizes 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 act authorizes 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 act

specifies the powers and duties of the agency on these and other related matters, including the adoption and administration of a transportation program, the collection and use of revenues generated from those fees, and coordination with the San Francisco Municipal Transportation Agency.

This bill would rename the Treasure Island Transportation Management Agency as the Treasure Island Mobility Management Agency and would authorize the board of supervisors to revise or revoke this designation of the transportation management agency and designate a new board or agency to act as the transportation management agency at any time. The bill would provide that the transportation management agency is an independent and autonomous public agency governed by the board of the transportation authority, as designated by the board of supervisors on April 1, 2014, or by any future revised governance as designated by the board of supervisors, and is a separate and distinct legal entity responsible for its own obligations, debts, and liabilities and not for the obligations, debts, or liabilities of any other agency or entity.

The bill would authorize the transportation management agency to do all acts under its own name that are necessary or convenient for the exercise of its designated powers and the financing of projects, as specified, and would require the agency to adopt an annual budget.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
 State-mandated local program: no.

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

- 1 SECTION 1. Section 1967.2 of the Streets and Highways Code
- 2 is amended to read:
- 3 1967.2. For purposes of this chapter, the following terms have
- 4 the following meanings:
- 5 (a) "Authority" means the Treasure Island Development
- 6 Authority, a nonprofit public benefit corporation established by
- 7 the board of supervisors that is vested with both redevelopment
- 8 authority and the power and duty to administer the public trust for
- 9 commerce, navigation, and fisheries with respect to Treasure Island.
- 10 (b) "Board of supervisors" means the Board of Supervisors of
- 11 the City and County of San Francisco.

- 1 (c) “City” means the City and County of San Francisco.
- 2 (d) “Congestion pricing fees” means fees that motorists pay to
- 3 drive in a designated congestion pricing zone that are designed to
- 4 relieve traffic congestion and promote alternative forms of
- 5 transportation, and are set and adjusted to reflect traffic patterns,
- 6 congestion levels, time of day, and other conditions that impact
- 7 the roadway system.
- 8 (e) “Transportation authority” means the San Francisco County
- 9 Transportation Authority.
- 10 (f) “Transportation management agency” means the Treasure
- 11 Island Mobility Management Agency, formerly the Treasure Island
- 12 Transportation Management Agency, designated by the board of
- 13 supervisors pursuant to ~~Sections 1967.3 and 1967.5~~ *Section 1967.3*.
- 14 (g) “Transportation program” means a comprehensive
- 15 transportation program for Treasure Island designed to achieve
- 16 the goals set forth in Section 1967.1.
- 17 (h) “Treasure Island” means Treasure Island and Yerba Buena
- 18 Island.

19 SEC. 2. Section 1967.3 of the Streets and Highways Code is

20 amended to read:

21 1967.3. The authority is formulating a transportation program

22 in connection with the authority’s redevelopment activities on

23 Treasure Island. The board of supervisors directed that the

24 transportation program ensure adequate and reliable funding for

25 transit service for Treasure Island, including bus transit service

26 provided by the city’s municipal transportation agency, or its

27 successor agency. In formulating the transportation program, the

28 authority shall make recommendations for the governance structure

29 of the transportation management agency. Based on the authority’s

30 recommendations, the board of supervisors may designate a board

31 or agency that shall act as the transportation management agency.

32 The board of supervisors may revise or revoke this designation of

33 the transportation management agency and designate a new board

34 or agency to act as the transportation management agency at any

35 time. The board of supervisors may also designate itself as the

36 transportation management agency. Notwithstanding Chapter 898

37 of the Statutes of 1997, any subsequent amendments to that chapter,

38 but subject to Section 1967.5, the transportation management

39 agency shall have the exclusive power to do any or all of the

1 following pursuant to the terms of a resolution or ordinance adopted
2 by the board of supervisors:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 SEC. 3. Section 1967.35 is added to the Streets and Highways
30 Code, to read:

31 1967.35. (a) The transportation management agency is an
32 independent and autonomous public agency governed by the board
33 of the transportation authority, as designated by the board of
34 supervisors on April 1, 2014, or by any future revised governance
35 as designated by the board of supervisors pursuant to Section
36 1967.3. The transportation management agency is a separate and
37 distinct legal entity responsible for its own obligations, debts, and
38 liabilities and not for the obligations, debts, or liabilities of any
39 other agency or entity.

1 (b) The transportation management agency is authorized under
2 its own name to do all acts necessary or convenient for the exercise
3 of its designated powers and the financing of projects, including,
4 but not limited to, all of the following:

- 5 (1) To employ agents or employees.
- 6 (2) To acquire, construct, manage, maintain, lease, or operate
7 any public facility or improvements.
- 8 (3) To sue and be sued in its own name.
- 9 (4) To invest any money not required for the immediate
10 necessities of the transportation management agency, as it
11 determines is advisable.

12 (c) The transportation management agency shall adopt an annual
13 budget. Its board members shall be compensated as determined
14 by the transportation management agency and shall be reimbursed
15 for necessary and reasonable expenses incurred in connection with
16 performing transportation management agency duties. The
17 transportation management agency shall pay all costs required by
18 this section.

19 (d) The transportation authority may make direct contributions
20 or contributions on a reimbursement-for-cost basis to the
21 transportation management agency in furtherance of the exercise
22 of its powers as designated under Section ~~1967.4~~ 1967.3.

23 SEC. 4. Section 2 of Chapter 317 of the Statutes of 2008 is
24 amended to read:

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

39 (b) (1) Subject to the requirements of this act, the transportation
40 management agency shall be the sole entity or jurisdiction

1 authorized to impose any transportation-related revenue measures
2 on Treasure Island, as specified in Section 1967.3 of the Streets
3 and Highways Code. No ordinance, charter provision, or other
4 provision of local law purporting to impose any similar revenue
5 measure, whether now existing or enacted in the future, shall apply
6 to Treasure Island or the transportation program, and the city and
7 its departments, boards, and commissions are prohibited from
8 exercising in the city's own right any powers that have been
9 granted to the transportation management agency or the board of
10 supervisors under this act.

11 (2) The transportation management agency, in implementing
12 the transportation program, shall coordinate with the San Francisco
13 Municipal Transportation Agency (SFMTA) in decisions regarding
14 transit service, parking enforcement, traffic signaling, and all other
15 operational responsibilities for which SFMTA is mutually
16 determined to have operational responsibilities and, consistent
17 with direction from the board of supervisors under Resolution No.
18 699-06, the transportation management agency shall work with
19 SFMTA to identify adequate and reliable funding as necessary for
20 SFMTA to carry out these responsibilities. This provision is not
21 intended to interfere with the jurisdiction of SFMTA or any
22 successor agency over the real, personal, and financial assets of
23 SFMTA, the authority of SFMTA over contracting, leasing, and
24 purchasing, or the authority of SFMTA to set fares for the San
25 Francisco Municipal Railway.

26 SEC. 5. This act is an urgency statute necessary for the
27 immediate preservation of the public peace, health, or safety within
28 the meaning of Article IV of the Constitution and shall go into
29 immediate effect. The facts constituting the necessity are:

30 In order to ensure that the development of the sustainable urban
31 neighborhood for Treasure Island will progress in a timely manner,
32 it is necessary that this act take effect immediately.