

THIS PRINT COVERS CALENDAR ITEM NO. : 10.9

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Sustainable Streets

BRIEF DESCRIPTION:

Amending Transportation Code, Division II, Section 902, to revise the fee schedule for the Commuter Shuttle 18-month Pilot Program for FY 2015 and FY 2016.

SUMMARY:

- The SFMTA Board approved Resolution 14-023, authorizing an 18-month pilot to test a limited network of shared Muni and commuter shuttle stops through a permit system.
- The Designated Shuttle Stop Use Permit Fee was established based on existing information about shuttle operations and estimates of costs, and was intended to recover all costs associated with the pilot program.
- SFMTA has received updated information on the costs of the pilot and the total number of stop events, which supports increasing the Designated Shuttle Stop Use Permit Fee.
- The SF Planning Department has determined that the increase in the Permit Fee is not a substantial modification of the Commuter Shuttle Pilot Program that would require reevaluation under San Francisco Administrative Code section 31.19(b).
- The SFMTA Board of Directors approved per stop fees of \$1.06 and \$1.10 as part of the FY 2015 and FY 2016 Operating Budget. However, based on fewer stops and revised enforcement resources, the proposed Transportation Code amendment reflects the revised per stop fee schedules which are \$3.55 in FY 2015 and \$3.67 in FY 2016.
- These fees may be adjusted based on actual Agency costs once the pilot program is underway and in that case will be brought back before the SFMTA Board of Directors for approval.

ENCLOSURES:

1. SFMTAB Resolution
2. Division II, Section 902

APPROVALS:

DATE

DIRECTOR _____

July 8, 2014

SECRETARY _____

July 8, 2014

ASSIGNED SFMTAB CALENDAR DATE: July 15, 2014

PURPOSE

Amending Transportation Code, Division II, Section 902, to revise the fee schedule for the Commuter Shuttle 18-month Pilot Program for FY 2015 and FY 2016.

GOAL

This action supports the following SFMTA Strategic Plan Goal and Objectives:

Goal 1: Create a safer transportation experience for everyone

Objective 1.3: Improve the safety of the transportation system.

Goal 3: Improve the environment and quality of life in San Francisco

Objective 3.1 Reduce the Agency's and the transportation system's resource consumption, emissions, waste, and noise.

Objective 3.5: Reduce capital and operating structural deficits

DESCRIPTION

On January 21, 2014, the SFMTA Board of Directors approved a Commuter Shuttle Policy and Pilot Program, including a resolution amending Division II of the Transportation Code to authorize the 18-month Pilot. The Pilot aims to address the following key transportation issues related to commuter shuttles:

- Delays in Muni service, which are most intense at stops where Muni service is very frequent
- Challenge of shuttle identification and ability to identify the right provider in response to problems
- Safety concerns, local congestion, and upstream Muni delays that result when vehicles are stopping in zones that are not conducive to sharing
- Clarity for enforcement personnel, providers, and the public about where shuttles are allowed to stop
- Responsibility to recover agency costs
- Lack of complete information about shuttle operations – a challenge for communications and planning

The Pilot will enable SFMTA to evaluate whether sharing Muni stops specifically selected to minimize impacts on Muni and other users, permit terms that establish standards for operations, and data-supported system management can minimize conflicts while supporting the beneficial commuter options that shuttles provide.

To develop the fee for the pilot, staff used anticipated costs of the program and SFMTA's best information about the number of existing stop events that had been taking place at Muni zones.

This resulted in an initial fee amount of \$1 per stop event. Additionally, the SFMTA Board of Directors approved fees of \$1.06 and \$1.10 as part of the FY 2015 and FY 2016 Operating Budget.

SFMTA recalculated the fee based on the number of stop events at designated pilot network stops identified in permit applications. The original projection estimated approximately 4,100 stop events would be requested from the shuttle providers. However, the actual number of stop events requested was 2,449. At the same time, the SFMTA adjusted anticipated costs of the program to reflect changes in enforcement resources. The original projection for enforcement resources estimated eight parking control officers working two hours per day. However, the resources to effectively enforce the pilot program was revised to ten parking control officers working six hours per day.

The proposed Transportation Code amendment reflects the revised fee schedules which are \$3.55 in FY 2015 and \$3.67 in FY 2016 based on fewer stop events requested by the shuttle providers and revised enforcement resources.

A principle of the pilot program, and of other permit programs in San Francisco, is cost recovery. Therefore, SFMTA is seeking to adjust the fee.

ALTERNATIVES CONSIDERED

SFMTA did not consider not increasing the Designated Commuter Shuttle Use Permit Fee because of the Agency's policy decision to ensure that all program costs are recovered to the extent allowed by law.

FUNDING IMPACT

The Designated Commuter Shuttle Use Permit Fee recovers all eligible costs associated with the pilot program. The fee allocates these costs on a per-stop event basis.

At the time of SFMTA Board approval of the pilot program, SFMTA estimated the fee at \$1 per stop event, using estimated project costs of \$1.6 million over 18 months, and existing information about stop events. In the interest of recovering all costs of the program, the SFMTA recalculated the fee to reflect revised program costs as well as stop event information provided by shuttle service providers as part of permit applications. The proposed fee would allow recovery of the full \$2.1 million in project cost through a per-stop event charge of \$3.55 for 11 months in FY 2015 and recovery of \$1.4 million in project cost through a per-stop event charge of \$3.67 for 7 months in FY 2016. These fees may be adjusted based on actual Agency costs once the pilot program is underway and in that case will be brought back before the SFMTA Board of Directors for approval

PUBLISHED NOTICE AND PUBLIC HEARING

Charter Section 16.112 requires published notice and hearing before the SFMTA may institute or change any fare, fee, schedule of rates or charges which affect the public. The Board's Rules of Order require that the advertisement run for at least five days and not less than fifteen days prior to the public hearing. In compliance with both Charter Section 16.112 and the Board's Rules of Order, advertisements were placed in the City's official newspaper, the San Francisco Chronicle, to provide published notice for the July 15, 2014 public hearing. The advertisements ran in the San Francisco Chronicle for five consecutive days, starting on June 21, 2014.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

On January 8, 2014, the SFMTA, under the authority delegated by the Planning Department, determined that the Commuter Shuttle Policy and Pilot Program and Transportation Code amendments to implement an 18 month pilot program were exempt from environmental review pursuant to Title 14 of the California Code of Regulations Section 15306 as a Class 6 (Information Collection) categorical exemption. On January 9, 2014, the City Planning Department issued a concurrence with this determination. On April 1, 2014, the City Planning Department issued a Notice of Exemption, which was filed with the County Clerk on April 8, 2014.

On July 3, 2014, the Environmental Review Officer determined that the modification of the Permit Fee was not a substantial modification of the Commuter Shuttle Policy and Pilot Program that would require reevaluation of the Program under Administrative Code section 31.19(b).

RECOMMENDATION

SFMTA recommends that the SFMTA Board of Directors amend Transportation Code, Division II, Section 902, to adjust the fee for the Designated Shuttle Stop Use Permit for FY 2015 and FY 2016.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The Commuter Shuttle Pilot program calls for the creation of a pilot network of designated stops, to be primarily composed of shared existing Muni zones, and to include extensions of existing Muni zones and permitted commuter shuttle only loading zones as needed; and,

WHEREAS, The Commuter Shuttle Pilot program will provide the opportunity for the SFMTA to evaluate whether sharing Muni stops specifically selected to minimize impacts on Muni and other users, permit terms that establish standards for operations, and data-supported system management can minimize conflicts while supporting the beneficial commuter options that shuttles provide; and,

WHEREAS, On January 9, 2014, the San Francisco Planning Department determined that implementation of the Commuter Shuttle Policy and Pilot Program were exempt from environmental review pursuant to Title 14 of the California Code of Regulations Section 15306 as a Class 6 (Information Collection) categorical exemption; and,

WHEREAS, On January 21, 2014, the SFMTA Board of Directors passed Resolution No. 14-023, approving a Commuter Shuttle Policy and Pilot Program, and amending Division II of the Transportation Code to authorize the Pilot, including a fee for Designated Shuttle Stop Use Permits; and,

WHEREAS, The Commuter Shuttle Pilot program seeks to recover all eligible program costs through the Designated Shuttle Stop Use Permit fee; and,

WHEREAS, New information on the total number of stop events became available to SFMTA through permit applications for the Commuter Shuttle Pilot program; and

WHEREAS, Based on this new information, SFMTA has determined that an increase in the permit fee is warranted; and

WHEREAS, Pursuant to Charter Section 16.112 and the Rules of Order of the Board of Directors, published notice was provided in the City's official newspaper for a five-day period beginning June 21, 2014, that the Board of Directors would hold a public hearing on July 15, 2014 to consider adjusting the permit fee; and

WHEREAS, the Environmental Review Officer has determined that the increase in the Permit Fee is not a substantial modification to the Commuter Shuttle Pilot Program and a copy of

this determination is on file in the office of the Secretary to the SFMTA Board of Directors;
therefore, be it

RESOLVED, That the SFMTA Board of Directors amends Transportation Code Division II, Section 902 to revise the permit fee schedule to be charged in conjunction with the Designated Shuttle Stop Permit use fee for FY 2015 and FY 2016.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 15, 2014.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code – Increasing Designated Shuttle Stop Use Permit Fee for Commuter Shuttles]

Resolution amending Division II of the Transportation Code to increase the Designated Shuttle Stop Use Permit fee.

NOTE: Additions are single-underline Times New Roman; deletions are ~~strike through Times New Roman~~.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 900 of Division II of the Transportation Code is hereby amended by amending Section 902, to read as follows:

SEC. 902. GENERAL PERMIT CONDITIONS.

The following general provisions apply to all permits issued under this Article.

(a) **Application and Renewal.** Permit applications must be submitted on a form supplied by the SFMTA. All required application and any other fees must be paid and all permit requirements satisfied before a permit may be issued. The SFMTA may require any information of the applicant which it deems necessary to carry out the purposes of this Article. Permits may be renewed annually in compliance with any renewal procedures established by the SFMTA.

(b) **Display of Permit.** Permittees must maintain the permit at the site of the permitted activity and available for inspection in accordance with any requirements for permit display as may be established by the SFMTA, and shall make all permits available for inspection upon request by an employee of the Police Department or SFMTA.

(c) **Prior Payments Required.** No permit shall be issued or renewed until the applicant has paid all permit fees that are due to the SFMTA. No permit shall be issued to any applicant who is responsible for payment of one or more delinquent citations for

violation of any provision of this Code or the Vehicle Code until all fines and fees associated with the citation are paid in full.

(d) **Permit Fees.** Fees for permits issued pursuant to this Code are as follows:

**Table 902(d)
Permit Fee Schedule**

	Effective July 1, 2014	Effective July 1, 2015
Special Traffic Permit (§ 903)		
Base Permit Fee:	\$179.75	\$179.75
Daily Fee:	\$37.00	\$37.00
Late Fee:	\$201.25	\$201.25
Removal/Relocation Fee		
Removal or relocation of each sign:	\$158.00	\$161.00
Removal or relocation of each pole:	\$320.00	\$340.00
Parking Space for the temporary relocation of colored curbs zones:	\$362.00	\$362.00
Parking Space for permanent relocation of colored curb zones, including painting:	\$362.00	\$362.00
Temporary Exclusive Use of Parking Meters (§ 904)		
Base Permit Fee: per 25 linear feet of construction frontage per day, including weekends and holidays:	\$8.00	\$9.00
Residential Area Parking Permit (§ 905)		
Resident/Business/School/Fire Station/Foreign Consulate/Medical & Childcare Provider Base Permit Fee:		

(one year):	\$110.00	\$111.00
(Less than 6 months):	\$55.00	\$55.00
Permit Transfer:	\$17.00	\$18.00
1-Day Flex Permit:		
1-5 permits per order	\$12.00 each permit	\$13.00 each permit
6-15 permits per order:	\$10.00 each permit	\$11.00 each permit
16-20 permits per order:	\$8.00 each permit	\$9.00 each permit
Short-Term Permits		
2 weeks:	\$37.00	\$38.00
4 weeks:	\$55.00	\$56.00
6 weeks:	\$73.00	\$73.00
8 weeks:	\$94.00	\$95.00
Contractor Permit (§ 906)		
Base Permit Fee		
Annual/Renewal:	\$929.00	\$938.00
Less than 6 Months:	\$465.00	\$469.00
Permit Transfer Fee:	\$41.00	\$42.00
Vanpool Permit (§ 907)		
Base Permit Fee		
(per year):	\$110.00	\$111.00
(Less than 6 months):	\$55.00	\$55.00
SFMTA Permit (§ 910)		
(Based on the annualized Parking Meter Use Fee)	\$2,080.00	\$2,340.00
On-Street Car Share Vehicle Permit (§ 911)		

Base Permit Fee		
Zone 1	\$2,700.00 (\$225 per month)	\$2,700.00 (\$225 per month)
Zone 2	\$1,800.00 (\$150 per month)	\$1,800.00 (\$150 per month)
Zone 3	\$600.00 (\$50 per month)	\$600.00 (\$50 per month)
Vehicle Press Permit (§ 912)		
Base Permit Fee: The permit fee shall only be increased pursuant to the Automatic Indexing Implementation Plan approved by the SFMTA Board of Directors.	\$56.00	\$58.00
Designated Shuttle Stop Use Permit (§ 914)	\$1,063.55	\$1,103.67
Farmer's Market Parking Permit (§ 801(c)(17))		
Base Permit Fee (quarterly):	\$172.00	\$173.00
Temporary Street Closures Permits (Division I, Article 6)		
Neighborhood Block Party		
More than 60 days in advance:	\$167.00	\$177.00
Fewer than 60 days in advance:	\$223.00	\$236.00
Fewer than 30 days in advance:	\$445.00	\$472.00
Fewer than 7 days in advance:	\$501.00	\$531.00
All Other Events		
More than 60 days in advance:	\$553.00	\$586.00
Fewer than 60 days in advance:	\$670.00	\$710.00
Fewer than 30 days in advance:	\$785.00	\$832.00
Fewer than 7 days in advance:	\$903.00	\$957.00

Bus Substitution Fee (Division I, Article 6.2(f)):	\$22.19	\$22.88
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(e) **Indemnification.** The permit application for Special Traffic Permits issued pursuant to Section 903, and permits for the Temporary and Exclusive Use of Parking Meters issued pursuant to Section 904, shall require the applicant to acknowledge that the Permittee, by acceptance of the permit, agrees to indemnify and hold the City and County of San Francisco, its departments, commissions, boards, officers, employees and agents ("Indemnitees") harmless from and against any and all claims, demands, actions or causes of action which may be made against the Indemnitees for the recovery of damages for the injury to or death of any person or persons or for the damage to any property resulting directly or indirectly from the activity authorized by the permit regardless of the negligence of the Indemnitees.

(f) **Rules and Regulations.** Compliance with all applicable rules and regulations and with all permit conditions shall be a material condition for the issuance or renewal of a permit.

(g) **Permit Revocation.** The Director of Transportation is authorized to revoke the permit of any Permittee found to be in violation of this Article and, upon written notice of revocation, the Permittee shall surrender such permit in accordance with the instructions in the notice of revocation.

Section 2. **Effective Date.** This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance.

Section 3. **Scope of Ordinance.** In enacting this ordinance, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation

marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
DAVID A. GREENBURG
Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 15, 2014.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency