



# TREASURE ISLAND MOBILITY MANAGEMENT AGENCY

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## Memorandum

### AGENDA ITEM 8

**DATE:** June 6, 2024

**TO:** Treasure Island Mobility Management Agency Board

**FROM:** Cynthia Fong - Deputy Director for Finance and Administration

**SUBJECT:** 06/11/2024: Committee Meeting: Recommend Approval of the Revised Administrative Code and the Fiscal; Procurement; and Travel, Conference, Training, and Business Expense Reimbursement Policies

<p><b>RECOMMENDATION</b>    <input type="checkbox"/> Information    <input checked="" type="checkbox"/> Action</p> <p>Recommend approval of the revised Administrative Code and the Fiscal; Procurement; and Travel, Conference, Training, and Business Expense Reimbursement Policies</p> <p><b>SUMMARY</b></p> <p>We review all policies periodically to ensure compliance with current statutes and Treasure Island Mobility Management Agency (TIMMA) objectives. We are recommending revisions to the Administrative Code and the Fiscal, Procurement, and Travel Policies to conform to and be consistent with applicable law, provide additional clarity and flexibility, and reflect administrative changes since the last update. Recommended revisions are redlined in the proposed code and policies and outlined in the set of matrices in Attachment 1 through 5.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Fund Allocation</li> <li><input type="checkbox"/> Fund Programming</li> <li><input type="checkbox"/> Policy/Legislation</li> <li><input type="checkbox"/> Plan/Study</li> <li><input type="checkbox"/> Capital Project Oversight/Delivery</li> <li><input type="checkbox"/> Budget/Finance</li> <li><input type="checkbox"/> Contract/Agreement</li> <li><input checked="" type="checkbox"/> Other: Policies</li> </ul>
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### BACKGROUND

We develop and implement policies and procedures to organize and formalize agency activities, and to ensure compliance with current statutes and our objectives. While we are not required to annually review our Administrative Code and Fiscal, Procurement, and Travel Policies, it is good management practice to do so on a regular or as-needed basis.

Below is a brief description of the Administrative Code and Fiscal, Procurement, and Travel Policies that are the subject of this memorandum.



**Administrative Code:** Prescribe powers and duties of officers, the method and appointment of employees, and the policies and systems of agency operation and management.

**Fiscal Policy:** Guide decisions pertaining to internal fiscal management, including day-to-day operations, annual budget development and any revenue requirements of the Treasure Island Mobility Management Agency.

**Procurement Policy:** Guide decisions pertaining to procurement, including the modes, methods, and procedures for acquiring the materials, equipment, and services necessary to carry out the operations of the Treasure Island Mobility Management Agency.

**Travel, Conference, Training, and Business Expense Reimbursement Policy:** Establish a set of policies relating to Commissioner and staff travel, conference, training, and business expenses, and establish procedures for reimbursement of eligible requests of Treasure Island Mobility Management Agency Commissioners.

## **DISCUSSION**

We are recommending revisions as redlined in the proposed code and policies and outlined in the set of matrices in Attachments 1 through 5. We are recommending revisions to the Administrative Code and Fiscal, Procurement, and Travel Policies conform to and be consistent with applicable law, provide additional clarity and flexibility, and reflect administrative changes since the last updates.

The Board last adopted the Administrative Code in October 2022 through Ordinance 23-01. At our request, Fennemore LLP reviewed this code and based on their review, we are recommending changes as redlined in the proposed Administrative Code in Attachment 2.

The Board last adopted the Fiscal Policy in July 2020 through R21-01. At our request, Fennemore LLP reviewed this policy and based on their review, we are recommending changes as redlined in the proposed Fiscal Policy in Attachment 3.

The Board last adopted the Procurement Policy in November 2019 through R20-02. At our request, Fennemore LLP reviewed this policy and based on their review, we are recommending changes as redlined in the proposed Procurement Policy in Attachment 4.

The Board last adopted the Travel, Conference, Training, and Business Expense Reimbursement Policy in June 2017 through R17-04. We are recommending



changes as redlined in the proposed Travel, Conference, Training, and Business Expense Reimbursement Policy in Attachment 5.

### **SUPPLEMENTAL MATERIALS**

- Attachment 1 – Summary of Proposed Revisions
- Attachment 2 – Proposed Administrative Code
- Attachment 3 – Proposed Fiscal Policy
- Attachment 4 – Proposed Procurement Policy
- Attachment 5 – Proposed Travel, Conference, Training, and Business Expense Reimbursement Policy
- Attachment 6 – Ordinance (Administrative Code)
- Attachment 7 – Resolution (Policies)



# Attachment 1 Administrative Code

SECTION	REVISION	REASON	PAGE
<b>CHAPTER 3. POWERS AND DUTIES OF TIMMA COMMISSIONERS</b>  Section 3.1 Method of Appointment of TIMMA Commissioners	(b) The newly appointed Chair shall immediately preside following <del>his or</del> <u>her</u> <del>their</del> election at the same meeting.	Revision to update gender references to neutral form.	2
<b>CHAPTER 5. METHODS, PROCEDURES, AND SYSTEMS OF OPERATION AND MANAGEMENT</b>  Section 5.1. Committees of TIMMA	(c) TIMMA Committee Procedures. The Chair shall be eligible to be appointed and to serve on each Committee established under this Code as a voting, regular member. If not appointed as a regular member of a Committee, the Chair shall serve as a non-voting, ex-officio member, except that the Chair shall serve as a voting member when <del>his or her</del> <u>their</u> presence is necessary in order to constitute a quorum. A majority of the authorized number of members of a committee shall constitute a quorum for the transaction of business, and all official acts of a committee shall require the affirmative vote of the majority of the authorized number of members of the committee. In the case of a tie vote, the Chair, if present but not acting as a voting member, may cast the deciding vote. If the Chair's presence as a nonvoting ex-officio member causes a majority of the members of the full Board to be present, the committee meeting shall be recessed, if necessary, and the meeting convened or reconvened as a special Board meeting.	Revision to update gender references to neutral form.	3-4



# Attachment 1 Administrative Code

SECTION	REVISION	REASON	PAGE
<p><b>CHAPTER 5. METHODS, PROCEDURES, AND SYSTEMS OF OPERATION AND MANAGEMENT</b></p> <p>Section 5.2. Community Advisory Committees</p>	<p>(a) Community Advisory Committee. The TIMMA Board shall appoint five members to a Community Advisory Committee (CAC). Two members would represent Treasure Island and Yerba Buena Island residents, two members would represent businesses and nonprofits operating on the islands, and one CAC member would be an at-large member who could represent a citywide perspective and/or mobility concerns. When selecting CAC members, consideration will be given to ensure that they represent residents of diverse income levels and locations and a mix of large and small businesses and nonprofits and reflect the racial and gender diversity of San Francisco. In addition, the District 6 member of the Transportation Authority’s Community Advisory Committee shall serve as a non-voting ex-officio member of the TIMMA CAC, except they shall serve as a voting member when their presence is necessary in order to constitute a quorum. CAC members shall serve <del>without compensation</del> for a two-year period, although the TIMMA Board may appoint one or more of the initial members of the CAC to a three-year term to stagger the terms of CAC members. Any member who is absent for two of any four regularly scheduled consecutive meetings shall be automatically terminated. The TIMMA Board shall fill any vacancy for a new two-year period. The CAC shall meet as needed based on the TIMMA Board and Committee meeting schedule and all meetings shall be open to the public. The regular meetings of the CAC shall be held on Treasure Island in San Francisco, California. TIMMA staff, as provided by the Transportation Authority pursuant to Section 4, will be available to assist the CAC. The CAC shall assist TIMMA in:</p>	<p>Revision to allow flexibility to compensate committee members.</p>	<p>5</p>



# Attachment 1 Administrative Code

SECTION	REVISION	REASON	PAGE
<p><b>CHAPTER 5. METHODS, PROCEDURES, AND SYSTEMS OF OPERATION AND MANAGEMENT</b></p> <p>Section 5.2. Community Advisory Committees</p>	<p><u>(b) Community Advisory Committee - Subcommittees. The Community Advisory Committee Chairperson may propose subcommittees to TIMMA Chair. Before submitting any such proposal to the TIMMA Chair, the Community Advisory Committee Chairperson shall consult with TIMMA staff to confirm the purpose, objective, and term of the subcommittee, and to ensure consistency with the approved TIMMA work program and availability of staff resources. All Community Advisory Committee subcommittees are subject to the approval of TIMMA Chair. Each subcommittee shall consist of three members.</u></p> <p><del>(b)</del>(c) Additional Advisory Committees. The TIMMA Board may create and appoint other advisory committees that it deems necessary.</p>	<p>Revision to provide clarification of procedures in line with TIMMA practices.</p>	<p>5-6</p>
<p><b>CHAPTER 5. METHODS, PROCEDURES, AND SYSTEMS OF OPERATION AND MANAGEMENT</b></p> <p>Section 5.3. Contracts</p>	<p>(a) Contracts for the purchase of supplies, equipment, and materials in excess of <del>\$75,000</del><u>\$100,000</u> shall be awarded after a formal competitive procurement process in conformance with TIMMA's adopted Procurement Policy.</p> <p>(b) Contracts for the purchase of services in excess of <del>\$75,000</del><u>\$100,000</u> shall be awarded after a formal competitive procurement process in conformance with the TIMMA Procurement Policy.</p> <p>(c) The Executive Director is authorized to contract for goods and services for an amount less than or equal to <del>\$75,000</del><u>\$100,000 per fiscal year</u> in conformance with the TIMMA Procurement Policy. The Executive Director is authorized to amend contracts and agreements within the parameters specified in the TIMMA Procurement Policy.</p>	<p>Revision to increase Executive Director's authorization threshold to be in line with comparable transportation agencies and adjust for inflation.</p>	<p>6</p>



# Attachment 1 Administrative Code

SECTION	REVISION	REASON	PAGE
<b>CHAPTER 5. METHODS, PROCEDURES, AND SYSTEMS OF OPERATION AND MANAGEMENT</b>  Section 5.4.10. Actions on Projects	<p>(a) Before making its decision whether to carry out or approve the project, the Board shall review and consider the information contained in the Final EIR, Negative Declaration of Mitigated Negative Declaration and shall make findings as required by CEQA Guidelines Section 15091 <u>or Section 15074, as applicable.</u></p> <p>(b) After the Board has decided to carry out or approve a project, TIMMA shall file a notice of determination with the county clerk of the county or counties in which the project is to be located and as required by CEQA Guidelines Section 15094 <u>or Section 15075, as applicable.</u> Such notice shall contain the information required by CEQA Guidelines Section 15094 <u>or Section 15075, as applicable.</u> If the project requires a discretionary approval by a state agency, a copy of the notice of determination shall also be filed with the California Governor’s Office of Planning and Research.</p>	Revision to comply with Section 15074 provides guidelines for Negative Declaration of Mitigated Negative Declaration.	11



# Attachment 1 Fiscal Policy

SECTION	REVISION	REASON	PAGE
<b>CHAPTER 4. BUDGET REQUIREMENTS</b>  Section A. Administrative Operating Expenses	<b>1. Emergency Expenditures</b> The Executive Director is authorized to exceed the overall administrative operating expense line items by up to <del>seventy-five thousand dollars</del> <b>one hundred thousand dollars (\$100,000)</b> , for the actual cost of emergency expenditures that are made to protect the health, safety, and welfare of the agency or the public, or to repair/restore damaged/destroyed property for TIMMA. The Executive Director shall submit a report to the Committee within thirty (30) days of the emergency explaining the necessity of the action, a listing of expenditures, and future recommended actions.	Revision to increase limit for emergency expenditures, consistent with Board adopted Procurement Policy.	2
<b>CHAPTER 6. PROCUREMENT OF GOODS AND SERVICES</b>	<del>It shall be the policy of TIMMA to competitively bid the procurement of goods and services. Procurements in amounts greater than seventy-five thousand dollars (\$75,000) shall require a formal bid process including advertising requests for bids and/or proposals in appropriate local newspapers or other media outlets. Formal procurement of supplies, equipment, and materials in excess of \$75,000 shall be awarded to the lowest responsible bidder after competitive bidding, except in an emergency declared by the vote of two-thirds of the voting membership of TIMMA, or, if after rejecting bids received, TIMMA determines and declares by a two-thirds vote of all of its voting members that, in its opinion the supplies, equipment or materials may be purchased at a lower price in the open market. Procurements of supplies, equipment, and materials in amounts equal to or less than \$75,000 shall be awarded to the lowest responsive bidder following an informal competitive bid process. The selection of professional services, such as legal, financial advisory, private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms, shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required in accordance with TIMMA's Procurement Policy. All procurement transactions, regardless of dollar value and regardless of whether by sealed bid, informal quote, or by negotiation, shall be conducted in a manner that promotes free and open competition.</del>	Directs reader and cites to the latest updated policy.	3-5



**A.—Disadvantaged Business Enterprise Requirement**

Any procurement whether formal or informal shall comply with TIMMA's applicable ~~non-discrimination, disadvantaged/minority/local/small/women-owned business and other~~ applicable contracting policies in place at the time of procurement.

**B.—Conflict of Interest**

Commissioners, staff, or agents of TIMMA shall not participate in the selection or in the award or administration of a contract if such participation would result in a conflict of interest, real or apparent, as defined by state statute and applicable case law. Commissioners, staff or agents shall not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements.

**C.—Contracts**

Approval of the Board is required prior to the execution of any contract for the procurement of goods or professional services that authorizes payments that in the aggregate exceed seventy-five thousand dollars (\$75,000) in a fiscal year. The Executive Director is authorized to approve and execute all such contracts that authorize payments not in excess of \$75,000 per fiscal year, provided that the amounts are consistent with the adopted final budget, as amended in accordance with this Policy for the current fiscal year or, in the event that the contract was not completed in a single fiscal year, the contiguous fiscal year(s). The Executive Director is authorized to amend contracts to extend time, to add or delete tasks of similar scope and nature, and to increase or reduce the total amount of the contract. The Executive Director may execute such amendments without prior Board approval, if the amount of the amendment does not exceed \$75,000 and so long as the amendment is consistent with the adopted final budget.

No contractual obligations, administrative or capital, shall be assumed by TIMMA in excess of its ability to pay, as defined by the adopted final budget. All expenditures shall comply with all federal, state, and local statutory and other legal restrictions placed on the use of said funds.

TIMMA shall establish contracts for banking and investment services. Said contracts shall include provisions for the receipt, maintenance, investment and disbursement of funds, and ongoing financial data reports as required by TIMMA.



# Attachment 1 Fiscal Policy

SECTION	REVISION	REASON	PAGE
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As defined by the Procurement Policy, the Board shall be responsible for oversight of the procurement program for TIMMA. Please refer to the current version of the Procurement Policy maintained by TIMMA, for guidelines regarding the procurement of materials and supplies, professional and technical services, and lease and rental agreements.



# Attachment 1 Administrative Code

SECTION	REVISION	REASON	PAGE
<b>CHAPTER 5. METHODS, PROCEDURES, AND SYSTEMS OF OPERATION AND MANAGEMENT</b>  Section 5.4.10. Actions on Projects	<p>(a) Before making its decision whether to carry out or approve the project, the Board shall review and consider the information contained in the Final EIR, Negative Declaration of Mitigated Negative Declaration and shall make findings as required by CEQA Guidelines Section 15091 <u>or Section 15074, as acceptable.</u></p> <p>(b) After the Board has decided to carry out or approve a project, TIMMA shall file a notice of determination with the county clerk of the county or counties in which the project is to be located and as required by CEQA Guidelines Section 15094 <u>or Section 15075, as acceptable.</u> Such notice shall contain the information required by CEQA Guidelines Section 15094 <u>or Section 15075, as acceptable.</u> If the project requires a discretionary approval by a state agency, a copy of the notice of determination shall also be filed with the California Governor’s Office of Planning and Research.</p>	Revision to comply with Section 15074 provides guidelines for Negative Declaration of Mitigated Negative Declaration.	11



# Attachment 1 Procurement Policy

SECTION	REVISION	REASON	PAGE
<b>CHAPTER 1. INTRODUCTION</b>	The Procurement Policy is designed to guide decisions pertaining to procurement, including the modes, methods, and procedures for acquiring the materials, equipment, and services necessary to carry out the operations of the Treasure Island Mobility Management Agency (TIMMA). This policy is intended to establish the manner in which all TIMMA procurement activities shall be conducted, and define the requirements and/or limitations for TIMMA and those individuals, firms or agencies doing business with TIMMA. It is intended to be consistent with TIMMA's Administrative Code <u>and Fiscal Policy</u> , federal and state regulations, and general prudent accounting and financial management practices.	Revision adds consistency to the procurement section of the Fiscal Policy.	1
<b>CHAPTER 3. PROCUREMENT PROCESS</b>	Open competition is the basis for efficient, economic, and fair public procurement. It is the policy of TIMMA to competitively bid the procurement of all goods and services, and to encourage small and local firms to do business with TIMMA. All procurement activities are considered to be contractual obligations encompassing financial compensation in return for the rendering of specific goods and/or services. All procurements are to be negotiated on a fixed-price, <del>or</del> cost plus <u>fixed-fee basis, or specific rates of compensation</u> .	Revision adds clarification to the various methods of payment of a contract.	1
<b>CHAPTER 3. PROCUREMENT PROCESS</b> Section A. General Provisions	All procurement transactions, regardless of purchasing methodology or dollar value, shall be conducted in a manner that maximizes open and free competition. Solicitation for offers, whether by an informal or formal bid process or through competitive negotiation shall: <ol style="list-style-type: none"><li>1. incorporate a clear and accurate description of the technical requirements for the materials, product, or services to be procured; and</li><li>2. clearly set forth all requirements which bidders must fulfill, and all other factors to be used in evaluating the proposals.</li></ol> <p>All bids or proposals must be submitted to and received at the location designated no later than the exact time and date stated in bid or proposal requirements, and must be date- and time-stamped and logged as received by TIMMA staff. Bids or proposals received after the date and time deadline will be returned unopened and will be considered as disqualified. A bid or proposal may be withdrawn prior to bid or proposal opening for any reason by a bidder or <u>his/her/their</u> authorized representative, provided a written request to withdraw is received by TIMMA prior to bid or proposal</p>	Changed gender references to neutral form.	2



## Attachment 1 Procurement Policy

SECTION	REVISION	REASON	PAGE
	opening. After bid or proposal opening, a bid or proposal may be withdrawn only for material obvious error(s) and subject to written approval by the Executive Director.		
<b>CHAPTER 3. PROCUREMENT PROCESS</b> C. Informal Bid Process	Solicitations for goods and services that are anticipated to be equal to or less than <del>\$75,000</del> <u>\$100,000</u> may go through an informal Request for Proposal (RFP) or bid process. Quotes may be requested by telephone, via the Internet or through mail from known qualified vendors or from current vendor catalogs and/or websites. Routine purchases in the amount of \$25,000 or less should be distributed equitably among qualified competitively priced suppliers, with consideration given to DBE/SBE/LBE utilization as applicable and as permitted by law. It is not permissible to segment the contract or use multiple solicitations for similar goods or services in order to circumvent the limitation for formal solicitation.	Revision to increase limit for an informal Request for Proposal, consistent with proposed changes to Section VI. Contract Administration. The proposed revision remains under the current limit for informal bidding pursuant to federal requirements, 48 Code of Federal Regulations 2.101, amount of \$250,000.	3
<b>CHAPTER 3. PROCUREMENT PROCESS</b> D. Formal Bid Process	<p>Solicitation of goods and/or services that are anticipated to be in excess of <del>\$75,000</del> <u>\$100,000</u> shall be required to go through a formal Request for Proposal (RFP) or Invitation for Bid (IFB) process. An RFP process will also be used to procure professional and technical services as applicable in accordance with the provisions of California Government Code Section 4526 and applicable federal laws and regulations. Award of a contract for professional services will be qualifications-based and will consider multiple factors that will be clearly stated in the RFP, although price may be considered during the negotiation of the contract. Procurement for establishing an on-call or preapproved list of professional services providers shall be based on a qualifications-based process in accordance with state and federal law, and price may be taken into consideration when negotiating a contract with a firm selected from such a list to fulfill task orders.</p> <p>For procurements anticipated to be in excess of <del>\$75,000</del> <u>\$100,000</u>, an Invitation for Bids (IFB) process will be used to procure all supplies, equipment, or materials that are standard in nature, character, and quality; easily defined; and/or reasonably accessible in the open market. Award will be made to the lowest responsive and responsible bidder after competitive bidding, except in an emergency declared by the vote of two-thirds of the voting membership of the Board. If, after rejecting bids received, TIMMA</p>	Revision to increase limit for a formal Request for Proposal, consistent with proposed changes to Section VI. Contract Administration. The proposed revision remains under the current limit for informal bidding pursuant to federal requirements, 48 Code of Federal Regulations 2.101, of \$250,000.	4-5



## Attachment 1 Procurement Policy

SECTION	REVISION	REASON	PAGE
	<p>determines and declares by a two-thirds vote of the voting membership of the Board that, in its opinion, the supplies, equipment, or materials may be purchased at a lower price in the open market, TIMMA may proceed to purchase these supplies, equipment, or materials in the open market without further observance of the provisions regarding contracts, bids, or advertisement.</p> <p>Solicitation for offers in the formal bid process shall include the following:</p> <ol style="list-style-type: none"><li>1. A clear and accurate written description of the project scope and deliverables, and technical requirements for the materials, product, or service being procured;</li><li>2. Special conditions or restricting policies, policy goals such as DBE/SBE/LBE goals, if applicable, patents, liquidated damages, and performance, bid or indemnification requirements;</li><li>3. Proposed timetable for the project or service;</li><li>4. General format requirements and number of copies/items (if applicable) to be delivered;</li><li>5. Date of pre-proposal conference, if applicable;</li><li>6. A clear definition of the evaluation criteria to be used in evaluating the bids or proposals; and</li><li>7. Date, time, and place for submission of final bids or proposals.</li></ol> <p>If a pre-proposal conference is held, a listing of those in attendance showing name(s) of attendees and agency or company represented shall be maintained in the resulting contract files.</p> <p>Responses to RFPs for professional and technical services shall require identification of the bidders or proposer's key employees and subcontractors. Bidders or proposers shall be required to notify TIMMA of any pending lawsuits or labor disputes that may interfere with the delivery of services.</p> <p>Procurements in amounts greater than <del>\$75,000</del> <u>\$100,000</u> shall require a formal notice process including advertising requests for bids or proposals in local appropriate newspapers or other media outlets. Notice should occur with sufficient time to allow bidders or proposers reasonable time in which to respond. The term "reasonable time" may vary depending on the</p>		



# Attachment 1 Procurement Policy

SECTION	REVISION	REASON	PAGE
	<p>complexity of the proposed project. Thirty (30) calendar days shall be considered the standard time allotted in notification to potential bidders or proposers. More or less time may be allotted at the determination of the Executive Director.</p> <p>RFPs and IFBs will be reviewed by a selection panel appointed by the Executive Director. The Executive Director may elect to assemble a separate cost evaluation panel to review cost proposals and evaluate cost assumptions. Based on their reviews and analysis, the selection panel and cost evaluation panel, if any, shall rank bids or proposals. The Executive Director will recommend to the Board award of a contract, based on the results of the procurement process and the recommendations of the selection panel and cost evaluation panel, if any, to the bidder or proposer most advantageous to TIMMA. In the case of IFBs, the Executive Director will recommend award to the lowest responsive and responsible bidder or proposer.</p> <p>Copies of all correspondence, including negative response letters, copies of evaluation sheets/scores, and copies of all bids or proposals not being considered further shall be maintained in the files.</p> <p>In the event that only a single bid or proposal is submitted, TIMMA shall document its efforts in soliciting responses; and record the history of all correspondence, negotiations, including parties involved, etc., that took place with reference to the award of the resulting contract.</p>		
<p><b>CHAPTER 6. CONTRACT ADMINISTRATION</b></p>	<p>No contractual obligations, administrative or capital, shall be assumed by TIMMA in the excess of its ability to pay as defined by the adopted final budget. Approval of the Board is required prior to the execution of any contract for the procurement of goods or professional services that authorizes payments that in the aggregate exceed <del>\$75,000</del> <u>\$100,000</u> in a fiscal year. The Executive Director is authorized to approve and execute all such contracts that authorize payments not in excess of <del>\$75,000</del> <u>\$100,000</u> per fiscal year, provided that the amounts are consistent with the adopted final budget, as amended in accordance with the Fiscal Policy for the current fiscal year or, in the event that the contract was not completed in a single fiscal year, the contiguous fiscal year(s). The Executive Director is authorized to amend contracts to extend time, to add or delete tasks of similar scope and nature, and to increase or reduce the total amount of the contract. The Executive Director may execute such amendments without</p>	<p>Revision to increase Executive Director's authorization threshold to be in line with comparable transportation agencies and adjust for inflation.</p> <p>Revisions for clarity.</p> <p>Changed gender references to neutral form.</p>	<p>9</p>



# Attachment 1 Procurement Policy

SECTION	REVISION	REASON	PAGE
	<p>prior Board approval, if the amount of the amendment does not exceed <del>\$75,000</del> <u>\$100,000</u>.</p> <p>All <u>contract procurements and</u> expenditures shall comply with all federal, state, and local statutory requirements and <u>applicable administrative regulations and orders, as well as</u> other legal restrictions placed on the use of <del>said all</del> funds <u>expected to be used on each contract</u>. The Executive Director shall execute all contracts in conformance with the monetary limits established in the adopted final budget. The Executive Director and/or <u>his/her/their</u> designee has the responsibility for monitoring all contractual agreements for compliance with the terms and conditions established in the contract and for rendering payment upon completion of services or delivery of goods and materials as agreed.</p>		





Attachment 1  
**Travel, Conference, Training, and Business Expense Reimbursement Policy**

SECTION	REVISION	REASON	PAGE
<b>CHAPTER 2. ELIGIBILITY</b> Section B. Eligible Travel Expenses. Subsection 4. Miscellaneous expenses:	c. Tips to <del>porters, baggage carriers, bellhops, hotel staff, and stewards or stewardesses</del> <u>hospitality staff</u> ;	Revision to update gender references to neutral form and simplify reference to all relevant positions in this industry.	2
<b>CHAPTER 2. ELIGIBILITY</b> Section D. Expense Limitations.	Reimbursement of costs shall be based on the minimum number of days and hours required to transact Transportation Authority business. Costs incurred due to early or late arrival shall be at the traveler's expense unless it is shown that the savings in airfare outweighs other costs. In that event, it is up to the traveler's discretion as to whether <del>he or she</del> <u>they</u> wishes to take advantage of the reduced airfare by traveling at an earlier/later date.	Revision to update gender references to neutral form.	3
<b>CHAPTER 4. PROCEDURE FOR CLAIMING EXPENSE REIMBURSEMENT</b> Section F. Commissioner Reports.	TIMMA Commissioners attending a meeting, conference, or training at the expense of TIMMA shall provide a brief <del>written and</del> oral report of such <u>as part of the Chair's Report which is typically scheduled</u> at the next regular Board meeting of TIMMA. The report must include a statement of how the Commissioner's attendance has an impact on, or was associated with, TIMMA business, <del>and include any materials distributed at the meeting, conference, or training that could be helpful to other Commissioners.</del>	Revision to modify the Section to be consistent with TIMMA policies.	5

## Attachment 2



### TREASURE ISLAND MOBILITY MANAGEMENT AGENCY

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## Administrative Code

Ordinance No. 24-~~XX~~01

### CHAPTER 1. TITLE AND AUTHORITY

This Ordinance is enacted pursuant to the provisions of California Streets and Highways Code Section 1967-1967.11 (the Treasure Island Transportation Management Act), and may be referred to as the "Treasure Island Mobility Management Agency (TIMMA) Administrative Code." This Ordinance prescribes the powers and duties of the TIMMA Board; the method of appointment of staff of TIMMA; and the policies, and systems of operation and management of TIMMA.

### CHAPTER 2. DUTIES OF TIMMA

TIMMA shall have the exclusive power to do any or all things necessary and required to accomplish the stated purposes and goals of the Treasure Island Transportation Management Act, pursuant to the terms of a resolution or ordinance adopted by the TIMMA Board (Board):

- (a) Administer the Treasure Island Transportation Program.
- (b) Adopt an annual budget.
- (c) Cause a post audit of its financial transactions and records at least annually by a certified public accountant.

### CHAPTER 3. POWERS AND DUTIES OF TIMMA COMMISSIONERS

The eleven members of the Board of Commissioners of the San Francisco County Transportation Authority (Transportation Authority) shall be the Board of Commissioners of TIMMA. They shall be known as "Commissioners" individually, and as the Board of Commissioners, or Board, collectively.

- (a) Chair. The Chair shall be a TIMMA Commissioner and shall possess the following powers and duties:
  - 1. To preside at all meetings;



2. To appoint the membership and the Chair and Vice-Chair of the committees of TIMMA, except for the Community Advisory Committee;
3. To decide the agenda of TIMMA Board meetings;
4. To sign contracts, deeds, and other instruments on behalf of TIMMA; and
5. To perform such additional duties as may be designated by TIMMA.

(b) Vice-Chair. The Vice-Chair shall be a TIMMA Commissioner and shall perform the duties of the Chair in the absence or incapacity of the Chair.

**SECTION 3.1. Method of Appointment of TIMMA Commissioners.**

- (a) The Chair shall be elected at the first meeting of TIMMA, and thereafter, after the first complete calendar year, annually at the first meeting in January or at the first meeting of the year.
- (b) The Vice-Chair shall be elected at the first meeting of TIMMA, and thereafter, after the first complete calendar year, annually at the first meeting in January or at the first meeting of the year.
- (c) The newly appointed Chair shall immediately preside following ~~his or~~ her~~their~~ election at the same meeting.
- (d) If the Chair or Vice-Chair resigns or is removed from office, the election for Chair or Vice-Chair to serve the remainder of the term shall be at the next meeting of TIMMA. Except as provided in Section 3.2(a) below, the Chair and Vice Chair shall serve without compensation but shall be entitled to reimbursement as provided in Section 3.2(b) below.

**SECTION 3.2. Compensation of Commissioners.**

- (a) TIMMA Commissioners shall be compensated at the rate of \$100 for each day attending the business of TIMMA, but not to exceed \$400 in any month, for any of the following occurrences that are related to business of TIMMA:
  1. A meeting of the legislative body;
  2. A meeting of an advisory body;



3. A conference or organized educational activity, including ethics training;  
or
  4. Any other occurrence, if TIMMA has adopted a written policy in a public meeting specifying that the attendance at such occurrence would constitute the performance of official duties for which Commissioners may receive compensation.
- (b) Commissioners shall receive reimbursement for necessary travel and personal expenses incurred in the performance of their duties when such expenses are authorized in advance and as set forth in TIMMA's adopted Travel, Conference, Training and Business Expense Reimbursement Policy.
- (c) TIMMA Commissioners shall not be compensated or reimbursed for any of the above if it would result in a duplication of compensation or reimbursement as a member of the San Francisco Board of Supervisors or as a Commissioner of the Transportation Authority.

#### **CHAPTER 4. STAFF OF TIMMA**

The Transportation Authority shall lend staff to TIMMA as appropriate, subject to reimbursement by TIMMA for salary and related benefits and other costs allocable to services performed for TIMMA by Transportation Authority staff.

#### **CHAPTER 5. METHODS, PROCEDURES, AND SYSTEMS OF OPERATION AND MANAGEMENT**

As used in these Rules, the following words and phrases shall have the meanings respectively ascribed to them by Rules 1.2 through 1.18.

##### **SECTION 5.1 Committees of TIMMA.**

- (a) TIMMA Committee. The Chair of TIMMA shall appoint a TIMMA Committee which shall be composed of three Commissioners. This Committee shall consider matters related to the Treasure Island Transportation Management Program requiring attention between meetings of the TIMMA Board.



- (b) Additional Committees. The TIMMA Board may create, and the Chair shall appoint the membership of, select, standing, and other committees established consistent with the following criteria:
1. The Committee shall have a clear, simple, narrow, single statement of purpose;
  2. The Committee will be created for a specified maximum period of time, which in the case of a standing committee may be permanent; and
  3. The Committee will consist of no less than three and no more than five Commissioners. The TIMMA Chair shall annually appoint Chairs of the TIMMA Committee(s).
- (c) TIMMA Committee Procedures. The Chair shall be eligible to be appointed and to serve on each Committee established under this Code as a voting, regular member. If not appointed as a regular member of a Committee, the Chair shall serve as a non-voting, ex-officio member, except that the Chair shall serve as a voting member when ~~his or her~~their presence is necessary in order to constitute a quorum. A majority of the authorized number of members of a committee shall constitute a quorum for the transaction of business, and all official acts of a committee shall require the affirmative vote of the majority of the authorized number of members of the committee. In the case of a tie vote, the Chair, if present but not acting as a voting member, may cast the deciding vote. If the Chair's presence as a nonvoting ex-officio member causes a majority of the members of the full Board to be present, the committee meeting shall be recessed, if necessary, and the meeting convened or reconvened as a special Board meeting.

## **SECTION 5.2. Community Advisory Committees.**

- (a) Community Advisory Committee. The TIMMA Board shall appoint five members to a Community Advisory Committee (CAC). Two members would represent Treasure Island and Yerba Buena Island residents, two members would represent businesses and nonprofits operating on the islands, and one CAC member would be an at-large member who could represent a citywide perspective and/or mobility concerns. When selecting CAC members, consideration will be given to ensure that they represent residents of diverse income levels and locations and a mix of large and small



businesses and nonprofits and reflect the racial and gender diversity of San Francisco. In addition, the District 6 member of the Transportation Authority's Community Advisory Committee shall serve as a non-voting ex-officio member of the TIMMA CAC, except they shall serve as a voting member when their presence is necessary in order to constitute a quorum. CAC members shall serve **without compensation** for a two-year period, although the TIMMA Board may appoint one or more of the initial members of the CAC to a three-year term to stagger the terms of CAC members. Any member who is absent for two of any four regularly scheduled consecutive meetings shall be automatically terminated. The TIMMA Board shall fill any vacancy for a new two-year period. The CAC shall meet as needed based on the TIMMA Board and Committee meeting schedule and all meetings shall be open to the public. The regular meetings of the CAC shall be held on Treasure Island in San Francisco, California. TIMMA staff, as provided by the Transportation Authority pursuant to Section 4, will be available to assist the CAC. The CAC shall assist TIMMA in:

1. Refining the mission of TIMMA;
2. Reflecting community values in the development and administration of the Treasure Island Transportation Program, and channeling TIMMA's mission and the Treasure Island Transportation Program back to the community;
3. Defining and/or refining criteria and priorities for implementing the 2011 Treasure Island Transportation Improvement Plan, as it may be amended; and
4. Monitoring the progress and effectiveness of the Treasure Island Transportation Program.

**(b) Community Advisory Committee - Subcommittees.** The Community Advisory Committee Chairperson may propose subcommittees to TIMMA Chair. Before submitting any such proposal to the TIMMA Chair, the Community Advisory Committee Chairperson shall consult with TIMMA staff to confirm the purpose, objective, and term of the subcommittee, and to ensure consistency with the approved TIMMA work program and availability of staff resources. All Community Advisory Committee subcommittees are subject to the approval of TIMMA Chair. Each subcommittee shall consist of three members.



~~(b)(c)~~ Additional Advisory Committees. The TIMMA Board may create and appoint other advisory committees that it deems necessary.

### **SECTION 5.3 Contracts.**

- (a) Contracts for the purchase of supplies, equipment, and materials in excess of ~~\$75,000~~\$100,000 shall be awarded after a formal competitive procurement process in conformance with TIMMA's adopted Procurement Policy.
- (b) Contracts for the purchase of services in excess of ~~\$75,000~~\$100,000 shall be awarded after a formal competitive procurement process in conformance with the TIMMA Procurement Policy.
- (c) The Executive Director is authorized to contract for goods and services for an amount less than or equal to ~~\$75,000~~\$100,000 per fiscal year in conformance with the TIMMA Procurement Policy. The Executive Director is authorized to amend contracts and agreements within the parameters specified in the TIMMA Procurement Policy.
- (d) Where advantageous, TIMMA may contract without initiating a competitive procurement process with the City and County of San Francisco to render designated services or to provide materials on behalf of TIMMA.
- (e) To the extent permitted by law, Disadvantaged Business Enterprises and Local Business Enterprises shall have the maximum feasible opportunity to participate in the performance of contracts financed in whole or in part with TIMMA funds. TIMMA shall not discriminate on the basis of race, national origin, color, religion, sex, sexual orientation, age, or disability in the award and performance of its contracts.

### **SECTION 5.4 Procedures for Implementing the California Environmental Quality Act.**

#### **SECTION 5.4.1. AUTHORITY AND MANDATE.**

- (a) This Section 5.4 is adopted pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 and following, as amended; and



pursuant to the Guidelines for Implementation of the California Environmental Quality Act, as amended, appearing as Title 14, Division 6, Chapter 3 of the California Code of Regulations (hereinafter referred to collectively as "CEQA").

- (b) Any amendments to CEQA adopted subsequent to the effective date shall not invalidate any provision of this Section 5.4. Any amendments to CEQA that may be inconsistent with this Section 5.4 shall govern until such time as the relevant provision of this Section 5.4 is amended to remove such inconsistency. The provisions of this Section 5.5 shall be interpreted in a manner that is consistent with CEQA.
- (c) This Section 54 shall govern in relation to all other ordinances of TIMMA and rules and regulations pursuant thereto. In the event of any inconsistency, the provisions of this Section 5.4 shall prevail.

#### **SECTION 5.4.2. INCORPORATION BY REFERENCE.**

The provisions of CEQA are not repeated here but are expressly incorporated herein by reference as though fully set forth.

#### **SECTION 5.4.3. RESPONSIBILITY.**

The administrative actions required by CEQA, to the extent authorized by Section 15025 of the CEQA Guidelines, with respect to the preparation of environmental documents, giving of notice and completing other activities shall be performed by staff of TIMMA or by consultants under the direction of TIMMA. These activities may include, but are not limited to:

- (a) Preparing any necessary forms, checklists, and processing guidelines to implement CEQA in accordance with this Section 5.4;
- (b) Determining whether there are excluded and exempt activities which are not subject to CEQA;





- (c) Determining when a negative declaration or environmental impact report (EIR) is required when TIMMA is acting as a lead agency or as is otherwise required by CEQA;
- (d) Ensuring that agencies and other interested parties are consulted and have an opportunity to comment during the CEQA process when TIMMA is acting as a lead agency or as is otherwise required by CEQA;
- (e) Preparing environmental documents and notices when TIMMA is acting as a lead agency or as is otherwise required by CEQA;
- (f) Consulting, providing comments, and attending hearings as necessary on behalf of TIMMA when it acts as a responsible agency under CEQA; and
- (g) Ensuring coordination with federal lead and responsible agencies when project review is required under both CEQA and the National Environmental Policy Act ("NEPA").

#### **SECTION 5.4.4. LIST OF NON-PHYSICAL AND MINISTERIAL PROJECTS.**

TIMMA shall maintain a list of types of ministerial projects that are excluded from CEQA review. TIMMA shall also maintain a list of types of projects that normally do not cause a physical change in the environment and are therefore excluded from CEQA review. Such lists shall be modified over time as the status of types of projects may change under applicable laws, ordinances, rules, and regulations. The list shall not be considered totally inclusive, and may at times require refinement or interpretation on a case-by-case basis. The list of ministerial projects and modifications thereto shall be kept posted in the offices of TIMMA, and copies shall be sent to the TIMMA Board when the list is updated or modified.

#### **SECTION 5.4.5. CATEGORICAL EXEMPTIONS.**

TIMMA shall maintain a list of types of projects that are categorically exempt from CEQA. This list shall be kept posted in the offices of TIMMA, with updated



copies sent to the Board. The list shall be kept up to date in accordance with any changes in CEQA.

#### **SECTION 5.4.6. INITIAL EVALUATION OF PROJECTS**

- (a) For projects that are not statutorily excluded or categorically exempt from CEQA, an initial study shall be prepared to establish whether a negative declaration or an EIR is required prior to the decision as to whether to carry out or approve the project. If it is clear at the outset that an EIR is required for a project, however, such determination may be made immediately and no initial study shall be required.
- (b) Each initial study shall meet the requirements of CEQA with respect to contents and consultation with Responsible and Trustee Agencies. During preparation of the initial study, TIMMA may consult with any person having knowledge or interest concerning the project.
- (c) If a project is subject to both CEQA and NEPA, an environmental assessment prepared pursuant to NEPA may be used to satisfy the requirements of this Section.
- (d) Based on the analysis and conclusions in the initial study, TIMMA shall determine, based on the requirements of CEQA, whether there is substantial evidence that any aspect of the project may cause a significant effect on the environment, and whether a negative declaration or an EIR shall be prepared.

#### **SECTION 5.4.7. NEGATIVE DECLARATIONS OR MITIGATED NEGATIVE DECLARATIONS.**

- (a) When a negative declaration is required, it shall be prepared by or at the direction of TIMMA. All CEQA requirements governing contents, notice, and recirculation shall be met.
- (b) The Board shall review and consider the information contained in the final negative declaration, together with any comments received during the public review process, and, upon making the findings as provided in CEQA



Guidelines Section 15074, subdivision (b), shall adopt the negative declaration, prior to approving the project. If the Board adopts a mitigated negative declaration, it shall also adopt a program for reporting on or monitoring the mitigation measures for the project that it has either required or made a condition of approval to mitigate or avoid significant environmental effects.

#### **SECTION 5.4.8. DRAFT ENVIRONMENTAL IMPACT REPORTS.**

- (a) If it is determined that a project may have a significant effect on the environment and that an EIR is required, TIMMA shall prepare a Notice of Preparation and shall meet all requirements for notice and circulation as required by CEQA.
- (b) The EIR shall be prepared by or under the direction of TIMMA. The EIR shall first be prepared as a draft report. During preparation of the draft EIR, TIMMA may consult with any person or organization that TIMMA believes will be concerned with the environmental effects of the project and shall meet all CEQA consultation requirements (CEQA Guidelines, Sections 15082, 15083, and 15086).
- (c) When the draft EIR has been prepared, TIMMA shall file a Notice of Completion and shall provide public notice of the draft EIR, as required by CEQA Guidelines Section 15085. The comment period on draft EIRs shall meet the requirements of CEQA. The draft EIR shall be available to the general public upon filing of the Notice of Completion.
- (d) Public participation, both formal and informal, shall be encouraged at all stages of review, and written comments shall be accepted at any time up to the conclusion of the public comment period. TIMMA may give public notice at any formal stage of the review process, beyond the notices required by CEQA, in any manner it may deem appropriate, and may maintain a public log as to the status of all projects under formal review. Members of the general public shall be encouraged to submit their comments in writing as early as possible.

#### **SECTION 5.4.9. FINAL ENVIRONMENTAL IMPACT REPORTS.**



- (a) A final EIR shall be prepared in accordance with CEQA by, or at the direction of, TIMMA, based upon the draft EIR, the consultations and comments received during the review process, and additional information that may become available.
- (b) In the judgment of the Board, if the final EIR is adequate, accurate and objective, and reflects the independent judgment and analysis of the Board, the Board shall certify its completion in compliance with CEQA Guidelines 15090-15095. The certification of completion shall contain findings as to whether the project as proposed will, or will not, have a significant effect on the environment, any changes that have been required or incorporated into the project to avoid or substantially lessen any significant environmental effect of the project, and shall include adoption of a program for the monitoring and reporting on any changes or mitigation measures required in the project.

#### **SECTION 5.4.10. ACTIONS ON PROJECTS.**

- (a) Before making its decision whether to carry out or approve the project, the Board shall review and consider the information contained in the Final EIR, Negative Declaration of Mitigated Negative Declaration and shall make findings as required by CEQA Guidelines Section 15091 or Section 15074, as applicable.
- (b) After the Board has decided to carry out or approve a project, TIMMA shall file a notice of determination with the county clerk of the county or counties in which the project is to be located and as required by CEQA Guidelines Section 15094 or Section 15075, as applicable. Such notice shall contain the information required by CEQA Guidelines Section 15094 or Section 15075, as applicable. If the project requires a discretionary approval by a state agency, a copy of the notice of determination shall also be filed with the California Governor's Office of Planning and Research.

#### **SECTION 5.4.11. ADDITIONAL ENVIRONMENTAL REVIEW.**

If TIMMA or the Board determine that additional environmental review is required by CEQA Guidelines Section 15162-15164, or if modifications to a



project require additional environmental review, such review will be conducted as provided by CEQA Guidelines Section 15162-15164 and in accordance with the applicable procedures set forth in this Section 5.4.

#### **SECTION 5.4.12. EVALUATION OF MODIFIED PROJECTS.**

- (a) After evaluation of a proposed project has been completed, a substantial modification of the project may require reevaluation of the proposed project.
- (b) Where such a modification occurs as to a project that has been determined to be excluded or categorically exempt, a new determination shall be made. If the project is again determined to be excluded or categorically exempt, no further evaluation shall be required. If the project is determined not to be excluded or categorically exempt, an initial study shall be conducted as provided in Section 5.4.6.
- (c) Where such a modification occurs as to a project for which a negative declaration has been adopted or a final EIR has been certified, TIMMA shall reevaluate the proposed project in relation to such modification. If, on the basis of such reevaluation, TIMMA determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons supporting the determination shall be noted in writing in the case record, and no further evaluation shall be required. If TIMMA determines that additional environmental review is necessary, a new evaluation shall be completed prior to the decision by the Board as to whether to carry out or approve the project as modified. CEQA Guidelines Sections 15162-15164 sets forth specific requirements for the determination of whether a supplemental or subsequent EIR is necessary, as well as the applicable process for either a supplemental or subsequent EIR.

#### **SECTION 5.4.13. MULTIPLE ACTIONS ON PROJECTS.**

The concept of a project is broadly defined by CEQA so that multiple actions of the same or of different kinds may often constitute a single project. This expansive concept of a project permits all the ramifications of a larger public action to be considered together rather than in a piecemeal fashion, and avoids duplication of review.



Early and timely evaluation of projects and preparation of EIRs shall be emphasized.

Only one initial study, negative declaration or EIR shall be required for each project.

Only one evaluation of a project or preparation of an EIR shall occur in cases in which both TIMMA and one or more other public agencies are to jointly carry out or approve a project. In such cases the evaluation or preparation is performed by the lead agency, and the determination of which agency shall be the lead agency is determined with reference to the criteria contained in CEQA Section 21165.

CEQA provides that a single initial study, negative declaration or EIR may be employed for more than one project, if all such projects are essentially the same in terms of environmental effects and circumstances. Furthermore, an initial study, negative declaration or EIR prepared for an earlier project may be applied to a later project, if the circumstances and environmental effects of the projects are essentially the same.

**SECTION 5.4.14. SEVERABILITY.**

- (a) If any article, section, subsection, paragraph, sentence, clause or phrase of this Section 5.4, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, or other competent agency, such decision shall not affect the validity or effectiveness of the remaining portions. The Board hereby declares that it would have passed each article, section, subsection, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more articles, sections, subsections, paragraphs, sentences, clauses, or phrases are declared unconstitutional or invalid or ineffective.
- (b) If the application of any provision or provisions of this Section 5.4 to any person, property or circumstances is found to be unconstitutional or invalid or ineffective in whole or in part by any court of competent jurisdiction, or other competent agency, the effect of such decision shall be limited to the person, property or circumstances immediately involved in the controversy,



and the application of any such provision to other persons, properties and circumstances shall not be affected.

- (c) These severability provisions shall apply to this Section 5.4 as it now exists and as it may exist in the future, including all modifications thereof and additions and amendments thereto.

## **CHAPTER 6. SEAL**

TIMMA may provide for and adopt an official seal. The use of the seal of TIMMA shall be for purposes directly connected with the official business of TIMMA.

## Attachment 3



### TREASURE ISLAND MOBILITY MANAGEMENT AGENCY

1455 Market Street, 22ND Floor, San Francisco, CA 94103 415-522-4800 info@timma.org www.timma.org

## Fiscal Policy

Resolution No. 24-XX

### CHAPTER 1. INTRODUCTION

The Fiscal Policy is designed to guide decisions pertaining to internal fiscal management, including day-to-day operations, annual budget development and any revenues requirements of the Treasure Island Mobility Management Agency (TIMMA). It is intended to be consistent with TIMMA's adopted Administrative Code, the Treasure Island Transportation Program, federal and state regulations, and general prudent accounting and financial management practices.

### CHAPTER 2. SCOPE AND AUTHORITY

The Fiscal Policy applies only to the operations of TIMMA. Overall policy direction shall be the responsibility of the TIMMA Board (Board). Responsibility for implementation of the Policy, and day-to-day responsibility and authority for structuring, implementing, and managing TIMMA's policies, goals, and objectives, shall lie with the Executive Director. This Policy will be reviewed and updated as required or deemed advisable at least once every three years. Any changes to the policy are subject to approval by the Board at a public meeting.

### CHAPTER 3. ANNUAL BUDGET PROCESS

The Board shall adopt an Annual Budget by the beginning of each fiscal year. The purpose of the Annual Budget is to provide management guidance and control over disbursement of TIMMA's revenues in accordance with the goals and objectives as determined by the Board and as set forth in other policies. TIMMA's fiscal year extends from July 1 of each calendar year through June 30 of the following calendar year. The sections below further define the process involved in the development of the final budget.

#### A. Preparation and Review of a Draft Budget

The Executive Director is charged with responsibility for the preparation of a draft budget for each fiscal year. The draft budget will consist of line items for Revenues, including investment income, and Administrative Operating Expenses, as applicable. The draft budget may also include other functional categories as deemed appropriate.

#### B. Public Review of Draft Budget

The draft budget shall be presented at a public hearing at a publicly noticed TIMMA Board or Committee meeting prior to being approved by the Board. Notice of the





time and place of the public meeting shall be published pursuant to Sections 6060 and 6061 of the California Government Code.

### **C. Adoption of a Final Budget**

As established by the Administrative Code, the TIMMA Committee (Committee) shall be responsible for review of the proposed overall operating and capital budget of TIMMA. The Committee shall set the budget parameters (spending limits) by budget line item as detailed in Section III.A. **Error! Reference source not found.**, and shall recommend adoption of a draft budget to the Board.

The final budget for a given fiscal year shall be approved and adopted by resolution of the Board by June 30 of the prior fiscal year. If TIMMA is unable to adopt a final budget by June 30, it must adopt a resolution to continue services and payment of expenses. The continuing resolution shall include a date certain by which the annual budget will be adopted.

### **D. Amendment to the Adopted Budget**

Except as otherwise provided in this section, the adopted final budget is not subject to further review or reopener after the Board resolution has passed. The adopted final budget may be amended during the fiscal year to reflect actual revenues and expenses incurred to the date of amendment during the fiscal year. Amendments to the budget will be presented at a publicly noticed TIMMA Board or Committee meeting prior to being approved by the Board. The Executive Director shall be responsible for proposing amendments to the adopted final budget; the Committee shall be responsible for review of the proposed amended adopted final budget, and for making a recommendation regarding the amended final budget to the Board. The amended final budget shall be adopted by Board resolution.

## **CHAPTER 4. BUDGET REQUIREMENTS**

### **A. Administrative Operating Expenses**

Administrative operating expenses include all expenses related to the operations and maintenance of TIMMA, including, among others, staff salaries, staff benefits, office lease costs, equipment rental, supplies, and travel. Specific requirements with respect to certain budgeted expenses are set forth below.

#### **1. Emergency Expenditures**

The Executive Director is authorized to exceed the overall administrative operating expense line items by up to ~~seventy-five thousand dollars~~ one hundred thousand dollars (~~\$75,000~~\$100,000), for the actual cost of emergency expenditures that are made to protect the health, safety, and welfare of the agency or the public, or to repair/restore damaged/destroyed property for TIMMA. The Executive Director shall submit a report to the Committee within thirty (30) days of the emergency



explaining the necessity of the action, a listing of expenditures, and future recommended actions.

## **2. Petty Cash**

A petty cash revolving account in the amount of one thousand dollars (\$1,000) may be established and maintained by the Executive Director for the purposes of paying miscellaneous expenses of TIMMA. Individual expenditures may not exceed two hundred and fifty dollars (\$250). Such miscellaneous expenses include outside photocopying expenses, office supplies, meeting and travel expenses, and other practical expenses as determined by the Executive Director to be necessary or convenient for proper administration. The Executive Director is authorized from time to time to seek reimbursement of this account to the maximum balance by allocation from the operating budget.

## **B. Capital Expenditures**

Capital Expenditures shall be listed as a single line item.

## **C. Other Functional Categories**

The Executive Director may designate other functional categories as deemed appropriate or necessary.

## **CHAPTER 5. REPORTING REQUIREMENTS**

The Executive Director shall report to the Committee at least on a quarterly basis on TIMMA's actual expenditures, budgetary performance, authorized variances that have been implemented pursuant to this Fiscal Policy. The Committee shall cause TIMMA's financial transactions and records to be audited by an independent, certified public accountant firm at least annually and a report to be submitted to the Board on the results of the audit.

## **CHAPTER 6. PROCUREMENT OF GOODS AND SERVICES**

~~It shall be the policy of TIMMA to competitively bid the procurement of goods and services. Procurements in amounts greater than seventy-five thousand dollars (\$75,000) shall require a formal bid process including advertising requests for bids and/or proposals in appropriate local newspapers or other media outlets. Formal procurement of supplies, equipment, and materials in excess of \$75,000 shall be awarded to the lowest responsible bidder after competitive bidding, except in an emergency declared by the vote of two-thirds of the voting membership of TIMMA, or, if after rejecting bids received, TIMMA determines and declares by a two-thirds vote of all of its voting members that, in its opinion the supplies, equipment or materials may be purchased at a lower price in the open market.~~



Procurements of supplies, equipment, and materials in amounts equal to or less than \$75,000 shall be awarded to the lowest responsive bidder following an informal competitive bid process.

The selection of professional services, such as legal, financial advisory, private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms, shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required in accordance with TIMMA's Procurement Policy.

All procurement transactions, regardless of dollar value and regardless of whether by sealed bid, informal quote, or by negotiation, shall be conducted in a manner that promotes free and open competition.

**A. – Disadvantaged Business Enterprise Requirement**

Any procurement whether formal or informal shall comply with TIMMA's applicable non-discrimination, disadvantaged/minority/local/small/women-owned business and other applicable contracting policies in place at the time of procurement.

**B. – Conflict of Interest**

Commissioners, staff, or agents of TIMMA shall not participate in the selection or in the award or administration of a contract if such participation would result in a conflict of interest, real or apparent, as defined by state statute and applicable case law. Commissioners, staff or agents shall not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements.

**C. – Contracts**

Approval of the Board is required prior to the execution of any contract for the procurement of goods or professional services that authorizes payments that in the aggregate exceed seventy-five thousand dollars (\$75,000) in a fiscal year. The Executive Director is authorized to approve and execute all such contracts that authorize payments not in excess of \$75,000 per fiscal year, provided that the amounts are consistent with the adopted final budget, as amended in accordance with this Policy for the current fiscal year or, in the event that the contract was not completed in a single fiscal year, the contiguous fiscal year(s). The Executive Director is authorized to amend contracts to extend time, to add or delete tasks of similar scope and nature, and to increase or reduce the total amount of the contract. The Executive Director may execute such amendments without prior Board approval, if the amount of the amendment does not exceed \$75,000 and so long as the amendment is consistent with the adopted final budget.

No contractual obligations, administrative or capital, shall be assumed by TIMMA in excess of its ability to pay, as defined by the adopted final budget. All expenditures



~~shall comply with all federal, state, and local statutory and other legal restrictions placed on the use of said funds:~~

~~TIMMA shall establish contracts for banking and investment services.. Said contracts shall include provisions for the receipt, maintenance, investment and disbursement of funds, and ongoing financial data reports as required by TIMMA:~~

~~As defined by the Procurement Policy, the Board shall be responsible for oversight of the procurement program for TIMMA. Please refer to the current version of the Procurement Policy maintained by TIMMA, for guidelines regarding the procurement of materials and supplies, professional and technical services, and lease and rental agreements.~~

## Attachment 4



### TREASURE ISLAND MOBILITY MANAGEMENT AGENCY

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## Procurement Policy

Resolution No. 24-~~XX~~05

### CHAPTER 1. INTRODUCTION

The Procurement Policy is designed to guide decisions pertaining to procurement, including the modes, methods, and procedures for acquiring the materials, equipment, and services necessary to carry out the operations of the Treasure Island Mobility Management Agency (TIMMA). This policy is intended to establish the manner in which all TIMMA procurement activities shall be conducted, and define the requirements and/or limitations for TIMMA and those individuals, firms or agencies doing business with TIMMA. It is intended to be consistent with TIMMA's Administrative Code and Fiscal Policy, federal and state regulations, and general prudent accounting and financial management practices.

### CHAPTER 2. SCOPE AND AUTHORITY

The Procurement Policy applies to the operations of TIMMA and is not applicable to the operations of any project sponsoring agencies of TIMMA, unless otherwise specifically provided. TIMMA may enter into an agreement to solicit and award contracts on behalf of a sponsoring agency, if requested and if it is determined to be in the best interest of TIMMA and the sponsoring agency.

The Procurement Policy provides guidelines for procuring materials and supplies, professional and technical services, and lease and rental agreements. Overall policy direction shall be the responsibility of the TIMMA Board (Board). Responsibility for implementation of the Procurement Policy, and day-to-day responsibility and authority for structuring, implementing, and managing TIMMA's policies, goals, and objectives, shall lie with the Executive Director. This Policy will be reviewed and updated as required or deemed advisable at least once every three years. Any changes to the policy are subject to approval by the Board at a public meeting.

### CHAPTER 3. PROCUREMENT PROCESS

Open competition is the basis for efficient, economic, and fair public procurement. It is the policy of TIMMA to competitively bid the procurement of all goods and services, and to encourage small and local firms to do business with TIMMA. All procurement activities are considered to be contractual obligations encompassing financial compensation in return for the rendering of specific goods and/or services. All procurements are to be negotiated on a fixed-price, ~~or~~ cost plus fixed-fee basis, or specific rates of compensation.



## A. General Provisions

All procurement transactions, regardless of purchasing methodology or dollar value, shall be conducted in a manner that maximizes open and free competition. Solicitation for offers, whether by an informal or formal bid process or through competitive negotiation shall:

1. incorporate a clear and accurate description of the technical requirements for the materials, product, or services to be procured; and
2. clearly set forth all requirements which bidders must fulfill, and all other factors to be used in evaluating the proposals.

All bids or proposals must be submitted to and received at the location designated no later than the exact time and date stated in bid or proposal requirements, and must be date- and time-stamped and logged as received by TIMMA staff. Bids or proposals received after the date and time deadline will be returned unopened and will be considered as disqualified. A bid or proposal may be withdrawn prior to bid or proposal opening for any reason by a bidder or ~~his/her~~their authorized representative, provided a written request to withdraw is received by TIMMA prior to bid or proposal opening. After bid or proposal opening, a bid or proposal may be withdrawn only for material obvious error(s) and subject to written approval by the Executive Director.

TIMMA reserves the right to modify and/or suspend any and all aspects, terms, conditions and requirements of any procurement, to obtain further information from any firm or person responding to the procurement, to waive any informality or irregularity as to form or content of the procurement document or any response thereto, to be the sole judge of the merits of the bids or proposals received, and to reject any or all bids or proposals for any reason provided that such actions are made in accordance with federal and state laws.

Contract awards shall be made only to responsive and responsible contractors that possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as compliance with public policy, record of past performance, and financial and technical resources. False statements in proposals will be a basis for disqualification. All contract awards shall be documented by written purchase order, written contract, or written memorandum. Contracts, including all options therein, will generally be limited to a maximum period of five years.

The TIMMA annual budget establishes the monetary limits for the procurement of goods and services subject to this Policy. All procurements, whether formal or informal, shall be in compliance with TIMMA's non-discrimination policy and any other TIMMA contracting policy in effect at the time of the procurement.



## **B. Conflict of Interest**

Commissioners, staff, or agents of TIMMA shall not participate in the procurement process, or in the award or administration of a contract, if such participation would result in a conflict of interest, real or apparent, as defined by state and federal laws. Commissioners, staff, or agents shall not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. TIMMA shall be subject to Articles 1 and 3 of Title 9, Chapter 7 of the California Government Code and the regulations which implement those provisions.

## **C. Informal Bid Process**

Solicitations for goods and services that are anticipated to be equal to or less than ~~\$75,000~~ \$100,000 may go through an informal Request for Proposal (RFP) or bid process. Quotes may be requested by telephone, via the internet or through mail from known qualified vendors or from current vendor catalogs and/or websites. Routine purchases in the amount of \$25,000 or less should be distributed equitably among qualified competitively priced suppliers, with consideration given to DBE/SBE/LBE utilization as applicable and as permitted by law. It is not permissible to segment the contract or use multiple solicitations for similar goods or services in order to circumvent the limitation for formal solicitation.

The informal bid or solicitation process shall include a minimum of three quotes from potential providers to ascertain that the proposed price is fair and reasonable. TIMMA files shall maintain support documentation demonstrating that a sufficient number of quotes were obtained.

Except in the case of an emergency, or a finding by the Board by two-thirds vote of all its voting members that, in its opinion, the supplies, equipment or materials may be purchased at a lower price in the open market, awards of contracts for supplies, equipment and materials in excess of \$25,000 shall be awarded to the lowest responsible and responsive bidder. Awards of contracts for supplies, equipment, and materials not in excess of \$25,000 will generally be awarded to the lowest bidder after a competitive process, but other factors including but not limited to delivery date and known performance and, if applicable and permitted by law, DBE/SBE/LBE participation may be considered in selecting the vendor.

Awards of contracts for professional services, including legal, financial advisory, private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required, and at a price that is fair and reasonable, in accordance with state and federal laws.



#### **D. Formal Bid Process**

Solicitation of goods and/or services that are anticipated to be in excess of ~~\$75,000~~\$100,000 shall be required to go through a formal Request for Proposal (RFP) or Invitation for Bid (IFB) process. An RFP process will also be used to procure professional and technical services as applicable in accordance with the provisions of California Government Code Section 4526 and applicable federal laws and regulations. Award of a contract for professional services will be qualifications-based and will consider multiple factors that will be clearly stated in the RFP, although price may be considered during the negotiation of the contract. Procurement for establishing an on-call or preapproved list of professional services providers shall be based on a qualifications-based process in accordance with state and federal law, and price may be taken into consideration when negotiating a contract with a firm selected from such a list to fulfill task orders.

For procurements anticipated to be in excess of ~~\$75,000~~\$100,000, an Invitation for Bids (IFB) process will be used to procure all supplies, equipment, or materials that are standard in nature, character, and quality; easily defined; and/or reasonably accessible in the open market. Award will be made to the lowest responsive and responsible bidder after competitive bidding, except in an emergency declared by the vote of two-thirds of the voting membership of the Board. If, after rejecting bids received, TIMMA determines and declares by a two-thirds vote of the voting membership of the Board that, in its opinion, the supplies, equipment, or materials may be purchased at a lower price in the open market, TIMMA may proceed to purchase these supplies, equipment, or materials in the open market without further observance of the provisions regarding contracts, bids, or advertisement.

Solicitation for offers in the formal bid process shall include the following:

1. A clear and accurate written description of the project scope and deliverables, and technical requirements for the materials, product, or service being procured;
2. Special conditions or restricting policies, policy goals such as DBE/SBE/LBE goals, if applicable, patents, liquidated damages, and performance, bid or indemnification requirements;
3. Proposed timetable for the project or service;
4. General format requirements and number of copies/items (if applicable) to be delivered;
5. Date of pre-proposal conference, if applicable;
6. A clear definition of the evaluation criteria to be used in evaluating the bids or proposals; and





7. Date, time, and place for submission of final bids or proposals.

If a pre-proposal conference is held, a listing of those in attendance showing name(s) of attendees and agency or company represented shall be maintained in the resulting contract files.

Responses to RFPs for professional and technical services shall require identification of the bidders or proposer's key employees and subcontractors. Bidders or proposers shall be required to notify TIMMA of any pending lawsuits or labor disputes that may interfere with the delivery of services.

Procurements in amounts greater than ~~\$75,000~~ \$100,000 shall require a formal notice process including advertising requests for bids or proposals in local appropriate newspapers or other media outlets. Notice should occur with sufficient time to allow bidders or proposers reasonable time in which to respond. The term "reasonable time" may vary depending on the complexity of the proposed project. Thirty (30) calendar days shall be considered the standard time allotted in notification to potential bidders or proposers. More or less time may be allotted at the determination of the Executive Director.

RFPs and IFBs will be reviewed by a selection panel appointed by the Executive Director. The Executive Director may elect to assemble a separate cost evaluation panel to review cost proposals and evaluate cost assumptions. Based on their reviews and analysis, the selection panel and cost evaluation panel, if any, shall rank bids or proposals. The Executive Director will recommend to the Board award of a contract, based on the results of the procurement process and the recommendations of the selection panel and cost evaluation panel, if any, to the bidder or proposer most advantageous to TIMMA. In the case of IFBs, the Executive Director will recommend award to the lowest responsive and responsible bidder or proposer.

Copies of all correspondence, including negative response letters, copies of evaluation sheets/scores, and copies of all bids or proposals not being considered further shall be maintained in the files.

In the event that only a single bid or proposal is submitted, TIMMA shall document its efforts in soliciting responses; and record the history of all correspondence, negotiations, including parties involved, etc., that took place with reference to the award of the resulting contract.

#### **CHAPTER 4. NONCOMPETITIVE NEGOTIATED AGREEMENTS (SOLE SOURCE)**

A noncompetitive, negotiated contract may be developed when special conditions arise. These types of agreements are defined as "Sole Source" agreements. Conditions under which noncompetitive, negotiated contracts may be acceptable include:



1. A unique commodity or specialized professional service is known to be available from only one vendor;
2. An emergency of such magnitude that cannot permit delay; or
3. Competition is determined to be inadequate after solicitation of a number of sources.

In these cases, TIMMA will develop an adequate scope of work, evaluation factors and cost estimate, and conduct negotiations with the vendor to ensure a fair and reasonable cost. TIMMA will document details of the special conditions and retain those details in the respective contract file for audit and grant review purposes.

## **CHAPTER 5. PROCUREMENT PROTEST AND APPEAL PROCEDURES**

It shall be the policy of TIMMA to have established protest procedures which shall apply to all procurements of supplies, equipment, and services. A copy of these policies and procedures shall be maintained in TIMMA's offices for general inspection and review by the public. In addition, TIMMA shall provide, upon request, a copy of these protest policies and procedures to all individuals, associations, corporations, and companies with which TIMMA conducts business.

A bidder or proposer that has timely submitted a bid or proposal in response to a procurement of TIMMA may file a protest asserting that TIMMA has failed to follow applicable policies or procedures relative to seeking, evaluating, and/or awarding a contract or has failed to comply with relevant specifications or procedures contained in the bid documents or request for proposals. In order to file a protest, the protester must be an actual bidder or proposer whose direct economic interests would be affected by the award of a procurement contract or by the failure to award a procurement contract.

Such protests must be filed within five business days after (i) notice, actual or constructive, of TIMMA's finding that the bidder or proposer's bid or proposal is not being considered further or (ii) an award of the contract by TIMMA to another bidder or proposer.

A protest shall be deemed filed when TIMMA actually receives the protest by mail or personal delivery. Failure to file a timely protest shall constitute a waiver of the right to file a protest under these procedures. Within five business days of receipt of an untimely protest, TIMMA shall notify the individual or entity that the protest was untimely and is being rejected. Such notice shall constitute the final decision of TIMMA relative to the untimely protest.

All protests filed must be filed by an actual bidder or proposer responding to the procurement and must be in writing and include the following information:

1. Name of individual or entity filing protest;



2. Business address and telephone number of individual or entity;
3. Name and title of contact person;
4. Description of specific procurement and the action or decision being protested;
5. A clear and concise statement of the protest, including identification of:
  - a) procedures or specifications contained in bid documents or request for proposals which were allegedly not complied with, or
  - b) specific instance(s) of TIMMA's failure to follow its policies and procedures;
6. Detailed factual support for the protest, including relevant documents or correspondence;
7. Desired resolution of the protest; and
8. Dated signature of individual, or authorized representative of entity, filing the protest.

The Executive Director shall review and consider all stated concerns and issues alleged to be in non-compliance and issue a decision within five business days of receipt of the protest. If the decision of the Executive Director is not satisfactory to the protesting party, the protesting party may appeal that decision to the Board. The appeal must be filed within five business days of the date of the decision. The appeal must clearly state the basis for disputing the decision of the Executive Director.

The appeal shall be referred to the TIMMA Committee (Committee), which shall consider whether to accept the appeal and hold a hearing on the matter. If a majority of the Committee does not wish to accept the appeal, the Committee shall recommend to the Board that the decision of the Executive Director shall be final.

If a majority of the Committee agrees to accept the appeal and hold a hearing on the matter, the protesting party shall be notified of the hearing date and time, which shall be scheduled at the earliest convenience of the Committee. At the hearing, the protesting party shall be allowed 15 minutes to present its case. TIMMA staff shall then be allowed 15 minutes to present TIMMA's case. The Committee may extend these time periods at its discretion.

Upon conclusion of the hearing, or if the Committee's determination is to agree with the decision of the Executive Director and reject the appeal without a hearing, its recommendation shall be submitted to the Board. The Board shall review and act upon the Committee's recommendation at its next regularly scheduled meeting unless it determines that additional time to consider the appeal is required. The Board may accept the recommendation of the Committee or determine to take action inconsistent with the recommendation of the Committee. The Board shall



issue written notification to the protester of its decision which shall constitute the final decision of TIMMA.

## **CHAPTER 6. CONTRACT ADMINISTRATION**

No contractual obligations, administrative or capital, shall be assumed by TIMMA in the excess of its ability to pay as defined by the adopted final budget. Approval of the Board is required prior to the execution of any contract for the procurement of goods or professional services that authorizes payments that in the aggregate exceed ~~\$75,000~~\$100,000 in a fiscal year. The Executive Director is authorized to approve and execute all such contracts that authorize payments not in excess of ~~\$75,000~~\$100,000 per fiscal year, provided that the amounts are consistent with the adopted final budget, as amended in accordance with the Fiscal Policy for the current fiscal year or, in the event that the contract was not completed in a single fiscal year, the contiguous fiscal year(s). The Executive Director is authorized to amend contracts to extend time, to add or delete tasks of similar scope and nature, and to increase or reduce the total amount of the contract. The Executive Director may execute such amendments without prior Board approval, if the amount of the amendment does not exceed ~~\$75,000~~\$100,000.

All contract procurements and expenditures shall comply with all federal, state, and local statutory requirements and applicable administrative regulations and orders, as well as other legal restrictions placed on the use of ~~said~~ funds expected to be used on each contract. The Executive Director shall execute all contracts in conformance with the monetary limits established in the adopted final budget. The Executive Director and/or ~~his/her~~their designee has the responsibility for monitoring all contractual agreements for compliance with the terms and conditions established in the contract and for rendering payment upon completion of services or delivery of goods and materials as agreed.

## Attachment 5



### TREASURE ISLAND MOBILITY MANAGEMENT AGENCY

1455 Market Street, 22ND Floor, San Francisco, CA 94103 415-522-4800 info@timma.org www.timma.org

# Travel, Conference, Training and Business Expense Reimbursement Policy

Resolution No. 24-~~XX~~05

## CHAPTER 1. PURPOSE AND GENERAL POLICY

**A. Purpose.** This document establishes a set of policies relating to travel, conference, training, and business expenses, and establishes procedures for reimbursement of eligible Treasure Island Mobility Management Agency (TIMMA) Commissioners and staff, including loaned staff, herein referred to as TIMMA personnel, for such expenses. These rules and guidelines are designed to safeguard public funds and to ensure TIMMA and its personnel are using the most economical and well-documented procedures in a consistent manner.

**B. General Policy.** TIMMA recognizes that in some instances it is necessary and/or convenient for authorized TIMMA personnel to incur expenses for travel, training, and other business purposes in connection with the official business of TIMMA. Additionally, TIMMA recognizes the benefit of attendance at meetings, conferences and other functions which advance professional knowledge and provide opportunities to exchange information related to transportation, government operations and issues. The policy of TIMMA is to pay or reimburse TIMMA personnel for such expenses, travel, and fees that a reasonable and prudent person would incur when traveling on official business and which serve a TIMMA purpose and are deemed necessary and/or advantageous to TIMMA.

**C. Limitations.** Travel and meeting expenditures shall not exceed the approved budget, except with justification and documentation, and shall be consistent with associated policies established by TIMMA. Eligible TIMMA personnel are entitled to claim reimbursement for actual, reasonable, and necessary expenses for eligible expenses incurred in the discharge of their official duties, subject to the limitations set forth herein.

## CHAPTER 2. ELIGIBILITY

**A. Eligible Personnel.** Expenses are authorized for TIMMA personnel. Travel expenses may be authorized for the purpose of conducting business on behalf of TIMMA, including employment interviews.

**B. Eligible Travel Expenses.** The following expenses are eligible for reimbursement in connection with authorized TIMMA business, travel, conferences, meetings, and training, subject to the restrictions identified in this policy. Travel expenses are subject to review by the Deputy Director for Finance



and Administration and will only be approved if deemed reasonable and proper. Reimbursements shall be for actual expenditures (receipts required for expenses greater than \$25) for amounts not to exceed the per diem rates and allowances established by the General Services Administration (GSA) and/or United States Department of Defense (USDOD) as appropriate<sup>1</sup> :

1. Meals;
2. Lodging;
3. Transportation charges (including commercial carrier fares, rental car charges, private car mileage allowances, parking, bridge and road tolls, and necessary taxi, transportation network company or public transit fares); and
4. Miscellaneous expenses:
  - a. Local and long distance business telephone calls, faxes, and internet access by the most economical practicable commercial service;
  - b. Registration fees for attending conferences, seminars, conventions, meetings, or other training of professional societies or community organizations;
  - c. Tips to ~~porters, baggage carriers, bellhops, hotel staff, and stewards or stewardesses~~ hospitality staff;
  - d. Purchase of necessary training or conference materials or supplies;
  - e. Business expenses in connection with the preparation of clerical or official reports while on training or travel status; and
  - f. Unforeseen or unusual expenses which are justified, necessary and substantiated.

**C. Non-Eligible Travel Expenses.** TIMMA personnel are not eligible to claim reimbursement for the following items:

1. Personal telephone calls;
2. Alcoholic beverages and entertainment expenses;
3. Constructive expenses, which are those which might have been incurred for TIMMA business but were not; such as:
  - a. if two individuals traveled together to a meeting in one car and each claimed full transportation costs, then one would be making a "constructive" claim; or

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<sup>1</sup> Per diem is an allowance for lodging (excluding taxes), meals and incidental expenses. The GSA establishes per diem rates for destinations within the Continental United States. The United States Department of State establishes the foreign rates.



- b. if an individual on a trip stayed with friends or relatives, it would be “constructive” to claim a lodging expense.
- 4. Expenses which are excessive or unreasonable as determined by the Deputy Director for Finance and Administration.

**D. Expense Limitations.** Reimbursement of costs shall be based on the minimum number of days and hours required to transact TIMMA business. Costs incurred due to early or late arrival shall be at the traveler’s expense unless it is shown that the savings in airfare outweighs other costs. In that event, it is up to the traveler’s discretion as to whether ~~he or she~~ they wishes to take advantage of the reduced airfare by traveling at an earlier/later date.

**E. Cash Advance.** Cash advances may be requested to cover anticipated travel expenses for out-of-area or overnight travel if requested a minimum of ten working days before departure. Cash advances shall not be less than \$100 nor more than the estimated expenses listed on the approved travel authorization form. Advances must be refunded immediately when an authorized trip is canceled or indefinitely postponed.

### CHAPTER 3. TRAVEL AUTHORIZATION

**A. Approval.** Before any TIMMA paid or reimbursed overnight or out-of-area travel may take place, TIMMA personnel must first submit a travel authorization form to their supervisor for approval, who will forward the approved form to the Deputy Director for Finance and Administration to verify that sufficient funds are available in TIMMA’s budget for the travel. The Deputy Director for Finance and Administration will forward the approved form to the Executive Director for final approval. TIMMA Commissioners must submit the travel authorization form to the Executive Director for pre-approval. The Executive Director is authorized to approve travel requests for TIMMA personnel consistent with this policy. The Executive Director will inform the Chair of the TIMMA Board of all Commissioner travel requests in excess of \$5,000. All travel requests must be approved in advance, prior to incurring any reimbursable expenses.

**B. Local Travel.** Local travel, which does not involve overnight travel, can be reimbursed by TIMMA without pre-verification of travel funds availability but staff shall obtain verbal approval from their respective supervisor and the Executive Director. If overnight travel is necessary, a travel authorization form shall be submitted prior to incurring reimbursable expenses.

**C. Out-of-Area Travel.** Out-of-area travel is defined as 50 miles or more beyond the San Francisco city limits.

**D. Travel Authorization Form.** The travel authorization form shall list the destination, purpose and justification for the trip, departure and return dates,



and the estimated costs for transportation, meals, lodging, registration, and other expenses.

## **CHAPTER 4. PROCEDURE FOR CLAIMING EXPENSE REIMBURSEMENT**

**A. Expense Report.** Any reimbursement for expenses incurred on behalf of TIMMA shall be claimed on an expense report. Expense reports shall be submitted within 45 days of incurring the expenses, and the reports shall be accompanied by adequate documentation supporting the expenses.

The total amount of all expenses pertaining to a particular trip should be accounted for the traveler on an expense report form. If the total actual cost of a trip exceeds the amount listed on the travel authorization form, justification and documentation of the excess cost must be provided. In the absence of a satisfactory explanation, any amount in excess of the estimated cost approved on the travel authorization form shall not be allowed. If the cash advance exceeds the actual reimbursable expense, then the traveler shall immediately return the excess amount with the expense report.

**B. Nature of Claim.** Claims must be for actual and necessary expenses consistent with this document; not for “constructive” expenses.

**C. Per Diem Adjustments.** Per diem claims will be adjusted, using the appropriate per meal rate, in those instances where meals are provided gratis or as part of a registration or any other fee claimed on the expense report.

**D. Required Information.** Each claim must clearly indicate the date, nature of expense and amount for which reimbursement is being claimed.

**E. Receipts.** Receipts or proof of payment must be submitted with the claim to substantiate expenditures for public carrier fares, rental cars, lodging (indicating the single rate), meals, conference, or seminar registration fees, and for any unusual items or items not specifically related to travel. Claims must be recorded and certified on an expense report. For any official business in-transit travel destination, TIMMA personnel must provide a receipt and narrative to substantiate claimed travel expenses for lodging and a receipt for any authorized expenses incurred costing over \$25. Itemized receipts shall be obtained and submitted with the expense report. If a receipt cannot be obtained or has been lost for expenses greater than \$25, a statement to that effect shall be made on the expense report and the reason given. In absence of a satisfactory explanation, the amount involved shall not be allowed.

**F. Commissioner Reports.** TIMMA Commissioners attending a meeting, conference, or training at the expense of TIMMA shall provide a brief **written**





~~and~~ oral report of such as part of the Chair's Report which is typically scheduled at the next regular Board meeting of TIMMA. The report must include a statement of how the Commissioner's attendance has an impact on, or was associated with, TIMMA business, ~~and include any materials distributed at the meeting, conference, or training that could be helpful to other Commissioners.~~

**G. Expenses Not Covered by TIMMA Policy.** In the event where an expense does not qualify for reimbursement under this policy, to be reimbursable, the expense shall be approved by the TIMMA Board, in a public meeting before the expense is incurred, unless the expense is related to lodging in connection with a conference or organized educational activity conducted in compliance with California Government Code s. 54952.2(c), including but not limited to ethics training required by Article 2.4 (commencing with §. 53234) of the Government Code.

## **CHAPTER 5. PREPAYMENT OF CONFERENCE/SEMINAR/ TRAINING FEES**

All requests for prepayment of conference/seminar/training will be submitted for approval a minimum of 10 working days in advance of the conference/seminar/training, unless reasonable justification is provided. If the ten-day requirement cannot be met, TIMMA personnel may personally pay registration fees and other expenses at their own risk and seek reimbursement on the expense report.

## **CHAPTER 6. MEAL EXPENSE**

**A. General.** TIMMA personnel may incur expenses for the purchase of meals for persons not employed by TIMMA, with whom TIMMA is transacting business. The name and business affiliation of the person, as well as the purpose of the business meeting, must be included in the expense report. The maximum per-person expenditure shall not exceed a reasonable amount under the particular circumstances and shall not exceed the per diem amount established by the GSA or USDOD as appropriate. Actual costs shall include reasonable and customary gratuities, but not the cost of alcoholic beverages. All such expenditures for personnel must be approved in advance by the Executive Director.

**B. Restrictions.** The purchase of non-travel-related meals is authorized only when TIMMA personnel are required, and where approved in advance by the Executive Director in the following circumstances:

1. to attend a breakfast, lunch or dinner meeting concerning TIMMA business affairs because of the official position or duties of the individual;



2. to attend a meeting between Commissioners and staff when required to conduct TIMMA business outside of normal business hours;
3. to attend consecutive or continuing morning and afternoon and night sessions of a TIMMA, Board of Supervisors, city council, commission, district, or other public agency meeting to cover an agenda;
4. to act as host for official guests of TIMMA, such as members of examining boards, official visitors, and speakers or honored guests at banquets or other official functions; and
5. to attend off-site training events (training workshops, seminars, and retreats) and ready access to reasonably priced meals is not available. The Executive Director may elect to either provide meals to the attendees or authorize individuals to purchase their own meals and claim reimbursement in accordance with provisions of this document.

**C. Local Area Meals.** Reimbursement for personnel meals in the local area must be associated with TIMMA business and must be approved in advance by the Executive Director. Meal expenses incurred prior to authorization will be at the risk of the personnel. Meals should not exceed the per diem rates and allowances established by the GSA or USDOD as appropriate. Unusual costs must be justified in writing.

**D. Out-of-Area Meals.** Reimbursement for personnel meals during periods of approved trips out-of-area must be approved on the travel authorization form. Reimbursement for out-of-area meals will be based on either actual costs, for which receipts must be provided for expenditures exceeding \$25, and in accordance with the per diem of the federal standard meal allowance including single day and total trip meal rates, as established by the GSA or USDOD as appropriate. Unusual costs must be justified in writing.

**E. Special Functions.** Reimbursement for meals at special functions, such as banquet meals at authorized conferences, professional meetings, or special events or functions, may be eligible for reimbursement at rates different than the per diem allowances. Eligibility for such reimbursements is based on a pre-approval by the Executive Director or the TIMMA Board in accordance with this policy.

## **CHAPTER 7. LODGING EXPENSES**

Reimbursement is allowable for single-room lodging expenses associated with attendance at out-of-area conferences or meetings. The cost of a single room will be reimbursed when travel exceeds the day's duration. Where available, government and group rates must be requested. No reimbursement is authorized for overnight accommodations within the nine Bay Area counties of Alameda,



Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma unless prior authorization is granted.

TIMMA personnel will be expected to be prudent in the choice of lodging and will submit proper documentation to justify the expense. The Executive Director will approve the lodging as part of the approval of the travel request, and reserves the right to determine which lodging is prudent, based on economic, comfort, safety, and reasonability considerations. If lodging is required in connection with a conference or activity, lodging shall be at the location where the conference or activity is being held. Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that the lodging at the group rate is available at the time of booking. If the group rate is not available and the hotel has no remaining vacancies, comparable lodging that is consistent with the requirements of this policy shall be used. No lodging shall be reimbursed on the final day of a conference or activity unless reasonable justification is provided or unless authorized by the Executive Director.

## **CHAPTER 8. MEANS OF TRANSPORTATION**

**A. General.** All travel must utilize the most efficient, direct, and economical mode of available transportation. TIMMA personnel shall use government and group rates offered by providers of transport where available. If for personal convenience, TIMMA personnel travel an indirect route and travel is interrupted, any resulting extra expense will be borne by the individual except for reasons beyond the control of the individual. For personnel, any resulting excess travel time, except where beyond the control of the personnel, will not be considered work time, but will be charged the appropriate type of leave.

Charges or loss of refunds resulting from failure to cancel reservations in accordance with the carrier's rules and time limits will not be reimbursed, unless it can be shown that such failure resulted from circumstances beyond the control of TIMMA personnel.

Unused portions of transportation tickets are subject to refund and, when purchased by TIMMA, the individual traveler is responsible to see that they are turned in promptly to secure such a refund.

**B. Local Travel.** TIMMA personnel are encouraged to make optimum use of available public transit services and carpooling for local area travel. The following modes of transportation are to be used in the following priority:



1. Public transportation;
2. Privately-owned motor vehicles;
3. Taxis, cabs, or transportation network companies; and
4. Rental cars, after exhausting all other available options.

**C. Air and Rail Travel.** TIMMA Personnel shall use coach-class or equivalent accommodations for air and rail travel whenever possible. Any additional fees for seat location upgrades, seat spacing upgrades, or preferential boarding will not be reimbursed unless documentation is provided that there were no other reasonable options available and unless authorized by the Executive Director for special circumstances (e.g., physical or medical conditions).

**D. Automobiles**

1. Privately-owned Automobile for Official Business
  - a. In instances where TIMMA personnel use their private automobiles for transportation between their normal work location and other designated work locations (e.g., the site of a meeting), TIMMA personnel may be reimbursed for such mileage based upon the standard mileage rate as established by the GSA. When actual mileage exceeds by 10% the reasonable distance between points, TIMMA personnel must justify such excess. Inability to do so will result in the reimbursement being based on mileage for the most direct route. Mileage rate of reimbursement will be adjusted as required. Mileage reimbursement for out-of-area trips shall not exceed the cost of the most efficient and economical direct air rate. TIMMA personnel who use their privately-owned motor vehicles for transportation while on official TIMMA business must carry at least the minimum automobile liability insurance for privately-owned motor vehicles as required by the State of California. Reimbursement for this minimum automobile liability insurance coverage shall not be allowed. When using privately-owned motor vehicles, TIMMA personnel will not be reimbursed for any damages that may occur.
  - b. Charges for ferries, bridges, tunnels, or toll roads will be allowed. Reasonable charges will also be allowed for necessary parking.
  - c. Property damage to the automobile owned by TIMMA personnel incurred without fault or cause of the traveler shall be reimbursed in an amount up to \$250 or the amount of the deductible on the traveler's auto insurance policy, whichever is the lesser amount, for each accident. TIMMA will assume an assignment of subrogation rights up to the amount expended, for recovery of such sums from third parties, known or unknown at the time of such payment.



- d. In order to be paid mileage for travel which originates other than at the normal work location, the mileage must be in excess of that normally driven from the traveler's residence to and from the normal work location. The requesting traveler will include justification in the expense report. In the absence of satisfactory justification, the mileage expense shall not be allowed.

## 2. Rental Automobiles

- a. Rental automobiles may be used when such rental is considered to be more advantageous to TIMMA than the use of other means of transportation. Advance reservations should be made whenever possible and TIMMA personnel are expected to be prudent in the selection of an automobile model.
- b. The traveler must obtain full collision coverage. Any additional charge for this coverage will be allowed for reimbursement.
- c. Charges for ferries, bridges, tunnels, or toll roads will be allowed. Reasonable charges will also be allowed for necessary parking.

**E. Other Modes of Transportation.** Limousine taxi and transportation network company fares will be allowed for travel where public transportation is not practical or available. Examples may include, but are not limited to, travel between transportation terminal and hotel, between hotel and place of business, and between places of business.

**F. Reimbursement.** Unless otherwise provided above, TIMMA will reimburse its personnel for transportation at the rates established by the GSA or USDOD as appropriate.

## CHAPTER 9. BAGGAGE

Charges incurred for excess baggage will be reimbursed if justified as necessary for the purpose of the trip. An explanation of the circumstances and payment receipts must accompany the claim for reimbursement. Charges for checking and handling of baggage, including reasonable and customary gratuities will be allowed.

## Attachment 6



### TREASURE ISLAND MOBILITY MANAGEMENT AGENCY

TC061124

ORDINANCE NO. 24-01

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#### ORDINANCE AMENDING THE TREASURE ISLAND MOBILITY MANAGEMENT AGENCY ADMINISTRATIVE CODE

WHEREAS, The Treasure Island Mobility Management Agency's (TIMMA's) Administrative Code prescribes the powers and duties of the Commissioners of TIMMA, the method and appointment of staff of TIMMA, and the policies and systems of TIMMA operation and management; and

WHEREAS, The Administrative Code was last amended on November 9, 2022 through Ordinance 23-01; and

WHEREAS, Staff has proposed amendments to the Administrative Code in order to comply with government codes, and provide clarity and flexibility, as shown in Attachment 1; and

WHEREAS, At its June 11, 2024 meeting, the TIMMA Committee considered the proposed Administrative Code changes detailed in Attachment 1 and unanimously recommended approval of the staff recommendation; now, therefore, be it

RESOLVED, That TIMMA hereby amends the Administrative Code as presented in Attachment 1; and be it further

RESOLVED, That the Executive Director is hereby authorized to distribute the amended Administrative Code to all relevant agencies and interested parties.

#### Attachment:

1. Proposed Revised Administrative Code

## Attachment 7



### TREASURE ISLAND MOBILITY MANAGEMENT AGENCY

TC061124

RESOLUTION NO. 24-05

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#### RESOLUTION APPROVING THE REVISED FISCAL POLICY; PROCUREMENT POLICY; AND TRAVEL, CONFERENCE, TRAINING, AND BUSINESS EXPENSE REIMBURSEMENT POLICY

WHEREAS, The Treasure Island Mobility Management Agency (TIMMA) Board has directed review of all policies periodically to ensure compliance with current statutes and TIMMA objectives; and

WHEREAS, The TIMMA develops and implements policies and procedures to organize and formalize agency activities, and to ensure compliance with current statutes and the agency objectives; and

WHEREAS, The TIMMA reviews the Fiscal Policy periodically to conform to and be consistent with applicable law and provide additional clarity and flexibility; and

WHEREAS, The TIMMA also reviews the Procurement Policy periodically to provide clarity and flexibility; and

WHEREAS, While not required to review the Travel, Conference, Training, and Business Expense Reimbursement policy, the TIMMA does so on a regular or as-needed basis; and

WHEREAS, The recommended action would not have an impact on the adopted Fiscal Year 2024/25 budget; now, therefore, be it

RESOLVED, That the TIMMA hereby approves the recommended revisions to the Fiscal Policy; Procurement Policy; and Travel, Conference, Training, and Business Expense Reimbursement Policies to conform to and be consistent with applicable law, provide additional clarity and flexibility, and reflect changes since the last update.

#### Attachments (3):

1. Proposed Fiscal Policy
2. Proposed Procurement Policy
3. Proposed Travel, Conference, Training, and Business Expense Reimbursement Policy